

THE SECOND DAY

CARSON CITY (Tuesday), February 7, 2017

Senate called to order at 11:09 a.m.

President Hutchison presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Louis J. Locke.

O Lord, our God, sovereign Creator of all things in heaven and on earth, we give You thanks and praise. As the Psalmist declares, "Let everything that has breath praise the Lord," Psalm 150:6.

Lord, I pray for Your blessing on the people of our Nation and, especially, on the people of the State of Nevada as You give wisdom and understanding to our Senators in their deliberations and decisions. Bless the men and women of the Senate and their families and staff.

Lord, may we be Your people, with Your heart, Your hands and Your love for our world.

Through Jesus Christ, our Lord,

AMEN.

Pledge of Allegiance to the Flag.

Senator Ford moved that for the remainder of the 79th Session, the reading of the Journal be dispensed with, and the President and Secretary be authorized to make the necessary corrections and additions.

Motion carried unanimously.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, February 6, 2017

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bill No. 1.

Also, I have the honor to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 2.

CAROL AIELLO-SALA

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Ford moved that, for the remainder of the 79th Legislative Session, the Secretary of the Senate dispense with reading the histories of all bills and resolutions.

Motion carried unanimously.

By Senators Parks, Segerblom, Manendo and Assemblyman Ohrenschall:

Senate Joint Resolution No. 1—Proposing to amend the Nevada Constitution to replace the State Board of Pardons Commissioners with the Clemency Board and to require the Legislature to provide for the organization and duties of the Clemency Board.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That Section 14 of Article 5 of the Nevada Constitution be amended to read as follows:

Sec. 14. 1. ~~[[The governor, justices of the supreme court, and attorney general, or a major part of them, of whom the governor shall be one,] There is hereby created a Clemency Board.~~

2. *The Clemency Board consists of nine members, at least five of whom must have experience working in the criminal justice system. The Governor, the Chief Justice of the Supreme Court and the Attorney General shall each appoint three members to the Clemency Board. The Legislature shall provide by law for:*

(a) The organization of the Clemency Board, including, without limitation, the qualifications and terms of the members of the Clemency Board; and

(b) The duties of the Clemency Board and its members.

3. *The Clemency Board may, upon such conditions and with such limitations and restrictions as they may think proper, remit fines and forfeitures, commute punishments, except as provided in subsection ~~{2}~~ 4, and grant pardons, after convictions, in all cases, except treason and impeachments, subject to such regulations as may be provided by law relative to the manner of applying for pardons.*

~~{2}~~ 4. *Except as may be provided by law, a sentence of death or a sentence of life imprisonment without possibility of parole may not be commuted to a sentence which would allow parole.*

~~{3}~~ 5. *The Clemency Board shall meet at least quarterly.*

6. *The Legislature is authorized to pass laws conferring upon the district courts authority to suspend the execution of sentences, fix the conditions for, and to grant probation, and within the minimum and maximum periods authorized by law, fix the sentence to be served by the person convicted of crime in said courts.*

Senator Parks moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Assembly Concurrent Resolution No. 2.

Senator Cannizzaro moved the adoption of the resolution.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Settlemeyer:

Senate Bill No. 103—AN ACT relating to elections; creating a modified blanket primary election system for partisan offices; revising methods for filling a vacancy in a nomination for a partisan office; providing that a person may become a candidate for a partisan office at a primary election regardless of political affiliation; authorizing a voter, regardless of political affiliation, to cast a ballot for any candidate for a partisan office in a primary election; providing that the two candidates at a primary election for a partisan office who receive the highest number of votes must be declared nominees and have their names placed on the ballot for the general election; requiring candidates to designate a political party preference or lack thereof on a declaration of candidacy; requiring ballots and voter information to include information relating to the designation of a political party preference by a candidate; eliminating certain grounds for challenging a person who is applying to vote; and providing other matters properly relating thereto.

Senator Settlemeyer moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By the Committee on Education:

Senate Bill No. 104—AN ACT relating to education; revising provisions relating to the qualifications for the issuance of a license to teach middle school, junior high school or high school education; revising provisions relating to reciprocal licensure; and providing other matters properly relating thereto.

Senator Denis moved that the bill be referred to the Committee on Education.

Motion carried.

By Senators Segerblom and Parks:

Senate Bill No. 105—AN ACT relating to days of observance; authorizing the Governor to proclaim "Indigenous Peoples Day" as a day of observance; repealing the authorization for "Columbus Day"; and providing other matters properly relating thereto.

Senator Segerblom moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 106—AN ACT relating to employment; requiring certain increases in the minimum wage paid to employees in private employment in this State; and providing other matters properly relating thereto.

Senator Atkinson moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

Mr. President announced that if there were no objections, the Senate would recess subject to the call of the Chair.

Senate in recess at 11:16 a.m.

SENATE IN SESSION

At 12:22 p.m.

President Hutchison presiding.

Quorum present.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, February 7, 2017

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 3.

CAROL AIELLO-SALA
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 3—Memorializes fallen North Las Vegas Police Detective Chad Parque.

WHEREAS, With great sorrow, we note that on January 7, 2017, the State of Nevada lost Police Detective Chad Parque, a man who dedicated his life to serving and protecting his state and community and who, as a veteran Police Officer and Police Detective, was on the front lines in the unremitting battle for the preservation of law and order; and

WHEREAS, Chad was born on March 7, 1984, in Merced, California, and was raised and lived the rest of his life in Las Vegas, Nevada; and

WHEREAS, Chad attended Cheyenne High School where he lettered in baseball and football and graduated in less than 4 years in 2002; and

WHEREAS, While in high school, Chad met the love of his life Jessica, and on February 2, 2001, Chad summoned the courage to ask her out on a date which she accepted, and 12 days later on Valentine's Day, Jessica gave Chad a necklace with a key pendant symbolizing that he had the key to her heart and, without knowing about her gift, Chad gave Jessica a necklace with a heart pendant; and

WHEREAS, To further his childhood dream of becoming a police officer, Chad enrolled in the Las Vegas Metropolitan Police Department's Law Enforcement Explorer Program, receiving early training on police practices and procedures and being handpicked by the program managers to serve as a squad leader based on his consistent demonstration of maturity, discipline and intelligence; and

WHEREAS, Soon after completing the Explorer Program, Chad accepted a civilian position with the North Las Vegas Police Department at the Northwest Area Command, helping members of the public complete police reports; and

WHEREAS, Chad's dedication and tenacity paid off when, in 2006, he was hired by the City of North Las Vegas, completed the Police Academy and the Police Department's Field Training Program and, finally, served as a Police Officer, patrolling the streets of his community, helping those in need and combating crime; and

WHEREAS, Chad married his high school sweetheart Jessica on March 28, 2009, who 4 years later gave birth to the second love of Chad's life, their beautiful daughter Riley; and

WHEREAS, Chad's hard work in the Patrol Division was recognized by the Command Staff of the North Las Vegas Police Department and, in 2013, he was assigned to an elite team known as the Problem Solving Unit, where Chad specialized in investigating, confronting, apprehending and neutralizing gang activity in North Las Vegas; and

WHEREAS, Chad was promoted to Police Detective on July 23, 2016, and assigned to the Property Crimes Division, where he quickly gained a reputation for having a strong work ethic and for being a team player, volunteering to accept additional cases above and beyond his regular rotation in order to lessen the burden on his fellow Detectives; and

WHEREAS, On the afternoon of January 6, 2017, while leaving the North Las Vegas Justice Court in connection with his regular work duties, Chad was involved in a car crash in which he sustained critical injuries that, notwithstanding Chad's tenacious spirit and the monumental effort of nearly a dozen trauma surgeons at the University Medical Center, ultimately claimed Chad's life far too soon; and

WHEREAS, These are tumultuous times in which the law enforcement profession is under great scrutiny and subject to extensive debate as to the scope and timing of force that ought to be employed in the apprehension of criminal misconduct, yet peace officers like Chad are needed now as much as ever; and

WHEREAS, Chad was a consummate professional, a guardian of the community, a zealous enforcer of laws and a protector of the weak whose conduct was above reproach and whose actions were righteous and based on sound judgment and a pure heart; and

WHEREAS, Chad leaves behind the two great loves of his life, his wife Jessica and his daughter Riley, as well as his mother Mary, his father Kevin and his sister Nicole, and a legion of brothers and sisters in blue in the North Las Vegas Police Department and the law enforcement community everywhere; 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 hereby extend their deepest condolences to Chad's beloved family, to all of his friends and to all of those whose lives were touched by Chad and whose hearts are made heavy by his passing; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the family of Detective Chad Parque.

Senator Denis moved the adoption of the resolution.

Remarks by Senators Atkinson, Denis, Manendo, Cannizzaro, Spearman and Hardy.

SENATOR ATKINSON:

Thank you, Mr. President.

I rise to speak in favor of Assembly Concurrent Resolution No. 3. As you all know, North Las Vegas suffered a terrible tragedy last week. Early Saturday morning, while going about his duties, Detective Chad Parque, an officer in the North Las Vegas Police Department, was struck and killed by a vehicle traveling south in the northbound lane of Martin Luther King Boulevard. Detective Parque was 32 years old. He was a ten-year veteran of the Department. He leaves behind a wife and a daughter.

This event has shocked and saddened our entire community. The death of a police officer in the line of duty is a public tragedy. It touches the lives not only of their families and friends and their colleagues in the Police Department but also of every citizen. All officers know when they take the job, it may cost them their lives, but every day they are out there protecting and serving.

A short distance to the north of this Senate Chamber, in the midst of the Capitol Mall, stands the Nevada Law Enforcement Officers Memorial. On it are the names of those brave men and women who have given their lives protecting our communities. This monument reads, "In the line of duty, some lives are given and some are taken: We respect and honor them all."

We, likewise, today, pay tribute and honor to all of our law enforcement officers, those who, like Detective Parque, have paid the ultimate price, and those who continue, day by day, to serve their communities.

Our hearts go out to the family of Detective Parque and to his fellow officers who grieve his tragic and untimely death.

SENATOR DENIS:

Thank you, Mr. President.

I, too, rise in support of Assembly Concurrent Resolution No. 3. As my colleague has stated, our community, the people of North Las Vegas, are grieving the loss of Detective Chad Parque. It is a solemn honor to remember and celebrate the life of this brave young man. It is not his death that we remember today, but his life. It was not how he died that made him a hero, but how he lived.

Detective Parque knew from a very early age that law enforcement was his calling. At age 15, he contacted the Las Vegas Metropolitan Police Department Explorers Program. He was told that he was too young to join, but he hung around for a year until they took him in at the age of 16. He moved through the ranks of that organization from Sergeant to Captain. At age 20, he became a civilian report taker with the North Las Vegas Police Department. He soon became a sworn officer and, last year, was promoted to the rank of Detective. Law enforcement was his life.

In the United States, there are more than three-quarters of a million sworn law enforcement officers. Approximately, 150 are killed in the line of duty each year. When a police officer makes a mistake, it is often front-page news. Why? Because, it happens so rarely. We do not hear in the news about the hundreds of thousands of officers, like Detective Parque, who, every day, say goodbye to their families not knowing for sure if they will see them again at the end of their shift. We do not hear about all of those officers who every day serve patiently, quietly and courageously. Each day, police officers face difficult situations that most of us will scarcely

encounter in our lifetimes. Yet, they continue to serve not only in the face of danger but also, sometimes, in the face of provocation and abuse.

The Bible says, "Blessed are the peacemakers for they shall be called the children of God." Detective Parque truly was a peacemaker. He was part of the thin blue line that stands between our peaceful communities and the forces of violence and chaos. They protect the weak and the vulnerable from those who would harm them. It was to brave men like Detective Parque that the Psalmist delivered the injunction to, "Defend the poor and fatherless. Do justice to the afflicted and needy. Deliver the poor and needy. Rid them out of the hand of the wicked."

Our thoughts and our prayers are with the family of Detective Parque, his wife and his daughter. Our thoughts are also with his fellow officers who knew him, respected him and loved him. Our community has suffered a grievous and painful loss.

I urge the members of this Body to recognize this loss by supporting Assembly Concurrent Resolution No. 3.

SENATOR MANENDO:

Thank you, Mr. President.

I rise in support of Assembly Concurrent Resolution No. 3. I went to the candlelight vigil for Detective Parque and was honored to join hundreds of people from across the valley who came to pay tribute to someone we did not know. We went because we were saddened. We were devastated by the loss of someone who chose to give of their life to our community in order to make it a safer place. I would like to thank Michael Flores for working so hard to put that vigil together. It was extremely touching. While I was there, a woman I went to high school with came up to me and told me her husband had worked as a partner with Detective Parque. This couple had flown all the way from Virginia to pay tribute to him. I was standing in an area with my candle where Detective Parquet's parents happened to be standing. I was able to link arms with his mother while we were grieving and saying our prayers. I feel extremely saddened by this loss. All too often our law enforcement officials—people who protect us every day—get a bad rap. Here was a man who was doing his job, and something tragic happened. It is up to all of us to bear true witness to the bravery and sacrifice made by these officers. May God bless him, his family and the men and women who have given their lives in service to our community and our State. May he rest in peace.

SENATOR CANNIZZARO:

Thank you, Mr. President.

I rise in support of Assembly Concurrent Resolution No. 3. As a prosecutor with the Clark County District Attorney's Office, I worked personally with Detective Parque, and he was the kind of detective that when you saw his name on a police report, you were glad to see it. He was thorough; he was smart, and he did a very good job for the North Las Vegas Police Department. I worked on a number of cases with him, one in particular that took quite a bit of effort and a lot of dedication. He was wonderful in his role as detective. I personally know what a loss this is not only for Nevada but also for the North Las Vegas Police Department. I urge my colleagues to support this resolution. My thoughts and prayers are with his family. We did lose a very good detective.

SENATOR SPEARMAN:

Thank you, Mr. President.

I, too, rise in support of Assembly Concurrent Resolution No. 3. I echo the previous comments that have been made. I often say, regarding those who are in the line of duty, whether it be law enforcement or the military: "All gave some, but some gave all."

SENATOR HARDY

Thank you, Mr. President.

I rise in support of Assembly Concurrent Resolution No. 3. I would be remiss if I did not rise in support of the resolution that is even more inclusive than the detective who has literally given his life. Recognizing that a life has been abruptly ended in tragedy is something that we all worry about when we lose a friend. Today, I heard that one of my friends who was a lobbyist, here, committed suicide. There are tender moments in our life. The reality is that life does go on.

We miss and mourn those we lose and those we know. Likewise, we miss those we do not know, and those we wish we would have known and wish we could have done something. This life, fragile as it may be, has hope for another life, and those words of "rest in peace" are the peace only our Father, who is our Father in Heaven, can give. I add my prayer that he may indeed have that rest.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Denis, the privilege of the floor of the Senate Chamber for this day was extended to Captain Justin Roberts.

On request of Senator Kieckhefer, the privilege of the floor of the Senate Chamber for this day was extended to Jan Kieckhefer.

Senator Ford moved that the Senate adjourn until Wednesday, February 8, 2017, at 11:00 a.m.

Motion carried.

Senate adjourned at 12:41 p.m.

Approved:

MARK A. HUTCHISON
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate