

# NEVADA LEGISLATURE

81st Session, 2021

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## SENATE DAILY JOURNAL

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### THE FIFTY-THIRD DAY

CARSON CITY (Thursday), March 25, 2021

Senate called to order at 11:15 a.m.

President Marshall presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Don Baumann.

Everlasting Father and eternal God, we begin this Session by remembering the often-unsung heroes of the Senate, the family members and close friends who form the support network so vital for each person who serves in this Chamber to do their best.

We ask that You strengthen and protect the Senators' families in their absence. Enable them to encourage each member of their family, resolve any issues that arise and affirm their love for one another. May they be able to address their roles as spouses, parents, grandparents and caregivers while performing the duties of their office. We ask that You bless each of these people so important to the members of this Chamber, the ones that help them begin this day with a smile.

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 24, 2021

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day passed Senate Joint Resolution No. 8 of the 80th Session.

CAROL AIELLO-SALA

*Assistant Chief Clerk of the Assembly*

#### MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Operations and Elections:

Senate Concurrent Resolution No. 7—Recognizing the 200th anniversary of Greek independence.

Senator Ohrenschall moved the adoption of the resolution.

Remarks by Senator Ohrenschall.

I thank the Chamber for considering this resolution today, and I am honored to speak to it. I believe I may currently be the only member of the Legislature of Greek descent. My mother was born in Greece, and my grandmother, through a circuitous route, brought her to the United States when she was 8 months old. She had not intended to make this country her new home, but due to circumstances outside of her control, she did.

I have had the privilege and honor of learning a lot about the contributions of Greek-Americans in Nevada. The beginning of the war to gain independence from the Ottoman Empire was 200 years ago today, not too long after our own Nation sought independence. Greece has proven to be a great friend to the United States through the years. In the 1800s, many young Greeks immigrated to the United States to work in the copper mines of eastern Nevada and Utah. They were an important part of the backbone that helped get that precious metal out of the ground before we had the technological innovations we now have. I have had the great honor of visiting the areas served by the Senator from District 19. I have been able to stand in front of the tiny Greek Orthodox Church in McGill that dates back to the days of the early Nevadans who emigrated from Greece to help build our State, build better lives for themselves and send a little money home to their families in Greece.

Through the years, the relationship between Greece and the United States has continued to be strong. After the end of WWII, Greece was and continues to be a loyal ally of the United States. They have hosted United States' military bases on Greek soil to try to protect the security interests of the United States, NATO and their own country. There is still a military presence on Greek soil today.

Greek-Americans who live in Nevada have had involvement and ownership related to the gaming industry in both Reno and southern Nevada. In North Las Vegas, there is a casino founded by Jerry Lodge and Angelo Stamis. In Reno, there is a casino founded by the late Peter Cladianos, who recently passed away. Greeks have been active in the gaming industry in Nevada.

Greek-Americans have been active participants in public life here in Nevada on both sides of the aisle, Democrat and Republican. Former Attorney General George J. Chanos, City Councilman Stavros Anthony, Congresswoman Shelley Berkley, our current Congresswoman Dina Titus, former University regent Chris Karamanos, former University regent and Ambassador Sig Rogich have all stepped up to try to serve our community and give back. There is also a young Greek-American Metro officer, Shay Mikolonis, who is still struggling to recover from the injuries he suffered on June 1, 2020.

I am proud of the contributions Greek-Americans have made to our country and to Nevada. I am honored this Body is recognizing the 200th anniversary of Greek independence. I hope the relationship between the United States, Nevada and Greece will continue to be strong. I appreciate the Body considering this resolution, and I urge its passage.

Resolution adopted.

Senator Ohrenschall moved that all necessary rules be suspended and that Senate Concurrent Resolution No. 7 be immediately transmitted to the Assembly.

Motion carried unanimously.

Resolution ordered transmitted to the Assembly.

#### INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Education:

Senate Bill No. 352—AN ACT relating to education; requiring the Commission on Professional Standards in Education to adopt regulations related to paraprofessionals and to student teaching; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education (by request):

Senate Bill No. 353—AN ACT relating to education; requiring the Department of Education to review examinations and assessments for certain information; requiring the Department to adopt regulations that prescribe certain limitations on examinations and assessments; authorizing the board of trustees of a school district or the governing body of a charter school to request a waiver from the State Board of Education for certain limitations; authorizing the State Board to grant a waiver in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Senate Bill No. 354—AN ACT relating to education; providing for the inclusion of an indicator to recognize public schools that reduce the frequency of suspension, expulsion or removal of pupils from school in the statewide system of accountability; requiring the Department of Education to develop a statewide framework for restorative justice; providing for the inclusion of unaccompanied pupils in certain procedures related to the discipline of pupils; providing for the consideration of homelessness in the discipline of pupils; extending the requirement to establish a plan of action based on restorative justice to the suspension and removal of pupils from public school; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 355—AN ACT relating to offenses; establishing procedures for certain misdemeanor offenses to be adjudicated as civil infractions; revising the jurisdiction of justice and municipal courts for purposes relating to civil infractions; providing a civil penalty for civil infractions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary (by request):

Senate Bill No. 356—AN ACT relating to youthful offenders; providing for a study of certain issues relating to the housing of youthful offenders; requiring the transmittal of a report of the findings of the study to the Legislative Committee on Child Welfare and Juvenile Justice; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary (by request):

Senate Bill No. 357—AN ACT relating to the Department of Corrections; requiring the Department to track and report expenses that are directly related to housing youthful offenders; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 358—AN ACT relating to crimes; revising provisions relating to the interception of certain wire communications; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 359—AN ACT relating to crimes; providing that certain prohibited acts are also punishable as arson under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 360—AN ACT relating to public employment; revising the membership, appointment and qualifications of certain members of the Public Employees' Retirement Board; revising the appointment of certain members of the Board of the Public Employees' Benefits Program; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 361—AN ACT relating to governmental administration; requiring the Board of Regents of the University of Nevada to report certain information to the Interim Finance Committee annually if it creates a comprehensive system for the compensation of the unclassified employees of the Nevada System of Higher Education; requiring the Interim Finance Committee to make certain determinations regarding such a comprehensive system for the compensation of the unclassified employees of the System;

providing for the separate transmission of certain budgetary information relating to such a comprehensive system for the compensation of the unclassified employees of the System in certain circumstances; encouraging the Board to establish a comprehensive system for the compensation of the unclassified employees of the System that contains certain provisions; encouraging the Board to evaluate factors relating to compensation of unclassified employees of the System and make recommendations to the Legislature; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Growth and Infrastructure:

Senate Bill No. 362—AN ACT relating to public transit; revising provisions governing the provision of certain services as part of a public transit system; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Senate Bill No. 363—AN ACT relating to education; requiring the governing body of each charter school that enters into a contract with certain organizations to report certain information to the State Public Charter School Authority in each even-numbered year; and providing other matters properly relating thereto.

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

Motion carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 42.

Bill read third time.

Remarks by Senator Settelmeyer.

Senate Bill No. 42 removes the requirement that the rules of the Nevada Supreme Court and district courts be included in the *Nevada Revised Statutes* and requires, instead, that the Supreme Court print these documents and distribute them in either pamphlet or electronic format according to statutory requirements. The bill also transfers from the State Printing Office to the Supreme Court the responsibility for printing and distributing the *Advance Opinions* of the Court and the *Nevada Reports* in the same manner. Funds generated by the sale of these documents are to be deposited in the State General Fund for the exclusive use of the Nevada Supreme Court.

The bill eliminates a statutory requirement for the Nevada Supreme Court to train district court judges on complex medical-malpractice issues.

Roll call on Senate Bill No. 42:

YEAS—21.

NAYS—None.

Senate Bill No. 42 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 65.

Bill read third time.

Remarks by Senator Donate.

Senate Bill No. 65 revises provisions relating to the composition and administration of the State Department of Agriculture. The measure creates four divisions within the Department as follows: Division of Administrative Services; Division of Animal Industry; Division of Food and Nutrition, and Division of Plant Health and Compliance.

The name of the existing fifth division is changed from the Division of Consumer Equitability to the Division of Measurement Standards. The Department's director must appoint administrators of each of the five divisions who are in the unclassified service of the State and serve at the pleasure of the director. The director retains the authority to alter the organization of the Department and reassign responsibilities and duties as the director deems appropriate.

Finally, the bill assigns the title of State Veterinarian to the existing position within the Department that is responsible for activities relating to the protection and promotion of the livestock industry and revises the minimum qualifications for the position.

Roll call on Senate Bill No. 65:

YEAS—21.

NAYS—None.

Senate Bill No. 65 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 196.

Bill read third time.

Remarks by Senator Lange.

Senate Bill No. 196 prohibits a healthcare provider from performing or supervising a pelvic examination on an anesthetized or unconscious patient without first obtaining the patient's informed consent, except under certain circumstances. The bill also prohibits a healthcare provider, or a person supervised by a healthcare provider, from supervising or performing a pelvic examination that the provider is not appropriately licensed, certified or registered to perform, or that is not within the provider's scope of practice. Finally, the bill authorizes the imposition of professional discipline or denial of a license or certificate for a provider who performs or supervises a prohibited pelvic examination.

Roll call on Senate Bill No. 196:

YEAS—21.

NAYS—None.

Senate Bill No. 196 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Senator Cannizzaro moved that the Senate recess until 4:30 p.m.

Motion carried.

Senate in recess at 11:33 a.m.

## SENATE IN SESSION

At 4:47 p.m.  
President Marshall presiding.  
Quorum present.

## REPORTS OF COMMITTEE

*Madam President:*

Your Committee on Revenue and Economic Development, to which was referred Assembly Bill No. 9, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DINA NEAL, *Chair*

## INTRODUCTION, FIRST READING AND REFERENCE

By Senator Scheible:

Senate Bill No. 364—AN ACT relating to health care; requiring certain medical facilities to provide training relating to caring for victims of sexual assault and attempted sexual assault to employees who provide such care; requiring such facilities to provide emergency contraception to such victims upon request; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 365—AN ACT relating to youthful offenders; directing the Department of Corrections and the Division of Child and Family Services of the Department of Health and Human Services to develop a pilot program to house youthful offenders in the custody of the Division of Child and Family Services until they are 18 years of age; directing the Department of Corrections and the Division of Child and Family Services to submit a report on the status of the pilot program; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 366—AN ACT relating to juvenile justice; authorizing a juvenile court to order a child who has been found incompetent for the purpose of certification for criminal proceedings as an adult to receive treatment at certain facilities operated by the Division of Child and Family Services of the Department of Health and Human Services; requiring such a facility to accept such a child for treatment; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Revenue and Economic Development:

Senate Bill No. 367—AN ACT relating to taxation; removing certain exemptions from the excise tax on live entertainment; and providing other matters properly relating thereto.

Senator Neal moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 368—AN ACT relating to the Lake Tahoe Basin; requiring the issuance of general obligation bonds to carry out certain environmental improvement projects included in the second phase of the Environmental Improvement Program for the Lake Tahoe Basin; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 369—AN ACT relating to criminal procedure; removing the requirement that an arrested person show good cause before being released without bail; requiring prosecuting attorneys to prove by clear and convincing evidence that the imposition of bail or a condition of release, or both, on a person is necessary to protect the safety of the community and to ensure the appearance of the person in court; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 370—AN ACT relating to food policy; requiring the Director of the State Department of Agriculture to purchase nutritious foods for the Supplemental Food Program from certain providers of food before purchasing such food from other providers of food; requiring the Director to distribute nutritious food to emergency food service providers or food banks; requiring emergency food service providers and food banks to distribute such food to persons in need; requiring the Director, emergency food service providers and food banks to submit annual written reports to the Council on Food Security; and providing other matters properly relating thereto.

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

Motion carried.



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

Senate in recess at 4:50 p.m.

IN JOINT SESSION

At 4:53 p.m.

Speaker of the Assembly presiding.

The Secretary of the Senate called the Senate roll.

All present except Senator Denis, who was excused.

The Chief Clerk of the Assembly called the Assembly roll.

All present.

The Speaker of the Assembly appointed a Committee on Escort consisting of Assemblywoman Jauregui to wait upon the Honorable James W. Hardesty, Chief Justice of the Nevada Supreme Court, and escort him to the Assembly Chamber.

Chief Justice Hardesty delivered his message as follows.

MESSAGE TO THE LEGISLATURE OF NEVADA  
EIGHTY-FIRST SESSION, 2021

[TEXT: Message]

Assemblywoman Nguyen moved that the Senate and Assembly in Joint Session extend a vote of thanks to Chief Justice Hardesty for his timely, able and constructive message.

Motion carried.

Assemblyman Hafen moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 5:35 p.m.

SENATE IN SESSION

At 5:36 p.m.

President Marshall presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Growth and Infrastructure:

Senate Concurrent Resolution No. 8—Expressing support for the identification of key transportation priorities for the Lake Tahoe Basin.

Senator Harris moved that the resolution be referred to the Committee on Growth and Infrastructure.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Growth and Infrastructure:

Senate Bill No. 371—AN ACT relating to motor vehicles; revising provisions governing the pilot program that the Department of Motor Vehicles is required to conduct to gather data relating to certain motor vehicles in this State; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Bill No. 29.

Senator Cannizzaro moved that the Senate adjourn in honor of Greek Independence Day until Friday, March 26, 2021, at 11:00 a.m.

Motion carried.

Senate adjourned at 5:38 p.m.

Approved:

KATE MARSHALL  
*President of the Senate*

Attest: CLAIRE J. CLIFT  
*Secretary of the Senate*