

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

**Seventy-Seventh Session  
May 16, 2013**

The Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 4:39 p.m. on Thursday, May 16, 2013, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 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 [nelis.leg.state.nv.us/77th2013](http://nelis.leg.state.nv.us/77th2013). 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 James Ohrenschall, Chair  
Assemblywoman Lucy Flores, Vice Chair  
Assemblyman Elliot T. Anderson  
Assemblyman Wesley Duncan  
Assemblyman Pat Hickey  
Assemblywoman Marilyn K. Kirkpatrick  
Assemblyman Andrew Martin  
Assemblyman Harvey J. Munford  
Assemblyman James Oscarson  
Assemblyman Tyrone Thompson

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Senator Pat Spearman, Clark County Senatorial District No. 1

Minutes ID: 1181



**STAFF MEMBERS PRESENT:**

Susan Scholley, Committee Policy Analyst  
Kevin Powers, Committee Counsel  
Karen Pugh, Committee Secretary  
Ashlynd Baker, Committee Assistant

**OTHERS PRESENT:**

None

**Chair Ohrenschall:**

[Roll was taken.] We have a work session today. We do not take testimony during a work session unless one of the Committee members has a question and there is someone in the audience who is able to speak to that issue. In those instances we will invite that individual to come forward and address the Committee.

**Senate Bill 178: Authorizes the Nevada Silver Haired Legislative Forum to request the drafting of not more than one legislative measure for each regular session of the Legislature. (BDR 17-924)**

**Susan Scholley, Committee Policy Analyst:**

Senate Bill 178 was sponsored by Senators Manendo, Hardy, Woodhouse, Kihuen, Atkinson, et al, and heard in this Committee on April 30, 2013. This is the bill that authorizes the Nevada Silver Haired Legislative Forum to have one bill draft request per legislative session. [Read from work session document ([Exhibit C](#)).]

**Chair Ohrenschall:**

I know that Senator Manendo has worked very hard with the Nevada Silver Haired Legislative Forum. We appreciate seeing several members of the Forum here today in the audience. I will accept a motion.

ASSEMBLYMAN ELLIOT ANDERSON MOTIONED TO DO PASS  
SENATE BILL 178.

ASSEMBLYMAN HICKEY SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Thompson.

**Senate Bill 202: Creates the Nevada Advisory Committee on Intergovernmental Relations as a statutory committee. (BDR 19-905)**

**Susan Scholley, Committee Policy Analyst:**

Senate Bill 202, which creates the Nevada Advisory Committee on Intergovernmental Relations (ACIR), was sponsored by Senators Roberson, Denis, Goicoechea, Hardy, et al, and Assemblyman Hardy and heard in this Committee on May 2, 2013. [Read from work session document ([Exhibit D](#)).]

**Chair Ohrenschall:**

As I recall there was no opposition at the hearing. Are there any questions on the measure from the Committee? [There were none.] I will accept a motion.

ASSEMBLYMAN HICKEY MOTIONED TO DO PASS  
SENATE BILL 202.

ASSEMBLYMAN DUNCAN SECONDED THE MOTION.

Is there any discussion on the motion?

**Assemblywoman Kirkpatrick:**

I want to be clear that I did not support this measure when it was last presented in the Legislature as I feel it is senseless to have to write a bill to encourage local governments to talk to each other. However, in light of not giving them home rule, I will support this bill in hopes that they will come together and find common ground from which to work.

**Chair Ohrenschall:**

Is there any other discussion about S.B. 202? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Oscarson.

**Senate Bill 457: Revises provisions relating to certain city elections. (BDR S-706)**

**Susan Scholley, Committee Policy Analyst:**

Senate Bill 457 is sponsored by the Senate Committee on Legislative Operations and Elections and was presented before this Committee on May 7, 2013.

The bill proposes to revise the charters of Carson City, Henderson, Reno, and Sparks to allow for ward-only voting. [Read from work session document ([Exhibit E](#)).]

**Chair Ohrenschall:**

I know this is a hot-button issue for the residents of those cities and for the advocates of the bill. Are there any comments or questions about the bill from the Committee?

**Assemblyman Hickey:**

Assemblywoman Kirkpatrick spoke passionately about her local community with regard to this bill. I would like to speak on behalf of my community. The City of Reno voted overwhelming not to have ward-only voting. In fact, 76 percent voted against it in 2012. One of the goals stated by the proponents of the bill was an increase of diversity, and Reno has accomplished that nicely without the aid of this bill. I believe we need to let the local governments determine for themselves how they wish to handle their own elections. That is the most fundamental component of self-government.

**Chair Ohrenschall:**

I do recall from the testimony previously heard that Carson City felt they were a unique entity, being a unified city and county, and I would ask if the Committee has any appetite to exempt Carson City from this bill?

**Assemblyman Thompson:**

I have received emails from constituents, and it appears that the northern communities prefer to remain as is. Did we receive any opposition to this measure from Henderson?

**Chair Ohrenschall:**

The City of Henderson did not speak in opposition to the bill here in the Assembly Committee on Legislative Operations and Elections; however, I believe they did do so at the hearing before the Senate Committee on Legislative Operations and Elections.

**Assemblyman Thompson:**

If this is approved, what recourse, if any, would those communities have? Especially the City of Reno since they did have a ballot question on this issue in 2012.

**Kevin Powers, Committee Counsel:**

Under the general municipal corporation law, *Nevada Revised Statutes* (NRS) Chapter 268, the voters of a city can do an initiative petition to amend their

charter, and they could then put that question on the ballot to take out what the Legislature does through this provision of law. That would be one recourse for these cities; they could amend their charters through the ballot process.

**Chair Ohrenschall:**

Thank you, Mr. Powers. I see the bill's sponsor here in the audience and I will ask Senator Spearman to come forward to address Assemblyman Thompson's question.

**Senator Spearman:**

The reason that Carson City was left in is because the ballot initiative they are proposing for their next election would make their voting process similar to the one Reno uses today. The whole idea is to make the voting process uniform and unified so that all voices are heard.

**Chair Ohrenschall:**

Senator Spearman, if you would just elaborate on how Reno operates today. I think some people do not fully understand it. As I recall, there is ward-only voting for the primary but at-large voting for the general.

**Senator Spearman:**

That is correct. The ward-only voting takes place in the primary, after which the top two candidates then run at large in the general election. But here are some additional statistics I shared with the Committee during the hearing. According to my information, Ward 1 and Ward 2 are basically making all the decisions for the rest of the city. For the past 20 years, the winning candidates for the at-large and the mayor's positions have been from Ward 1.

**Chair Ohrenschall:**

And that is the ward that has the highest voter turnout?

**Senator Spearman:**

Socioeconomically, they are higher than the other wards.

**Chair Ohrenschall:**

Thank you. Are there any further questions on the measure?

**Assemblyman Munford:**

I concur with Assemblyman Hickey. He has much more knowledge about the City of Reno than I do, and he stated that the residents have already voted in favor of keeping the present election process in place. So I will be voting no on this measure.

**Senator Spearman:**

Assemblyman Munford, I thank you for your comments; however, the way the question was worded many people thought they were voting for change, not to keep the status quo.

**Chair Ohrenschall:**

Are there any other questions or comments?

**Assemblyman Oscarson:**

This has just opened up a whole other can of worms for me. I will be voting no today but will reserve my right to change my vote on the Assembly floor after I speak to the bill's sponsors.

ASSEMBLYWOMAN FLORES MOTIONED TO DO PASS  
SENATE BILL 457.

ASSEMBLYMAN ELLIOT ANDERSON SECONDED THE MOTION.

Is there any discussion on the motion?

**Assemblyman Martin:**

I am torn on this issue. I will vote in support today but will reserve my right to change my vote on the Assembly floor.

**Chair Ohrenschall:**

Is there any further discussion on the motion?

THE MOTION PASSED. (ASSEMBLYMEN DUNCAN, HICKEY,  
MUNFORD, AND OSCARSON VOTED NO.)

I will take the floor statement for this bill myself.

**Senate Joint Resolution 13 (1st Reprint):** Proposes to amend the Nevada Constitution to require the recognition of all marriages, regardless of gender. (BDR C-88)

**Susan Scholley, Committee Policy Analyst:**

Senate Joint Resolution 13 (1st Reprint) proposes to amend the *Nevada Constitution* to require the recognition of all marriages regardless of gender. The measure is sponsored by Senators Segerblom, Spearman, Parks, Atkinson, Ford, et al, and Assembly Members Elliot Anderson, Ohrenschall, Martin, Healey, et al, and was heard in this Committee on May 9, 2013. [Read from work session document ([Exhibit F](#)).]

**Chair Ohrenschall:**

I want to thank the bill's sponsors for all their hard work on this measure. This is not a gay rights bill; it is a human rights bill. I will accept a motion.

ASSEMBLYMAN ELLIOT ANDERSON MOTIONED TO DO PASS  
SENATE JOINT RESOLUTION 13 (1ST REPRINT).

ASSEMBLYWOMAN FLORES SECONDED THE MOTION.

Is there discussion on the motion?

**Assemblyman Elliot Anderson:**

I want to go on the record to emphasize that the people need to vote on this in 2016. I realize that there will be some who will be voting no on this, and I do respect their opinions and note that many are voting their district's will. However, I would also note that it is respectable to lead your district a step or two ahead.

**Chair Ohrenschall:**

Is there any additional discussion on the motion?

**Assemblyman Martin:**

Needless to say, this is a very personal issue to me. I want everyone to focus on the fact that this is about cleaning up the financial and legal chaos that is created when two people cannot get married yet share their lives together. You cannot have different classes of people with different laws that apply to them. This does not take away any rights from anyone else, it simply extends the rights of marriage to same-sex couples.

**Chair Ohrenschall:**

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

MOTION PASSED. (ASSEMBLYMEN DUNCAN, HICKEY, AND  
OSCARSON VOTED NO.)

That concludes our work session for today. We have scheduled a meeting for Friday, May 17, 2013 at the call of the Chair.

**Assembly Bill 118: Establishes the Legislative Open Meeting Law. (BDR 17-49)**

[This bill was not heard.]

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I will open the meeting to public comment. Anyone wishing to make a comment may come forward. [There was no response.] Meeting is adjourned [at 4:59 p.m.].

RESPECTFULLY SUBMITTED:

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Karen Pugh  
Committee Secretary

APPROVED BY:

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Assemblyman James Ohrenschall, Chair

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



**EXHIBITS**

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

**Date:** May 16, 2013

**Time of Meeting:** 4:39 p.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
S.B. 178	C	Susan Scholley, Committee Policy Analyst	Work session document
S.B. 202	D	Susan Scholley	Work session document
S.B. 457	E	Susan Scholley	Work session document
S.J.R. 13 (R1)	F	Susan Scholley	Work session document