

# NEVADA LEGISLATURE

Eightieth Session, 2019

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## SENATE DAILY JOURNAL

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### THE FORTY-SIXTH DAY

CARSON CITY (Thursday), March 21, 2019

Senate called to order at 11:42 a.m.

President Marshall presiding.

Roll called.

All present except for Senator Ohrenschall, who was excused.

Prayer by the Chaplain, Captain Mark Cyr.

My Heavenly Father, we come to You with thankfulness for the blessings You give us. We thank You for our State Senate members and their faithfulness. We ask You to be with them and bless them. Bless their families as well. We ask that You fill these State Senators with Your wisdom and strength. Encourage and guide them as they lead us, and unite them together as one voice for what is best for our State and its people. Give them strength, vision, wisdom and truth.

Father, we pray these things in the Name of Your Son, Jesus.

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.

#### REPORTS OF COMMITTEE

*Madam President:*

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 127, 183, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID R. PARKS, *Chair*

#### WAIVERS AND EXEMPTIONS

##### NOTICE OF EXEMPTION

March 21, 2019

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the exemption of: Senate Bill No. 303.

MARK KRMPOTIC  
*Fiscal Analysis Division*

## MOTIONS, RESOLUTIONS AND NOTICES

Senator Cannizzaro moved that Senate Bills Nos. 137, 244 be taken from its position on the Secretary's desk and placed at the bottom of the General File.

Motion carried.

## INTRODUCTION, FIRST READING AND REFERENCE

By Senators Hammond, Pickard, Hansen, Kieckhefer, Seevers Gansert, Settlemeyer; Assemblymen Hardy, Roberts and Leavitt:

Senate Bill No. 404—AN ACT relating to education; establishing a credit against the modified business tax for taxpayers who donate money to a scholarship organization; setting forth certain requirements for a scholarship organization and for programs that receive grants from a scholarship organization; requiring a scholarship organization to submit an annual report to the Department of Education; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Cannizzaro:

Senate Bill No. 405—AN ACT relating to the Public Employees' Retirement System; providing for the eligibility of certain police officers and firefighters who sustain certain injuries in the line of duty to apply for disability retirement benefits administered by the Public Employees' Retirement System; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Brooks and Cancela:

Senate Bill No. 406—AN ACT relating to employment practices; provides for the sharing between certain parties to a transaction for contracted labor of responsibility for compliance with certain legal obligations placed on employers; authorizes certain workers to bring an action against a client company for the failure of a labor contractor to comply with certain legal obligations placed on employers; making it unlawful to retaliate against certain workers under certain circumstances; authorizing the Labor Commissioner and the Administrator of the Division of Industrial Relations of the Department of Business and Industry to adopt certain regulations; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Brooks and Ratti:

Senate Bill No. 407—AN ACT relating to professions; revising provisions governing public land survey corners; revising provisions governing

professional engineers and professional land surveyors; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Dondero Loop, Woodhouse, Parks and Cancela:

Senate Bill No. 408—AN ACT relating to public safety; revising provisions relating to motorcycles, trimobles and mopeds; revising provisions relating to the duties of a pedestrian at certain intersections; revising provisions relating to the imposition by a court of the requirement to install an ignition interlock device for certain convictions; requiring the driver and passenger on a trimobile or a moped to wear protective headgear; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Seevers Gansert:

Senate Bill No. 409—AN ACT relating to governmental administration; revising provisions governing reviews of regulatory bodies by the Sunset Subcommittee of the Legislative Commission; revising the information that each regulatory body must submit to the Director of the Legislative Counsel Bureau on a quarterly basis; requiring the Director to submit such information from each regulatory body to the Sunset Subcommittee on a quarterly basis; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Kieckhefer, Hansen, Hammond, Pickard, Ratti, Goicoechea, Hardy, Seevers Gansert, Settlemeyer; Assemblymen Benitez-Thompson, Kramer and Neal:

Senate Bill No. 410—AN ACT relating to taxation; eliminating the authority of the Office of Economic Development to issue transferable tax credits for certain projects that will make a capital investment in this State of at least \$1 billion and satisfy certain other criteria; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Settlemeyer, Hammond, Goicoechea, Hardy, Kieckhefer, Pickard; Assemblymen Wheeler and Titus:

Senate Bill No. 411—AN ACT relating to firearms; authorizing the possession of a firearm in a motor vehicle that is on certain governmental

property under certain circumstances; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.  
Motion carried.

By Senator Hardy:

Senate Bill No. 412—AN ACT relating to amusement devices; making it a misdemeanor for the operator of an amusement arcade or amusement center to allow a child to operate an amusement device, unless accompanied by an adult; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hardy and Spearman:

Senate Bill No. 413—AN ACT relating to prostitution; prohibiting the granting of a license for a house of prostitution; eliminating an exemption from criminal liability for prostitution committed in a licensed house of prostitution; eliminating exemptions from certain laws for licensed houses of prostitution; providing penalties; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.  
Motion carried.

By Senator Kieckhefer:

Senate Bill No. 414—AN ACT relating to education; increasing the number of recipients to whom the Kenny C. Guinn Memorial Millennium Scholarship is awarded each year; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Education.  
Motion carried.

By Senator Kieckhefer:

Senate Bill No. 415—AN ACT relating to economic development; creating the Volens et Potens Committee; prescribing the duties of the Committee; requiring the Committee to cause the formation of a nonprofit corporation, the purpose of which is to act as a limited partner of the Volens et Potens Investment Fund; requiring the nonprofit corporation to be governed by the Volens et Potens Infrastructure Board; authorizing the Office of Economic Development to approve applications for tax credits submitted by persons who contribute money to the Board; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks, Woodhouse, Spearman, Ratti, Cannizzaro, Denis, Dondero Loop, Harris and Washington:

Senate Bill No. 416—AN ACT relating to public retirement systems; eliminating a provision that ceases the payment of benefits to the child of a deceased member of a public retirement system upon the child's adoption; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Goicoechea:

Senate Bill No. 417—AN ACT relating to livestock; requiring the State Department of Agriculture to issue a limited license to conduct an annual sale of livestock under certain circumstances; imposing a fee for the issuance of the limited license; providing a penalty; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By Senators Parks and Ohrenschall (by request):

Senate Bill No. 418—AN ACT relating to dairy products; abolishing the county milk commission of each county in which a county milk commission has been appointed; transferring the powers and duties of each county milk commission to the Director of the State Department of Agriculture; requiring the Director to adopt certain regulations governing the production, distribution and sale of certified raw milk; providing that raw milk certified by the Director may be sold anywhere in this State; and providing other matters properly relating thereto.

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

Motion carried.

#### GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 5 of the 79th Session.

Resolution read third time.

Remarks by Senator Woodhouse.

Assembly Joint Resolution No. 5 proposes to amend the Nevada Constitution to remove the Constitutional provisions relating to the election and duties of the Board of Regents of the University of Nevada. The Legislature shall provide by law for the governance, control and management of the University and the establishment of its various departments. The resolution also requires the Legislature to set by law, the reasonable protection of individual academic freedoms and the promotion of intellectual, literary, scientific, mining, mechanical, agricultural, ethical and other educational improvements. Proceeds of public lands donated for the support of the institution, shall be invested by the State of Nevada as required by law.

If approved in identical form during the 2019 Legislative Session, this proposal will be submitted to the voters for final approval, or disapproval, at the 2020 General Election. Assembly Joint Resolution No. 5 will be cited as the Nevada Higher Education Reform Accountability and Oversight Amendment.

Roll call on Assembly Joint Resolution No. 5 of the 79th Session:

YEAS—20.

NAYS—None.

EXCUSED—Ohrenschall.

Assembly Joint Resolution No. 5 of the 79th Session having received a constitutional majority, Madam President declared it passed.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 137.

Bill read third time.

Remarks by Senator Cannizzaro.

Senate Bill No. 137 deletes the term "or property" from the statutory definition of robbery in relation to the threat posed by the offender. The revised definition of robbery retains the description of the crime involving "force or violence or fear of injury" to a person, a family member or anyone in the person's company at the time of the offense. Nothing about this bill changes the liability of a person threatening or damaging property for other crimes such as coercion or malicious disruption of property. This bill brings Nevada's statute defining robbery in line with other statutes and pertains to when force is used against a person in order to retain property.

Roll call on Senate Bill No. 137:

YEAS—20.

NAYS—None.

EXCUSED—Ohrenschall.

Senate Bill No. 137 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 244.

Bill read third time.

Remarks by Senator Cannizzaro.

