

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

**Seventy-Sixth Session
April 14, 2011**

The Committee on Legislative Operations and Elections was called to order by Chair Tick Segerblom at 1:41 p.m. on Thursday, April 14, 2011, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, 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/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman Tick Segerblom, Chair
Assemblywoman Lucy Flores, Vice Chair
Assemblyman Marcus Conklin
Assemblyman Richard (Skip) Daly
Assemblyman Pete Goicoechea
Assemblyman Tom Grady
Assemblyman Cresent Hardy
Assemblyman Pat Hickey
Assemblyman William C. Horne
Assemblywoman Marilyn K. Kirkpatrick
Assemblyman Richard McArthur
Assemblyman John Ocegüera
Assemblyman James Ohrenschall
Assemblywoman Debbie Smith
Assemblyman Lynn D. Stewart

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Patrick Guinan, Committee Policy Analyst
Terry Horgan, Committee Secretary
Diane O'Flynn, Committee Secretary
Sally Stoner, Committee Assistant
Michael Smith, Committee Assistant

OTHERS PRESENT:

David Fraser, Executive Director, Nevada League of Cities and Municipalities
Joshua G. Wilson, Washoe County Assessor and representing the Nevada Assessors Association
Carole Vilardo, President, Nevada Taxpayers Association
Ross Miller, Secretary of State
Alan Glover, Clerk/Recorder, Carson City
Scott Gilles, Deputy for Elections, Office of the Secretary of State
Larry Lomax, Registrar of Voters, Clark County

Chair Segerblom:

[Roll was taken.] We are going to hear Assembly Joint Resolution 1.

Assembly Joint Resolution 1: Proposes to amend certain provisions of the Nevada Constitution related to the assessment and collection of property taxes to allow the recalculation of the taxable value of depreciated improvements to real property upon the transfer, sale or conveyance of the property. (BDR C-402)

David Fraser, Executive Director, Nevada League of Cities and Municipalities:

Assembly Joint Resolution 1 was brought by the League, and I appreciate you hearing it. I will call your attention to an amendment you all should have that was also brought forward by the League ([Exhibit C](#)). The bill initially addressed depreciation and was specifically designed to reset the value of a property upon its sale, but that required a constitutional amendment. Several parties, including some of the assessors and the Nevada Taxpayers Association, came to us with concerns about putting this methodology into the *Nevada Constitution*. We saw the value of that concern and agreed. This amendment was a suggestion made by Carole Vilardo of the Nevada Taxpayers Association. By deleting some

words, we would be amending the *Nevada Constitution* and authorizing the Legislature to deal with this issue rather than putting taxing methodology in the *Constitution*. If this passes and is adopted in the *Constitution*, the Legislature would then be authorized to deal with this issue, and we could bring you a bill that would then go through this deliberative process. The benefit would not only be the deliberation that would go in any bill but, assuming it was passed into law, if down the road there were unintended consequences or if little adjustments needed to be made, we would not have to request a constitutional amendment and go through that five-year process. In its present form, A.J.R. 1 simply authorizes the Legislature to deal with this issue statutorily.

Chair Segerblom:

If it were a constitutional amendment, it would have to be passed twice by the Legislature and then be passed by the voters in the next general election. Are there any questions for Mr. Fraser?

Assemblyman McArthur:

How do you actually calculate the taxes?

David Fraser:

I may not be the right person to answer that question, but I do know that the Washoe County Assessor, Josh Wilson, is signed in to speak as neutral on the bill, so I will defer to him.

Joshua G. Wilson, Washoe County Assessor and representing the Nevada Assessors Association:

As I understood the initial bill, when a property sold, it would recalculate the depreciation to zero, which would bring the property very close to its market value but create an inequity issue among neighbors.

Chair Segerblom:

Can you explain what the current law is?

Josh Wilson:

Currently, we value land at its market value—it is referred to as "full cash value" in statute. For any improvements to that land, we determine the replacement cost new using the Marshall & Swift cost manuals, and we apply 1.5 percent depreciation annually based on the age of those improvements.

As I understood the initial bill, that 1.5 percent per year depreciation would be wiped out when the property sells, which would increase the improvement value to very close to its market value.

Chair Segerblom:

Mr. McArthur, did you understand that?

Assemblyman McArthur:

I still have a question. Once you come up with an assessed value for the property, then do you work in the depreciation?

Josh Wilson:

No, sir; it is part of the initial valuation of the property. We start with the replacement costs new—what it would cost to construct a building according to the Marshall & Swift cost manuals. Based on the age of that building, 1.5 percent depreciation is applied until it reaches a maximum 50-year life or 75 percent depreciation, and then it stops.

Assemblyman McArthur:

So that is worked in it as you are going along.

Josh Wilson:

Yes. The result of the current taxable-value system is that, as a jurisdiction ages, valuations of the properties get further away from market value because of this 1.5 percent reduction to the improvement value being applied year after year after year.

Chair Segerblom:

One of the problems that results is that you will have a new house that sells today for \$300,000 and it will be taxed at that \$300,000. Whereas a house that is 30 or 40 years old, worth \$300,000, is taxed at a much lower rate, so there can be a vast disparity between the two properties, right?

Josh Wilson:

Yes, sir. That is correct. It is depreciated based on the construction of the improvements, so as the property gets older, it becomes further and further away from its actual market value.

Chair Segerblom:

Having heard this testimony, is there anyone here who would be unwilling to vote on this bill today? [There was no response.]

David Fraser:

To clarify, once this bill is passed and in the *Constitution*, it would be our intention to bring a bill such as has been described. The resolution in front of you today, if it went through the whole process and was passed by the voters, would amend the *Constitution* and allow you to deliberate that issue.

Chair Segerblom:

Is there anyone else here to speak in favor of A.J.R. 1?

Josh Wilson:

I am representing the Nevada Assessors Association, and we are neutral on this bill.

Chair Segerblom:

Is there anyone here to speak against the bill? [There was no response.] Is there anyone here to speak as neutral?

Carole Vilardo, President, Nevada Taxpayers Association:

When you were going to hear this bill during a prior meeting, I signed in as being opposed and spoke to Mr. Fraser about it. We have historically had a problem putting methodology in the *Constitution*. The *Nevada Constitution* should be a policy document. The Legislature is the entity that should determine the details. With the amendments, we have no problem with the bill, and we think it makes a lot more sense. We are neutral and happy to have you pass it; it is definitely much better than it was.

Chair Segerblom:

All right, is anyone else here for, against, or neutral? [There was no response.] I will close the hearing on A.J.R. 1. Does anyone have any comments on A.J.R. 1 or does anyone want to make a motion on A.J.R. 1?

ASSEMBLYMAN GRADY MOVED TO AMEND AND DO PASS
ASSEMBLY JOINT RESOLUTION 1.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

Are there any comments on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYMEN OCEGUERA AND
OHRENSCHALL WERE ABSENT FOR THE VOTE.)

Now we will go through the work session, beginning with Assembly Bill 81.

Assembly Bill 81: Revises various provisions relating to elections. (BDR 24-406)

Patrick Guinan, Committee Policy Analyst:

All Committee members have binders containing the work session documents. The first bill listed is A.B. 81. [Mr. Guinan provided an explanation of the bill, discussed the bill summary, and mentioned two sections in the prior mock-up that had been of concern to the Committee ([Exhibit D](#)).]

Chair Segerblom:

Are there any questions on section 49?

Patrick Guinan:

That is on page 47, lines 9 through 15 of the mock-up.

Assemblyman Conklin:

I do not have a problem with this. It does not restrict the court in determining what penalty would be the right size for the number of violations and the size of the entity in violation. For example, it may well be that there are multiple violations, but one penalty would be enough for a very small entity as opposed to someone doing this across a very broad spectrum and with the assets and resources to continue to do it in spite of knowing he is going to have to pay a fine. This allows the court the flexibility to go after a bad actor on a case-by-case basis with a penalty that is appropriate. I think this is a good provision.

Chair Segerblom:

Let us move on to the second, tougher issue. The Vice Chair has been working on this issue. It has to do with section 59.5, subsection (2), regarding affiliated political action committees (PACs) and limitations on contributions.

Assemblywoman Flores:

The issue that was brought up with this provision was that we were concerned that it was perhaps too broad, and that there could be some instances where caucuses or related political action committees would inadvertently get caught up in this provision. We tried to work out some new language, but I believe that the Office of Secretary of State looked at the new language submitted and it actually made things worse. If we stick with the original language, which is as good as we are going to get right now, we could continue working on it once the bill gets out of this Committee.

Assemblyman Ocegüera:

I do not know if it is necessary. During the past 48 hours, Ms. Flores has been working on this, I have been assisting, and I have also been talking with the Secretary of State. We have been working diligently on this language, and have put in a number of hours on it, but we just have not got the language right. It is my pledge to you, Mr. Chairman, to get this done. We think it is an important piece of legislation and that this section is an important part of the legislation. If we have to do a floor amendment to make it right, we will, but we do not have it right yet. I do not know if there is a need for an explanation other than that we believe it is important and that we need to do it, but we just do not have the language nailed down yet.

Chair Segerblom:

Is that your understanding, Mr. Secretary?

Ross Miller, Secretary of State:

Yes, we certainly understand the concerns that were raised. We have been working with Leadership and other parties trying to get those issues resolved. Everyone is supportive of the broad policy measure we are trying to correct here, but it is simply a matter of getting to the right language. So we will continue to work on it with Leadership and other interested parties and come up with language that works for everyone.

Chair Segerblom:

So for today's purposes, we would vote with the current language in the bill?

Assemblyman Ocegüera:

Yes.

Chair Segerblom:

Mr. Goicoechea, are you okay with that?

Assemblyman Goicoechea:

Do you want to vote on it today, or bring it to the floor and amend it behind the bar? That might be more appropriate, if you continue to work on the amendment language and get it right. We have all discussed it and kicked it around. We are all working on it, but I do not know if my caucus feels comfortable voting without seeing the amendment. We are talking about rolling it out and then doing a floor amendment?

Chair Segerblom:

Right. The problem is that I am not sure if we are going to have it done by tomorrow, so if we could vote today, it would be better. But if you cannot do that, then we will roll it to tomorrow.

Assemblyman Ocegueda:

We are just trying to vote it out of Committee, so we can keep it alive and keep working on that issue.

Assemblyman Goicoechea:

I assume there will be something besides this bill that will come up tomorrow that we might want to vote out behind the bar during the floor session. Would that give anyone else besides me some comfort to actually see it and vote on it behind the bar?

Chair Segerblom:

We probably will not have the language by tomorrow.

Assemblyman Goicoechea:

Oh, you are not going to get it worked out that quickly.

Assemblyman Ocegueda:

Mr. Goicoechea, I believe the bill is eligible for exemption and will get one on the floor tomorrow. That will give us a couple more weeks.

Assemblyman Goicoechea:

I can support that, so we can move it out. Technically, we are referring it to the Assembly Committee on Ways and Means with the eligibility.

Assemblyman Daly:

I will vote to get it out of Committee, but I have a lot of concerns with the language as well.

Chair Segerblom:

Is there any other discussion on A.B. 81?

Assemblyman Conklin:

May I have just one second, Mr. Chairman?

Chair Segerblom:

Certainly.

Assemblyman Conklin:

Mr. Chairman, while the bill has a fiscal impact, there is no fiscal note, which means it is not eligible for exemption. We could pass the bill out and have staff look at it to see if there is a possibility that we could put an exemption on it. Either way, we preserve the bill today, but we will have only next week to continue to work on this issue and get the language right.

Assemblyman Ocegueda:

We have one more option. We could strike this language completely and pass the bill. I do not really want to do that, because I want to preserve the fact that we know we have to do something with the language, but we could strike this language completely, pass the bill, and have faith that we will continue to work on that language.

Chair Segerblom:

It is quite clear on the record that everyone is committed to making this happen. If we struck the language, we would not actually be getting rid of the language because we are going to come back with tighter language. We could amend it on the floor.

Assemblyman Goicoechea:

Yes, and it might give my caucus a little more comfort rather than just voting a bill out containing open language. If we strike the language and move the bill ahead, we can amend it and work on it in the future. I think that is fine. Do you agree, Ms. Vice Chair?

Assemblywoman Flores:

I think everyone is pretty clear that we are all committed to making sure that this language gets back in the bill, in working with the Secretary of State to make sure it gets in there correctly, and that the bill is not leaving without the language. We are all clear, so, yes, we can do that.

Chair Segerblom:

So that is the consensus? We will strike that paragraph and commit to making sure that there will be a new paragraph everyone agrees to before it passes in the Assembly. Is that all right with you, Secretary Miller?

Ross Miller:

Yes, Mr. Chair.

Chair Segerblom:

Do I have a motion?

ASSEMBLYWOMAN KIRKPATRICK MOVED TO AMEND AND DO PASS ASSEMBLY BILL 81.

ASSEMBLYMAN CONKLIN SECONDED THE MOTION.

Is there any discussion on the motion?

Patrick Guinan:

For clarification, the motion is to amend and do pass with the bill as contained in the mock-up, except to strike new section 59.5, subsection 2(c) from the bill. I just want to confirm that for the record.

Chair Segerblom:

Correct.

THE MOTION PASSED. (ASSEMBLYMAN MCARTHUR VOTED NO.
ASSEMBLYMAN OHRENSCHALL WAS ABSENT FOR THE VOTE.)

Thank you very much, Mr. Secretary and Mr. Gilles.

Now we are going to move to Assembly Joint Resolution 7.

Assembly Joint Resolution 7: Proposes to amend the Nevada Constitution to create an intermediate appellate court. (BDR C-1129)

Patrick Guinan, Committee Policy Analyst:

[Mr. Guinan reviewed the bill, reading from the work session document ([Exhibit E](#)).]

Chair Segerblom:

Are there any comments on A.J.R. 7?

Assemblyman Goicoechea:

Because it is a proposed constitutional amendment, I would assume arguments down the road will probably address how we are going to fund it, and that those arguments would be before the voters actually get it. I am assuming we are going to talk about that.

Chair Segerblom:

Right, and even though it was just defeated on the ballot, it would not go into effect until 2015. We are trying to take the long view. Are there any other questions or comments?

Assemblyman McArthur:

Is there really a fiscal note on this? It says that there is.

Patrick Guinan:

Mr. Chairman, the Secretary of State's fiscal office shows a zero as does the non-Executive Agency's fiscal note. There is a fiscal note, but it is zero for both agencies.

Chair Segerblom:

I am not sure if that is because of the constitutional amendment and the fact that it takes five years.

Assemblyman McArthur:

Yes, I was looking at the original and it may have changed.

Chair Segerblom:

Are there any other comments or questions? [There was no response.] Seeing none, I would entertain a motion.

ASSEMBLYWOMAN FLORES MOVED TO DO PASS
ASSEMBLY JOINT RESOLUTION 7.

ASSEMBLYMAN HORNE SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN OHRENSCHALL WAS
ABSENT FOR THE VOTE.)

Let us move to Assembly Bill 473.

Assembly Bill 473: Revises provisions governing elections. (BDR 24-1021)

Patrick Guinan, Committee Policy Analyst:

[Mr. Guinan read an explanation of the bill and proposed amendments from his work session document ([Exhibit F](#)).]

Assemblyman Goicoechea:

In looking at the amendments, I am struck by the fact that a person does not have to be registered to vote in order to run for elective office. So you file as either a Republican or a Democrat—I guess that is legal—but that person could change parties at any point because he is not registered. That strikes me as odd.

Alan Glover, Clerk/Recorder, Carson City:

We have had a lot of debate on that topic. I am not an expert, but there is a theory that if a person does not register as a member of one party, and instead files an affidavit saying he is a member of a certain party, then that individual might be able to run. I am not sure this issue has ever been tested. Legal counsel, and others, should probably weigh in on it. Our goal with this amendment was to make sure, when someone actually filed for office, that the individual was a member of that party at the time he filed for office and signed his declaration of candidacy. That was our goal, but there is this other shadow issue floating out there concerning whether someone could declare to be a member of one party or the other.

Chair Segerblom:

You are proposing to change the number of people in a precinct to 2,000, but in 1982 the number was set at 1,500. I guess you cannot answer the question about which would have priority, but I would prefer we stick with 1,500 voters per precinct in the current law.

Assemblyman Hickey:

Is there a place in statute that states a person is not required to be registered to vote and but can still file to run for office? Is there any way we could look at that? A person could easily register to vote at the time he files for office. To me, and possibly to the public as well, it seems ridiculous that a person could run for office and not have to be registered to vote. I assume it is somewhere in some statute.

Chair Segerblom:

Mr. Gilles?

Scott Gilles, Deputy for Elections, Office of the Secretary of State:

It is in the *Nevada Constitution*, according to our Deputy Attorney General. The *Constitution* does not define a qualified elector as someone who is registered to vote. Adding an additional requirement that one must be registered to vote to run for office potentially violates the *Constitution*, and that issue was upheld by a court in 1940.

Chair Segerblom:

Did the candidate ever register, or did he just run for office?

Scott Gilles:

I am not clear on that.

Chair Segerblom:

Are there any comments on the proposed amendments?

Assemblyman Hickey:

Looking at your amendment number 1, I know we discussed sample ballots and that some larger households appreciated getting more than one.

Chair Segerblom:

I agree and will be happy to withdraw that amendment. Questions were raised by Mr. Horne and you, so I will withdraw that portion.

Assemblyman Hickey:

Withdraw that amendment?

Chair Segerblom:

Yes. In return, I am going to propose that we change the number of voters in each precinct to 1,500.

Are there any other questions or comments? [There were none.] Seeing no further discussion, I would entertain a motion.

Assemblyman Conklin:

Are you just going to leave that open-ended?

Assemblywoman Flores:

I want to be clear. If we move to amend and do pass, are amendments A, B, and C proposed by Alan Glover also included in the summary page?

Patrick Guinan:

There is a two-page summary. Alan Glover's and Chair Segerblom's requested amendments are not included with what the bill currently does, which is what is listed on the first page. The first page tells you what is currently in the bill; the second page tells you what the suggested amendments are. On the second page, you can go item by item and decide which amendments you do or do not want to accept. None of them are conflicting as far as I know, so you could take all of them or any portion thereof.

Chair Segerblom:

The motion I was asking for would change Mr. Glover's amendment B from 2,000 to 1,500, and delete my amendment number 1.

Patrick Guinan:

To be clear, you would just delete B under Mr. Glover's recommendations, because the current statute is 1,500.

Assemblyman Conklin:

What was the rationale for keeping the number of voters in a precinct at 1,500?

Chair Segerblom:

So we can keep the voting history in place for the next ten years, or for as long as we can. If the precincts were to expand to 3,000 voters, we would not be able to track prior voting history.

Assemblyman Conklin:

I do not know whether that is correct. Voting history is tracked by precinct.

Chair Segerblom:

Right.

Assemblyman Conklin:

As the precinct grows, it would all be collected in that precinct until you have to redraw the precinct. At 1,500 voters, you have to redraw it sooner, and every time a precinct is redrawn, it is bifurcated and new histories are created.

Chair Segerblom:

Except in Clark County, where they are going to start combining precincts to reach these giant ones.

Assemblyman Conklin:

I think we should say that precincts cannot be combined. I would be okay with that. I will do whatever the Committee wants.

Assemblyman Stewart:

Under the current bill, without your amendment number 2, the close of registration to vote would be at the beginning of early voting. Is that correct?

Chair Segerblom:

Internet registration ends either at the beginning of early voting or 30 days before.

Alan Glover:

Under the present statute, it closes 30 days before, but one can register at the clerk's office up to 10 days before the election. So it falls at the beginning of

early voting. This would change it to the end of early voting—to the Friday before Election Day.

Chair Segerblom:

For Internet registration only?

Alan Glover:

For Internet only.

Assemblyman Stewart:

At the present time, voter registration ends 30 days before the election?

Alan Glover:

Thirty days before an election, you can be registered by a field deputy registrar or you can be registered at the Department of Motor Vehicles (DMV) or at any voter registration agency office. Then, for the next ten days, you can register in person at the clerk's office. This would add a third category, online registration, up until the Friday before the election.

Assemblyman Stewart:

I would sooner see online voter registration end at the beginning of early voting rather than at the close of early voting. I believe that would be cutting it awfully close.

Chair Segerblom:

I see Mr. Lomax in the audience in Las Vegas. Could Internet voter registration be done until the close of early voting?

Larry Lomax, Registrar of Voters, Clark County:

There is no additional workload on my office dependent upon when we stop the ability to registrar online. It can be at the end of early voting or at the beginning of early voting, or as it currently is.

Chair Segerblom:

Mr. Stewart, you would rather have it at the beginning of early voting as opposed to at the end of early voting?

Assemblyman Stewart:

I would rather have online voter registration close at the beginning of early voting. That would be my preference.

Chair Segerblom:

All right, just to clarify, would the close of voter registration be on the first day of early voting or at midnight on the last day before early voting starts?

Assemblyman Stewart:

Midnight before early voting begins.

Chair Segerblom:

Mr. Lomax, would that be feasible?

Larry Lomax:

That is correct; that would be feasible.

Chair Segerblom:

Mr. Stewart, I would be happy to amend my amendment to that.

Assemblyman Stewart:

Thank you, Mr. Chairman.

Assemblyman Daly:

When we heard this bill previously, I believe the clerks said something about if online voter registration was kept open past a certain period of time and people had to register in person and wait until Election Day, they would not be able to participate in early voting. Is that still correct? How would it work if voter registration was kept open right to that time, because there must be a process?

Larry Lomax:

These people would simply be registering to vote. Early voting ends on a Friday. We print our roster books on the next day, Saturday, so that is why the absolute limit for online voter registration would have to be on Friday—the end of early voting. The following day we print the roster books, and in those roster books, we note who has already voted. If people were allowed to register after that period, we could include them in the roster books, but stopping it prior to early voting is not an issue.

Assemblyman Daly:

Let us say early voting has started. A person comes in and registers, or registers online, on day 9 of early voting. Can that individual turn around and vote the same day, the next day, or before the end of early voting, or does he actually have to wait until Election Day?

Larry Lomax:

The way our system works in Clark County, when you input your data, at that time it is matched with the records at DMV, or with those at the Social Security Administration, as appropriate. You receive a message back telling you that you have registered successfully. Theoretically, you would be able to do that at home, go to an early voting site, and you would be in the system. The only difference is that your identification (ID) would be required, because we would not have been able to capture your signature to put in our system until the following day.

Assemblyman McArthur:

I agree with my colleague from District 37. If you want to keep precincts closer to where they are right now, we probably ought to increase the number from 1,500 voters, because the population has grown by about one-third. If we increase the number of voters in a precinct from 1,500 to 2,000, that is an increase of one-third, and we might be able to keep our precincts closer to the same physical size.

Chair Segerblom:

If you accept Assemblyman Conklin's premise that precincts cannot be combined, just take existing precincts and make them larger.

Assemblyman McArthur:

I would assume they have already grown because of the population increase.

Chair Segerblom:

My concern was that my district did not have any growth, so I do not want the precincts combined. Is it possible to have an agreement that precincts will not be combined, but if a precinct does grow, it can keep that growth?

Assemblyman Conklin:

I understand what you are saying and wholeheartedly agree that you should not be combining precincts for the sake of combining them. I realize there may be cost savings associated with combining precincts, but for the purposes of general electioneering, it damages the ability to understand voter behavior for all kinds of things—not only just for elections—but if you happen to be a political scientist and that is the area you study. At the same time, we should allow these things to grow and not force bifurcation as a result of our inability to allow some expansion in the precincts to take place.

Chair Segerblom:

So what size should we make the upper limit, assuming we agree not to combine existing precincts?

Assemblyman Conklin:

Does the statute already read that precincts cannot be combined?

Larry Lomax:

We requested this expansion because you are going to go through the redistricting process this session. You are going to decide the shape and size of most of the precincts in the center of the valley in Clark County by all the intersecting lines you create and by all the different redistricting efforts that take place. There are virtually no areas in the center of the valley where a precinct is going to reach 1,500 voters, unless this redistricting is totally different than it was ten years ago. Layer after layer after layer of political districts chops up the valley into small areas, and you will redesign all the precincts for us. That is what happens. When you have done the redistricting, if there were areas—and generally there are around the periphery—rather than having you create smaller precincts of 1,500, we were going to ask if you could put them at 3,000. As I stated during testimony on this, in the past we had areas where we started with one precinct and eventually had to chop it up into 10 or 12 or 15 different precincts as the population kept growing and getting above 1,500. This issue is not so important that you need to waste a lot of time on it, because, in reality, you are going to create the precincts when you do your redistricting.

Chair Segerblom:

It looks as though we are going to stick with 1,500 for now, Mr. Lomax.

Are there any other questions or comments? [There were none.] Is there a motion on the bill?

ASSEMBLYMAN HORNE MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 473 WITH THE AMENDMENTS ON THE SECOND
PAGE, STRIKING B, STRIKING NUMBER 1, AND CHANGING
NUMBER 2 TO MIDNIGHT OF THE DAY BEFORE EARLY VOTING
BEGINS.

Does everyone understand the motion? [There was no response.] Is there a second?

ASSEMBLYMAN STEWART SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

We have one bill left, Assembly Bill 501.

Assembly Bill 501: Establishes a moratorium on the execution of sentences of death and provides for a study of issues regarding the death penalty. (BDR S-1103)

Patrick Guinan, Committee Policy Analyst:

[Mr. Guinan read a description of the bill and proposed amendments from his work session document ([Exhibit G](#)).] No written amendments have been proposed, but two have been suggested. These are conflicting amendments, so both cannot be approved. One amendment would expand the moratorium, and one amendment would remove it.

Chair Segerblom:

As you can see, since implementation of the death penalty appears to be dead in the short term, I am willing to remove the moratorium and just go with the audit, if everyone is agreeable with that. Are there any comments on the bill as amended? [There was no response.]

Assemblyman Ohrenschall:

I will support the bill with the amendment, but I prefer the original version.

Chair Segerblom:

I think the moratorium is moot at this point, since the prison directors have said they cannot kill anyone. So I do not think it is going to make much difference. Are you willing to make a motion, Mr. Ohrenschall?

ASSEMBLYMAN OHRENSCHALL MOVED TO AMEND AND DO PASS ASSEMBLY BILL 501 WITH THE CHAIRMAN'S AMENDMENT.

ASSEMBLYWOMAN FLORES SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN GOICOECHEA, GRADY, HARDY, MCARTHUR, AND STEWART VOTED NO.)

We are not going to vote today on Assembly Joint Resolution 2, because it is not bound by deadlines.

[Assembly Joint Resolution 2](#): Proposes to amend the Nevada Constitution to
revise provisions relating to the State Legislature. (BDR C-683)

[This bill was not heard.]

Chair Segerblom:

Does anyone have further comments? [There were none.] Is there any public comment? [There was no response.] Seeing none, the meeting is adjourned [at 2:39 p.m.].

RESPECTFULLY SUBMITTED:

Terry Horgan
Committee Secretary

APPROVED BY:

Assemblyman Tick Segerblom, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Legislative Operations and Elections

Date: April 14, 2011

Time of Meeting: 1:41 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.J.R. 1	C	David Fraser	Proposed Amendment
A.B. 81	D	Patrick Guinan	Work Session Document
A.J.R. 7	E	Patrick Guinan	Work Session Document
A.B. 473	F	Patrick Guinan	Work Session Document
A.B. 501	G	Patrick Guinan	Work Session Document