

NEVADA LEGISLATURE

Eightieth Session, 2019

SENATE DAILY JOURNAL

THE ELEVENTH DAY

CARSON CITY (Thursday), February 14, 2019

Senate called to order at 11:13 a.m.

President pro Tempore Denis presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Nick Emery.

Let us pray. We are called to "love one another." In the quiet honesty of our hearts, we can admit it is not an easy thing to do. Hurting people, hurts people. The depravity of humankind can wreak havoc in our lives. Disappointments will come. Communication breaks down. Life is not easy, and authentically, loving others is not always easy either.

Lord, search our hearts. Examine our ways. Reveal to each one today areas of our lives where we have not been as graceful and grace-filled as we should. Help us to make those past circumstances right, and help us to love others more fully. And, Lord, help us to extend forgiveness to those who have hurt us and wronged us. Help us to grieve loss and to process pain in a healthy way. Help us to maintain a posture of love towards others despite the hurt others have placed upon us. Give us healthy and safe means to express ourselves and sustain us while we wait.

May we work at loving others more fully, and may You bless this gathering of servant leaders and bless our great State.

It is in Your Name we pray.

AMEN.

Pledge of Allegiance to the Flag.

By previous order of the Senate, the reading of the Journal is dispensed with, and the President pro Tempore and Secretary are authorized to make the necessary corrections and additions.

INTRODUCTION, FIRST READING AND REFERENCE

By Senators Cannizzaro, Spearman, Cancela, Woodhouse, Denis, Atkinson, Brooks, Dondero Loop, Harris, Parks, Ratti and Scheible:

Senate Bill No. 155—AN ACT relating to crimes; establishing provisions regarding the possession and use of fictitious personal identifying information; providing penalties; and providing other matters properly relating thereto.

Senator Cannizzaro moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Senator Hansen:

Senate Bill No. 156—AN ACT relating to veterinary medicine; exempting certain persons who perform certain dental services on equines and livestock from provisions governing veterinary medicine; and providing other matters properly relating thereto.

Senator Hansen moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senator Hansen:

Senate Bill No. 157—AN ACT relating to public works; requiring contractors and subcontractors on a public work to use E-Verify to verify eligibility for employment for workers on the public work; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Harris, Spearman, Brooks, Cannizzaro, Parks, Atkinson, Cancela, Denis, Dondero Loop, Ratti and Woodhouse:

Senate Bill No. 158—AN ACT relating to collective bargaining; revising the definition of “supervisory employee” for the purposes of provisions relating to collective bargaining; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Woodhouse, Denis, Dondero Loop, Harris, Brooks, Atkinson, Cancela, Cannizzaro, Ohrenschall, Parks, Ratti, Scheible and Spearman:

Senate Bill No. 159—AN ACT relating to education; revising provisions relating to school uniforms; requiring each public school and private school to adopt a policy concerning safe exposure to the sun; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Brooks, Spearman, Atkinson, Denis, Parks, Cancela, Dondero Loop, Settemeyer, Woodhouse; Assemblymen Frierson, Yeager, Monroe-Moreno, Roberts and Watts:

Senate Bill No. 160—AN ACT relating to gas utilities; requiring the Public Utilities Commission of Nevada to adopt procedures for certain natural gas utilities to recover expenditures relating to the implementation of certain natural gas infrastructure projects; and providing other matters properly relating thereto.

Senator Brooks moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 161—AN ACT relating to financial businesses; requiring the Attorney General to establish and administer the Regulatory Experimentation Program for Product Innovation; setting forth the requirements for the operation of the Program; providing for a temporary exemption from certain statutory and regulatory requirements related to financial products and services for a participant in the Program under certain circumstances; requiring the Attorney General to submit to the Legislature an annual report on the Program; and providing other matters properly relating thereto.

Senator Kieckhefer moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 162—AN ACT relating to electronic transactions; including a public blockchain as a type of electronic record for the purposes of the Uniform Electronic Transactions Act; providing that a person who uses a public blockchain to secure information does not relinquish any right of ownership related to that information; requiring a governmental agency to accept a certified copy of a record in electronic form under certain circumstances; authorizing the Secretary of State to adopt regulations specifying attributes required for a certified copy of a record in electronic form; prohibiting a local government from taxing or imposing restrictions upon the use of a public blockchain; and providing other matters properly relating thereto.

Senator Kieckhefer moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 163—AN ACT relating to business entities; revising the definition of “electronic transmission” as it relates to certain communications of certain business entities to include the use of a blockchain or public blockchain; authorizing certain business entities to store certain records on a blockchain or public blockchain; revising provisions authorizing the Secretary of State to adopt regulations to define certain terms to allow certain business entities to carry out their powers and duties using the most recent technology available to include the use of blockchains or public blockchains; and providing other matters properly relating thereto.

Senator Kieckhefer moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 164—AN ACT relating to taxation; clarifying that certain virtual currencies are intangible personal property for the purposes of taxation; and providing other matters properly relating thereto.

Senator Kieckhefer moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By Senators Parks, Brooks, Ratti, Cancela, Spearman, Atkinson, Cannizzaro, Dondero Loop, Harris, Woodhouse; Assemblymen Bilbray-Axelrod, Watts, Yeager, Carlton, Swank, Cohen and Fumo:

Senate Bill No. 165—AN ACT relating to public health; revising provisions concerning medical certificates of death relating to a person who self-administers a controlled substance designed to end his or her life; authorizing a physician to prescribe a controlled substance that is designed to end the life of a patient under certain circumstances; prohibiting persons other than a patient from administering a controlled substance that is designed to end the life of the patient; imposing requirements on certain providers of health care relating to the records of a patient who requests a controlled substance that is designed to end his or her life; providing immunity to certain providers of health care who take certain actions relating to prescribing or dispensing a controlled substance that is designed to end the life of a patient; prohibiting certain fraudulent or coercive acts for the purpose of causing a person to self-administer a controlled substance that is designed to end the life of the person; authorizing the owner or operator of a health care facility to prohibit certain persons from providing certain services relating to a controlled substance that is designed to end the life of a patient; prohibiting a person from conditioning provisions of a will, contract, agreement or policy of life insurance on the request for or acquisition or administration of a controlled substance designed to end the life of the person; prohibiting a person from refusing to sell or provide life insurance or denying benefits to or imposing additional charges against a policyholder or beneficiary because the insured requested or revoked a request for a controlled substance designed to end the life of the person; providing a penalty; and providing other matters properly relating thereto.

Senator Parks moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

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

Senate in recess at 11:23 a.m.

SENATE IN SESSION

At 12:33 p.m.

President pro Tempore Denis presiding.

Quorum present.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, February 14, 2019

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—Memorializing former Assemblyman Bob Price.

WHEREAS, The members of the Nevada Legislature note with sadness the passing on January 4, 2019, of former Assemblyman Robert E. Price, one of the longest serving Assemblymen in this State; and

WHEREAS, Bob Price was born in 1936 in DeLand, Florida, and after attending community colleges in California and Nevada, became an electrician through the International Brotherhood of Electrical Workers Apprenticeship Program; and

WHEREAS, Assemblyman Price proudly served his North Las Vegas constituents in the Nevada Assembly for a total of 28 years, in 14 regular and 5 special sessions between 1974 and 2002, serving as Chairman on the Assembly Committees on Taxation, Constitutional Amendments, Economic Development and Tourism and Transportation, Vice Chairman of the Legislative Commission and as a member of the Assembly Committee on Government Affairs and the Interim Finance Committee; and

WHEREAS, In 1979, Assemblyman Price served as one of the architects of the Sales and Use Tax Act, removing the tax on food, and in 1991, Assemblyman Price sponsored Assembly Bill No. 4 which provided Nevada's citizens greater transparency into lobbying activities and expenditures; and

WHEREAS, In 1996, Governor Bob Miller designated State Highway 375 as the "Extraterrestrial Highway," an idea to promote tourism in one of Nevada's most remote areas which was formulated by Assemblyman Price 1 year earlier; and

WHEREAS, Outside of the Legislature, Bob Price remained a loyal advocate by serving on multiple state boards and commissions, including Governor Robert List's Family Policy Committee, the State Health Coordinating Council, Nevada's 125-Year Celebration Committee, and the Nevada Committee on the Bicentennial of the United States Constitution and was long active in the National Conference of State Legislatures; and

WHEREAS, Bob Price was honored for his tireless work in 2007 when the Robert E. "Bob" Price Recreation Center in North Las Vegas was dedicated in his name; and

WHEREAS, Bob Price was an avid country music fan and in the 1950's had his own television show called "Bob Price and the Gambling Ranch Hands" and was known to serenade the Assembly with Hank Williams tunes at the end of every session; and

WHEREAS, The man who was said to be the prime example of a citizen legislator, whose kindness and sense of humor is fondly remembered and whose wish was to be remembered as one who simply tried to do his best to help; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 80th Session of the Nevada Legislature hereby extend their deepest

condolences to Assemblyman Price's wife, Nancy, daughters, Theresa, Amber and Cherie, sons, William, David and Tom; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to Bob Price's beloved wife, Nancy.

Senator Ohrenschall moved the adoption of the resolution.

Remarks by Senators Ohrenschall, Parks, Woodhouse, Ratti, Atkinson, Hammond and Denis.

SENATOR OHRENSCHALL:

I rise today to honor the memory of my friend, former Nevada Assemblyman Bob Price. I never had the privilege of serving in the Legislature at the same time as Bob Price, but I knew him for many years. I thought of him like an uncle. He and my family were very close. My mother served in the Assembly with Assemblyman Price, and I came to know him very well growing up in the Democratic party and going to party events. Bob Price was an institution. He was first elected to the Assembly in 1974 and proudly served for 28 years representing Assembly District 17. The Research Division told me his service is one of the four longest in State history. Doing my own research, I found he was the longest serving Clark County Assemblyman in Nevada history.

Bob represented a blue-collar district in southern Nevada. He was a strong supporter of labor. Bob himself was a union electrician. Before elected to the Nevada Assembly, he was elected as business manager of the IBEW Local 357 in southern Nevada. He was devoted to their interests, and when elected to the Nevada Assembly, he was devoted to constituents and the interests of North Las Vegas and Sunrise Mountain. I am very proud I represent many of Bob's former constituents in the area by the Air Force Base that Bob used to represent. Clark County honored Bob several years ago by naming the Bob Price Recreation Center after him. This is in the heart of the area I represent. It is a great center for adults, children and seniors, and it honors him well.

Bob was profoundly devoted to the institution of the Nevada Legislature and fully aware of the gravity of the tasks we face; however, Bob also liked to poke fun at some of our starchy formalities. In fact, his jokes and pranks made him something of a legend in this building. Some of you will remember when he organized a legislative "fact-finding mission" to the Mustang Ranch, with staff and members of the press tagging along. You may remember that Bob sponsored an Assembly resolution to recognize Carson City and Las Vegas embassies for the "saucerians," a bunch of space aliens that were supposed to invade the Earth in 1999. This bill was on behalf of a good friend of Bob's, a registered lobbyist named "Ambassador Merlin" with whom Bob shared space in his legislative office. When I first met Ambassador Merlin in 1989, he was a lobbyist, not an ambassador, and he was lobbying for gold and silver interests. Later, he lobbied for outer space interests. He and Assemblyman Price worked together, and Bob sponsored the resolution that changed the name of one of our State highways to the Extraterrestrial Highway. Many of us think of things like that as whimsical and maybe not the highest priority of the Legislature, but to this day, I meet tourists from overseas who come to Nevada and rent an RV because they want to drive the ET Highway and see if they can see a flying saucer on the way to Rachel, Nevada. Even though Bob was from Clark County, and was the longest serving Clark County Assemblyman, he did a lot to help rural Nevada as well. A lot of tourism in Rachel is because of him.

During the time Bob worked on the ET Highway legislation, Bob decorated his office with extraterrestrial artifacts. His office was by the window of the Legislature Building, and very often, you could see what looked like a very tall alien lifeform standing in the window of his Assembly office when you drove by on 5th Street. Many passersby wondered if an office had been taken over by one of the ETs. It was one of the pranks Bob liked to play. You could be in the saddest, darkest mood, and Bob could cheer you up and make you smile. He could cheer anyone up and make them smile. He loved to play gags. He used to carry around a fake ID that had a picture of him superimposed over Elvis Presley. He would show people this ID and try to get them to smile and laugh. When he sponsored the ET legislation, he showed up in Rachel, Nevada dressed as Darth Vader. Some people rolled their eyes at his lighthearted shenanigans, but others recognized that they helped to defuse the tensions and harsh realities of often political clashes.

Bob had a serious side as well. He was a student of the Constitution and a strong defender of freedom of expression. When the Legislature considered an amendment to the Nevada Constitution to make it a crime to burn the flag, he decided that legislation offended his sense of civil liberties, and he staunchly and vigorously opposed it. In the 1970s, when the Nevada Legislature was one of the last state legislatures seeking to ratify the Equal Rights Amendment, Bob supported it and made a passionate plea for ratification. The Equal Rights Amendment did pass the Nevada Senate on tie vote, but unfortunately, it failed in the Assembly. It was a brave stand for Bob to make in the 1970s in southern Nevada.

Those of us who were fortunate enough to personally know Bob will always remember him as a playful, kind, gentle and forgiving man. He was a man who sincerely loved his fellow human creatures, a man who listened to everyone patiently and took them seriously. Among some of the legislation that Bob sponsored was Price Days, to try to make sure that employees at LCB could gain some remuneration for monies they had lost. This lasted for many years. He sponsored legislation to try to end at-will employment; he did not believe this was right. In one of his last sessions, in a bill that was ahead of its time, he sponsored legislation to finance public financing of campaigns through a tax on slot machines. It did not pass, but it was also a bill ahead of its time.

Governor O'Callaghan appointed Bob to the State Health Coordinating Council. He won for Outstanding Service awards from Seniors in Action and the Nevada Taxpayers Association. Governor Robert List appointed him to the Governor's Gaming Policy Committee. He was named Nevada trial lawyer of the year by the Nevada Trial Lawyers Association. He received the Outstanding Service award from the AFL-CIO. He received an award from the Friends of Southern Nevada Libraries. He was appointed to the Advisory Committee on Insurance covering the treatment of alcoholism and drug abuse. He was on the Committee on the Bicentennial appointed by Governor Bryan and was appointed by Governor Miller to the 125 Year Celebration Committee. He received the Good Guy Award from the Nevada Women's Lobby. Moreover, these are not all of the awards he won.

He was devoted to his friends and his family. He cared about Teresa when she was fighting cancer and sponsored legislation because his daughter had been exposed to cigarette smoke while working in the service industry. He tried to sponsor a bill to give employees working in that industry the option of working in a smoke-free area. That bill did not pass, but it was also ahead of its time. When he got married, people were concerned because Bob was a staunch Democrat and Nancy, at the time, was a staunch member of the GOP. When she would come to a Democratic event, I think people were concerned that perhaps she was a spy and the reverse was true when he would go to a Republican event. Nancy served on the Board of Regents when she was a Republican while Bob served in the Assembly. Eventually, Bob brought Nancy around, and she switched her registration to the Democratic side.

His health was failing in the last few years, and Nancy lovingly took care of him. He still was the same old Bob. I spoke to him about 8 months ago, and even though speech was difficult, we discussed my campaign. He was giving me advice about where to go, which doors to knock on and which areas to visit. He dearly loved this State. I urge this Body to support this resolution. He is one of the finest representatives Clark County has sent up here.

SENATOR PARKS:

Thank you, Mr. President pro Tempore. I rise in support of Assembly Concurrent Resolution No. 3 memorializing Assemblyman Bob Price. I served with Bob for three sessions in 1997, 1999 and 2001. However, prior to my legislative service in this building, I worked on Governmental Affairs and taxation issues here in the Legislature when I first met Bob. I worked with him on the issue dealing with the tax shift event of 1981. I found him to be truly a one-of-a-kind individual. He loved being an Assemblyman. He took his work seriously, but he did not take himself seriously. The naming of the recreation center after Bob is a fitting tribute to his great work. He will be deeply missed. Thank you very much.

SENATOR WOODHOUSE:

I rise also in support of Assembly Resolution No. 3. Years ago, I had the opportunity to work with Assembly candidate Bob Price on his campaigns and then to talk with him on education issues before the Nevada Legislature when I served as a lobbyist with the Nevada State Education Association. I just have to tell one fun story. Bob was one of those Assembly people that in those days of no 120 days, we went until we got done, just like now those very late nights at deadline time, and it would be midnight, one, two o'clock in the morning. I was a lobbyist so I was sitting in the gallery in the back. Bob would bring out, I believe it was a guitar, and he would sit in the back row in the Assembly and serenade us as we waited for the Senate to get their jobs done and get the bills over to the Assembly side. So that is just one of the, I think, unique things about Bob. As the Senator just indicated, Bob was always making us smile and feel better about some of the tough times we were going through. Bob Price was always a true advocate for Nevada families, and especially the teachers in the State of Nevada. We all miss him, but thank you for sharing him with us for so many years. Thank you.

SENATOR RATTI:

Thank you, Mr. President pro Tempore. When I was first getting started in elected politics, I was running for my very first time on the Sparks City Council. It just happened to be at the same time the Presidential election was up, and Obama was starting to get some attention. I really did not know very much about him.

I was invited to a house party in my district, not too far from my house, and it turned that it was a house party being held by Nancy and Bob Price. That is where I learned about our future President, learned why I should support him. They were advocating on his behalf. But what I wanted to mention is nowhere in that time did anybody ever tell me this was Assemblyman Robert Price. No pretention, no awards on the wall, no like, hey, this is who we are and why you should think we are important—just another volunteer working to do another good campaign. It was not until much later I found out Mr. Price had served in the Assembly. We in northern Nevada had the gift of welcoming the Price family specifically to Sparks City Council Board Ward 1 and Senate District 13. I have had the benefit of the Price family and their continued volunteer work. With this wonderful career he had, I am grateful it was District 13 that got to have the Price family for a period of time. I am so sorry for your loss and thank you for being here. Thank you Senator for organizing this.

SENATOR ATKINSON:

Thank you, Mr. President pro Tempore. I too rise in support of Assembly Resolution No. 3 and just want to make a few comments about Assemblyman Price. I cannot say much more than my colleague from District 21 has already said. But I did want to say thank you to Nancy and his daughters. Bob has been supportive of what I have tried to do here in this Body. I think it is no secret, I ran against Bob in 2002. I will never forget his comments in the newspaper when he realized the night was not going to go in his favor. I remember him saying if I am going to go out, I am glad it is by a good Democrat. He declared his support and knew I would do well in the Legislature. When we think about the many things we go through daily, I think of the way someone can be kind. He was the kindest individual I could ever imagine. I did not expect those kind comments. Subsequently afterwards, he called me every single election cycle to congratulate me and wish me well. I will never forget the first phone call he told me I was going to have some big shoes to fill, that came from Bob. Every election cycle when he left me a message, he reminded me of this every time he called.

We would have brief discussions a couple of times during session, not to lobby on legislation, but to just wish me well. The last thing I want to say is he was a strong fighter. I remember getting a call from some of our party folks requesting I run in then Assembly District 17; we need somebody to step up. Price was not in good health; he already had a couple of stints in the hospital that prior session, and it was more than likely he would not be running. I did not know him at all during this time, but he was not doing well and probably not going to make it. Sixteen years later, he was still hanging on and fighting the good fight. I just wanted to say to his family, as my colleague to the right just said, thank you for sharing him with us; it was a pleasure. Thank you.

SENATOR HAMMOND:

I would like to remind Nancy that you and I had a moment, a meeting, in 2011 when I was a freshman Assemblyman. I sat in the back row, and there was an event where many of the former legislators were asked to attend. You and Bob attended that event, and he explained to me the seat I was in used to be his seat. I happily gave it up and sat in the back so he could sit in his old chair while the meeting was held. After the meeting when I was saying goodbye to you, I leaned over to say goodbye to Bob, and he looked at me and said: "You know, I don't think this was the seat. I think my seat was over there." Now that I know a little more about him, I think I may have been one of the last people on whom he pulled a practical joke! You do not get to meet a lot of people in this life, and when you have those intersections where you get to meet others, especially those who have a longstanding connection to this institution, it is important to keep those memories alive. I appreciated my moment with someone who had such a strong connection to the Body and to the people of Nevada. My condolences to you and to your family and thank you for the opportunity to have had that moment.

SENATOR DENIS:

I did not serve with Bob. I came into this Body when he was going out, but every time I met with him and spoke with him, you would think we had known each other forever. I appreciate the family being here today, and I appreciate all of those who have given remarks.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Ohrenschall, the privilege of the floor of the Senate Chamber for this day was extended to Vicki Bess, David Bogan, Nicholas Bogan, Alice Davis, Nancy Price, Teresa Price, Cherie Price-Steiner and Christine Swanson.

On request of Senator Settlemeyer, the privilege of the floor of the Senate Chamber for this day was extended to Hunter Drost and Marco Ovando.

On request of Senator Woodhouse, the privilege of the floor of the Senate Chamber for this day was extended to Vanessa Booth.

Senator Atkinson moved that the Senate adjourn in memory of former Assemblyman Bob Price until Monday, February 8, 2019, at 11:00 a.m.

Motion carried.

Senate adjourned at 1:00 p.m.

Approved:

MOISES DENIS
President pro Tempore of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate