

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS**

**Seventy-Sixth Session  
June 2, 2011**

The Committee on Legislative Operations and Elections was called to order by Chair Tick Segerblom at 1:40 p.m. on Thursday, June 2, 2011, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/76th2011/committees/](http://www.leg.state.nv.us/76th2011/committees/). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Tick Segerblom, Chair  
Assemblyman Marcus Conklin  
Assemblyman Pete Goicoechea  
Assemblyman Tom Grady  
Assemblyman Cresent Hardy  
Assemblyman Pat Hickey  
Assemblyman William C. Horne  
Assemblyman Richard McArthur  
Assemblyman John Ocegura  
Assemblyman James Ohrenschall  
Assemblywoman Debbie Smith

**COMMITTEE MEMBERS ABSENT:**

Assemblywoman Lucy Flores, Vice Chair (excused)  
Assemblyman Richard (Skip) Daly (excused)  
Assemblywoman Marilyn K. Kirkpatrick (excused)  
Assemblyman Lynn D. Stewart (excused)

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Donald O. Williams, Research Director  
Patrick Guinan, Committee Policy Analyst  
Terry Horgan, Committee Secretary  
Michael Smith, Committee Assistant

**OTHERS PRESENT:**

Scott Anderson, Deputy for Commercial Recordings, Office of the  
Secretary of State

**Chair Segerblom:**

[Roll was taken.] This afternoon we are going to consider two proposed interim studies. We have already heard one of them. It was sponsored by Mr. Hickey. I am sponsoring the other one, and we will hear that one later.

In the past, interim studies were recommended and passed. There were three from each house, so the Assembly got three and the Senate got three. In both houses, two were from the majority party and one was from the minority party. After we hear these bills in our joint meeting with the Senate Committee on Legislative Operations and Elections later today, the process for that may change. In the meantime, we are going to consider these proposals because they could be considered for the interim. It is just a question of how they would be brought forward.

For the bill I have proposed, Mr. Don Williams is here from the Research Division of the Legislative Counsel Bureau (LCB). He will describe what we are proposing.

**Donald O. Williams, Research Director:**

At the request of the Chair, I developed a concept proposal for an interim study. The study would direct the Legislative Commission to conduct an interim study on the structure and operations of the Legislature itself. We have not had a comprehensive review of the Legislature in over 20 years. We have occasionally studied aspects of its operation, but there has not been an overall review of the Legislature since the 1987-1988 Interim.

I have discussed this with LCB Director Lorne Malkiewich. He thought if the Chairman wanted to do this study, that it would be appropriate because of the many developments over these last 22 years. A lot of things have changed, so the Chair asked me to review this because there has been such a time lag since there has been a comprehensive review.

This is not a proposal from me or Mr. Malkiewicz. We are presenting this on behalf of Chair Segerblom. The study would include a review of the structure and operations of the Legislature, including a review of the timing, frequency, and length of legislative sessions. That would include a study of possible annual sessions, an evaluation of legislative procedures, and any other matters relating to the Legislature. This would be a very broad study. It would allow the Legislative Commission to direct this entity, whatever entity it would assign, to include virtually anything it wanted to include regarding legislative structure and operations. The results of the interim study would be reported to the 2013 Legislature.

**Chair Segerblom:**

Thank you, Mr. Williams. Are there any questions? [There was no response.] This came about because of my proposal to consider annual sessions and legislative pay. We thought we should just go ahead and broaden the concept to look at how the Legislature operates in general. One of the topics would be annual sessions and legislative pay. This is a bill draft request currently being drafted; however, we do not have it yet. If we get it, we will introduce it behind the bar at our next Assembly floor session.

**Assemblyman Hardy:**

In discussion beforehand, there will be an evaluation of how that will be studied, and by whom, on both sides, or have you already come up with that conclusion?

**Chair Segerblom:**

That is what we will be hearing about this afternoon. Historically, we had interim studies with interim committees being assigned certain tasks. It appears that we are going to change that and actually have committees—like this Committee and the Senate Committee of the same name—meet for the next interim. They will be assigned certain tasks to investigate. If that bill is passed, this would be one of the proposed studies for that committee.

**Assemblyman Hardy:**

Okay, so the committee will be a legislative operations committee.

**Chair Segerblom:**

Yes. Before, there were special interim committees. Now the interim committees will mirror the standing committees. For instance, there will be a Ways and Means/Finance Committee and a Taxation Committee, and they will be combined Senate and Assembly committees. I am not sure how it will work, but there will be a chairman from one house or the other during that 18-month period. We will hear more about it later this afternoon.

**Assemblyman McArthur:**

You were talking about a new bill draft request (BDR). Is it different from one of the bills we will be hearing in work session today?

**Chair Segerblom:**

Yes, this will be a separate BDR asking for an interim study on this issue. If we adopt it, it would go to this new committee for consideration. That committee would not have to consider it, but it would be something the committee could consider.

**Assemblyman McArthur:**

It sounded a lot like the one we are going to hear this afternoon, but it is a separate bill.

**Chair Segerblom:**

Yes, it is a separate bill.

Thank you, Mr. Williams. Next, we will go into a work session on Mr. Hickey's bill, Assembly Bill 383. Mr. Guinan will give us a brief description of it.

**Assembly Bill 383:** Directs the Legislative Commission to conduct an interim study concerning trademark and copyright law. (BDR S-983)

**Patrick Guinan, Committee Policy Analyst:**

The bill on our work session today is A.B. 383. As the Chair just mentioned, it was sponsored by Assemblyman Hickey, and others. The Committee first heard the bill on April 5, 2011. [Mr. Guinan read an explanation of the bill from his work session document ([Exhibit C](#)).]

There has been an amendment proposed ([Exhibit D](#)), but I believe the Chair has some remarks about that amendment.

**Chair Segerblom:**

The gentleman gave us this specific language, but since this is not a bill, we cannot consider an amendment. However, the language in the proposed amendment would be something the interim committee might study. The way your bill, Mr. Hickey, is written, it actually creates a commission. If we adopt this today, it would be a recommendation for an interim study—however those interim studies will be done. Would you like to add anything?

**Assemblyman Pat Hickey, Washoe County Assembly District No. 25:**

You heard this bill before. I believe it is interesting and potentially beneficial to the state and to its taxpayers. Should it become a piece of legislation and be

enacted, it would rectify an injustice to certain individuals—authors, musicians, and others. The other component that makes it interesting to us is the economic component. If it should pass, it would require anyone interested in accessing a solution to the problem to register their title trademarks in the State of Nevada. The inspiration behind this was a \$400 registration fee. Also, those companies would have to locate or domicile within the State of Nevada. I think it would be an interesting study with potential benefits to the state. It would also be an interesting study because the kinds of people who would come before the committee might be people from AOL or other big entities that are looking for a statewide remedy.

This idea is trying to work its way through Congress; however, the legislation has not gone anywhere. My constituent has worked on this and thought we might be able to find a statewide way to begin to remedy this problem. I hope we will consider it being one of the studies recommended for the interim.

**Chair Segerblom:**

Are there any questions for Mr. Hickey?

**Scott Anderson, Deputy for Commercial Recordings, Office of the Secretary of State:**

We support the protection of intellectual property and intellectual creation. If the Chair and this Committee desire to conduct a study, the Office of the Secretary of State, as the filing office for these types of filings, would like to be included and have input into the study.

**Assemblyman Horne:**

I think it would probably be a good idea to have an interim study. Because of the complexity of intellectual properties, if possible, attorneys in both houses could be named to this committee. The skill sets attorneys have would help study it properly.

**Chair Segerblom:**

As I do not see any other questions, we could take a motion to adopt this as a proposed interim study.

**Assemblyman Ohrenschall:**

I would make a motion to amend and do pass, as well as including Mr. Horne's amendment to be certain there are plenty of attorneys on this interim study. If that would not be a friendly amendment, I will simply propose to amend and do pass with the amendment in the work session document.

**Patrick Guinan:**

Because this is a bill—A.B. 383—the motion would be to do pass because the amendment is not appropriate to the study. The Chair, or the body, would hold the bill until an agreement is made concerning which interim studies will happen or whether these other bills that change the makeup of the Legislature during the interim are passed. This bill will remain in play as we go forward during the next few days.

ASSEMBLYMAN OHRENSCHALL MOVED TO DO PASS  
ASSEMBLY BILL 383.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN DALY, FLORES,  
KIRKPATRICK, SMITH, AND STEWART WERE ABSENT FOR THE  
VOTE.)

We will be reconvening later this afternoon as a joint committee. With that, we are adjourned [at 1:54 p.m.].

RESPECTFULLY SUBMITTED:

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Terry Horgan  
Committee Secretary

APPROVED BY:

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Assemblyman Tick Segerblom, Chair

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

**EXHIBITS**

**Committee Name:** Committee on Legislative Operations and Elections

**Date:** June 2, 2011

**Time of Meeting:** 1:40 p.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
A.B. 383	C	Patrick Guinan	Work Session Document
A.B. 383	D	Patrick Guinan	Proposed Amendment