Senate Bill No. 244 defines a "stay away order" as a court order that requires a person to stay away from the home, school, business, place of employment or any other location specifically named by the court, and to refrain from contacting, intimidating, threatening or otherwise interfering with an alleged victim and any other person named in the order. A person who violates a stay away order is guilty of a misdemeanor. This bill provides important protection for victims when they are being threatened by an offender and allows for them to feel protected when a court tells someone to stay away from a residence, place of business, home, school or person.

Roll call on Senate Bill No. 244:

YEAS—20.

NAYS—None.

EXCUSED—Ohrenschall.

Senate Bill No. 244 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

#### REMARKS FROM THE FLOOR

Senator Kieckhefer requested that his remarks be entered in the Journal.

We would like to recognize March 21, 2019, as World Down Syndrome Day and give special recognition to individuals with Down syndrome: Shane Rocha, Shannon Shepherd and Ian Zehner, who are with us today. They are members of the Down Syndrome Network of Northern Nevada,

an organization that works to empower individuals with Down syndrome and other developmental differences, and their families, to be fully included as valued members of the community.

Senator Cannizzaro moved that the Senate recess until 4:30 p.m.  
Motion carried.

Senate in recess at 12:01 p.m.

#### SENATE IN SESSION

At 4:42 p.m.  
President Marshall presiding.  
Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Senator Hammond has approved the addition of Senators Spearman and Cancela as a primary sponsors of Senate Bill No. 115.

#### INTRODUCTION, FIRST READING AND REFERENCE

By Senator Ratti:

Senate Bill No. 419—AN ACT relating to taxation; revising provisions governing the assessment and taxation of property which is sold or transferred; enacting provisions to provide property tax assistance to senior citizens and persons with disabilities; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ohrenschall:

Senate Bill No. 420—AN ACT relating to renewable energy; excluding from regulation as a public utility a person who operates or facilitates the operation of one or more systems that use renewable energy to generate electricity which serves as a source of electricity for not more than 18 persons or premises that are not connected to the transmission or distribution grid of the electric utility; revising provisions relating to the interconnection of such systems to an electric utility; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ohrenschall:

Senate Bill No. 421—AN ACT relating to aeronautics; requiring the establishment and carrying out of a program relating to certain unmanned aircraft systems; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ohrenschall:

Senate Bill No. 422—AN ACT relating to industrial insurance; revising provisions providing for an annual increase in benefits for permanent total disability; repealing provisions authorizing annual payments to certain persons who are entitled to compensation for permanent total disability; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ohrenschall:

Senate Bill No. 423—AN ACT relating to watercraft; authorizing the operation of an electric vertical takeoff and landing craft upon and over the waters of this State; providing a definition of such a craft; imposing certain requirements and limitations on the operation of such a craft; providing a penalty; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By Senator Ohrenschall:

Senate Bill No. 424—AN ACT relating to mental health; requiring the establishment of a system to categorize consumers of mental health services by the scope of services needed; requiring the establishment of procedures for the appeal of decisions relating to eligibility for or authorization of certain services; and providing other matters properly relating thereto.

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

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 4:44 p.m.

#### SENATE IN SESSION

At 4:57 p.m.

President Marshall presiding.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

The Sergeant at Arms announced that Assemblyman McCurdy and Assemblywoman Krasner were at the bar of the Senate. Assemblyman



McCurdy invited the Senate to meet in Joint Session with the Assembly to hear Chief Justice Mark Gibbons.

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

Senate in recess at 4:48 p.m.

#### IN JOINT SESSION

At 5:02 p.m.

President Marshall presiding.

The Secretary of the Senate called the Senate roll.

All present except for Senator Kieckhefer, who was excused.

The Chief Clerk of the Assembly called the Assembly roll.

All present except Assemblymen Hambrick and Hafen and Assemblywomen Bilbray-Axelrod and Titus, who were excused, and one vacant.

Madam President appointed a Committee on Escort consisting of Senator Pickard and Assemblywoman Cohen to wait upon the Chief Justice Mark Gibbons and escort him to the Assembly Chamber.

Chief Justice Gibbons delivered his message as follows:

#### MESSAGE TO THE LEGISLATURE OF NEVADA 80TH SESSION, 2001

Governor Sisolak, Lieutenant Governor Marshall, Speaker Frierson, Majority Leader Cannizzaro, Majority Leader Benitez-Thompson, Attorney General Ford, distinguished Members of the Senate and Assembly, honorable Constitutional Officers and honored guests, thank you for the opportunity of speaking to the Nevada Legislature on behalf of our State's judicial system.

On January 16th in his State of the State Address, Governor Sisolak began his remarks by acknowledging that for the first time in history, the Nevada Legislature has a majority of women. When I first began my legal career in Nevada as an attorney, Nevada had never elected a woman to either the Nevada Supreme Court or the district court. In 1982, Miriam Shearing became the first woman elected to the district court. Judge Shearing made history again in 1992 when she became the first woman elected to the Nevada Supreme Court. As Nevada makes further history, the Nevada Supreme Court now also has a majority of women.

I would like to introduce my colleagues on the Nevada Supreme Court: Associate Chief Justice Kristina Pickering, Justice Jim Hardesty, Justice Ron Parraguirre, Justice Lidia Stiglich, Justice Elissa Cadish and Justice Abbi Silver. It is my privilege to serve with these distinguished jurists. Tonight from the Nevada Court of Appeals, we have with us Chief Judge Michael Gibbons and our newest judge, Bonnie Bulla. Also, with us tonight are Chief Judge Linda Bell from the Clark County District Court, Chief Judge Scott Freeman from the Washoe County District Court, together with Judge Bridget Robb from Washoe County, Judge Tom Stockard from Churchill County and Judge Tom Gregory from Douglas County.

I would also like to recognize and thank the Clerk of the Supreme Court, Elizabeth Brown; legal counsel, Phaedra Kalicki; the Supreme Court's extraordinary legal staff; the Director and Assistant Director of the Administrative Office of the Courts, Robin Sweet and John McCormick; our Law Library Director, Jason Sowards; and the dedicated and hardworking staff of the Supreme Court and AOC [Administrative Office of the Courts.]

I would like to acknowledge attorney Tom Harris, Chief Assistant Clerk. Tom passed away on February 21, 2019. Tom spent 19 years with the Court and was an extraordinary member of our court family. His loss is deeply felt by all of us, and we will miss him very much.

I am privileged to speak on behalf of our 3 Court of Appeals judges, 82 district court judges, 67 justices of the peace, 30 municipal court judges and the nearly 2,000 court employees throughout the State. On behalf of all employees of the Supreme Court and the Administrative Office of the Courts, I thank Governor Sisolak for including in his budget a request for a salary increase for all State employees and teachers. Speaking as a long-term Nevada resident, I hope consideration is also given to a pay increase for the most underpaid State employees in Nevada: the 63 hardworking Members of the Nevada Legislature. We appreciate all of your hard work, not only throughout the Session, but also throughout the year when you do constituent work and committee work throughout that time.

Nevada's judicial officers and court employees are committed to the administration of fair and impartial justice in criminal, civil, family and juvenile disputes in accordance with the rule of law. In fulfilling our constitutional duties, we are mindful of the importance of providing timely access to the court system and resolving cases as efficiently as budgets and caseloads permit. I am proud to serve with these dedicated public servants and offer my profound thanks to all of them for their service to all Nevadans.

My purpose this evening is to discuss the state of the Judicial Branch. In doing so, I would like to share with you some of the many accomplishments of the Nevada courts and offer a vision for the future of Nevada's Judiciary.

As you know, the resolution of disputes represents the core function of the Nevada court system. In today's environment, what is the right role for Nevada's Judiciary? Whether we like it or not, the state courts of this country are in the eye of the storm. We have become the emergency room for society's worst ailments: substance abuse, family violence, mental illness and so much more. This reality has forced the courts to approach cases with innovation and collaboration with all involved. These pressures underscore the need for a public judicial system that is timely and efficient in its management of a case, while treating each person with respect and dignity.

As Justices of the Supreme Court, some of our duties include community outreach. For the past decade, the Nevada Supreme Court has held oral arguments of actual cases in high schools throughout Nevada. In Washoe County, the Court has held arguments at Reno High School, Bishop Manogue and Sparks high schools. In Clark County, the Court has held arguments at Palo Verde, Valley and Bishop Gorman high schools. Outside of our two largest counties, the Court has held oral arguments at high schools in Pahrump, Tonopah, Panaca, West Wendover, Elko, Winnemucca, Fallon, Yerington and Minden. When we meet with high school students, we have an opportunity to show them how the courts work and answer their questions. It also gives us the chance to emphasize the importance of completing their education and the dangers of substance abuse.

As part of our community outreach, we urge all of our judges to serve on jury duty when the opportunity arises. In Clark County, a number of our district judges have served as jurors for civil cases. Several years ago, I was selected for jury duty for a one-week criminal trial in Carson City. I took this opportunity as a juror to submit several written questions to witnesses during the trial. My jury service was a great experience, and I urge all Nevadans to do so if you have the opportunity.

Since the Nevada Court of Appeals was created in 2015, justice has improved in our State by reducing the Supreme Court's caseload, shortening the time to decide appellate cases and increasing the number of published opinions on Nevada law. From what I have witnessed during the first four years of operation, I can state with confidence that the Court of Appeals has a bright future. Since 2015, the Court of Appeals has been assigned approximately 4,000 cases. By the end of 2018, the Court of Appeals had decided approximately 3,600 of these cases, or 90 percent of the cases assigned to it. The success of the Court of Appeals is one of many exemplified achievements shaped by the Nevada Judiciary.

I would like to update you on a few others. In 2001, the Supreme Court created the business court in Clark and Washoe Counties. Patterned loosely after Delaware's Chancery Courts, the business courts in Nevada are designed to resolve the most complex, lengthy and expensive business disputes in a timely, cost-efficient manner. Prior to establishing Nevada's business court, these cases usually took more than four years to complete. Today, a business court case takes roughly two years to reach conclusion.

Nevada's drug courts and other specialty courts continue the incredible journey that began in 1992 when Nevada launched the nation's fifth drug court. The Legislature's continued support of these courts through administrative assessments and General Fund appropriations has enabled dedicated specialty court judges and staff to achieve successes that no one thought possible. In 2018 alone, the 56 drug and mental health courts throughout the State served 6,527 clients, with 1,284 of these clients completing the program and graduating that year. During the past year, 48 drug-free babies were born to participants in these and other specialty courts; that is 48 babies who now have a chance to grow up without the prenatal limitations caused by drug-addicted mothers.

Individuals charged with nonviolent crimes who have opioid or other substance abuse addictions can enroll in specialty court and complete an intensive rehabilitation program. When they are successful and graduate, they will receive a reduction or dismissal of the criminal charges. Recently, 28 clients graduated from the medication-assisted treatment court. This two-year diversion court serves adults suffering from opioid addiction under the supervision of a medical doctor. Medications, such as Suboxone and Vivitrol, are prescribed to help addicts end dependency. As a result, success of the medication-assisted treatment court program has expanded to 55 participants. National studies show that almost 60 percent of criminal defendants who graduate from a drug court program remain drug free for the remainder of their lives and do not commit new crimes.

It is easier to staff drug courts in Nevada's urban areas. Nevertheless, the Supreme Court, through the Specialty Court Funding Committee, is making every effort to allocate necessary resources to our rural communities. As part of our State's effort to fight the opioid crisis and other controlled substance abuse, the Supreme Court has requested senior judges to assist the district courts to expand the number of participants in drug court programs. For example, Senior Judges Peter Breen, at age 79, and Archie Blake, at age 76, drive 1,900 miles every month between Lovelock, Fallon, Hawthorne, Yerington, Minden and Carson City to assist the district courts to service more than 460 drug court clients and help save lives. Senior Judges Breen and Blake were two of the pioneers who developed drug courts in Nevada during the 1990s. When individuals with substance abuse problems graduate from drug court, they not only avoid incarceration at taxpayers' expense, but also are able to maintain employment and contribute as productive members of society.

Also, I want to update you on the success of the felony DUI court program. There are 11 DUI court programs throughout Nevada. This specialty court deals with serious and chronic DUI offenders who have failed to appreciate their actions after prior jail or prison terms. The DUI court has been remarkably successful in breaking the destructive cycle of these offenders. In 2018, 278 clients graduated from DUI court programs throughout Nevada.

These initiatives are a few of the many achievements of the Judicial Branch. All of them illustrate the dedication of the judges and court employees who work hard every day to make the courts responsive to the needs of Nevada's citizens.

As we look to the future, I perceive a lengthy agenda for Nevada's judicial system. We must continue our efforts to make the public judicial system responsive to the needs of people in civil cases. Access to justice in Nevada cannot be just a goal; it must be a reality. Families and children in crisis and unrepresented litigants have every right to expect their judicial system to work equally for them. Too often, parties turn away from the public judicial system because it is just too expensive and takes too long. This issue is not unique to Nevada. A committee of the Conference of Chief Justices has been studying two fundamental reasons for cost and delay in the public judicial system. These reasons are case management by judges and the rules of civil procedure. Discovery rules add cost and time to an already challenging process. The Nevada Supreme Court recently approved the recommendations of a committee of experts, who included Justices Pickering and Cadish, Judge Bulla, Judge Wilson from Carson City, Judge Wanker from Pahrump and Washoe County Discovery Commissioner Wesley Ayres. As a result, the Supreme Court has amended the Nevada Rules of Civil Procedure to help accomplish these goals. These rule changes will assist civil litigants for years to come.

In addition, we must study and improve our methods for setting pretrial release conditions for those accused of a crime. Pretrial judicial decisions about the release or detention of a defendant must be based on risk assessments. The decisions of judges have a significant impact on thousands

of defendants. Incarceration adds great financial stress to publicly funded jails holding defendants who are unable to make bail or meet financial conditions of release. As our jail populations swell, particularly in Clark County, Nevada's judges are adopting Nevada-specific pretrial release assessment tools that better determine if a defendant will fail to appear or present a risk of safety to others. Studies show that by imposing conditions on a defendant appropriate for that individual, following a valid pretrial risk assessment substantially reduces pretrial detention without impairing the judicial process or threatening public safety. In Washoe County and Clark County, District Judges Elliot Sattler and Doug Herndon, together with Justices of the Peace Scott Pearson and Joe Bonaventure, have initiated programs utilizing risk assessment tools to grant pretrial release to individuals accused of crimes but who do not have the money or collateral to obtain bail. In rural Nevada, courts in Douglas and Churchill Counties have voluntarily initiated similar programs. These tools have been successful in predicting whether an individual will commit other offenses while awaiting trial and further ensure that the individual will appear for all scheduled court appearances. The Nevada Supreme Court entered an order yesterday requiring all Nevada courts to commence training for the use of pretrial risk assessment tools within nine months. We urge the Legislature to expand the statutory authority of these pretrial risk assessment tools.

I am excited about the future of Nevada's judicial system. I cannot think of a better time to practice law in our State. Boyd Law School is ranked among the top 60 law schools in the country. We have judges and court employees who are innovative, motivated, engaged and enthusiastic working every day to make our public judicial system the best it can be. I am proud to serve with these outstanding public servants.

However, we cannot take the public's confidence in the courts for granted. We can improve justice if we adhere to the rule of law, remain proactive in the management of our cases, be creative in our efforts to provide access to the courts, stay sensitive to the needs of people who come before us, be innovative in our resolution of disputes and accountable for our own behavior, and remain fiscally responsible and transparent in all that we do.

Finally, I want to leave you with a thought from Cicero, a Roman politician and lawyer who said, "The people's good is the highest law." Thank you for the opportunity to visit with you. We hope you will join us in the Supreme Court rotunda for our reception at 6:00 p.m. this evening.

Senator Cannizzaro moved that the Senate and Assembly in Joint Session extend a vote of thanks to Chief Justice Gibbons for his timely, able and constructive message.

Motion carried.

The Committee on Escort escorted Chief Justice Gibbons to the bar of the Assembly.

Senator Hansen moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 5:27 p.m.

#### SENATE IN SESSION

At 5:32 p.m.

President Marshall presiding.

Quorum present.

#### 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 Geovani Cervoni, Angelo La Rocco, Elisa Martinez, David Miron, Carlos Navarro, Luisa Alvarez Valles, Valerie Vargas and Zarinah Washington

On request of Senator Harris, the privilege of the floor of the Senate Chamber for this day was extended to Hara Armenian and Berna Rhodes-Ford.

On request of Senator Kieckhefer, the privilege of the floor of the Senate Chamber for this day was extended to Shane Rocha, Shannon Shepherd and Ian Zehner.

On request of Senator Pickard, the privilege of the floor of the Senate Chamber for this day was extended to Tony Scinta.

On request of Senator Woodhouse, the privilege of the floor of the Senate Chamber for this day was extended to Alejandra Carrillo-Marroquin, Alicia Contreras, Jose Guzman, Aaron Ibarra, Michael Johnson, Ben Lazos and Laura Naumann.

Senator Cannizzaro moved that the Senate adjourn until Friday, March 22, 2019, at 11:00 a.m.

Motion carried.

Senate adjourned at 5:32 p.m.

Approved:

KATE MARSHALL  
*President of the Senate*

Attest: CLAIRE J. CLIFT  
*Secretary of the Senate*