

NEVADA LEGISLATURE

81st Session, 2021

SENATE DAILY JOURNAL

THE TWENTY-FIFTH DAY

CARSON CITY (Thursday), February 25, 2021

Senate called to order at 11:14 a.m.

President Marshall presiding.

Roll called.

All present except Senator Hammond, who was excused.

Prayer by the Chaplain, Reverend Chad Adamik.

God of justice and mercy, thank You for the gift of life and the opportunity to serve the people of this State. Help us to act with character and conviction. Help us to listen with understanding and good will. Help us to speak with charity and restraint. Instill within us a spirit of service. Remind us we are stewards of that which has been given for all in this land.

Guide the men and women in this Chamber to be the leaders Your people need. Finally, Eternal One, renew us with the strength of Your presence and the joy of helping to build a community worthy of the human person.

We ask this, confident in Your goodness and love.

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 Growth and Infrastructure, to which was referred Senate Bill No. 58, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DALLAS HARRIS, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

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

By Senators Cannizzaro, Settelmeyer, Brooks, Buck, Denis, Donate, Dondero Loop, Goicoechea, Hammond, Hansen, Hardy, Harris, Kieckhefer, Lange, Neal, Ohrenschall, Pickard, Ratti, Scheible, Seevers Gansert,

Spearman; Assemblymen Frierson, Titus, Anderson, Benitez-Thompson, Bilbray-Axelrod, Black, Brown-May, Carlton, Cohen, Considine, Dickman, Duran, Ellison, Flores, González, Gorelow, Hafén, Hansen, Hardy, Jauregui, Kasama, Krasner, Leavitt, Martinez, Marzola, Matthews, McArthur, Brittney Miller, Cameron Miller, Monroe-Moreno, Nguyen, O'Neill, Orentlicher, Peters, Roberts, Summers-Armstrong, Thomas, Tolles, Torres, Watts, Wheeler and Yeager:

Senate Concurrent Resolution No. 3—Memorializing former state Senator Joseph M. Neal, Jr.

WHEREAS, The members of the Nevada Legislature are mourning the passing, on December 31, 2020, of one of their most esteemed colleagues and one of Nevada's most accomplished citizens, former State Senator Joseph (Joe) M. Neal, Jr.; and

WHEREAS, Joseph M. Neal, Jr., was born in Mound, Louisiana, on July 28, 1935, and moved to Nevada in 1954; and

WHEREAS, After completing military service in the United States Air Force, Joe received his B.A. in Political Science and History from Southern University in 1963 and shortly thereafter, married his wife of 32 years, Estelle Ann DeConge; and

WHEREAS, Upon returning to Las Vegas, Joe Neal worked as an equal opportunity compliance officer for one of southern Nevada's largest employers, tasked with integrating the company, and fought discriminatory practices in southern Nevada for a decade; and

WHEREAS, After Joe Neal was first elected to the State Senate in 1972, becoming the first African-American person to serve in the Nevada State Senate, he went on to serve in 16 regular sessions and 7 special sessions from 1972 to 2004, including 8 years in leadership positions as Senate President Pro Tempore, Assistant Majority Floor Leader, Minority Floor Leader and Assistant Minority Floor Leader; and

WHEREAS, Senator Neal served diligently and honorably as Chair of the Senate Committee on Human Resources and Facilities and the Senate Committee on Natural Resources; and

WHEREAS, Joe Neal was the first African-American person to be a major-party candidate for Nevada Governor in 2002; and

WHEREAS, As State Senator, Joe Neal was a champion for the disadvantaged, sponsoring legislation to secure public safety in strengthening the fire code for commercial buildings, to expand the state library and health care systems and furthering equal rights; and

WHEREAS, By his retirement in 2004, Senator Neal was the longest-serving State Senator in the history of Nevada and was inducted into the Nevada Senate Hall of Fame in 2005; and

WHEREAS, Senator Neal received numerous national awards and honors over the years for his legislative service, including the Reverend Jesse Jackson Distinguished Political Award from the NAACP, a Lifetime Commitment Award from the Nevada AFL-CIO and a Civil Liberty Award from the American Civil Liberties Union of Nevada, and was honored by the naming of the Rawson Neal Hospital Building and Joseph M. Neal Elementary School in his honor; and

WHEREAS, Senator Neal was tireless in his commitment to the people of the State of Nevada, his dedication to poor and marginalized citizens for the good of the people of this State and his dedication to public service, which continues on in his daughter, Senator Dina Neal, who was elected to his Senate seat in 2020; and

WHEREAS, Joseph M. Neal, Jr., will long be remembered as one of Nevada's most talented parliamentarians, dedicated protectors of marginalized citizens and as the "Conscience of the Legislature," whose service will benefit generations of Nevadans; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the members of the 81st Session of the Nevada Legislature hereby extend their deepest condolences to Senator Neal's children Charisse, Tania, Withania, Dina Amelia and Joseph, and his numerous grandchildren and great-grandchildren; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit copies of this resolution to the family of Joseph M. Neal, Jr.; and be it further

RESOLVED, That this resolution becomes effective upon adoption.

Senator Cannizzaro moved the adoption of the resolution.

Remarks by Senators Cannizzaro, Settelmeyer, Ohrenschall, Spearman, Denis and Neal.

SENATOR CANNIZZARO:

I rise today in honor of the late Senator Joseph (Joe) M. Neal. Senator Neal was known to us all as a champion of the people, a fighter for equality and a defender of social justice. Senator Neal was also a fearless trailblazer. He was the first black member ever elected to serve in this Body, the first black President Pro Tempore and the first black nominee for Governor in our State's history.

His over 30 years of service helped to transform our State and ensure that our representation, and the resulting policies, were more reflective of our State's diversity. He advanced legislation that has saved countless lives and expanded opportunities for the disenfranchised. He was a true advocate and fighter for working people.

A loving husband, father, grandfather and great-grandfather, Senator Neal touched the lives of not just those in his family but also those in his community and his beloved Historic Westside Las Vegas.

As we come to the end of Black History Month, it is fitting that we honor the path paved by Senator Neal and give apt recognition to the doors he opened for so many of the leaders who have changed the course of Nevada politics for the better. Because of Senator Neal's fearlessness and his many accomplishments, current Congressman Steven Horsford, who succeeded Senator Neal, rose through the ranks to become the first black Majority Leader in State history. One of my dearest friends and mentors, Attorney General Aaron Ford, also served as Majority Leader of this Chamber and became our State's first black Attorney General and the second black statewide elected official in Nevada history. My amazing colleague Senator Pat Spearman, whose compassion and fighting spirit inspires me every day, became the first openly gay black woman Senator in Nevada. I would be remiss if I did not also mention the service and commitment of Senator Dallas Harris, who is continuing Senator Neal's legacy by paving the way for the next generation of inspiring young black leaders in Nevada. Across the hall, my friend and colleague Jason Frierson is serving as the first black Speaker of the Nevada Assembly.

Most importantly, Senator Joe Neal's legacy lives on with a trailblazer in her own right. Senator Dina Neal, who now holds the seat her father once represented, is the first black woman to be elected to the Nevada Assembly. I am thankful every day to have her now serving in the Nevada Senate with us. I know that, like her father, she will always fight for social justice, equality and the hardworking people of this State.

Today, while we all mourn the passing of Senator Joe Neal, I believe it is crucial that we also take this time to celebrate his life and legacy and honor the invaluable contributions he made to our State and this Body. I urge my colleagues to vote in favor of the resolution.

SENATOR SETTELMAYER:

I enthusiastically support Senate Concurrent Resolution No. 3. I remember stories told by my colleagues such as former Senator Jacobson, Senator Raggio and Assemblyman Hettrick about the respect they always gave Senator Neal and how he earned it through the years because of his dedication to policy and procedure. He knew how the Body works through an understanding of Mason's Manual and the Standing Rules of both Houses. This understanding gave him the ability to have a great effect. What I marvel at most is the decorum and respect he brought to this institution because of that knowledge. It is an honor to be able to serve with his daughter and to see the legacy continuing. It is great to see him in the Hall of Fame, to which he was inducted in 2005. I am happy this resolution has been brought forward today.

SENATOR OHRENSCHALL:

I rise in support of Senate Concurrent Resolution No. 3. I had the privilege of knowing Senator Joe Neal for almost my entire life. My first recollection of meeting Senator Neal was as a first-grader. The sister of my colleague from Senate District No. 4 was a classmate of mine. I remember getting to meet this gentleman, who had a deep voice and great character, at an afterschool event. I will never forget that first meeting I had with Senator Joe Neal. Through the

years, the relationship between my family and his were close. His brother, Willie Neal, was a guest in my house, and I visited with him. As I got older, I realized what a great statesman and advocate Senator Neal was. He was not afraid to take on an issue or an industry even if he stood alone and would be the only one in this Chamber fighting for the issue.

Many of us remember his last election when the odds were stacked against him and everyone thought he had taken on too many fights and too many brave stands, and his number was up. He won that last election by 34 votes. There was a call for a recount, and the recount determined him to be the winner. Until his last day in this Chamber and during his campaign for Governor, he fought for the little guy and for the causes he believed in that so often might never have been championed.

My friendship with Senator Joe Neal and his family dates back to when I was a small child. When I was a young adult, I developed respect for him and all he did for our State. I urge this Body to support Senate Concurrent Resolution No. 3.

