

**MINUTES OF THE  
SENATE COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS**

**Eighty-first Session  
February 23, 2021**

The Senate Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 3:33 p.m. on Tuesday, February 23, 2021, Online. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator James Ohrenschall, Chair  
Senator Roberta Lange, Vice Chair  
Senator Nicole J. Cannizzaro  
Senator Heidi Seevers Gansert  
Senator Carrie A. Buck

**GUEST LEGISLATORS PRESENT:**

Senator Pat Spearman, Senatorial District No. 1

**STAFF MEMBERS PRESENT:**

Michael Stewart, Policy Analyst  
Bryan Fernley, Counsel  
Diane Rea, Committee Secretary

**OTHERS PRESENT:**

Steven Cohen  
Jeri Burton, President, Nevada Chapter of National Organization for Women;  
Chair, National NOW 28th Amendment ERA Committee  
Marlene Lockhard, Nevada Women's Lobby  
Christine Saunders, Policy Director, Productive Leadership Alliance of Nevada  
Holly Welborn, Policy Director, American Civil Liberties Union of Nevada  
Benjamin Challinor, Policy Director, Faith and Action Nevada  
Tess Opferman, Nevada Women's Lobby  
Geoffrey Knell, State Representative, Nevada MassResistance  
Janine Hansen, State President, Nevada Families for Freedom  
Karen England, Nevada Family Alliance

Senate Committee on Legislative Operations and Elections  
February 23, 2021  
Page 2

Yolanda Knaak  
Lynn Chapman, State Vice President, Nevada Eagle Forum  
Shawn Meehan, Founder, Guard the Constitution  
Melissa Clement, Nevada Right of Life  
Nancy Jones, Pro-Life League of Nevada  
Anna Lissa Morgeson  
Bob Russo  
Don Nelson, Pro-Life League of Nevada  
Juanita Cox

VICE CHAIR LANGE:

Senator Cannizzaro sponsored and Senator Ohrenschall cosponsored Senate Joint Resolution (S.J.R.) 8 of the 80th Session. Senator Spearman will present the introduction.

**SENATE JOINT RESOLUTION 8 OF THE 80TH SESSION**: Proposes to amend the Nevada Constitution to guarantee equal rights. (BDR C-1278)

SENATOR NICOLE J. CANNIZZARO (Senatorial District No. 6):

I am pleased to give you brief remarks on S.J.R. 8 of the 80th Session ([Exhibit B](#)).

In 2017, I proudly stood in support of the federal Equal Rights Amendment. I am going to share a story about Sylvia who had small children and applied for a housing loan. She was denied because she was a woman on her own.

Decades later, her daughter received a paycheck from her employer with additional money. She was told another woman who had worked with her in the same position had sued because her male counterparts were being paid more, not because of ability, but because of gender.

Years later, her granddaughter was asked only about whether she knew how to make coffee or was planning on having children anytime soon. Having a family meant she could not be dedicated to her career. Her husband interviewed for the same job and was only asked about career goals.

Her granddaughter was elected as the first female Majority Leader of the State Senate. This is why we continue to fight for equality.

Senate Committee on Legislative Operations and Elections  
February 23, 2021  
Page 3

SENATOR PAT SPEARMAN (Senatorial District No. 1):  
I will present the introduction to the bill ([Exhibit C](#)).

SENATOR JAMES OHRENSCHALL (Senatorial District No. 21):  
I am proud to be a cosponsor of S.J.R. 8 of the 80th Session and think that the statements made are true. If we are not moving forward, we are falling backwards. I hope the Legislature will look favorably on this and send it to the voters for approval.

SENATOR SEEVERS GANSERT:  
This bill reads equality. Your bill does not go beyond just equality. Many of the different classes or language are already in statute. Is that accurate?

SENATOR CANNIZZARO:  
You are correct. The language does not mention any of the enumerated things the opposition stated. Title IX is federal law designed to ensure there is no gender discrimination in our education and women's sports teams. The equal protection clause under the United States Constitution and our State Constitution is in the law. Between the two, they do not deny having girls' sports where offered because of a historical set of gender discrimination policies. They allow for the creation of women's sports that would typically be for boys. The laws are designed to ensure women have equal access and opportunities to play sports where historically they have been denied.

Law exists to ensure equal access is in place at some colleges. This would do nothing to change that. It would not affect the ability for girls to continue to play sports or participate in coed sports. This is not affected by that. This Amendment strengthens that.

With respect to the belief that this will fund abortions or other opposition arguments related to that topic, the language does not provide for that. In addition to the due process clause of the Fourteenth Amendment of the U.S. Constitution and the Supreme Court's decision in *Roe v. Wade*, the finding of a fundamental right to privacy is a long-standing law both federally and in Nevada. Nevada has a number of laws which deal with that specific issue. This does nothing to add to that, and that language is not in this bill. The opposition to this bill does not exist. This resolution provides for equality under the law.

STEVEN COHEN:

Ditto, and I provided written testimony ([Exhibit D](#)).

JERI BURTON (President, Nevada Chapter of National Organization for Women;  
Chair, National NOW 28th Amendment ERA Committee):

In 2017, Nevada ratified the federal ERA, becoming the 36th state to do so. We reinvigorated the national movement to fix the U.S. Constitution to establish full equality under the law for all Americans. Since the Nevada Legislature has a female majority and many champions of equality, it is surprising that the Nevada Constitution does not have a State equal rights amendment. By law, each state is guaranteed the right to expand and adopt its own equal rights amendment. We need equal rights in our Nevada Constitution.

MARLENE LOCKHARD (Nevada Women's Lobby):

Since the 1970s, we have advocated for the federal ERA and now here in Nevada. This amendment is about equality for women. What is it about equality for women that scares so many that they have to fabricate hidden meaning in the language? The bill is about equality.

CHRISTINE SAUNDERS (Policy Director, Progressive Leadership Alliance of Nevada):  
I echo the sentiments of those who spoke before me. Guaranteeing equal rights for all does not take away rights from others.

HOLLY WELBORN (Policy Director, American Civil Liberties Union of Nevada):

The American Civil Liberties Union (ACLU) has been at the forefront of fighting for women's equality. This past fall, this Country and the ACLU lost Justice Ruth Bader Ginsburg who said despite her efforts there are barriers to equal participation in civic and economic life.

Gender equality is a principle that has been a cornerstone of our Nation's laws and policies for half a century. Existing constitutional and statutory provisions protect against gender discrimination and have rejected policies and practices that propitiate gender stereotype. The ERA would provide Nevada women, lesbian, gay, bisexual and transgender (LGBT) individuals with a new tool to challenge the discrimination they face.

BENJAMIN CHALLINOR (Policy Director, Faith and Action Nevada):

I echo the sentiments of the previous speakers in support. It has been a long time since we have put the protections for equality for all classes into the Nevada Constitution.

TESS OPFERMAN (Nevada Women's Lobby):

During the Seventy-ninth Session, we made history by resurrecting and then ratifying the Equal Rights Amendment. Testifiers said women could and would be drafted into future wars. They said it was a waste of time because the congressional time limit had been passed in 1982. Women and men in our State came together and agreed that women deserve a place in the Constitution. We deserve equality on the basis of sex. We have made progress, but men continue to make more money than their female counterparts.

Senate Joint Resolution 8 of the 80th Session not only guarantees equality of rights under the law based on sex, but extends this protection to race, color, creed, sexual orientation, gender identity and expression, age, disability, ancestry and national origin. This is not a hypothetical antiquated draft about abortion. This is about codifying into law our inherent equal rights.

GEOFFREY KNELL (State Representative, Nevada MassResistance):

This agenda is being used by communists. Love is to be sincere and active, the real thing without guile or hypocrisy. Hate is what evil is. Detest all ungodliness, do not tolerate wickedness.

JANINE HANSEN (State President, Nevada Families for Freedom):

I have submitted testimony in opposition ([Exhibit E](#)).

KAREN ENGLAND (Nevada Family Alliance):

The plain language enshrines the word gender identity and expression into the Nevada Constitution. Even California has not attempted such an extreme measure using those terms. Supporters are claiming they are promoting this amendment because it would ensure equal rights for women. Senate Joint Resolution 8 of the 80th Session does nothing to truly bring about equality for women. This would submit into the Constitution protections for gender identity and expression. This clearly means that biological men who now consider themselves to be women, dress as women, act like and go by a woman's name will be considered a woman. Those women will have access to the same protection and opportunities currently allowed for biological women. This bill

will guarantee transgender women legal protection for using intimate private space they identify with, such as bathrooms, locker rooms, showers and women's shelters. That is not pro-women.

Men who identify as women would be able to compete in all female sports programs. Nationwide, there are over ten states that are protecting young girls in this area to ensure their scholarships are not taken away.

YOLANDA KNAAK:

There are no protections for pastors and people who work in various denominations who do not believe in transgender or gay marriage. Protections should be made for them.

Title IX passed in 1969 and promotes sports for girls. A lot of these girls got college scholarships but cannot compete against biological boys and will not get those scholarships or have the success we had since 1969.

LYNN CHAPMAN (State Vice President, Nevada Eagle Forum):

A report from the White House in 2009 shows men are more likely to choose careers that are more dangerous and to work in higher-paying fields and occupations. Only 7 percent of female professionals were employed in the high-paying computer and engineering fields compared to 38 percent of male professionals. Professional women are more prevalent in low-paying education and health care occupations. Men are more likely to take positions in isolated and undesirable locations that pay more. Unmarried women who have no children earn more than unmarried men.

The compiled information from the Census Bureau shows women business owners make less than half of male business owners. Since they have no boss, they are independent of discrimination.

MR. KNELL:

This is a superficial bill and will allow the Country to be destroyed. This is a political move to put the LGBT on an agenda. We have evidence it is medical and psychological.

SHAWN MEEHAN (Founder, Guard the Constitution):

Those of us who testified against this bill in 2019 remember it was an emergency exempt bill heard on a Friday night during the last few days of

Session. It is frustrating when we are talking about incorporating gender identity.

MELISSA CLEMENT (Nevada Right of Life):

I am submitting written testimony in opposition ([Exhibit F](#)).

NANCY JONES (Pro-Life League of Nevada):

I am the mother of five girls who like being girls and women. We do not want the State of Nevada to erase gender from the Constitution. If gender is worth protecting, it needs to be something that is protected for everyone and not just those who want to bend it. This would erase privacy for all biological women and girls and ignores the right and freedom from discrimination according to creed or religion. Other states who passed this found it has led to biological males competing against women. If there is no such thing as gender, there can be no mother or father. That would erase families from the State of Nevada.

ANNA LISSA MORGESON:

I do not believe our State needs this vague amendment. I object to the inclusion of sexual orientation and gender identity. The language and laws have resulted in discrimination in equality and cohesion. Our laws should protect the constitutionally guaranteed freedoms of every citizen.

BOB RUSSO:

My testimony in opposition was submitted in writing ([Exhibit G](#)).

DON NELSON (Pro-Life League of Nevada):

My testimony in opposition was submitted in writing ([Exhibit H](#)).

JUANITA COX:

This legislation opposes anything that would help females. This will jeopardize getting my husband's higher social security benefits. It will compromise my niece's scholarship due to having to run against biological men. This is an anti-women bill, not for women.

MR. KNELL:

There is very little addressed to the government. It is we the people and how to get our elected officials to understand from the levels of the Legislature to county commissioners, city council and school boards.

I think the Open Meeting Law needs to be taken away. We need to amend it to give more freedom of speech and readdress the government.

VICE CHAIR LANGE:

I will close the hearing on S.J.R. 8 of the 80th Session and ask Mr. Fernley to clarify widows losing their social security.

BRYAN FERNLEY (Counsel):

I do not believe that would be an issue under this constitutional amendment. This will be a State constitutional amendment which cannot impact federal law. Social security is governed by federal law.

SENATOR BUCK:

I want to clarify this will allow people to vote in the 2022 election.

Remainder of page intentionally left blank; signature page to follow.



Senate Committee on Legislative Operations and Elections  
February 23, 2021  
Page 9

VICE CHAIR LANGE:

That is correct. We are adjourned at 4:53 p.m.

RESPECTFULLY SUBMITTED:

---

Diane Rea,  
Committee Secretary

APPROVED BY:

---

Senator James Ohrenschall, Chair

DATE: \_\_\_\_\_

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit Letter</b>	<b>Begins on Page</b>	<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
S.J.R. 8 of the 80th Session	B	1	Senator Nicole J. Cannizzaro	Remarks
S.J.R. 8 of the 80th Session	C	1	Senator Pat Spearman	Remarks
S.J.R. 8 of the 80th Session	D	1	Steven Cohen	Remarks in Support
S.J.R. 8 of the 80th Session	E	1	Janine Hansen / Nevada Families for Freedom	Remarks in Opposition
S.J.R. 8 of the 80th Session	F	1	Melissa Clement/ Nevada Right to Life	Remarks in Opposition
S.J.R. 8 of the 80th Session	G	1	Bob Russo	Remarks in Opposition
S.J.R. 8 of the 80th Session	H	1	Don Nelson/Pro-Life League of Nevada	Remarks in Opposition