

THE EIGHTY-FIRST DAY

CARSON CITY (Thursday), April 27, 2023

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

President Anthony presiding.

Roll called.

All present.

Prayer was given by Elder Laurie Caskey, Shoshone-Paiute Tribe.

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.

COMMUNICATIONS
CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
406 CANNON HOB
WASHINGTON, D.C. 20515

April 20, 2023

Speaker Steve Yeager
Nevada State Capitol
101 N Carson St.
Carson City, NV 89701

Majority Leader Nicole Cannizzaro
Nevada State Capitol
101 N Carson St.
Carson City, NV 89701

Dear Speaker Yeager & Majority Leader Cannizzaro,

I respectfully request the opportunity to address the distinguished members of the Nevada Legislature on Wednesday, May 3, 2023.

As the Representative for Nevada's 4th Congressional District, I look forward to sharing information from the United States Capitol and discussing opportunities to improve and grow our state's economy and improve Nevada's future. I hope my address will provide an opportunity to identify areas in which we can partner for all of us to better serve the people of the Silver State.

I am honored and grateful for this opportunity. Thank you in advance for your consideration.

Sincerely,
Congressman Steven Horsford
4th District, Nevada

WAIVERS AND EXEMPTIONS
NOTICE OF EXEMPTION

April 27, 2023

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: Senate Bill No. 427.

SARAH COFFMAN
Fiscal Analysis Division

MOTIONS, RESOLUTIONS AND NOTICES

Senator Spearman approved the addition of Senators Hammond, Hansen and Stone as cosponsors of Senate Bill No. 451.

By Senators Nguyen, Buck, Cannizzaro, Daly, Doñate, Dondero Loop, Flores, Goicoechea, Hammond, Hansen, Harris, Krasner, Lange, Neal, Ohrenschall, Pazina, Scheible, Seevers Gansert, Spearman, Stone and Titus; Assemblymen Yeager, Anderson, Backus, Bilbray-Axelrod, Brown-May, Carter, Cohen, Considine, DeLong, Dickman, D'Silva, Duran, Gallant, González, Gorelow, Gray, Gurr, Hafen, Hansen, Hardy, Hibbetts, Jauregui, Kasama, Koenig, La Rue Hatch, Marzola, McArthur, Brittney Miller, C.H. Miller, Monroe-Moreno, Mosca, Newby, Nguyen, O'Neill, Orentlicher, Peters, Summers-Armstrong, Taylor, Thomas, Torres, Watts and Yurek:

Senate Concurrent Resolution No. 3—Memorializing esteemed attorney and lobbyist Ben Graham.

Ben Graham was born in 1942 in Corvallis, Oregon and thrived growing up on his family's farm and playing the piano; and

WHEREAS, After a brief sojourn in Washington, D.C. for college and work, Ben returned to Oregon to pursue his true passion in legal studies, graduating with a doctorate of jurisprudence cum laude from Willamette University College of Law; and

WHEREAS, Ben practiced law for 8 years in Oregon and also served as the president of the Board of Mentally Handicapped Adults, before moving to Las Vegas in 1977 to become a prosecutor for the Clark County District Attorney's Office; and

WHEREAS, Ben continued on to serve as a Chief Deputy District Attorney in the Criminal Division and also played an influential role in the evolution of Nevada's current criminal law as the lobbyist for the Nevada District Attorneys Association; and

WHEREAS, Ben worked tirelessly for over 30 years to improve the judicial system in this State, including teaching criminal justice courses for 29 years at the University of Nevada, Las Vegas, and the College of Southern Nevada; and

WHEREAS, After retirement from his illustrious career with Clark County, Ben continued his contributions to the legal community as an attorney for the Nevada Supreme Court for 14 years, by which time he had perfected his famous chocolate chip cookies that he and Elana, his loving wife of 43 years, often baked to give as gifts to their friends and loved ones in the community, including the Nevada Legislature; and

WHEREAS, Although Ben's professional career included many accomplishments, one of his proudest achievements was co-founding the Lawyers Concerned for Lawyers program of the State Bar of Nevada, which assists lawyers with addiction issues; and

WHEREAS, On a personal level, Ben is remembered by his wife, his children and their spouses, his niece and nephew, as well as his grandchildren, as a man of strong faith and a constant source of support and unconditional love; and

WHEREAS, Although Ben faced many challenges and difficulties during his lifetime, including the tragic passing of his daughter Caroline in 2012, he

used the hardships he endured as inspiration for a life of service, which ultimately left an enduring impact on Nevadans from all walks of life; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That Ben Graham's legacy and immeasurable contributions to the legal community of this State be commended and remembered as having forever changed the course of life for generations of Nevadans; and be it further

RESOLVED, That Ben Graham's life, both professionally and personally, serve as the true embodiment of what it means to live a life of service in this State; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the family of Ben Graham; and be it further

RESOLVED, That this resolution becomes effective upon adoption.

Senator Nguyen moved the adoption of the resolution.

Remarks by Senators Ohrenschall, Cannizzaro, Seevers Gansert and Hammond.

SENATOR OHRENSCHALL:

I support Senate Concurrent Resolution No. 3. I had the privilege of getting to meet Ben Graham as a kid, and getting to know him pretty much my whole life. He and my mom were attorneys together in the 1970s in Las Vegas, and I grew to think of him more as like an uncle and someone I could always turn to when I had problems and I needed help.

The resolution talks about his work with lawyers helping lawyers. That is not just something he put his name on to found and then let it be. He would talk to new admittees. I remember when I first got admitted to practice law and got to hear him speak about how mentally hard it is to be an attorney and how many of our colleagues will fall into substance-abuse issues and need help. There was a time in Nevada where there was no help for lawyers who needed it. Ben made it something that was no longer shameful if you are an attorney who needed help with their substance-abuse problem. You could try to get that help, not fall into problems with your career and with your practice and try to get back on your feet.

I worked closely with Ben and his family on legislation to fight breast cancer, which really touched his family after the loss of his daughter. When Ben went to work for the Supreme Court, he helped me immensely. Along with Senator Parks, we sponsored legislation to amend the Constitution and try to modernize the State Pardons Board to make sure the Board would become effective, meet quarterly and try to help people who needed pardons and need sentence communications. Ben was a former prosecutor so it was a leap for him to want to work for this, but he saw the merit in trying to have a modern pardons board that could respond when needed, when past sentences and statutory structures we had in Nevada were unfair. He was someone I could turn to whenever I needed help. His family is always there for us, and I have the fondest memories of Ben. I urge support of this resolution.

SENATOR CANNIZZARO:

I support Senate Concurrent Resolution No. 3. I first met Ben Graham because I attended law school with his daughter, Elana Lee, and her now-husband, Seth Floyd. We were good friends in law school. My first introduction to the Graham family was being just another kid who showed up to dinners at the house and got to experience the love of that family from the get-go. We were not friends with his daughter, and yet when we would show up to the family house, we were always met with a lot of love, gratitude, hugs and "How are you? What is going on in life? What do you think about law school? What do you want to be when you get to finally be an attorney?" I will be forever grateful to Ben and his entire family for welcoming us with such open arms and love and care. That was how I knew the entire Graham family, who are here with us today.

Fast forward many years to me getting elected to this body, I got to experience all the ways in which Ben touched so many of us who were tangential but felt very much welcome and a part of that family. He did that in this building. He touched so many pieces of legislation that is important and so many of us in ways that I do not think I can properly express. I am grateful to have them here for Cookie Day because there was one point when I was an intern here in 2009 and his wonderful wife, Elana T., helped shepherd all of us law student interns to make sure we got the best experience. I remember that was the first time I ever saw Cookie Day. They stopped the Assembly Judiciary Committee, and Bernie Anderson at the time had said, "It is Cookie Day; we get to have cookies." Business stopped at the Legislature for Ben Graham to bring in those cookies. They are delicious beyond belief. I hope everybody has had a chance to get to taste them today.

More so than that, I think it was—at least in my estimation—a way for him to express his love and gratitude for everyone who worked in this building. I think that is sometimes what you do; you share things that you can give to people. Even though they are small tokens, they are meaningful. Throughout my career as a Legislator in this building, there were many times Ben would show up to my office, and I always thought he was there to talk about a piece of legislation. There is a bill; there is a budget; there is something that he needed to talk to me about in my elected capacity. More often than not, it was just him coming by to say, "I was thinking of you. I want to make sure you are all right. This building can be tough, and I care about you." That meant more to me than I can ever say. One of the last conversations I had with him was sharing some photos of my baby, Case, who he remarked would be an excellent cookie maker, and the next time that he was making cookies, Case would get to make them with him.

I love Ben Graham very much. We miss him in this building. His presence and his influence will be forever remembered. I am grateful that his family has decided to be with us and to share this with all of us today. I urge my colleagues' support of Senate Concurrent Resolution No. 3.

SENATOR SEEVERS GANSERT:

I support Senate Concurrent Resolution No. 3. Ben was an amazing and legendary figure in this building. I was fortunate to meet him as well, and he was one of those people who was so thorough in his knowledge of policy and law. But he also had the soft, sensitive side where he made you feel part of the family.

I know that is what the cookies were all about, making sure everybody felt welcomed and part of the family. I am grateful that his family is here today. I wanted to take a moment and thank them for coming today. I have to tell you that we had a little break in Finance, and we went and got cookies. I had a colleague go downstairs and get a plate. We brought it up to the Finance room. It is one of those things that remind you of family, the closeness we have in this building and that Nevada is small. We are grateful that Ben shared much of his life with us.

SENATOR HAMMOND:

I was not sure if this is one of those times we are all allowed to speak so I did not want to say anything, but I was reminded by my colleague to my right that I have been here a long time. So, I get to say whatever I want and do whatever I want, apparently. This is great. You are all stuck.

I first met Mr. Graham when he walked into a committee meeting and testified. The first thought I had—and for those of you who know me, you know I cannot help my thoughts, they just come—I thought "My gosh, Wilford Brimley is in the building." I am disappointed that most of you do not even know who Wilford Brimley is, first of all, but those of you who do know who he is, you are like, "Oh yeah, Wilford Brimley." Then he started talking, and I thought, "It is not Wilford Brimley." I was disappointed for a little bit until he brought cookies, and then I thought, "All right. I do not care if he is not Wilford Brimley anymore because he brought cookies."

Not only did he bring cookies but also he is the kind of guy who would stop by and talk to you for a little while, as the Majority Leader said, and check in on you from time to time. He did that during my freshman year because he knows it is tough.

Now I am going to confess something. When he passed away and you had the funeral, I had the opportunity to go, and I did not go because I do not go to funerals. I do not like to do it because I like to remember the person when they were around. I told my wife, "I am not going to go. I just can't do it." I wanted to remind myself about his presence and what it meant to the whole process because it was part of the process. So, I did not go. Do I regret it? No, because I remember him, and the fact that you all are bringing cookies today reminds me that he is still here. In closing,

please bring me my plate of cookies. We will all be happy, and everything will be good. I am grateful for this day and the opportunity to pay tribute to him.

Resolution adopted.

Senator Cannizzaro moved that all necessary rules be suspended and that the resolution be immediately transmitted to the Assembly.

Motion carried.

Resolution ordered transmitted to the Assembly.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Buck, the privilege of the floor of the Senate Chamber for this day was extended to Ava Yu and Tonya Stone.

On request of Senator Cannizzaro, the privilege of the floor of the Senate Chamber for this day was extended to Briget Eastep, Aviva O'Neill, former Senator Julia Ratti and James Woolsey.

On request of Senator Dondero Loop, the privilege of the floor of the Senate Chamber for this day was extended to Danica Hays, Kirsten Searer and Kenny Varner.

On request of Senator Harris, the privilege of the floor of the Senate Chamber for this day was extended to the Shoshone-Paiute Tribe and Randy Varner.

On request of Senator Krasner, the privilege of the floor of the Senate Chamber for this day was extended to the Drew Adkins, Alpine Academy, Mathew Cron, Rowan Garcia and Ashley Showers.

On request of Senator Nguyen, the privilege of the floor of the Senate Chamber for this day was extended to Elana Lee Graham, Elana T. Graham, Luana Graham and Turner Graham.

On request of Senator Seevers Gansert, the privilege of the floor of the Senate Chamber for this day was extended to Aryam Monge.

Senator Cannizzaro moved that the Senate adjourn until Monday, May 1, 2023, at 11:00 a.m.

Motion carried.

Senate adjourned at 11:44 a.m.

Approved:

STAVROS ANTHONY
President of the Senate

Attest: BRENDAN BUCY
Secretary of the Senate