

NEVADA LEGISLATURE

81st Session, 2021

SENATE DAILY JOURNAL

THE THIRTY-NINTH DAY

CARSON CITY (Thursday), March 11, 2021

Senate called to order at 11:26 a.m.

President Marshall presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Jedidiah Maschke.

Watcher and Keeper of the nations of the world, attend to Your servants who labor in this Legislature to create fair and just laws. Preserve our State and our Nation from recession and depression, from pandemic and pollution, from misrule and disharmony, from famine and fire, from drought and all devastation. Help us to work for the common good through meaningful legislation, through salutary regulation, through consequential education and through wholesome recreation. Give us the grace to work according to Your will on behalf of all people.

Through Jesus Christ, our Lord, 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 and Secretary are authorized to make the necessary corrections and additions.

REPORTS OF COMMITTEE

Madam President:

Your Committee on Legislative Operations and Elections, to which were referred Senate Joint Resolution No. 8 of the 80th Session; Assembly Bill No. 110, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES OHRENSCHALL, *Chair*

Madam President:

Your Committee on Natural Resources, to which was referred Senate Bill No. 98, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

FABIAN DONATE, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 9, 2021

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 2.

Also, I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bills Nos. 16, 26, 35, 62, 74.

CAROL AIELLO-SALA
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Operations and Elections:

Senate Joint Resolution No. 6—Urging the Federal Government to address the issue of spouses of members of the military losing retirement benefits due to frequent relocations by creating a retirement plan that is funded by the Department of Defense Appropriations Act.

Senator Ohrenschall moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

Senator Neal has approved the addition of Senator Harris as a co-sponsor of Senate Bill No. 140.

Senator Lange has approved the addition of Senator Buck as a co-sponsor of Senate Concurrent Resolution No. 4.

Senator Cannizzaro moved that Senate Bill No. 103 be taken from the General File and placed on the Secretary's desk.

Motion carried.

Senator Pickard moved that Initiative Petitions Nos. 1 and 2, transmitted by the Nevada Secretary of State to the 81st Session of the Nevada Legislature, receive no further consideration by the 81st Legislature.

Senator Cannizzaro moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 11:32 a.m.

SENATE IN SESSION

At 11:38 a.m.

President Marshall presiding.

Quorum present.

SENATOR CANNIZZARO:

Point of order. The motion as stated has no effect as the Senate does not have the authority to act on behalf of the Legislature as a whole, only the Senate Body.

PRESIDENT MARSHALL:

Point is well taken. Senator Pickard, would you like to restate your motion?

Senator Pickard moved that Initiative Petitions Nos. 1 and 2, transmitted by the Nevada Secretary of State to the 81st Session of the Nevada Legislature, receive no further consideration by the Senate during the 81st Legislative Session.

Remarks by Senator Pickard.

Last year, more than 200,000 Nevadans participated in the Initiative Petition process. In the middle of a pandemic, Nevada voters took the time to sign petitions to make their voices heard. We hear you. I want to give all Nevada voters the opportunity to vote on these issues.

Senators Hansen, Pickard and Hammond requested a roll call vote on Senator Pickard's motion.

Roll call on Senator Pickard's motion:

YEAS—9.

NAYS—Brooks, Cannizzaro, Denis, Donate, Dondero Loop, Harris, Lange, Neal, Ohrenschall, Ratti, Scheible, Spearman—12.

The motion having failed to receive a majority, Madam President declared it lost.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Denis:

Senate Bill No. 204—AN ACT relating to motor vehicles; authorizing the Department of Motor Vehicles to issue a card, certificate or license in electronic form; authorizing the Department to establish an electronic branch office; 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 Denis:

Senate Bill No. 205—AN ACT relating to public safety; exempting certain types of residential and commercial boilers from the standards that an owner of a boiler must comply with; providing that such standards apply to certain other types of boilers; requiring the Division of Industrial Relations of the Department of Business and Industry to revise its regulations to conform with this exemption; 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.

By Senators Pickard, Hardy, Settelmeyer, Goicoechea, Hammond, Hansen, Kieckhefer, Seevers Gansert; Assemblymen Hardy and Wheeler:

Senate Bill No. 206—AN ACT relating to insurance; requiring the establishment of an open enrollment period for a policy of insurance which provides for the payment of certain expenses which are not covered by Medicare; prohibiting an insurer issuing such a policy from taking certain actions during the open enrollment period; 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 Pickard, Hardy, Buck, Hammond, Hansen, Seevers Gansert, Settlemeyer and Assemblywoman Hardy:

Senate Bill No. 207—AN ACT relating to apprenticeships; directing the State Apprenticeship Council to develop, create and administer a pilot program for the purpose of establishing new apprenticeship programs for certain industries; 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, Seevers Gansert and Settlemeyer:

Senate Bill No. 208—AN ACT relating to behavioral health; authorizing certain additional persons to receive services from the Autism Treatment Assistance Program; revising provisions concerning the issuance of a license or certificate by endorsement to engage in certain behavioral health professions; providing for the issuance of a provisional license or certificate to engage in such professions to an applicant for a license or certificate by endorsement under certain circumstances; 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.

By Senator Donate; Assemblymen González and Watts:

Senate Bill No. 209—AN ACT relating to employment; requiring an employer in private employment to allow any use of paid leave; requiring the Legislative Committee on Health Care to conduct an interim study concerning the long-term implications of SARS-CoV-2 on casino workers and frontline workers; 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 Dondero Loop:

Senate Bill No. 210—AN ACT relating to child welfare; requiring the development of a plan for the education of certain children admitted by a court to a psychiatric hospital or facility which provides residential treatment for mental illness; requiring a school district providing services to such a child to submit certain programs and plans to the psychiatric hospital or other facility; and providing other matters properly relating thereto.

Senator Cannizzaro moved that Senate Standing Rule No. 40 be suspended and that the Senator Bill No. 210 be referred to the Committee on Education.

Motion carried.

By Senators Harris, Hardy, Lange, Ohrenschall and Scheible:

Senate Bill No. 211—AN ACT relating to public health; requiring certain providers of emergency medical services in a hospital or primary care to ask certain patients whether they wish to be tested for sexually transmitted diseases; requiring such a provider to test a patient who answers in the affirmative or assist the patient in obtaining a test where practicable; authorizing the imposition of professional discipline against a provider for certain violations; 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.

By Senator Harris:

Senate Bill No. 212—AN ACT relating to peace officers; revising provisions relating to the use of force by peace officers; requiring certain law enforcement agencies to submit to the Office of the Attorney General certain information relating to certain incidents involving the use of force by peace officers; requiring the preparation and submittal of a report relating to such information; prohibiting the use of restraint chairs; prohibiting peace officers from using certain forms of force in response to protests and demonstrations; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hansen:

Senate Bill No. 213—AN ACT relating to criminal procedure; defining certain terms, including the term “surveillance device”; prohibiting law enforcement officers from using surveillance devices except when authorized by surveillance warrants or in exigent circumstances; establishing provisions relating to applying, issuing and executing surveillance warrants; establishing provisions relating to the disclosure, retention, admissibility and reporting of information obtained through surveillance warrants; requiring the Attorney General to develop certain training protocols regarding surveillance devices; establishing certain additional reporting requirements relating to surveillance warrants; providing for a civil action 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 and Assemblywoman Titus:

Senate Bill No. 214—AN ACT relating to pharmacy; requiring certain licensing boards to adopt regulations governing the prescribing, administering and dispensing of controlled substances for the treatment of pain; revising provisions governing the review and investigation of a complaint alleging certain inappropriate activity relating to controlled substances and the imposition of disciplinary action in response to such a complaint; extending

the maximum length of exemptions from certain requirements governing electronic prescriptions; abolishing certain requirements governing the prescribing and dispensing of controlled substances for the treatment of pain; 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 Denis:

Senate Bill No. 215—AN ACT relating to education; revising provisions relating to a program of instruction based on an alternative schedule; revising certain provisions relating to programs of distance education; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hammond, Goicoechea, Hardy, Pickard and Settlemeyer:

Senate Bill No. 216—AN ACT relating to emergency management; revising certain requirements relating to vulnerability assessments and emergency response plans conducted or prepared by community water systems; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Seevers Gansert:

Senate Bill No. 217—AN ACT relating to applied behavior analysis; transferring responsibilities concerning licensing and regulation of the practice of applied behavior analysis from the Aging and Disability Services Division of the Department of Health and Human Services to the Board of Applied Behavior Analysis; making provisions governing providers of health care applicable to behavior analysts, assistant behavior analysts and registered behavior technicians; authorizing the Board to contract with certain entities to carry out duties relating to regulating the practice of applied behavior analysis; requiring members of the Board to complete orientation; revising the activities that constitute the practice of applied behavior analysis; revising requirements concerning the supervision of assistant behavior analysts and registered behavior technicians; exempting certain persons from provisions governing the practice of applied behavior analysis; revising the membership of the Board; establishing requirements for the ethical practice of applied behavior analysis; revising provisions governing licensure by endorsement and disciplinary actions; 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 Ratti:

Senate Bill No. 218—AN ACT relating to property; establishing and revising various definitions relating to property; prohibiting landlords from charging prospective tenants certain fees; making various changes relating to fees, fines, deposits and costs paid by tenants; requiring rental agreements to include a grace period for the late payment of rent; revising provisions relating to agents of attorneys who serve certain notices relating to evictions; and providing other matters properly relating thereto.

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

By Senator Cannizzaro:

Senate Bill No. 219—AN ACT relating to offenses; revising provisions relating to the collection of delinquent fines, administrative assessments, fees and restitution; revising provisions relating to the suspension of the driver's license of a person; and providing other matters properly relating thereto.

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

By Senator Hammond:

Senate Bill No. 220—AN ACT relating to education; establishing provisions relating to programs for alternative educational opportunities; and providing other matters properly relating thereto.

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

By Senators Buck, Hardy, Goicoechea, Hansen, Kieckhefer, Lange, Pickard, Seevers Gansert; Assemblymen Dickman and O'Neill:

Senate Bill No. 221—AN ACT relating to public employment; requiring certain public employers to provide certain training to employees regarding 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 Senator Scheible:

Senate Bill No. 222—AN ACT relating to governmental administration; requiring a state agency to collaborate with minority groups and provide certain information to minority groups; requiring a state agency to designate a diversity and inclusion liaison and provide the contact information for the designated diversity and inclusion liaison; requiring the Office of Minority Health and Equity of the Department of Health and Human Services to facilitate an annual meeting between diversity and inclusion liaisons and minority groups and submit a report to the Governor and the Legislative Commission; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Harris:

Senate Bill No. 223—AN ACT relating to juries; establishing that the opportunity to serve as a juror must not be denied or limited based on discrimination against certain persons or groups; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Harris:

Senate Bill No. 224—AN ACT relating to large school districts; prohibiting certain transfers of authority from a large school district to a local school precinct from being construed to affect or impair the authority of the large school district to negotiate, or duty to comply with, certain provisions of a collective bargaining agreement between the large school district and an employee organization concerning the transfer or reassignment of employees in certain situations; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Pickard, Hansen, Hardy, Goicoechea, Buck, Hammond, Kieckhefer, Seevers Gansert and Settlemeyer:

Senate Bill No. 225—AN ACT relating to elections; requiring the Secretary of State to adopt regulations setting forth the forms of proof of identity required to vote in person; requiring, under certain circumstances, a comprehensive audit of an election; requiring the Secretary of State to assign a unique ballot identification number to each absent and mailing ballot; requiring proof of identity for voting in person; revising the deadline for requesting an absent ballot; revising the procedures relating to voting and processing absent ballots and mailing ballots; prohibiting, with certain exceptions, a person from returning an absent ballot or mailing ballot on behalf of a voter; requiring a sample ballot to include a unique personal identification number assigned to each voter; establishing certain requirements for a computer program used with a mechanical voting system or mechanical recording device; repealing provisions relating to voting by mail ballot and conducting certain elections affected by certain disasters or emergencies; providing penalties; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

Assembly Bill No. 16.

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

Motion carried.

Assembly Bill No. 26.

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

Motion carried.

Assembly Bill No. 35.

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

Motion carried.

Assembly Bill No. 62.

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

Motion carried.

Assembly Bill No. 74.

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

Motion carried.

Senator Cannizzaro moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 11:51 a.m.

SENATE IN SESSION

At 11:57 a.m.

President Marshall presiding.

Quorum present.

REMARKS FROM THE FLOOR

Senator Buck requested that her remarks be entered in the Journal.

One of my favorite subjects in my life's mission and in the Legislature is grounded in the well-being of all children. I would like to recognize the Children's Advocacy Alliance has been actively engaged in Children's Week at the Legislature by hosting daily panels, townhalls, coffee chats joined by Legislators and bill discussions centered around critical policy areas that affect our children.

Every day is kicked off by kids featuring the Strong Start Cabinet who discuss their areas of interest and impacts they are making in the community. Monday focused on Education; Tuesday, Safety; Wednesday, Mental Health; Thursday, Physical Health and Friday, Economic Well-Being. The Children's Advocacy Alliance is committed to equity and access for all Nevada's children as well as lives filled with opportunity and success.

As you know, this is National School Social Work Week as well as School Social Work Week in Nevada.

Just 5 short years ago, Nevada had only 29 school social workers, all but 1 of them in the Clark County School District. During the 2015 Legislative Session, then Governor Brian Sandoval created the Social Workers in Schools State block grant. Since that time, those State funds have been used to expand social workers and other mental-health workers in schools by nearly 1,300 percent, growing from 29 to over 350 in 14 school districts and 13 charter academies. Some of the most important services they provide are in-crisis prevention and response including suicide prevention. Statistics show that 1 out of 5 students suffer from a mental-health concern, and 70 percent of students throughout the Nation receive their primary mental-health supports at school.

While we have seen amazing growth, Nevada is still far behind the "best practice ratios" adopted by the State Board of Education last spring. Ideally, schools should have one social worker per 250 students. To meet that goal, we will need another 1,395 school social workers to support Nevada's most valuable resource, our students.

As students slowly begin to return to their schools and extracurricular activities, we must help them adjust. Our school social workers can lead the way, and I am committed to doing my part to support this vital endeavor.

I invite you to join me in that commitment in honor of school social workers throughout the State.

Senator Cannizzaro moved that the Senate adjourn until Monday, March 15, 2021, at 11:00 a.m.

Motion carried.

Senate adjourned at 12:06 p.m.

Approved:

KATE MARSHALL
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate