

NEVADA LEGISLATURE

81st Session, 2021

SENATE DAILY JOURNAL

THE THIRTY-SEVENTH DAY

CARSON CITY (Tuesday), March 9, 2021

Senate called to order at 11:19 a.m.

President Marshall presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Jedidiah Maschke.

Heavenly Father, we thank You for giving us freedom through Your Son Jesus to live as citizens of Your kingdom. We pray that by the gift of Your Spirit, we may live honorably and prudently as citizens of the United States of America and the State of Nevada. Keep us from acting foolishly, from neglecting the rights of others, from willful disobedience and the neglect of just laws and from everything that is harmful to the safety of our citizens.

Give us the readiness to share the burdens of our community, the willingness to attempt solutions to social problems and the zeal to join in efforts for the common good. Make those who work here be effective voices in government through discussion, petition, debate, use of the ballot and other proper means. Help us to cheerfully accept the opportunities presented to us for service and aid us in managing our affairs sensibly. By Your grace, enable us to overcome all temptation and do what is pleasing to You.

We ask this in Jesus' Name.

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.

MESSAGES FROM ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 8, 2021

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 91.

CAROL AIELLO-SALA

Assistant Chief Clerk of the Assembly

WAIVERS AND EXEMPTIONS

NOTICE OF EXEMPTION

March 9, 2021

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the exemption of: Senate Bill No. 185.

Also, the Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: Senate Bill No. 93.

WAYNE THORLEY
Fiscal Analysis Division

MOTIONS, RESOLUTIONS AND NOTICES

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

Senate Joint Resolution No. 5—Urging the Legislature, the Governor and community organizations to work together to resolve various issues created by the COVID-19 pandemic.

Senator Hardy moved that the resolution be referred to the Committee on Health and Human Services.

Motion carried.

By Senator Lange:

Senate Concurrent Resolution No. 4—Directing the Legislative Commission to conduct an interim study concerning the hemp industry in this State.

Senator Lange moved that the resolution be referred to the Committee on Health and Human Services.

Motion carried.

Senator Kieckhefer has approved the addition of Senator Lange as a sponsor of Senate Bill No. 160.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Settlemeyer:

Senate Bill No. 191—AN ACT relating to vehicles; imposing a surcharge on the sale of electric service to charge the battery of an electric vehicle or a plug-in hybrid electric vehicle; requiring the Department of Motor Vehicles to administer the imposition and collection of the surcharge; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settlemeyer:

Senate Bill No. 192—AN ACT relating to concealed firearms; providing a person who holds a permit to carry a concealed firearm the choice to obtain a driver's license or identification card containing a designation that the person holds such a permit; authorizing the Department of Motor Vehicles to establish regulations relating to such drivers' licenses and identification cards; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Senate Bill No. 193—AN ACT relating to education; requiring the Board of Regents of the University of Nevada to prepare a report concerning students who are veterans; creating a preference in admission to certain programs for certain veterans; prohibiting the assessment of a tuition charge against certain veterans and their spouses and dependents; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Lange, Denis, Donate, Hammond, Ohrenschall and Seevers Gansert:

Senate Bill No. 194—AN ACT relating to education; establishing a State Seal of Civics Program; requiring the Superintendent of Public Instruction to establish criteria for certain designations related to civics; establishing the Pupil Civic Advisory Panel; requiring a public high school to report certain test results to the Department of Education; requiring instruction provided in social studies to include civics and a service learning project; requiring that various communities be included in the standards of content and performance for ethnic and diversity studies; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Lange, Dondero Loop, Denis, Ohrenschall and Seevers Gansert:

Senate Bill No. 195—AN ACT relating to education; providing that pupils who are awarded a State Seal in any subject may receive credit at a community college, state college or university in that subject; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Lange, Hardy, Hammond, Scheible, Donate, Harris, Ohrenschall and Seevers Gansert:

Senate Bill No. 196—AN ACT relating to health care; prohibiting a provider of health care or a person supervised by a provider of health care from performing a pelvic examination under certain circumstances; authorizing the imposition of professional discipline against certain providers of health care who perform or supervise the performance of a prohibited pelvic examination; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 197—AN ACT relating to energy; requiring the Public Utilities Commission of Nevada to prepare a biennial report regarding the generation of electricity using renewable energy; requiring the annual report submitted by providers of electric service to include information which the Commission requires to complete the biennial report; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Cannizzaro and Ratti:

Senate Bill No. 198—AN ACT relating to financial services; requiring a person who provides on-demand pay services through certain contractual arrangements with an employer or certain other persons to obtain a license from the Commissioner of Financial Institutions; imposing certain requirements on such licensees; requiring a person who provides on-demand pay services and who is not such a licensee to comply with certain provisions relating to installment loans and high-interest loans; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Harris and Neal:

Senate Bill No. 199—AN ACT relating to discrimination; prohibiting certain types of discrimination relating to race in employment and education; revising provisions governing the authority of the Nevada Equal Rights Commission to investigate certain acts of prejudice against a person with regard to employment based on race; revising the policy for all school districts and schools in this State to provide a safe and respectful learning environment; 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 Harris and Assemblywoman Benitez-Thompson:

Senate Bill No. 200—AN ACT relating to employment; creating the Board of Trustees of the Nevada Employee Savings Trust; prescribing the membership, powers, duties and limitations of the Board; authorizing the Board to create the Nevada Employee Savings Trust Program; prescribing certain required attributes of the Program; creating the Nevada Employee

Savings Trust Administrative Fund and specifying the sources and uses of money deposited therein; creating the Nevada Employee Savings Trust and prescribing the manner of its administration; providing for the confidentiality of certain information; providing civil immunity to certain persons and entities in connection with the Program; making certain persons fiduciaries with respect to participants in the Program; prohibiting certain persons from engaging in certain financial transactions in connection with the Program; requiring the preparation and submission of certain annual reports; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 201—AN ACT relating to pharmaceutical sales representatives; providing for the licensure and regulation of pharmaceutical sales representatives; providing a penalty; and providing other matters properly relating thereto.

Senator Ratti moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 202—AN ACT relating to education; requiring the board of trustees of a school district or the governing body of a charter school to provide credit for a foreign or world language to pupils who complete certain courses of study; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Dondero Loop, Cannizzaro, Donate, Harris, Neal, Ohrenschall, Ratti, Scheible and Spearman:

Senate Bill No. 203—AN ACT relating to civil actions; revising provisions relating to civil actions involving certain sexual offenses against minors; and providing other matters properly relating thereto.

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

Motion carried.

Assembly Bill No. 91.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 93.

Bill read second time and ordered to third reading.

Senate Bill No. 103.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Brooks moved that Senate Bill No. 93 be taken from the General File and re-referred to the Committee on Finance.

Motion carried.

Senator Brooks moved that Senate Bill No. 93, just reported out of Committee, be re-referred to the Committee on Finance.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 53.

Bill read third time.

Remarks by Senators Hansen, Settelmeyer and Donate.

SENATOR HANSEN:

Senate Bill No. 53 authorizes the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources to organize the areas under the jurisdiction of the Division into regions. Fees collected in each region must be accounted for separately and be used for certain purposes in the region in which the money was collected. The authorized use of such fees is expanded to include the repair, operation and maintenance of communication systems. The measure further expands the authorization to collect such fees at any area under the jurisdiction of the Division instead of only at State parks.

SENATOR SETTELMAYER:

In section 2 of the bill, the term "State parks" will be deleted and "area under the jurisdiction of the Division" will replace it. Does the land referenced have to be owned by the State of Nevada? We have had situations where lands were donated to the State by a private entity. Would this allow fees to now be charged on those properties or does "area under the jurisdiction of the Division" mean the land is owned by the State?

SENATOR DONATE:

You are correct that under section 2, the terminology is changed. I would like to follow up with the Legal Division to ensure I have clarification regarding your question.

SENATOR SETTELMAYER:

I have conferred with some of my colleagues. They indicate the concept is that regionalization of the State parks will be created to disburse the funds, but this bill will only apply to those owned by the State. With that understanding, I support the bill.

Roll call on Senate Bill No. 53:

YEAS—21.

NAYS—None.

Senate Bill No. 53 having received a two-thirds majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 82.

Bill read third time.

Remarks by Senators Ratti and Hardy.

SENATOR RATTI:

This request is from the Charter Committee for the City of Sparks. The City of Sparks is a charter city, and City Council members and Legislators who represent that district all have an appointment to that committee. That committee makes recommendations for changes to the charter but are not allowed a bill draft request. As the Senator who represents a significant portion of Sparks, I am often asked to carry a bill forward for them.

This bill aligns the charter with State law and current practice for elections in the City of Sparks. Testimony at the hearing indicated State law would trump the charter when it comes to elections, and they wanted to make sure there was no lack of clarity because the language in the charter did not align with State law. That is what this bill does. It aligns current law on elections in the City of Sparks Charter with State election laws.

SENATOR HARDY:

Does it not also change city-wide voting to ward voting?

SENATOR RATTI:

We did that last Session.

Roll call on Senate Bill No. 82:

YEAS—21.

NAYS—None.

Senate Bill No. 82 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Madam President announced that if there were no objections, the Senate would recess subject to the call of the Chair.

Senate in recess at 11:38 a.m.

SENATE IN SESSION

At 11:44 a.m.

President Marshall presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Lange moved that the action whereby Senate Concurrent Resolution No. 4 was referred to the Committee on Health and Human Services be rescinded.

Motion carried.

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

Motion carried.

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

Motion carried.

Senate adjourned at 11:49 a.m.

Approved:

KATE MARSHALL
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate