

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

**Seventy-sixth Session  
February 24, 2011**

The Senate Committee on Legislative Operations and Elections was called to order by Chair David R. Parks at 3:39 p.m. on Thursday, February 24, 2011, in Room 2144 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator David R. Parks, Chair  
Senator Moises (Mo) Denis, Vice Chair  
Senator Steven A. Horsford  
Senator Barbara K. Cegavske  
Senator James A. Settelmeyer

**GUEST LEGISLATORS PRESENT:**

Senator Ben Kieckhefer, Washoe County Senatorial District No. 4  
Senator Valerie Wiener, Clark County Senatorial District No. 3

**STAFF MEMBERS PRESENT:**

Carol Stonefield, Policy Analyst  
Eileen O'Grady, Counsel  
Michelle Ené, Committee Secretary

**OTHERS PRESENT:**

Constance J. Brooks, Senior Management Analyst, Office of the County  
Manager, Administrative Services, Clark County  
Barry Smith, Executive Director, Nevada Press Association, Inc.  
Scott F. Gilles, Deputy for Elections, Office of the Secretary of State  
Jesse Wadhams

**CHAIR PARKS:**

I will open the meeting on Senate Bill (S.B.) 125.

**SENATE BILL 125**: Revises provisions governing reporting of campaign contributions and expenses. (BDR 24-777)

SENATOR BEN KIECKHEFER (Washoe County Senatorial District No. 4):  
Senate Bill 125 addresses the growing issue between campaign disclosures and the timing for the reports of those disclosures compared to when people are actually casting their ballots. Senate Bill 125 moves the date for filing campaign expense reports, for all parties, to one week before the start of early voting, rather than one week before Election Day. I have provided a four-page handout ([Exhibit C](#)) that tracks the growth of early voting turnout over the past decade. In general elections as well as primary elections, the growth in early turnout and the decline in Election Day turnout have mirrored each other. In the 2008 general election, more than 58 percent of voters voted early. With a filing date for campaign contributions and expenses (C&E) reports one week before Election Day, many people are casting their ballots before having the ability to review candidates' contribution and expense reports. Senate Bill 125 goes through each of the statutes that require filing of campaign and expense reports and changes the due dates. These reports are a valuable tool in evaluating candidates. Mainly, it is the press and your opponents who ask you about C&E reports or lobbyists in the building. There is value in seeing a candidate's campaign contributions and expenses report.

CONSTANCE J. BROOKS (Senior Management Analyst, Office of the County Manager, Administrative Services, Clark County):

We support S.B. 125. Currently, campaign contribution and expense reports are due on the same date as the last day for filing for absentee ballots. We experience overtime expenditures on that particular day. We have the responsibility of posting the C&E reports on our Website and also dealing with the deadline associated with absentee ballots. We view this proposed legislation as a benefit administratively and a way to cut down on overtime expenditures. We are in support of this bill.

SENATOR CEGAVSKE:

What are you referring to in overtime expenditures?

MS. BROOKS:

We have a limited number of staff. We have had several rounds of staff reductions and more forthcoming.

SENATOR CEGAVSKE:

This helps with staff as it relates to filings.

BARRY SMITH (Executive Director, Nevada Press Association, Inc.):

We are in support of S.B. 125. These reports do generate news stories that provide information and insight into the candidates. As pointed out, by the time the reports are out, over half the people have voted. The deadline now is one week before the election. Weekly newspapers may barely get the information out to the rural readers before the election. As it is now, there is little time to actually give some insight into the reports. For statewide races, being in the mail on the deadline date counts as being on time. Often the C&E reports are not received in a timely manner, causing a delay in the printing of candidate information. I may see that information three days before the election. This bill helps us get that information out. Those stories do draw attention to the fact that the actual reports are available for people to read.

SCOTT F. GILLES (Deputy for Elections, Office of the Secretary of State):

We are here to demonstrate our support for S.B. 125. The Secretary is in support of any changes that are going to result in increased transparency for the voters. This bill is a step in the right direction. If you have had the opportunity to see our elections bill, Assembly Bill (A.B.) 81, you will see we are working toward two additional reporting deadlines, which would occur at the end of early voting and right before the general election. However, we are in support of the progress this bill demonstrates and we will work with this Committee and Senator Kieckhefer to make sure that things keep going in that direction.

[ASSEMBLY BILL 81](#): Revises various provisions relating to elections. (BDR 24-406)

CHAIR PARKS:

The only people who are interested in your expenditures are the media, secondly, your opponents and thirdly, other candidates looking to see who gave you a contribution they might be able to solicit also.

CHAIR PARKS:

We will close the hearing on S.B. 125 and open the hearing on S.B. 157.

SENATE BILL 157: Revises provisions governing the donation of unspent campaign contributions. (BDR 24-6)

SENATOR VALERIE WIENER (Clark County Senatorial District No. 3):

The bill that I am bringing before the Committee today is what I call a good government bill. It is also a good person bill. It gives us an opportunity to do something that we have not had the opportunity to do before, and it is timely. We are faced with a budget crisis that is threatening to severely limit every service that we provide at the State and local levels, which includes our education, social services—there is nothing right now that goes untouched. In a small way, S.B. 157 gives us an opportunity to reach out, as people who are elected to office, and make a difference.

Many of us who have served in the Legislature for a long time are familiar with these needs because we are dealing with them right now. There are children who need extra help in the classroom, in after-school programs, seniors who want to remain independent in their homes and need services to help them, families who need more resources or the basic resources to stay together. It is the same at every level of government. Local officials often hear firsthand, up close and personal, what these needs are, but so do we. Senate Bill 157 will give local and State elected officials an opportunity to do something very personal and very big about this. Whether we are leaving public office, as I will be in 2012, or remaining in public office, we would have the ability to contribute leftover campaign funds not only to any governmental entity we choose, but we would have the opportunity to select a particular purpose or program. In doing so, some of those unmet needs that I just addressed might get a little extra money along the way and help people who need help.

This bill would give you the opportunity to supplement a favorite local government program, something that is personal to each of us—put more books in libraries, more technology in classrooms, give scholarships to higher education or sponsor a program for seniors. If we have the resources, this is the opportunity to be able to help. Every dollar we contribute from our campaign funds is a dollar that we do not need to raise in taxes or acquire from other revenue sources. It is another way we can show the people we are willing to step up and help them in any way possible. We can do good while in public

office, right here and now, as soon as this becomes law. This is an opportunity to put our campaign funds to work for causes we believe in, helping the people we care about, making Nevada a better place. I urge your support for S.B. 157.

CHAIR PARKS:

In the past, some of us have managed to make contributions. Most Legislators in previous sessions donated money from their salary back to the State. I guess we could have asked for specific programs.

SENATOR WIENER:

If you look at *Nevada Revised Statute* 294A.160, especially with unspent campaign contributions, there are statutory requirements for the disposition of monies. We have certain ways that we can dispose of the money. I brought an amendment that would allow us to donate to any governmental entity or a specific program within government. Technically, by donating to a tax-exempt nonprofit entity, that is not government. This bill would allow us to donate, statutorily, to give back to programs and projects that are affiliated with government.

SENATOR SETTELMAYER:

I had an opportunity to talk with the sponsor of this bill and with Legal about interpretation, to make sure that community or an entity would have the ability to refuse donations just in case someone put a bizarre stipulation on how the money is spent. Legal has said that we are okay.

MR. GILLES:

I am here to demonstrate the Secretary of State's support for S.B. 157. If you have had a chance to read A.B. 82, our elections bill, you will see we have nearly identical language that is leftover from last Session. I wanted to come here today to show the Secretary's support for this bill and the benefits it could produce.

**ASSEMBLY BILL 82**: Makes various changes relating to elections. (BDR 24-407)

CHAIR PARKS:

We will close the hearing on S.B. 157. We have a deadline of tomorrow for Committee requests of bill draft requests (BDRs). We have the possibility of requesting two BDRs to be drafted and brought back to us for consideration of

introduction. The first one comes from Caren Jenkins, who appeared before this Committee and talked about her role as the Executive Director of the Nevada Commission on Ethics. She has a bill draft she is interested in pursuing. She only had one bill draft, and it was submitted through the Governor's Office some months ago; what was selected was not entirely what had been requested. I would ask approval by this Committee to have a bill draft request that would include the additional language she had sought and was supported by the Commission on Ethics. This is cleanup language.

SENATOR DENIS MOVED TO INITIATE A BILL DRAFT REQUEST FOR THE COMMISSION ON ETHICS.

SENATOR CEGAVSKE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR PARKS:

We have a second request from the Office of the Secretary of State.

JESSE WADHAMS:

I have been in discussion with the Secretary of State about the modernization of voter registration which would essentially allow pinging of other databases for verification.

CHAIR PARKS:

This is verification of voter registration to weed out invalid registrations.

SENATOR CEGAVSKE:

What is the definition of "pinging"?

CHAIR PARKS:

We will get you a definition of the word "pinging." It is checking the radar to see what comes back.

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SENATOR DENIS MOVED TO INITIATE A BILL DRAFT REQUEST FOR  
THE OFFICE OF THE SECRETARY OF STATE.

SENATOR HORSFORD SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR PARKS:

There being no further business, we are adjourned at 4:05 p.m.

RESPECTFULLY SUBMITTED:

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Michelle Ené,  
Committee Secretary

APPROVED BY:

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Senator David R. Parks, Chair

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

<u>EXHIBITS</u>			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 125	C	Senator Ben Kieckhefer	Federal & State General Elections: Voter Turnout, 2000 to 2010