

NEVADA LEGISLATURE

Eighty-first Session, 2021

SENATE DAILY JOURNAL

THE THIRD DAY

CARSON CITY (Wednesday), February 3, 2021

Senate called to order at 11:41 a.m.

President Marshall presiding.

Roll called.

All present and one vacant.

Prayer by Chaplain, Pastor Leo Kruger.

Father, I ask Your blessing on every member that has assembled here this morning. I ask You to reveal to each one of them Your goodness, holiness, righteous, justice, mercy and Your indescribable greatness. Your Word tells us, in Proverbs 14:34, that righteousness exalts a nation, but sin is a reproach to any people. Lord, I ask that every decision made in this Chamber will reflect Your righteousness.

I ask all of these things in the Name of the Lord Jesus Christ.

AMEN.

Pledge of Allegiance to the Flag.

Senator Cannizzaro moved that, for the remainder of the 81st Legislative Session, the reading of the Journal be dispensed with, and the President and Secretary be authorized to make the necessary corrections and additions.

Motion carried unanimously.

MESSAGES FROM ASSEMBLY

ASSEMBLY CHAMBER, Carson City, February 2, 2021

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bill No. 1.

CAROL AIELLO-SALA

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Pursuant to Senate Standing Rule No. 134.1(a), Senate Majority Leader Cannizzaro has authorized Senator Spearman to use remote-technology systems to attend, participate, vote and take any other action in the proceedings of the Senate.

Senator Cannizzaro moved that, for the remainder of the 81st Legislative Session, the Secretary of the Senate dispense with reading the histories of all bills and resolutions.

Motion carried unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Hardy:

Senate Bill No. 85—AN ACT relating to elections; authorizing write-in voting for statewide and federal offices under certain circumstances; setting forth various requirements to become a write-in candidate for statewide or federal office; requiring the Secretary of State and county clerks to compile a list of write-in candidates; setting forth requirements for counting votes cast for write-in candidates; providing for the disqualification of a candidate who submits a false declaration of write-in candidacy under certain circumstances; requiring write-in candidates to submit certain campaign contribution and expenditure reports and financial disclosure statements; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hammond:

Senate Bill No. 86—AN ACT relating to public welfare; requiring the inclusion in the State Plan for Medicaid of coverage for donor breast milk and human milk-based human milk fortifiers for certain infants; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Denis and Goicoechea:

Senate Bill No. 87—AN ACT relating to state property; removing the East Ely Depot Museum from the institutions of the Division of Museums and History of the Department of Tourism and Cultural Affairs; requiring, under certain circumstances, the State Land Registrar to transfer certain real property to the City of Ely and the Nevada Northern Railway Foundation or its successor organization; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Pickard:

Senate Bill No. 88—AN ACT relating to emergency management; clarifying the termination date of and certain limitations on actions taken by a state agency pursuant to an order or regulation made by the Governor under certain emergency powers of the Governor; requiring a state of emergency or

declaration of disaster proclaimed by the Governor to terminate after 30 days unless the Legislature expressly approves a continuance of the emergency or disaster; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 89—AN ACT relating to crimes; increasing the maximum period of probation or suspension of sentence for a category C felony; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 90—AN ACT relating to professional regulation; requiring certain investigations of a provider of health care to be recorded as “a review and evaluation”; providing that an investigation recorded as a review and evaluation is not an investigation for certain purposes; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hammond:

Senate Bill No. 91—AN ACT relating to education; requiring the State Board of Education to select at least two college and career readiness assessments for administration to pupils enrolled in grade 11 in public high schools; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Denis:

Senate Bill No. 92—AN ACT relating to education; requiring the State Board of Education to authorize the provision of career and technical education in the subject of robotics; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settlemeyer:

Senate Bill No. 93—AN ACT relating to Medicaid; authorizing a recipient of Medicaid to receive reimbursements for personal care services; suspending eligibility for Medicaid of a person who is incarcerated to the extent possible; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settlemeyer:

Senate Bill No. 94—AN ACT relating to property; making it a public nuisance for a person to engage in certain activities relating to certain public ways; providing that the posting of certain signs on private property does not constitute a public nuisance under certain circumstances; authorizing an owner of private property upon which certain highways, roads or ways are located to commence certain civil actions; authorizing an owner of private property upon which certain public roads or ways are located to erect and maintain a fence or gate across such a road or way under certain circumstances; setting forth certain requirements relating to such fences and gates; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ohrenschall:

Senate Bill No. 95—AN ACT relating to business entities; revising provisions relating to service of process on management persons; making various changes to definitions relating to corporations; authorizing a corporation to include a federal forum selection clause in its articles of incorporation or bylaws; revising provisions relating to the breach of a fiduciary duty by a director or officer of a corporation; making various changes relating to meetings of stockholders held by means of remote communication; revising provisions relating to voting agreements of stockholders; revising provisions relating to notice of meetings of stockholders; revising provisions relating to discretionary indemnification of directors, officers, employees and agents of corporations; providing an exception to the requirement that a corporation issue a certificate of membership; establishing and revising provisions relating to distributions made by limited-liability companies; making various changes relating to the standard of voting for actions taken by corporations, limited partnerships and limited-liability companies; revising provisions relating to dissenter's rights; 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 Assemblywoman Carlton:

Senate Bill No. 96—AN ACT relating to disability services; requiring the Department of Health and Human Services to seek an increase to certain reimbursement rates under the Medicaid program and the Autism Treatment

Assistance Program for a registered behavior technician; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Settlemeyer, Hardy, Goicoechea, Hammond, Buck, Hansen; Assemblymen Titus and Wheeler:

Senate Bill No. 97—AN ACT relating to emergency management; providing that any provision in an emergency directive, order or regulation made by the Governor relating to COVID-19 that imposes certain limits on public gatherings does not apply to certain events held for the purpose of administering a vaccine for COVID-19; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Settlemeyer, Goicoechea, Buck, Kieckhefer and Assemblyman Wheeler:

Senate Bill No. 98—AN ACT relating to water; revising the boundaries of the Carson Water Subconservancy District and the membership of the Board of Directors of the District; requiring, under certain circumstances, the Board of County Commissioners of Storey County to pay to the District a certain amount from the County's general fund; and providing other matters properly relating thereto.

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

Motion carried.

REMARKS FROM THE FLOOR

Senator Ohrenschall requested that the following remarks be entered into the Journal.

SENATOR OHRENSCHALL:

Sunday night, in southern Nevada, many of us lost a wonderful friend, Bj Thomas. Many of us got to know him through his work with Stagehands Union and the International Association of Theatrical and Stage Employees. He was a tireless worker on many of our campaigns. He was also a tireless advocate for encouraging the television and movie industry to come to Nevada, rather than pretending they are shooting something in Las Vegas, Reno or Lake Tahoe. He encouraged them to actually shoot here, to hire Nevadans to work as actors or stagehands and bring that revenue to our State. Many times, he would be here working the halls and testifying on bills. He was one of the first African-American labor leaders in southern Nevada.

He is survived by his wife, Jackie; his son, Ej, in Reno; his nephew, Tommy Blish and his wife, as well as other family members in southern Nevada. Bj had a special place in the hearts of those who knew him and worked on policy and politics with him. In past years, he received the award from the Paradise Democratic Club for Outstanding Grassroots Democrat of the Year and many other awards. He was a pioneer in the labor movement in southern Nevada, and I wanted to note his passing. He will be missed.

SENATOR CANNIZZARO:

We want to share our condolences and express our sadness at the loss of Assembly Sergeant at Arms, Robin Bates, who passed away earlier this week. Those who remember Robin recall his hearty laugh, his excellent sense of humor and a true penchant for fun pranks during the Legislative Session. They also remember his kind heart, his always being exceedingly thoughtful and his always taking the time to show he cared for others and those around him.

Robin joined the Sergeant at Arms office in 2001 and served this Legislature with pride and professionalism. He certainly will be missed not only in the Assembly but also in the Senate and this building as a whole. I want to take this moment to acknowledge his service to this Legislature and extend our condolences to his friends and family.

UNFINISHED BUSINESS
SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Resolutions Nos. 1, 2, 3; Assembly Concurrent Resolution No. 1.

Senator Cannizzaro moved that the Senate adjourn in memory of Sergeant at Arms Robin Bates and Bj Thomas until Thursday, February 4, 2021, at 11:30 a.m.

Motion carried.

Senate adjourned at 11:55 a.m.

Approved:

KATE MARSHALL
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate