

# NEVADA LEGISLATURE

Eightieth Session, 2019

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## SENATE DAILY JOURNAL

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THE FIFTY-FOURTH DAY

CARSON CITY (Friday), March 29, 2019

Senate called to order at 11:38 a.m.

President pro Tempore Denis presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Jedidiah Maschke.

God of the nations, on this Vietnam War Veteran's Day, we thank You for the sacrifices of those who have been called to defend the rights of free people everywhere and especially the nine million Americans who served during that time. Give comfort to those who bear the scars of war, and keep us from forgetting these heroes of the past.

We also come to You today placing into Your hands the needs of our State. Give wisdom and good judgment to those who govern us especially those who serve in our Senate. Support them with Your might that they may dedicate themselves wholeheartedly to the difficult tasks, many duties and heavy responsibilities that lie before them, that righteousness and integrity may prevail.

Lead all the citizens of our State in the path of righteousness in which You would have us walk so we may abide by the law, seek the welfare of our communities and thus serve our neighbors with faithfulness and untiring zeal for the good of our State and for Your Name's sake.

AMEN.

Pledge of Allegiance to the Flag was led by Megan Crandall.

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.

### REPORTS OF COMMITTEE

*Mr. President pro Tempore:*

Your Committee on Growth and Infrastructure, to which was referred Senate Bill No. 402, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Education.

YVANNA D. CANCELA, *Chair*

*Mr. President pro Tempore:*

Your Committee on Natural Resources, to which was referred Senate Bill No. 54, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MELANIE SCHEIBLE, *Chair*

*Mr. President pro Tempore:*

Your Committee on Revenue and Economic Development, to which was referred Senate Bill No. 62, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARILYN DONDERO LOOP, *Chair*

COMMUNICATIONS  
CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES  
WASHINGTON, D.C. 20515

March 21, 2019

THE HONORABLE NICOLE CANNIZZARO, *Senate Majority Leader*, State of Nevada Senate

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

THE HONORABLE JASON FRIERSON, Speaker of the Nevada Assembly

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

DEAR MAJORITY LEADER CANNIZZARO AND SPEAKER FRIERSON:

I respectfully request the opportunity to address the distinguished members of the Nevada Legislature on Monday, April 15, 2019.

As the Representative for Nevada's 4th Congressional District, I look forward to sharing both, information from the halls of Congress, as well as information regarding the communities that affect Nevada's future.

I am honored and grateful for this opportunity. Thank you in advance for your consideration.

Sincerely,

STEVEN HORSFORD

*Member of Congress*

CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES  
WASHINGTON, D.C. 20515-2803

March 29, 2019

THE HONORABLE NICOLE CANNIZZARO, *Majority Leader*, State of Nevada Senate

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

THE HONORABLE JASON FRIERSON, Speaker of the Nevada Assembly

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

DEAR MAJORITY LEADER CANNIZZARO AND SPEAKER FRIERSON:

I am writing to request the honor of speaking before both houses of the Nevada State Legislature at 5 p.m. on Wednesday, April 17, 2019.

Thank you for your kind consideration.

Sincerely,

SUSIE LEE

*Member of Congress*

MOTIONS, RESOLUTIONS AND NOTICES

Senator Cancela moved that Senate Bill No. 402, just reported out of Committee, be re-referred to the Committee on Education.

Motion carried.

Senator Brooks has approved the addition of Senators Spearman and Woodhouse as primary sponsors and Senators Ohrenschall, Parks, Scheible and Washington as sponsors of Senate Bill No. 358.

INTRODUCTION, FIRST READING AND REFERENCE

By Senators Dondero Loop, Spearman, Parks, Brooks, Denis, Harris, Ohrenschall, Washington and Woodhouse:

Senate Bill No. 493—AN ACT relating to employee misclassification; requiring certain state agencies to share information relating to suspected employee misclassification under certain circumstances; creating the Task Force on Employee Misclassification; providing its duties; making various other changes relating to employee misclassification; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Harris, Spearman and Cannizzaro:

Senate Bill No. 494—AN ACT relating to procurement; creating preferences in bidding for certain government contracts with local emerging small businesses; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Cannizzaro and Assemblyman Frierson:

Senate Bill No. 495—AN ACT relating to small businesses; creating the Office of the Small Business Advocate within the Office of the Lieutenant Governor; authorizing the Lieutenant Governor to employ and appoint personnel to the Office of the Small Business Advocate; requiring the Office of the Small Business Advocate to coordinate with state agencies and local governments under certain circumstances; authorizing the Office of the Small Business Advocate to review certain requests for assistance related to small businesses; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Harris:

Senate Bill No. 496—AN ACT relating to limousines; authorizing the holder of a certificate of public convenience and necessity to operate a limousine in certain counties to lease a limousine to an independent contractor; requiring a lease agreement be entered into between such a limousine operator and the independent contractor; imposing certain duties and responsibilities on such an independent contractor; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 497—AN ACT relating to taxation; removing the requirement for certain business entities to file a commerce tax return with the Department of Taxation; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Dondero Loop:

Senate Bill No. 498—AN ACT relating to tax-exempt organizations; prohibiting the board of county commissioners of a county or the governing body of an incorporated city from enacting or enforcing certain ordinances related to the operation of establishments by certain tax-exempt organizations; imposing certain restrictions on the ability of the board of county commissioners of a county or the governing body of an incorporated city to take certain adverse actions; authorizing certain tax-exempt organizations to engage in certain activities; and providing other matters properly relating thereto.

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

Motion carried.

#### SECOND READING AND AMENDMENT

Senate Bill No. 174.

Bill read second time and ordered to third reading.

Senate Bill No. 202.

Bill read second time and ordered to third reading.

Senate Bill No. 224.

Bill read second time and ordered to third reading.

#### MOTIONS, RESOLUTIONS AND NOTICES

Senator Woodhouse moved that Senate Bill No. 174 be taken from the General File and re-referred to the Committee on Finance.

Motion carried.

Senator Woodhouse moved that Senate Bill No. 202 be taken from the General File and re-referred to the Committee on Finance.

Motion carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 55.

Bill read third time.

Remarks by Senator Goicoechea.

Senate Bill No. 55 provides that a muzzle-loading rifle or musket is not loaded if the priming compound or element is removed.

Roll call on Senate Bill No. 55:

YEAS—21.

NAYS—None.

Senate Bill No. 55 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 232.

Bill read third time.

Remarks by Senator Settlemeyer.

Senate Bill No. 232 provides that when land within an irrigation district is held in trust, the trustee may designate a beneficiary of the trust to exercise certain rights, including holding office on the board of directors of the district; signing a petition related to the district and voting at an election of the district.

Roll call on Senate Bill No. 232:

YEAS—21.

NAYS—None.

Senate Bill No. 232 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

#### REMARKS FROM THE FLOOR

Remarks by Senators Harris, Ratti, Washington, Scheible, Dondero Loop, Woodhouse, Seevers Gansert, Spearman, Cancela and Cannizzaro.

SENATOR HARRIS:

This is Women's History Month, and I have chosen to give a shout-out to someone everyone in this Body is likely to be familiar with, Senator Bernice Mathews. She was a Democratic member of the Nevada Senate, representing Washoe County District 1, from 1995 to 2010. This included six special Sessions and seven regular Sessions. Senator Mathews was the first African-American woman elected to the Nevada Senate. She received her master's degree in Administration of Higher Education from the University of Nevada, Reno. She is so amazing; I chose to highlight her in spite of this. She is the former city councilwoman from the City of Reno, a past chair of the Reno Civil Service Commission, past director of her church's youth department, past member of the Washoe County Mental Health Advisory Board and a past member of the Governor's Commission on Nursing and Nursing Education. She has received the President's Medal of Recognition for her outstanding contribution to higher education in Nevada. She has received the Truckee Meadows Community College President's Medal and the General Contractors Skill, Integrity and Responsibility Award. The list goes on and on. Please join me in celebrating Senator Bernice Mathews and the amazing things she has accomplished. She has paved the way for those who look a little bit like me.

SENATOR RATTI:

I am incredibly honored to have the woman I have chosen to honor for Women's History Month here with me today to join us on the floor. I would like to introduce Bea Thayer and her son Daniel. Bea has observed, participated and helped to nudge history along. At 92 years young, she is a member of the Reno-Sparks Indian Colony and was a student at the Stewart Indian School. She is a veteran of World War II where she was a staff sergeant. I was told she lied about her age to be able to enlist in the military, as she was only 17 years old at the time. She served in the Army occupation in Germany and remembers being assigned to KP duty with German prisoners of war who were accompanied by armed guards. She was in Germany when the Berlin Wall went up, so she was a part of history. She enlisted in the United States Army Air Corps, now known as the Air

Force, in 1945, and, despite a segregated and male-dominated military, Thayer obtained top secret clearance and delivered important war correspondence to the Supreme Headquarters of the Allied Forces in Europe. She still travels to participate in Color Guards and share her experiences and her culture. She is a tremendous gift to the State of Nevada and I am thrilled to have her here on this day we are honoring women's history.

I am told by her son Daniel that he is her bodyguard and driver. I am told by Bea that he is her ears. What I see from the two of them is so much love, support and companionship. I am honored to have you both here today.

SENATOR WASHINGTON:

Mrs. Anna Bailey, was born August 26, 1926 in Savannah, Georgia and raised in Brooklyn, New York. At 13, she danced at the Apollo. By 15, she was a professional dancer. Her mother insisted she continue her education, so she attended high school while dancing in large productions in New York. She travelled extensively as a dancer, going on tour to Europe and Los Angeles. In 1951, she married fellow performer Bob Bailey, a singer and emcee. In 1955, the Baileys moved to Las Vegas to open the Moulin Rouge Hotel and Casino. Anna Bailey was in the cast of the first female black dancers at the Moulin Rouge. Just six months later, the Rouge closed, leaving both Anna and her husband, Bob, without work. The couple continued to work in show business with Anna dancing on the Strip and on tour and Bob hosting talk shows. Following the birth of her two children, Anna gave up dancing. The Baileys opened and operated several small nightclubs. Mrs. Bailey is still residing in Las Vegas.

SENATOR SCHEIBLE:

Today, I would like to honor Felice Cohn, a woman some would say was before her time. She was born in Nevada on May 14, 1884, and fought for women, children and other disenfranchised people throughout her life. I chose to honor Felice because we have a couple of things in common, not just our May birthdays, but she also attended Stanford, which is where I graduated from, and then came back to Nevada to put her talents to work helping those who needed a voice. She helped draft the legislation that became our suffragette declaration here in Nevada and helped women gain the right to vote. She was one of the first 50 women attorneys in Nevada and the fourth woman to be admitted to the United States Supreme Court to practice. Like me, she was a prosecutor. She was the first woman appointed to the US Attorney's office in Nevada and she served as an assistant United States Attorney before being named a referee at the bankruptcy court. Ultimately, she served in that role for several years and, in 1931, when she was well into her 50s, for a period of time she was the only woman practicing law in Nevada. She continued to advocate for women in the Legislature; for children, for foster agencies and for adoption, although she herself was never married and never a mother. She was a woman before her time who, all on her own, did what was right, fought for the people who needed it most and helped women gain the right to vote before her death in 1961.

SENATOR DONDERO LOOP:

It is my pleasure to honor, for Women's History Month, my mother, Thalia Dondero. Thalia was a community leader and a PTA mom. She was an executive director of the Girl Scouts and served on numerous committees and commissions including the Park Commission. In 1974, she became the first woman elected to the Clark County Commission. She ascended the ranks of the Clark County Commission, including being chairwoman of the body several times. She was asked to take notes by her male counterparts and, in true Thalia fashion, refused with polite good humor. She was a trailblazer who cared deeply about the community and served it with distinction. She broke the glass ceiling for all of us. After 20 years on the Commission, she served 12 years as a Regent with the Nevada System of Higher Education. In her tenure as a Commissioner, she oversaw the expansion of the McCarran Airport, flood control projects and was chairwoman of the water district among other leadership positions. She was honored many times for her leadership, but she always said it was most important to be constructive and have a useful purpose. I was fortunate enough to call her mom, but we can all learn from her example. While she was trailblazer, she would tell us all there are many trails left and to keep going. She was a true Nevada pioneer who was devoted to education, her family and the betterment of our community and State.

SENATOR WOODHOUSE:

I would like to honor two pioneers in Science, Technology, Engineering and Math. Judith Resnik was one smart cookie! She was not just an engineer; she was an electrical engineer, a biomedical engineer and a software engineer. She worked in the missile and surface-radar division of RCA, the neuro-physics lab at the National Institutes of Health and she helped bring the world groundbreaking technology at Xerox, but Resnik is most widely known as an American astronaut. After Sally Ride in 1983, Resnik became the second American woman to fly in space. Christa McAuliffe became the first American civilian—man or woman—to be selected by NASA for space travel. She beat out 11,000 other applicants to do this. Christa was an outstanding high school history teacher who was famous for saying: "I touch the future. I teach."

These two remarkable women, Resnik and McAuliffe, had their stories forever bound together on January 28, 1986. President Reagan eloquently captured the solemn moment, which many of us will never forget when he said, "The crew of the space shuttle Challenger honored us by the manner in which they lived their lives. We will never forget them, nor the last time we saw them this morning, as they prepared for their journey, and waved good-bye, and slipped the surly bonds of earth, to touch the face of God." Please help me honor these two wonderful women who have led the way for young girls to aspire to be like them.

SENATOR SEEVERS GANSERT:

Justice Sandra Day O'Connor will always be known as the first woman to serve on the Supreme Court of the United States, but her impact reaches much further than that. O'Connor was born in El Paso, Texas on March 26, 1930 and raised on a ranch in Duncan, Arizona. She received both her undergraduate and law degrees from Stanford University.

Justice O'Connor returned to the state where she was raised to serve as an Assistant Attorney General prior to serving in the Arizona State Senate as the first female Majority Leader of any state Senate in the nation. After serving in the legislature, Justice O'Connor was elected to the Arizona Superior Court of Maricopa County before being appointed to Arizona's Appellate and Supreme Courts. In 1981, President Ronald Reagan appointed O'Connor to serve as the first woman United States Supreme Court Justice.

Justice O'Connor served on the country's highest court for 12 years as the sole woman until Justice Ginsberg joined the Court in 1993. After 25 years on the Supreme Court, Justice O'Connor retired in 2006 and returned to Arizona where she continues to advocate for educating America's youth on how they can be involved in civics and government.

SENATOR SPEARMAN:

I would like to honor Dr. Barbara Ross-Lee. She was born in Detroit, Michigan, and some of you may recognize the last name, Ross, as she is the elder sister of Diana Ross. She initially thought she might go into show business, but because of a childhood illness, and many illnesses her mother had, she decided instead to go into medicine. In 1969, after working for the National Teacher Corps, Barbara Ross received a Master of Arts degree in teaching special populations. In 1973, she received a Doctorate of Osteopathic degree from Michigan State University College and opened her family practice in Detroit. She served there for ten years. She also served as an education consultant for the U.S. Department of Health and Human Services and a community representative on the Michigan State Governor's Minority Health Advisory Committee. In 1993, she was appointed Dean of the Ohio College of Osteopathic Medicine. She became the first African-American woman to administer a medical school in the United States. Ross-Lee guided the college's curriculum changes from a faculty lecture-based model to student-based, problem solving model. She urged students to make a difference in the medical profession by tapping into their own, unique, cultural and personal experiences, and thus she helped reduce and eliminate health disparities. On Tuesday, when Touro University was here, I learned that Dr. Ross-Lee was one of the mentors for the Dean of that university. Please help me honor Dr. Ross-Lee.

SENATOR CANCELA:

Harriet Hope Hardbarger grew up in the segregated southern cities of St. Petersburg, Florida and Mobile, Alabama. She was the daughter of a union plumber and a political cartoonist. Harriet's

mother died when she was only ten and her father played a pivotal role in shaping her social values.

In 1948, sixteen-year-old Harriet accompanied her father, an Alabama Delegate, to the Democratic National Convention. Hearing Hubert Humphrey's civil rights speech changed her life. Harriet said, "I came home from that convention a wild woman." She recognized the pervasive racial divide of her community and thus began a lifelong quest for social change. By her early twenties, Harriet was organizing unions for the Florida State AFL-CIO. In the years that followed, Harriet marched and protested against various forms social injustices, oftentimes being arrested in the process.

By 1962, Harriet had married and started a family, when they relocated to Las Vegas. She focused her activism within Nevada working against nuclear waste, on behalf of school integration, welfare rights, the Equal Rights Amendment, and the Campaign for Choice. Her role in welfare reform was outlined in the book *Storming Caesars Palace*. She worked closely with activist Ruby Duncan to empower welfare mothers to fight for themselves.

She ran many local and statewide political campaigns. She served as southern Nevada aide for Governor Mike O'Callaghan from 1974 to 1978. From 1983 to 1986, Harriet worked in Washington, D.C. as the Foreign Affairs Aide for Congressman Harry Reid.

Recognized as an expert in grassroots campaign organizing, Harriet traveled across Tennessee, Virginia, South Carolina, and Louisiana recruiting women to run for public office. She served on the National Organization for Women's National Board and in 1992, returned to Washington, D.C. to work as a lobbyist for the Feminist Majority Foundation. In 2000, Harriet returned to Las Vegas to work for the state Democratic Party. Today, Harriet is retired and lives at home with her daughter Cindy and her granddaughter Ashley. They are a powerhouse trio.

#### SENATOR CANNIZZARO:

It is not every day you get to be a part of history or stand alongside women who are part of history, and this moment is special. My female honorees are the very women sitting in this room, the female majority of the Nevada Legislature. We are law students, executive directors, people passionate about immigrant workers' rights, community volunteers mentoring students and union representatives. We are educators, grandparents, former Assemblywomen and the daughters of trailblazers ourselves. We are lawyers and advocates for LGBTQ rights. We have worked in D.C. for public policy, advancing things on a national level. We are nonprofit executives, Girl Scouts, passionate community advocates and rescuers of last-chance Joe. We are environmental champions and prosecutors. We promote animals and natural wildlife in Nevada. We are mothers; we have been chief-of-staff to Governors, and we have run marathons and triathlons. We love and root for the University of Nevada, Reno Wolfpack and the UNLV Runnin' Rebels. We are veterans, ordained ministers and powerful preachers advocating for other women. We are spiritual; we love our families, and we are here to be a part of this amazing Legislature. We have worked for fire departments, boards of education and school districts. We are unsung heroes and Montana football fans. We are teaching kids about civic responsibility, and we are fighters who persevere. We are the epitome of the best of people. We are diverse, and more importantly, we are here. We are Nevadans. We are leaders, and for the first time in history, we are the majority of the State Legislature.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Cancela, the privilege of the floor of the Senate Chamber for this day was extended to David Figler.

On request of Senator Denis, the privilege of the floor of the Senate Chamber for this day was extended to Cory Baird, Steven Cohen, Gerald Crandall, Megan Crandall, Terri Crandall, Omar Dearcos, Steven Decker, Stephanie Denn, Sheryl Eyre, Shanna Folden, Danielle Fredenburg, Jane Gruner, Monica Guzman, James Harmon, Tomacina Cioffi Hochgurtel, Dianne Hopps, Heather Hopps, Delvon Howard,



Nicholas Johnson, Karen Lowry, Camille May, Jack Mayes, Issac McGhee, Mathew Montgomery, Mathew R.F. Montgomery, Tiffany Montgomery, Michael Nestroyl, Elizabeth Patchett, Christopher P. Ripke, Linda Saylor, Melissa Schuler, Janet Serial, Pam Smith, Jill Speckmann, Jordan Stevenson, Daniel P. Upton and Robert Uranga.

On request of Senator Parks, the privilege of the floor of the Senate Chamber for this day was extended to Former Assemblywoman Vonne S. Chowning.

On request of Senator Ratti, the privilege of the floor of the Senate Chamber for this day was extended to Delvon Howard, Kevin Patchett, Elizabeth Patchett, Bea Thayer and Daniel Thayer.

On request of Senator SeEVERS Gansert, the privilege of the floor of the Senate Chamber for this day was extended to Tiffany Montgomery, Matthew Montgomery, Matt Montgomery Jr.

On request of Senator Settlemeyer, the privilege of the floor of the Senate Chamber for this day was extended to Gary Dove and Ashley Godine.

Senator Cannizzaro moved that the Senate adjourn until Monday, April 1, 2019, at 11:00 a.m.

Motion carried.

Senate adjourned at 12:29 p.m.

Approved:

MOISES DENIS  
*President pro Tempore of the Senate*

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