

NEVADA LEGISLATURE

81st Session, 2021

SENATE DAILY JOURNAL

THE FIFTEENTH DAY

CARSON CITY (Monday), February 15, 2021

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

President Marshall presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Peggy Locke.

Today, we celebrate President's Day. May this be a time for investing in hope and transforming our Nation through prayer. A prayer by George Washington.

"Almighty God, we make our earnest prayer that Thou wilt keep the United States in Thy holy protection; that Thou wilt incline the hearts of the citizens to cultivate a spirit of subordination and obedience to government, and entertain a brotherly affection and love for one another and for their fellow-citizens of the United States at large. And finally that Thou wilt most graciously be pleased to dispose us all to do justice, to love mercy and to demean ourselves with that charity, humility and pacific temper of mind which were the characteristics of the Divine Author of our blessed religion without a humble imitation of whose example in these things we can never hope to be a happy nation. Grant our supplication, we beseech Thee, through Jesus Christ, our Lord."

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.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Ratti has returned to full participation in the Senate Chamber, and the use of remote-technology systems to attend, participate, vote and take any other action in the proceedings of the Senate is no longer necessary.

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

By Senator Spearman:

Senate Concurrent Resolution No. 2—Honoring former State Senator Allison Copening for her advocacy for organ donation and expressing the support of the Nevada Legislature for the development of a transplant institute.

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

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Denis:

Senate Bill No. 120—AN ACT relating to education; providing that certain principals are employed at will; requiring certain postprobationary school administrators to apply for reappointment to their administrative positions; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 121—AN ACT relating to elections; defining the term “partisan office”; revising certain definitions relating to political affiliation; revising methods for filling a vacancy in a nomination for a partisan office; revising various provisions related to primary elections for partisan offices; providing that a person may become a candidate for a partisan office at a primary election regardless of political affiliation; requiring candidates to designate a political party preference or lack thereof on a declaration of candidacy; authorizing a voter, regardless of political affiliation, to cast a ballot for any candidate for a partisan office in a primary election; providing that the two candidates at a primary election for partisan office who receive the highest number of votes must be declared the nominees and have their names placed on the ballot for the general election; requiring ballots and voter information to include information relating to the designation of a political party preference by a candidate; eliminating certain grounds for challenging a person who is applying to vote based on political party affiliation; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Brooks and Spearman:

Senate Bill No. 122—AN ACT relating to occupational safety; requiring employees of a cannabis establishment to receive certain health and safety training; requiring a cannabis establishment to suspend or terminate the employment of an employee who fails to complete such training; requiring the Cannabis Compliance Board to suspend the license of a cannabis

establishment that fails to suspend or terminate the employment of such an employee; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Spearman:

Senate Bill No. 123—AN ACT relating to aging persons; revising qualifications relating to the membership of the Nevada Silver Haired Legislative Forum; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 83.

Bill read third time.

Remarks by Senators Lange, Denis and Goicoechea.

SENATOR LANGE:

Senate Bill 83 authorizes Nevada's Department of Education (NDE) to temporarily waive or pause the requirement to administer certain examinations that measure the achievement and proficiency of pupils if the United States Department of Education allows for such a waiver or pause. If such a waiver is allowed, the bill also authorizes NDE to temporarily waive or pause certain reporting requirements based on assessment results measuring the achievement and proficiency of pupils. Finally, Senate Bill No. 83 makes conforming changes to other statutes related to the waiver or pause of certain testing.

SENATOR DENIS:

This subject came up during the interim and is related to the emergency measures to postpone testing that had to be taken during the COVID-19 pandemic. This bill would allow the Nevada Department of Education to have the flexibility to request a waiver from the federal government and to waive the one local examination. This is not something we anticipated as we went into the pandemic, but it gives the Department the flexibility needed to move forward and not penalize students and teachers because of what is occurring with education during this pandemic. I urge your support.

SENATOR GOICOECHEA:

Will the waiver requested by the Nevada Department of Education allow local school districts to put tests in place if they are in a district that is holding in-person classroom instruction?

SENATOR DENIS:

This gives the Department of Education the ability to waive the testing requirement. Districts would work with the Department to decide if they are going to test or not.

Roll call on Senate Bill No. 83:

YEAS—21.

NAYS—None.

Senate Bill No. 83 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President pro Tempore and Assistant Secretary signed Assembly Bill No. 106.

Senator Cannizzaro moved that the Senate adjourn until Wednesday, February 17, 2021, at 11:00 a.m.

Motion carried.

Senate adjourned at 11:56 a.m.

Approved:

KATE MARSHALL
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate