

THE FIFTY-SEVENTH DAY

CARSON CITY (Monday), April 1, 2019

Assembly called to order at 11:41 a.m. in the old Assembly Chamber in the historic Capitol Building.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Hambrick, who was excused.

Prayer by the Chaplain, Pastor J.J. Tuttle.

Gracious God, we give You thanks for giving us another day.

You have blessed us with all good gifts, and with thankful hearts we express our gratitude. You have created us with opportunities to serve other people in their need, to share together in respect and affection, and to be faithful in the responsibilities we have been given.

In this moment of prayer, please grant to the members of this people's House, as they meet with their respective constituents, the gifts of wisdom and discernment, that in their words and actions they will do justice, they will love with mercy, and they will walk humbly with You.

May all that is done this day be for Your greater honor and glory.

AMEN.

Pledge of allegiance to the Flag led by Paige Silva.

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 29, 2019

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 55, 232.

SHERRY RODRIGUEZ
Assistant Secretary of the Senate

NOTICE OF EXEMPTION

March 31, 2019

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Assembly Bills Nos. 277, 341, 391 and 415.

Also, the Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Assembly Bills Nos. 236, 257, 324 and 426.

CINDY JONES
Fiscal Analysis Division

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 55.

Assemblywoman Swank moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

Senate Bill No. 232.

Assemblywoman Swank moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 21.

Bill read second time and ordered to third reading.

Assembly Bill No. 98.

Bill read second time and ordered to third reading.

Assembly Bill No. 113.

Bill read second time and ordered to third reading.

Assembly Bill No. 143.

Bill read second time and ordered to third reading.

Assembly Bill No. 245.

Bill read second time and ordered to third reading.

Assembly Bill No. 381.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that the Assembly Bill No. 143 be taken from the General File and rereferred to the Committee on Ways and Means.

Motion carried.

REMARKS FROM THE FLOOR

At the direction of Mr. Speaker, the following remarks were entered in the Journal.

DANA BENNETT, PHD:

Mr. Speaker, Mr. Speaker pro Tem, Madam Majority Leader, Mr. Minority Leader, Assembly members, Assembly staff of the 80th Session of the Nevada Legislature, and guests: Good morning.

Thank you so much for inviting me here today to talk about one of my favorite topics—the women who were elected to the Nevada Legislature, and especially in this room in the 1920s. Today, in honor of this historic session where the women outnumber the men as Assembly members for the first time, I am going to focus on the 1923 Session, which was the first session when more than one woman was elected to the Nevada Legislature.

Nevada women won the right to vote in 1914, and that included the right to run for office. In 1916, it was the first opportunity for women to run for statewide office in Nevada. At least three women ran for the Legislature; none of them won. The first woman to run and win was Sadie Hurst. She won in 1918 and served here in 1919, in this very room, 100 years ago this spring. The second woman was elected in 1920, but 1922 was different. Like this past election, more women were elected in 1922 because more women ran. A total of nine women declared their candidacies in five counties, and when the dust settled, four women from four different counties had been elected to the 31st Session of the Nevada Legislature. I am delighted to be able to introduce you to these women today.

On January 23, 1923, which was the eighth day of the session, the 54 members of the Nevada Legislature walked outside and posed for this photograph. I know it is difficult to see from where you are but it is hanging in the lobby of the Nevada Legislative Building, and you can certainly look at it more closely there.

In 1923 and until 1966, the Nevada Legislature was organized like the U.S. Congress. In the Senate, one Senator was elected from each county, and in the Assembly, each county was apportioned by population. In 1923, the most populous county was Washoe, and it had seven Assembly members. Nye and Elko were next in population with four Assembly members each. Eight counties had only one representative in the Assembly; Clark County had two. In all, 37 Assembly members represented the 78,000 people who lived in Nevada.

On Tuesday afternoon, January 16, which was the second day of the session, Governor James Scrugham addressed both houses in joint session here in this room. When you look at the photo you will see Governor Scrugham over on the right hand side, flanked by two young boys. He read his printed message which had been delivered to the members earlier, and it was the first time that a Governor had done that. Previously the Governor had just distributed his message at the beginning of the session, but in 1923, the Governor came here and presented his message in person.

And then on Wednesday, the third day of the session, Assemblywoman Alice Towle, Republican of Churchill County, rose from her desk, one identical to one in front of me. These were brand new desks in 1921, so in 1923 this would be the kind of desk that Alice Towle was sitting at. She continued a tradition that had begun with Sadie Hurst in 1919. Assemblywoman Towle moved for the suspension of Rule No. 58 for the remainder of that legislative day. Rule No. 58 prohibited smoking on the floor of the Assembly when it was in session. The rule had been in place for decades, but a member could make a motion to waive it for the day. If the motion was seconded and approved, members could pull out their pipes, their cigars, and their cigarettes and smoke here in this room. Sometimes, that motion failed. Sometimes, that motion was not made at all.

But beginning with Sadie Hurst in 1919 and continuing through 1929, each Assemblywoman—regardless of party, age, or any other distinguishing characteristic—rose to make that motion. Likely, they all agreed with Assemblywoman Ruth Averill, who was the only Assemblywoman here in 1921. She was questioned by women’s groups why she would have allowed men to smoke; she said, “Although I never would smoke myself and hate to see a woman doing it, I feel that men are very much easier to get along with when they have something sticking in their mouths to talk around and look wise over.”

Every woman who served in 1923 made the motion to allow men to smoke. In doing so, they signaled a willingness to work within the system and demonstrated sophisticated political skills. They clearly recognized the Legislature as a place where rules mattered, cooperation could be beneficial, and battles should be chosen carefully.

These are the four women who were elected in 1923. They were members of prominent Nevada families and had all grown up in Nevada. Two were single, one was a widow, and one was married. Only one was a mother. Two were college graduates, and all had been employed. They were, in alphabetical order: Marguerite Gosse, a 32-year-old Republican from Reno, one of the seven-member Washoe County delegation; Louise Hays, a 43-year-old Democrat from Tonopah, one of the four-member Nye County delegation; Rita Millar, a 39-year-old Democrat from Hawthorne, and Mineral County’s only representative; Alice Towle, a 27-year-old Republican from Fallon, and half of the two-member Churchill County Delegation. I will introduce you to each of these women, starting with Alice Towle, whom I just mentioned.

The photo on the left is Alice in that longer panoramic photo of the members; the photo on the right is her seated here in this chamber at her desk. Alice Sheridan Towle was born near Dayton to a pioneer Nevada family on February 27, 1896. She grew up at Buckland Station, which is now part of the state park system. She graduated from Carson High School in 1914 and the University of California at Berkeley in 1918 with a degree in economics and political science. After college, she joined her family in Fallon. Almost 27 years old and unmarried, Alice Towle’s candidacy was welcomed by her friends and neighbors, and she was extensively quoted in the local newspaper. She was especially interested in economic development, and she said, “Conditions must be made

as favorable as possible for the reclamation of new land, the up-growth of new industries and the in-coming of new people.”

When she arrived in Carson for the session as a member of the majority party—the Republicans controlled both houses—she was guaranteed to chair a committee. There were 28 committees and 26 Republicans. She was assigned to chair the Assembly Committee on Engrossment. She was also assigned to the Assembly Committee on Judiciary, the Assembly Committee on Education, and the Assembly Committee on Irrigation. She also received one vote for the speakership. This was the first woman whose name was put into contention for the speakership. She also arrived ready to work. On the third day of the session—the day she cleared the way for the smokers in the Assembly—she introduced Assembly Bill 3, which clarified the process for counties to bond for the construction of high schools. It quickly passed both houses and was signed by the Governor on February 5.

She also introduced a joint resolution concerned with the Federal Reclamation Act; it passed. She introduced two additional bills, one concerned with private school curricula and one concerned with child support. The bill that addressed child support had been proposed by the National Conference of Commissioners on Uniform State Laws in 1922, and she was chosen to carry it. Both bills passed.

Towle did not hesitate to engage in debates, and there were few no votes on any of her bills. Interestingly, the teacher, Louise Hays, was one of the five Assembly people to vote against her bill on private schools curriculum. The rest of Towle’s bills had some mild opposition in the Assembly and none at all in the Senate. Towle ended the session with a success rate of 100 percent, one of only four Assembly members who had a perfect record in 1923.

Rita Millar was not as fortunate with her legislation. Marguerite D. McCarthy Millar, known as Rita, was born in Honolulu, Hawaii, on August 3, 1884. It is not known why her mother happened to be in Hawaii for her birth; her parents were prominent residents of Nevada. Her father Alfred ran the *Walker Lake Bulletin*, the Hawthorne newspaper from 1888 to 1926. Both her father and brother had served a term each in the Assembly. Her mother Ada McCarthy was a force in her own right and had led the suffrage efforts in Mineral County.

Rita grew up in Hawthorne and briefly attended school in Chicago where she met and married James G. Millar. James died unexpectedly in 1914, so Rita and their three children returned to Hawthorne. In 1916, she was elected Recorder-Auditor for Mineral County, one of the first women elected to a public office in Nevada. It was a full-time position with a steady salary of \$200 per month. Millar won election three times as Mineral County’s Recorder-Auditor. By the time she ran for the Legislature in 1922, she was an experienced campaigner.

Millar’s family involvement in a newspaper certainly helped her campaign. The *Walker Lake Bulletin* announced her candidacy for the Assembly, boasting that “[s]he is familiar with the laws of Nevada and has the brains to distinguish the good from the bad or useless laws that now encumber our statutes.” It pointed to her financial acumen, explaining her opinion that “the present enormous state and county expenditures can be and should be stopped before we all become bankrupt.”

In 1922, Mineral County voters had two women from which to choose to represent them in the Assembly: Genevieve Sperling, a Republican who had recently moved from New York where she was an accomplished journalist; and Rita Millar, a Democrat whose family owned the local newspaper. Rita won handily.

She was a member of the minority party, however, and did not get to chair a committee. She was assigned as a member of the Assembly Committee on Public Printing, the Assembly Committee on Federal Relations, and the Assembly Committee on State Library. Rita’s legislation did not fare well. Out of the three bills and one resolution she introduced, only the resolution passed. That was a resolution that provided extra pay for Assembly clerks. Two of her bills were killed in the Senate; they got through the Assembly. They dealt with county government and they died in the Senate. One of her bills would have banned teenagers from dance halls, and it did not even get out of the Assembly. She later recalled that she really did not like the rough and tumble world of the Assembly.

Next we have Mary Louise Pohl Hays, who went by the name Louise. She was born in Austin February 28, 1880, the second of eight children. Her father Robert had served in the Assembly three nonconsecutive terms. She was raised in Austin and graduated from the University of

Nevada in 1899. She started her teaching career in Tonopah where she met and married John Edgar Hays in 1913. She was active in local politics, and in 1916, was a delegate to the State Democratic Convention. In 1922, she became the second woman elected to the Assembly from Nye County. Like Millar, she was a member of the minority party and did not chair a committee. She was assigned to the Assembly Committee on Elections, the Assembly Committee on Education, the Assembly Committee on Enrollment, and the Assembly Committee on State Library.

Hays introduced two bills and two resolutions and only one failed. That was a resolution that would have abolished the State Police. It was very controversial, generated a lot of debate, and died along party lines here in this room. Both of her successful bills concerned teachers. One created a teachers' employment bureau and the other enhanced the existing retirement program. After she "made a short and effective speech" about her bill concerning teacher pensions—and I want to step away from the mic and tell you, when they made these speeches, they did not have the advantage of the mics, so it really is quite remarkable the amount of speaking and debating these women engaged in. The bill passed without dissent, and the Reno newspaper noted that "[t]he assembly is beginning to look to the women members for clear and intelligent explanations of bills and attentive examination of all acts." Louise Hays had a reputation as an energetic, enthusiastic lawmaker, and she made it clear to her hometown newspaper that she intended to return.

The fourth woman on our list was Marguerite Gosse, who many years later remembered that she became a legislator almost by accident. Marguerite was born on March 13, 1890, in Virginia City, and the family moved to Reno in 1895 where her father built the Riverside Hotel—not the one standing now, although it was the same location. Marguerite had a privileged upbringing. She and her parents traveled throughout the United States, including travelling to both Hawaii and Alaska before 1917. Sometime around 1920, after working for a time in California, she returned home to Reno and became the assistant manager of the Riverside Hotel. The hotel burned to the ground in May 1922, which freed her from business and family obligations, and she agreed to run for office. The Washoe County Republican Party had approached her to run. They knew that the Democrats would be nominating a woman for the Assembly, and they wanted a woman to be running as well. She agreed but she did not campaign very much. The last two weeks of the campaign, she was in San Francisco on vacation, and the night of the election, she was out partying with her friends, who were mostly Democrats. She went to bed believing that she had lost. When she was awakened the next morning by a telephone call, she found that she was going to be one of Washoe County's seven representatives at the 1923 Session.

She may have been an accidental candidate, but she was an engaged legislator. Gosse chaired Assembly Committee on Contingent Expenses and Accounts and later in the session, she was the acting chair of the Assembly Committee on State Institutions. She was assigned to the Assembly Committee on Counties and County Boundaries and the Assembly Committee on State Library which had a female majority in that session.

She was also presiding over the Assembly when the first big floor fight broke out over a livestock bill. It was rather common in the early 1920s for the Speaker to designate someone to take the chair, as it is noted in the Journal, for a brief period of time while he was away signing bills, maybe getting a smoke because the rule had not been waved. For some reason, the Speaker would leave the Chamber and hand the gavel over to someone in the body. The Reno newspaper reported with approval that Gosse's "poise was perfect," and that "she was in complete command of the situation at all times." Before the session was over, all four women had presided over the Assembly.

Gosse introduced nine bills that were concerned with health care, criminal proceedings, and education. Most of them failed, but the three that were signed by the Governor were significant. One required that public schools and colleges teach both the U.S. and Nevada Constitutions. Another required optometrists to pass a board exam and provided reciprocity with other states that licensed optometrists. The third, Assembly Bill 82, regulated professional nursing in Nevada for the first time and is the origin of the existing state nursing laws. Gosse succeeded where previous legislators had failed. The issue had been considered several times. Sadie Hurst introduced it in 1919 and got it through both houses, only to watch Governor Emmet Boyle veto it. In 1921, a male legislator could not get the bill out of his own house, even with the support of the Washoe

County Medical Society. Before Gosse introduced her bill in 1923, the Senate had already rejected a similar bill. It was one of the most hotly debated bills of the session.

In the Assembly, during the debate, she was assisted by Assemblywoman Towle. The newspaper noted that it was “the first real matching of wits in the lower house.” Towle spoke in favor of the bill and specifically opposed a point raised by the Minority Floor Leader. Gosse then “defended the measure at some length and scored a hit,” as the newspaper put it, “on another assemblyman.” The bill passed overwhelmingly. She then had to resurrect it in the Senate. It had already died, but she knew there was a parliamentary procedure that she could engage. She found the two-thirds votes needed, brought the bill back, got it through the Senate, Governor Scrugham signed it and, on the same day, appointed the first members to the regulatory board created by the bill.

Gosse also introduced a tenth bill that is not found in the official journal. On March 6, she introduced Assembly Bill 206, which would have licensed bachelors in the state of Nevada and placed a tax on unmarried men. There was obviously a lot of joking about this bill, and a lot of hilarity ensued. It was referred, not to a committee but to a single man who represented Esmeralda County. He attempted to amend the bill to apply to the four women who were serving in the Legislature. The amendment was rejected and the bill remained as she had proposed. This bill was really not that unusual. This bill appeared in other legislatures around the country. It appeared in Nevada two or three different times. It tends to reflect a bit of social anxiety. Nevada was changing very fast during this time period and the population was growing quickly. But it also, I think, for women indicated that women could play in the same area as men. This was the message that Assemblywoman Gosse was trying to get across. There was a lot of rambunctious behavior in this room. It was not unusual for legislators to tease each other and to pull practical jokes, and she was making it very clear that not only could she take it, but she could dish it out too. Assembly Bill 206 shows up in the official journal as a bill that allows legislators to buy law books. The very last line on the first article, which is difficult to read, says, “You can lead a bachelor to a law book, but you can’t make him wed.”

Ten days later the 1923 Session ended at 9:43 a.m. on March 16, which was the 61st day of session, and the legislators headed for home. None of these four women returned to this room as a legislator.

Alice Towle got married to William Young, a Fallon engineer, right after session and they began raising a family. She did not run for reelection, but her legislative success served as an endorsement for Daisy Allen, a Democrat elected to represent Churchill County in 1924. Alice Towle Young was killed in a car accident in 1934, but some of you may know her grandson Bill Young, who was elected Clark County Sheriff in 2002.

Rita Millar did not run for reelection. She had really not liked this process. Instead, she went to work in the family newspaper business in Yerington until she was hired by the State Treasurer in 1935. She moved to Carson City where she died in 1953 after having been Deputy State Treasurer for nearly 20 years. Governor Charles Russell ordered the flags to half-mast in her honor.

Louise Hays returned to Tonopah. She filed for reelection in 1924 and got through the Democratic primary, but did not win in the general. In 1925, half of Nye County’s four-member delegation was female, but Hays was not among them. She had been defeated by another female candidate. By 1930, she and her husband had moved to northern California. They never had children, and Louise died in Sacramento in 1960.

Marguerite Gosse also got married right after session. In a huge society wedding in Reno, she married former Attorney General Richard Stoddard and became a stepmom to Stoddard’s young son. Under her new name, she filed for reelection in 1924, but did not win. Richard died suddenly in 1925. Four years later, Marguerite married well-known Reno gambler Jack Clark. With the legalization of casino gambling in 1931, they were in the center of Reno’s new growth industry. By 1957 the couple, who never had children, had moved to Missouri where she died in 1972.

It was not unusual that none of these women were reelected. Men often were not reelected, either. At the beginning of the 1923 Session, out of 37 Assembly members, only 9 were incumbents. After the session, most did not return. Only eight Assemblymen were reelected in 1924. On average, between 1918 and 1930, 76 percent of the Assembly were not reelected to their

seats. The small number of voters was key to that. Sadie Hurst missed reelection in 1920 by only 23 votes.

In 1923, four Nevada women, representing different parties and different parts of the state, arrived in this room to do a job that only two women had done previously. They held their own in this process, which was often wild and woolly, and changed laws that made a difference in people's lives. These impressive Nevada Assemblywoman served their state and their constituents with distinction.

Thank you.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Bilbray-Axelrod, the privilege of the floor of the Assembly Chamber for this day was extended to Dianne Farkas and Diamond Hatcher.

On request of Assemblywoman Cohen, the privilege of the floor of the Assembly Chamber for this day was extended to Madison Rogers.

On request of Assemblyman Fumo, the privilege of the floor of the Assembly Chamber for this day was extended to Erika Smolyar.

On request of Assemblywoman Hansen, the privilege of the floor of the Assembly Chamber for this day was extended to Cindy Southerland.

On request of Assemblywoman Nguyen, the privilege of the floor of the Assembly Chamber for this day was extended to Jenny Lehner, Mark McDermont, and Chris Miller.

On request of Assemblywoman Torres, the privilege of the floor of the Assembly Chamber for this day was extended to Emily Zamora and Melody Judilla.

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Tuesday, April 2, 2019, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:18 p.m.

Approved:

JASON FRIERSON
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly