

**THE TWENTY-FIFTH DAY**

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CARSON CITY (Thursday), March 2, 2017

Assembly called to order at 11:37 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Deacon Gil Coleman.

Let us pray:

Good and gracious God, we thank You for the blessing of our state and of our nation. Help all of us who have the privilege to live here to understand and accept the responsibility to care for our home and those with whom we share it.

Bless these good people who have offered to sacrifice time with their families and in their careers to come to Carson City to serve us all in state government and in whom we citizens have placed our trust and confidence. We ask you to give them a spirit of camaraderie in their work and a gift of wisdom in their deliberations.

We make this prayer as a people of trust and faith.

AMEN.

Pledge of allegiance to the Flag.

Assemblywoman Benitez-Thompson moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 1, 2017

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 22, 56; Senate Joint Resolution No. 2.

SHERRY RODRIGUEZ

*Assistant Secretary of the Senate*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Frierson, Elliot Anderson, Paul Anderson, Araujo, Benitez-Thompson, Bilbray-Axelrod, Brooks, Bustamante Adams, Carlton, Carrillo, Cohen, Daly, Diaz, Edwards, Ellison, Flores, Fumo, Hambrick, Hansen, Jauregui, Joiner, Kramer, Krasner, Marchant, McArthur, McCurdy, Miller, Monroe-Moreno, Neal, Ohrenschall, Oscarson, Pickard, Spiegel, Sprinkle, Swank, Thompson, Titus, Tolles, Watkins, Wheeler, Woodbury and Yeager; Senators Parks, Atkinson, Cancela, Cannizzaro, Denis, Farley, Ford, Gansert, Goicoechea, Gustavson, Hammond, Hardy, Harris, Kieckhefer, Manendo, Ratti, Roberson, Segerblom, Settlemeyer, Spearman and Woodhouse:

Assembly Concurrent Resolution No. 4—Celebrating the life of former Assemblyman Bernie Anderson.

WHEREAS, The members of the Nevada Legislature on this day remember and celebrate the life of an esteemed colleague and dedicated public servant, former State Assemblyman Bernie Anderson; and

WHEREAS, Bernard J. Anderson Jr. was born on May 15, 1942, to proud Irish Catholics Bernard and Beatrice Anderson, of Sparks, Nevada; and

WHEREAS, After graduating from Bishop Manogue Catholic High School and the University of Nevada, Bernie Anderson began teaching government and history in the Reno/Sparks area, a career to which he dedicated more than 30 years of his life; and

WHEREAS, Teaching was not just a job, it was a passion for Bernie Anderson and he devoted great effort to ensure his students understood the importance of democracy and to share with them his love for this country; and

WHEREAS, In 1990, Bernie Anderson began his political career, being elected to serve in the Nevada State Assembly, thereafter representing the people of the City of Sparks, Nevada, in Assembly District No. 31 for more than 20 years in the Nevada Legislature, most notably as Chairman of the Assembly Judiciary Committee and serving honorably in various other leadership positions, including Majority Whip and Speaker Pro Tempore; and

WHEREAS, Although as Chairman of the Assembly Judiciary Committee, Bernie Anderson was a stickler for decorum and known for the efficiency with which he led his committee, as it routinely considered and processed more bills than any other legislative committee he always ensured that the voices of all Nevadans were heard; and

WHEREAS, The “Woodshed” located in the offices of Chairman Anderson became infamous to those working with the Judiciary Committee as a place where they would be called upon to answer for their actions or to participate in the mediation of difficult issues, an effective tool which others continue to try to emulate today; and

WHEREAS, Bernie Anderson’s knowledge of the legislative process was unparalleled and he took great delight in teaching and mentoring other Legislators; and

WHEREAS, Bernie Anderson’s concerted effort to wear a tie each day to match the subjects or occasions being considered at the Legislature was more than a fashion statement, it was subtle notice that he was aware of the legislative agenda for the day and was willing to meet those challenges; and

WHEREAS, Even though Bernie Anderson’s first loyalty was to his constituents in the City of Sparks, he believed that as a public servant he was responsible to work toward the good of all Nevadans and always considered the impact of legislation as a whole; and

WHEREAS, Of the many issues Bernie worked on as a Legislator, he was proudest of his work in creating Nevada’s first Drug Courts and combating domestic violence; and

WHEREAS, This longtime educator brought life to his curriculum by such actions as dressing up as historic characters to interact with his high school students, and peppering his legislative floor speeches with examples of courage shown by the Founding Fathers during the Revolutionary War; and

WHEREAS, Bernie Anderson had an incomparable ability to combine humor with public policy, as illustrated most notably when he would wear the hat from Cat in the Hat around the halls of the Legislature on March 2nd, the birthdate of Dr. Seuss, and read excerpts of the books on the floor of the Assembly to honor the author and emphasize the importance and joy of reading; and

WHEREAS, In addition to serving the citizens of Nevada as an educator and Legislator, Bernie was also a Staff Sergeant E-6 in the Nevada Army National Guard from 1960 to 1967, and in 2007 was honored with the Charles Dick Medal of Merit in recognition of his service to the National Guard; and

WHEREAS, Even above his love of teaching, legislative service, trains and the City of Sparks, was his love for and respect of his wife Clyda and their two daughters, Cairn and Natha Clyde—the mere mention of their names would light up his face; and

WHEREAS, Bernard J. Anderson Jr. will long be remembered as a devoted husband, father and grandfather, an outstanding public servant and one of the greatest advocates for Sparks and Washoe County; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 79th Session of the Nevada Legislature remember and celebrate the life of Bernard J. Anderson Jr. on this day and extend their deepest condolences to Bernie's cherished wife Clyda, and daughters Cairn and Natha; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit copies of this resolution to Assemblyman Anderson's beloved wife and daughters.

Assemblyman Thompson moved the adoption of the resolution.

Remarks by Assemblymen Thompson, Elliot Anderson, Hambrick, Daly, Ohrenschall, Diaz, and Mr. Speaker.

ASSEMBLYMAN THOMPSON:

I am truly honored to be able to share some words about a man I never met. To read his story, for us to have heard his story today, makes me want to be a better legislator. I hope everyone in this body felt that. I hope you felt a part of that when you heard Ms. Furlong speak that into the record.

I also want to share one thing that is in his bio in the alumni book offered to all of us. Bernie Anderson was a true public servant. Those words mean a lot; they were not just written there. He was a true public servant who lived and breathed it every day. For eight of his ten sessions in the Assembly, Mr. Anderson was a non-lawyer who served as the Chairman of the Judiciary Committee. I heard he made things happen. As a resident of the "Railroad City" of Sparks, Mr. Anderson created legislation to make railroads safer. His admirable record of legislative achievement illustrates his passions in life. He fought for laws concerning education, adoption, welfare reform, gaming, domestic violence, drug courts, and public employees. Bernie Anderson took seriously the responsibilities and ideals of a Nevada legislator. What a great man.

ASSEMBLYMAN ELLIOT ANDERSON:

I also wanted to talk about the ultimate senior Anderson's practical sense of humor. He was a fun-loving person; I will never forget in the 2009 Session when he took a Brian Urlacher bobblehead doll from the committee manager for the Commerce and Labor Committee and hid it. He created a session-long controversy about who stole the doll. It was the funniest thing ever because then someone else decided to get another Brian Urlacher doll that was identical and started breaking it up and shipping in pieces to the committee manager of Commerce and Labor. Meanwhile, this person created a "Where is your doll@yahoo.com" and started emailing everyone in the Legislature, and it was all because Assemblyman Anderson decided to take that doll one day as a practical joke. He played right into it and it was amazing; it made everybody's life a lot more fun that session. I thought that as we talk about all the important things that he did for the process and for Sparks, he should also get credit for never being afraid to make a good joke and to have a little fun.

ASSEMBLYMAN HAMBRICK:

My freshman session was in 2009 and my colleague from Assembly District 4 and I were both assigned to Judiciary. Mr. Anderson and Mr. Carpenter sat next to each other and ruled that committee with iron fists. We had a committee party down at the spa south of town. My colleague from District 4 and I made a phone call to the Douglas County Sheriff and whispered in his ear. He and his deputy showed up at the committee party with a warrant for Mr. Anderson's arrest. He thought it was for real. He was speechless until my colleague from District 4 and I started laughing. He never let us forget. He, I believe, is the one who coined the phrase This is the People's House. I am not sure how he referred to the body at the other end of the building, but it was never very kind. He was a formidable individual with strength of character, and he loved this body immensely.

## ASSEMBLYMAN DALY:

I did not get a chance to serve with Assemblyman Anderson, but I did know him very well. We were good friends. In fact I was lucky enough to succeed him—or follow him because no one could replace him—in Assembly District 31. Unlike some of the other stories, I always got along fine with Assemblyman Anderson. There were never any issues. I just remembered one thing: You always follow the rules. I always followed the rules, and you always had to remember who was making the rules. Bernie was making the rules. You follow his rules—I do not know what you are talking about, I always got along with him just fine and I never had any issues—so the rest of you were doing it wrong and not following the rules.

Mr. Speaker requested the privilege of the Chair for the purpose of making the following remarks:

Anybody who appeared before the Judiciary Committee knew the glare from the Chairman; I experienced that glare for two sessions. I remember feeling like Chairman Anderson was the gatekeeper for the Legislature. Most of us lobbyists had to appear before Judiciary at some point in time, and most of us had to go to the Woodshed at some time. I remember seeing him at the end of the hall as we were walking toward each other. For whatever reason, it felt like there was no one else in the hall; I was probably just petrified of Chairman Anderson. But we were walking toward each other and we got to the middle and I said “Mr. Chairman.” He growled and turned around and walked away, and I knew I had arrived. That was a term of endearment from Chairman Anderson. He could have written me up; I messed up plenty of times those first couple of sessions. That was his way of welcoming me into the fold. He had that way about him where he did not have to say words to get his point across. It was almost always either a sense of humor or an embrace in an effort to try and help and mentor a new legislator or advocate in this building. He is sorely missed, but his spirit certainly lives on in this body.

## ASSEMBLYMAN OHRENSCHALL:

I had the privilege of meeting Assemblyman Anderson back in 1995 when this house was evenly divided. During that session Assemblyman Anderson was co-chairing the Judiciary Committee. The way it worked was he would chair one day and his Republican counterpart would chair the other day. I think he really got to learn a lot about the give and take that session.

I did not spend a ton of time with him after that. I got to visit him during that session when my mom came up and served as a freshman. When I was elected in 2006 and came up in 2007, I was very excited, bright-eyed and bushy-tailed to come and to serve on the Judiciary Committee with Chairman Anderson. I had not realized that Chairman Anderson had decided that I was going to be his project. That meant that I was going to learn some special things. At the time I thought Why is he being so hard on me? Why is he being so mean to me?

There was a particularly controversial bill that I had that was not supported by all my colleagues on my side of the aisle and probably not supported by any on the Republican side. I thought I had enough votes to get it passed so I asked Chairman Anderson if he would please call the bill for a vote. He asked if I was sure I had enough votes to get it to pass in Judiciary Committee. I said Chairman, I am sure. So he called the vote. Lo and behold, a good friend and colleague of mine from Las Vegas, a Democrat, had decided to vote against the bill and it failed. I did the unthinkable. I asked the Chairman if I could work on it some and try to get the votes. He said Sure, absolutely, I will definitely have a second vote on that, but this time you have to make sure you have at least one Republican vote. I sat down there, where I think my colleague from Nye County sits, and my neighbor was a Republican legislator from Las Vegas. We had become pretty good friends. We both served on the Judiciary Committee together, and I begged her to please vote for this bill. The chairman will call it for a vote if I can get one Republican vote. She said she really did not like the bill but would vote for it in committee. She would not promise what she would do on the floor. We called the vote, she voted for it in committee, and I had a passing bill. I was thrilled. I proved to Chairman Anderson that I could do it. I had a majority; the Democrat who had voted against it voted for the bill, and I had one Republican. Lo and behold, my Republican friend let the chairman know that she had voted for it in committee but she was not sure she was going to vote for it on the floor. Chairman Anderson was not happy about that, not happy at all. That is when I learned that just like there

are 50 ways to leave your lover, there are 50 ways to kill a bill. I learned that a chairman never has to report a bill out to the floor. At the time I was pretty devastated. Now I can laugh. It was a good way to learn about the process. The world is not a particularly worse place because that bill did not pass, but it gave me a lot of affection for Bernie.

The next session we had a lot of talks, and he let me know that he thought he had been too hard on me that session. He actually wished he could have handled it differently. He became such a mentor to me. I called him the night I got my bar exam results. I let him know I had passed, and he cried on the phone. He was so happy for me. In 2013 when I first chaired a standing committee when your predecessor, Speaker Kirkpatrick, had me chair the Legislative Operations and Elections Committee, he gave me some of his old committee manuals. During that session, he was here lobbying for retired teachers. It was great getting to serve with him.

In terms of his legislative accomplishments, some of the things that were not mentioned—I remember the bills that were sponsored on equality, LGBTQ community. He was a very strong advocate in that area. He was a strong advocate on environmental issues; drug court and domestic violence were already mentioned. He was very devoted to education and the union movement and trying to make sure that workers would have the right to organize. He really respected Nevada history; he respected the history of the courts. As anyone knows who worked with Bernie, in the Woodshed he had pictures of all the 17 county seats and their courthouses. He was one-of-a-kind and someone that if you got to serve with him, you were very lucky. I always tell my colleague here from Assembly District 9, Bernie would have done it like this. I still like how you did this, but Bernie would have done that. Do not worry; you are still doing a great job. He was someone that I think continues to shape our process, and he cared about making good policy. He was a truly wonderful human being, and I am honored to support this resolution.

ASSEMBLYWOMAN DIAZ:

I am so excited to continue a tradition in this body that former Assemblyman Bernie Anderson started. Every session on Dr. Seuss's birthday, Bernie would read a Dr. Seuss book, whether it was *The Cat in the Hat* or *Hop on Pop*. Today I have chosen *The Sneetches* which Dr. Seuss wrote in 1961 to teach children about diversity and inclusion. He wrote the book to address how different groups of people did not like each other during World War II. A number of the Dr. Seuss books do teach children to be fair and to treat people equally. The family of Theodor Geisel, also known as Dr. Seuss, were German immigrants and were often targets for insults about their heritage. I thought this would be a timely book to read. [Assemblywoman Diaz read aloud *The Sneetches* by Dr. Seuss.]

Resolution adopted.

By the Committee on Legislative Operations and Elections:

Assembly Resolution No. 4—Providing for the appointment of additional attaches for the Assembly.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Linda Fitzgerald, Jenny Polek and Cassidy Whetstone are elected as additional attaches of the Assembly for the 79th Session of the Nevada Legislature.

Assemblywoman Benitez-Thompson moved the adoption of the resolution.

Remarks by Assemblywoman Benitez-Thompson.

Resolution adopted.

Senate Joint Resolution No. 2.

Assemblywoman Benitez-Thompson moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

## INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Wheeler, Marchant, Titus, Hambrick, Ellison, Kramer and Oscarson:

Assembly Bill No. 250—AN ACT relating to criminal procedure; revising provisions governing release with or without bail; and providing other matters properly relating thereto.

Assemblyman Wheeler moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Hambrick, Cohen, Edwards, Fumo and Tolles; Senator Parks:

Assembly Bill No. 251—AN ACT relating to juvenile offenders; authorizing the State Board of Pardons Commissioners to commute the sentence of a person convicted of any crime that the person committed when he or she was less than 18 years of age; and providing other matters properly relating thereto.

Assemblyman Hambrick moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

Senate Bill No. 22.

Assemblyman Flores moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 56.

Assemblyman Flores moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

## SECOND READING AND AMENDMENT

Assembly Bill No. 4.

Bill read second time and ordered to third reading.

Assembly Bill No. 37.

Bill read second time and ordered to third reading.

Assembly Bill No. 63.

Bill read second time and ordered to third reading.

Assembly Bill No. 184.

Bill read second time and ordered to third reading.

Assembly Bill No. 219.

Bill read second time and ordered to third reading.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 24.

Bill read third time.

Remarks by Assemblyman Fumo.

ASSEMBLYMAN FUMO:

Assembly Bill 24 prohibits the Board of Regents from charging out-of-state tuition for certain veterans, members of the military, and their families who attend Nevada System of Higher Education institutions. This bill is effective on July 1, 2017.

Roll call on Assembly Bill No. 24:

YEAS—42.

NAYS—None.

Assembly Bill No. 24 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

## GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to April Mastroluca.

On request of Assemblyman Carrillo, the privilege of the floor of the Assembly Chamber for this day was extended to Jeff Detrick.

On request of Assemblyman Daly, the privilege of the floor of the Assembly Chamber for this day was extended to Cairn A. Lindloff, Kelly Gardner, Natha C. Anderson, and Ed Anderson.

On request of Assemblywoman Diaz, the privilege of the floor of the Assembly Chamber for this day was extended to Steve Jimenez and Denise Davis.

On request of Assemblyman Ohrenschall, the privilege of the floor of the Assembly Chamber for this day was extended to Peggy Lear Bowen.

On request of Assemblywoman Spiegel, the privilege of the floor of the Assembly Chamber for this day was extended to Victor Rivera and Samantha Bivins.

On request of Assemblyman Sprinkle, the privilege of the floor of the Assembly Chamber for this day was extended to Kristi Sprinkle.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Clyda H. Anderson, Danny Fierro, Billy Bell, Jim Cirillo, Ward Fitch, Rick McGuire, K. Plaskon, Riley Horn, Daisha Arango, Alexandra Sun, Tyler Bacigalupi, Alexande Mejia Hernandez, Stephanie Padilla, Kailey Walter, Patty Ruiz, Jennifer Dietsch, Isabel Fuentes, Shanaya Zeman, Monce Naranjo, Daria Tezanos, Emmalee Going, Dominique Finley, Faith Lee, Chelsea Clevenger,

Natalia Vargas, Kristen VanCitters, Trevor Freitas, Sharon Weir, Kendra Maine, Olga Garcia, Sierra Knigge, Alyssa Griep, Adilio Nouera, Jordy Saldana, Brianna Gamboa, Joselyn Jarquin, Fatima Soto, Noe Lopez, Guadalupe Sanchez, Dallin Singer, Johana Gutierrez Chavez, Lorena Sarabia, Daniel Nelson, Jason Ogle, Desiree Garcia, Akira Lawson, Justice Jackson-Haley, Paola Piedra, Victor Montoya, Jamie Maderios, Robin Griffith, Lysette Perez, Charles Manes, Jake Merrill, Joyce Sindar-House, Bobby Hunter, Terry Boyden, Nancy Silver, Steve Voss, Rene Cantu, Maurice Senters, Shannon Lawson, Josh Arredondo, Secilia Garcia-Simon, Jenny Guardado, Alissa Ramos, Logan Stokes, Ethan Slater, Davis Ely, Asia Bell, Vickie Bautista, Maureen O'Sullivan, Alexa Thangaratnam, Bruno Moya, Randy Dexter, and Leslie Lingo.

On request of Assemblywoman Tolles, the privilege of the floor of the Assembly Chamber for this day was extended to Marissa Crook, Katheryn Yetter, William Brunson, and Joseph Sawyer.

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Friday, March 3, 2017, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:25 p.m.

Approved:

JASON FRIERSON  
*Speaker of the Assembly*

Attest: SUSAN FURLONG

*Chief Clerk of the Assembly*