SENATOR SPEARMAN:

I only knew Senator Joe Neal for a short time. The thing I will remember most is how, after the first time he met me, every time he saw me he would either say, "You all are doing good work up there," or "What y'all doing?" If it seemed like I was taking a wrong course, he had no problem calling me, suggesting what I should do and then reminding me he was my constituent.

I cherish and treasure those memories because they are part of the legacy of our foremothers and forefathers who wanted to insure we were always doing our best and had no problem telling us when we were not doing so. The only thing missing, when Senator Neal would call me, was the phrase: "And I'm gonna tell your daddy." I remember him and am sorry he is not here with us, but the memories are there.

SENATOR DENIS:

I stand in support of Senate Concurrent Resolution No. 3. I did not have the privilege of serving with Senator Neal in the Legislature. The first time I met him, I was doing advocacy for either the Parent Teacher Association or libraries. I remember the influence he had. People respected him, and I learned a lot from him. Nevada is a better place today because of his sacrifices. He was willing to stand up for something even if he was the only one in the room to do so. I learned that it is important to stand up for those things. He fought fiercely for his community, and what I learned has helped me in my opportunities to fight for things. When he spoke with you, you knew he cared about you. You were not just a name or a face but were someone he recognized. I wholeheartedly support this resolution.

SENATOR NEAL:

I rise in support of Senate Concurrent Resolution No. 3. We buried my father, Senator Joe Neal, on January 26, so we are almost at our one-month mark. When I think about the legacy into which I am walking, it has pretty much been my whole life. My father became the first black Senator the year I was born. I became the first black woman to hold an Assembly seat in 2011. I was able to experience this process with him and was able to be a part of something larger than I had imagined.

I did not expect to run for a seat because there were different challenges. I appreciate that he was alive when I won this Senate position and that he was there to ask me about the race, even though we were in a pandemic. I listen to my colleagues who have talked about how he fought against the odds; this was how he was. Even in sickness, he always fought against the odds. His capacity to stand alone for a fight he believed in is something I know is a part of who I am. He left me with the idea that you carry the burden to stand up for people even when other people do not believe in the issue.

He left me with an indomitable spirit to fight no matter what. He would talk to me about bipartisanship and how sometimes one just has to do the right thing because it is not a party thing, it is a people thing. If you serve and do what the Constitution asks you to do, you can never go wrong. If you can always go home and look at yourself in the mirror, you know you have done the right thing. If you always tell the truth, then you never need to remember what you said because you never lied. I have lived and breathed that my whole life.

He fought for the Equal Rights Amendment in 1977. He got it out of the Senate by maneuvering the rules, and then it died in the Assembly. In 1979, he tried to put forth bail reform. I did not

realize that what I was attempting to do in 2017 and 2019 were things he had already thought about. When I look at the Journal and read what he did, I find myself walking in his footsteps even when I did not know I was. It has been an interesting experience to walk into this Chamber and see his picture on the wall every day.

I am an extremely strong person, but not having him around daily, or getting my 15 calls a day from him asking what happened, telling me what I needed to do or to read something is an unimaginable place to be. He became not only my father but also my friend. He was the closest person to me. The level of respect I have for him is far and beyond because I saw where he came from. He was a person not raised by his mother. He found a way to be the strongest man I know. He helped so many people in the community. When I walked neighborhoods in 2020, people would tell me they remembered his legacy. People remembered who he was. Their children and grandchildren would speak his name as if he had just left office. That is a powerful place to be, leaving such a powerful presence that it permeates, stays and rests in a community he stopped serving in 2004. Sixteen years later, people are still saying they understand and love him. They told me they loved me for taking on his seat. They also told me that whatever it takes, they will be there and have my back. That is powerful. I did not know this until I walked the district. I then understood the impact a human being can have on other people. His impact was great and crossed all races. I had people who called me from Switzerland and told me he had an impact on them. It was not just African-Americans but also Filipinos, Latinos, whites and others.

I appreciate this resolution and the time it has been given. Thank you to my colleagues in the Senate. When you see me fire-up, some of that fire is something I cannot contain. It is a part of who I am, and it will happen. When I get passionate about something, I will stand for it, and I will fight for it.

Resolution adopted.

Senator Cannizzaro moved that all necessary rules be suspended and that Senate Concurrent Resolution No. 3 be immediately transmitted to the Assembly.

Motion carried unanimously.

Resolution ordered transmitted to the Assembly.

By the Committee on Natural Resources:

Senate Joint Resolution No. 3—Urging Congress to provide funding to reduce the wild horse and burro populations to appropriate management levels.

Senator Donate moved that the resolution be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Natural Resources:

Senate Joint Resolution No. 4—Urging Congress to grant additional school trust lands to Nevada.

Senator Donate moved that the resolution be referred to the Committee on Natural Resources.

Motion carried.

Senator Harris has approved the addition of Senator Hansen as a sponsor of Senate Bill No. 143.

Pursuant to Senate Standing Rule No. 112.2, Senator Dondero Loop requested her name be removed as a sponsor of Senate Bill No. 138.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Ohrenschall:

Senate Bill No. 146—AN ACT relating to mental health; requiring certain psychiatric facilities to consult with the treating psychiatrist of a child with an emotional disturbance who is living outside his or her home under certain circumstances; 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 the Committee on Judiciary:

Senate Bill No. 147—AN ACT relating to criminal procedure; authorizing a victim to request that a prosecuting attorney seek an order imposing a condition of release that prohibits the contact or attempted contact of certain persons; requiring a prosecuting attorney to consider such a request; requiring a copy of an order imposing a condition of release that prohibits the contact or attempted contact of certain persons to be transmitted to certain law enforcement agencies; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Harris:

Senate Bill No. 148—AN ACT relating to crimes; requiring law enforcement agencies to maintain records of hate crimes and submit such records on a quarterly basis to the Central Repository for Nevada Records of Criminal History and the Attorney General; imposing certain duties on the Attorney General relating to the submission of such records; revising provisions concerning the guidelines required to be adopted by the Director of the Department of Public Safety regarding the reporting of hate crimes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 149—AN ACT relating to groundwater boards; revising the authority to establish a groundwater board; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Harris, Donate, Denis and Lange:

Senate Bill No. 150—AN ACT relating to housing; setting forth certain requirements for a tiny house and a tiny house park; requiring the governing body of a city or county to authorize tiny houses in certain zoning districts;

revising certain requirements for the issuance of receipts to tenants of manufactured home parks; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Dondero Loop and Lange:

Senate Bill No. 151—AN ACT relating to education; requiring the boards of trustees of certain school districts to develop a plan to improve certain pupil to personnel ratios; requiring the boards of trustees of certain school districts to submit an annual report on the plan to the Department of Education; requiring the Department to compile and submit the reports to certain governmental entities; requiring school counselors, school psychologists and school social workers to complete certain continuing education; requiring the Commission on Professional Standards in Education to adopt certain regulations; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Buck, Goicoechea, Hammond, Hardy, Seevers Gansert, Settlemeyer; Assemblymen Dickman, Wheeler, O'Neill, Black, Hansen, Hardy, Kasama, Leavitt and Matthews:

Senate Bill No. 152—AN ACT relating to education; requiring a public school with more than 500 pupils to list on its Internet website certain information relating to the learning materials and activities that were used for pupil instruction during the immediately preceding school year; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hardy, Goicoechea and Assemblywoman Titus:

Senate Bill No. 153—AN ACT relating to time; revising provisions governing the observance of time by the State of Nevada and its political subdivisions under certain circumstances; requiring the Governor to transmit, under certain circumstances, certain information to the President of the United States and certain members of the United States Congress relating to the observance of time by the State of Nevada; and providing other matters properly relating thereto.

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

Motion carried.

REMARKS FROM THE FLOOR

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

Today will be the last working day of Black History Month. Black history is Nevada history. Black Nevadans have done an exemplary job contributing towards our State's growth and production. This is a group of people who have prevailed beyond the confines of *de facto* segregation, constricting black Las Vegas residents to the Historic Westside. This is a group of Nevadans who, in 1872, ratified our Fourteenth Amendment at the State level when seven-year-old David Stoutmeyer fought for access to attend public school with white children. This group includes Hattie Canty and her leadership affecting the growth of one of our Country's most powerful unions in Culinary 226; Ruby Duncan and her efforts in coming to Carson City to secure rights for mothers impoverished at the hands of systemic racism; Charles Kellar who enabled inclusion opportunities for black lawyers such as Judge Addeliar Guy, Robert Archie, Judge Karen Bennent-Heron, Justice Michael Douglas and many more.

I would be remiss to not mention Nevada's first black State Senator, Joe Neal. His iconic example of speaking up for those who felt voiceless paved the way for generations to come. Let us not lose sight of the necessary courage Senator Neal showed, which is needed for Nevada to reach its full potential. I hope today's presentation makes us all rethink what is possible, what we are all capable of doing and how our efforts fall far short of some of our giants.

These are a few examples of outstanding Nevadans who happen to be black. Let us continue celebrating these momentous achievements coming from Nevada's Black community, while remaining cognizant of the positive impact equitable policies can have on our State. Recognition of these important contributions is imperative as we continue to write Nevada's history.

Senator Cannizzaro moved that the Senate adjourn in memory of former Senator Joseph M. Neal, Jr., until Monday, March 1, 2021, at 11:00 a.m.

Motion carried.

Senate adjourned at 12:08 p.m.

Approved:

KATE MARSHALL
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate