

NEVADA LEGISLATURE

Eightieth Session, 2019

SENATE DAILY JOURNAL

THE TWENTY-SIXTH DAY

CARSON CITY (Friday), March 1, 2019

Senate called to order at 11:06 a.m.

President Marshall presiding.

Roll called.

All present except Senator Spearman, who was excused.

Prayer by the Chaplain, Reverend JJ Tuttle.

Eternal God, we give You thanks for giving us another day. On this day, we ask Your blessing on the men and women, residents all, whose votes have populated this people's Senate. Each Member of this Senate has been given the sacred duty of representing each of them. We ask Your blessing, as well, on the Members of this Senate whose responsibilities lie also beyond the local interests of their constituents while honoring them. Give each Member the wisdom to represent both local and statewide interests, a responsibility calling for the wisdom of Solomon. Grant them, if You will, a double portion of such wisdom.

Bless us this day and every day, and may all that is done within the people's House be for Your greater honor and glory.

AMEN.

Pledge of Allegiance to the Flag.

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

COMMUNICATIONS
UNITED STATES SENATE
204 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510

February 28, 2019

THE HONORABLE SENATOR KELVIN ATKINSON, Majority Leader of the Nevada State Senate and
THE HONORABLE JASON FRIERSON, Speaker of the Nevada Assembly

401 South Carson Street, Carson City, Nevada 89701-4747

DEAR MAJORITY LEADER ATKINSON AND SPEAKER FRIERSON:

I am writing to request the opportunity to speak before the distinguished members of the Nevada State Legislature on Wednesday, March 20, 2019 at 5:00 p.m. I look forward to speaking about the pressing issues before the United States Congress in the upcoming months and how they will affect the great State of Nevada.

I thank you in advance for your kind consideration. I look forward to seeing you soon.

Sincerely,
CATHERINE CORTEZ MASTO
United States Senator

UNITED STATES SENATE
SD-G12 DIRKSEN SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510

February 25, 2019

THE HONORABLE KELVIN ATKINSON, Majority Leader of the Nevada State Senate
THE HONORABLE JASON FRIERSON, Speaker of the Nevada Assembly
401 South Carson Street, Carson City, Nevada 89701-4747

DEAR MAJORITY LEADER ATKINSON AND SPEAKER FRIERSON:

I respectfully request the opportunity to address the distinguished members of the Nevada Legislature on Monday, March 18, 2019. I look forward to sharing with you and your colleagues information regarding the important issues the United States Senate will be facing in the upcoming months and how they will affect the State of Nevada.

I thank you in advance for your consideration of my request, and I look forward to seeing you soon. Should you have any questions or concerns, please contact my Scheduler, Nicole Echeto, at (202) 224-6244.

Sincerely,
JACKY ROSEN
United States Senator

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20510

January 22, 2019

THE HONORABLE KELVIN ATKINSON,
Senate Majority Leader, State of Nevada Senate
THE HONORABLE JASON FRIERSON, Speaker of the Nevada Assembly
401 South Carson Street, Carson City, Nevada 89701-4747

DEAR MAJORITY LEADER ATKINSON AND SPEAKER FRIERSON:

I respectfully request the opportunity to address the distinguished members of the Nevada Legislature on Tuesday, March 19, 2019. I look forward to sharing with you and your colleagues information regarding the important issues the United States Congress will be addressing during the 116th Session.

Thank you in advance in consideration of this request, and I look forward to seeing you soon.

Sincerely,
DINA TITUS
Member of Congress

INTRODUCTION, FIRST READING AND REFERENCE

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

Senate Bill No. 245—AN ACT relating to civil actions; increasing the limitation on the amount of damages that may be awarded in certain tort actions brought against a governmental entity or its officers or employees; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ohrenschall and Assemblyman Fumo:

Senate Bill No. 246—AN ACT relating to crimes; eliminating the possibility of the imposition of a sentence of death on a person convicted of first degree murder; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Pickard, Ohrenschall; Assemblymen Leavitt, Hardy and Cohen:

Senate Bill No. 247—AN ACT relating to mental health; requiring in most circumstances the informed consent of each parent or guardian who has legal custody of a child before certain services relating to mental health may be provided to the child; authorizing the provision of such services with the consent of one parent or guardian in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 17.

Bill read second time and ordered to third reading.

Senate Bill No. 93.

Bill read second time and ordered to third reading.

Senator Woodhouse moved that the bill be taken from the General File and re-referred to the Committee on Finance.

Motion carried.

Madam 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 11:47 a.m.

President Marshall presiding.

Quorum present.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 1, 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. 5.

CAROL AIELLO-SALA
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 5.

Senator Atkinson moved the adoption of the resolution.

Remarks by Senators Atkinson and Settlemeyer.

SENATOR ATKINSON:

Today commemorates that our great State was the first to ratify the 15th Amendment of the *United States Constitution* 150 years ago. In 1868, four years after our State had joined the Union, William M. Stewart, United States Senator from our State, recognized a problem. Only some states allowed the newly-freed, African-American men to vote. He prepared an amendment to declare "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude." Senator Stewart passionately argued and advocated the amendment to the *Constitution* was necessary to guarantee each man the right to protect his own liberty. On February 25th, the United States House, and on February 26th, the United States Senate approved the language of the 15th Amendment be added upon ratification of the State. At the time it was ratified, Article 2 of the *Nevada Constitution* restricted voting to every white male citizen. The word "white" would not be removed for another decade.

As the Nevada Legislature was in Session in 1869, Senator Stewart wanted the State of Nevada to become the first state to ratify the amendment. On March 1, 1869, the 4th Legislative Session passed a joint resolution to ratify the 15th Amendment. By the end of the week, six other states ratified the resolution. By the end of the month, five more had ratified it. On February 3, 1870, the amendment received enough ratifications to be added to the *Constitution*.

I would like to thank the leaders of both Houses who signed this resolution. We are often spoken of as being last as a State, but we were first in this. We can be proud of that. I would like to thank the Body for helping me recognize this historic moment in our history. I am proud to say 150 years ago we were the first. I would like to recognize the Speaker of the Assembly who brought this to my attention. We felt it was appropriate to recognize this event. We would have liked to have done this at the end of February. It is now the beginning of March, and it is never too late as this is the actual date on which it occurred. I hope you will support me in approving Assembly Concurrent Resolution No. 5.

SENATOR SETTELMEYER:

I rise in support of Assembly Concurrent Resolution No. 5. I am grateful the Senator from District 4 reached out to me with the concept of signing on to this resolution. It was my privilege to do so. It is phenomenal we were the first on the best list rather than being at the end. It is also fascinating to do the research that sadly shows some states have still not ratified this amendment. Others, such as Tennessee, ratified it as recently as 1997. I rise in support of this resolution.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Cannizzaro, the privilege of the floor of the Senate Chamber for this day was extended to Malcom Gordon, Devin Howard, Max Rees, Allie Ryerson and Kayla Salehian.

Senator Atkinson moved that the Senate adjourn until Monday, March 4, 2019, at 11:00 a.m.

Motion carried.

Senate adjourned at 11:53 a.m.

Approved:

KATE MARSHALL
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate