

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

**Seventy-Seventh Session
March 12, 2013**

The Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 4:07 p.m. on Tuesday, March 12, 2013, in Room 3142 of the Legislative Building, 401 S. Carson St., 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 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; 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

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None



STAFF MEMBERS PRESENT:

Susan Scholley, Committee Policy Analyst
Kevin Powers, Committee Counsel
Karen Pugh, Committee Secretary
Macy Young, Committee Assistant

OTHERS PRESENT:

Scott F. Gilles, Esq., Deputy for Elections, Office of the Secretary
of State

Chair Ohrenschall:

[Roll was taken.] Today we will be hearing Assemblyman Hickey's presentation of Assembly Bill 77. The subject matter is not unknown to this body; we have addressed this issue before. Earlier today I quoted Mel Tormé before the Assembly Commerce and Labor Committee that sometimes "love is lovelier the second time around," and perhaps this prohibition on lobbying will be lovelier the second time around.

Assemblyman Hickey:

Thank you, Mr. Chairman. That may be better than quoting Lynyrd Skynyrd.

Chair Ohrenschall:

Please present the bill and any witnesses you may have.

Assembly Bill 77: Requires a cooling-off period before a former State Legislator may serve as a paid lobbyist. (BDR 17-436)

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

As we all know by now, there is no such thing as a simple bill. And this is not one, but it is a short one. I do have a proposed amendment ([Exhibit C](#)) that has been uploaded to the Nevada Electronic Legislative Information System (NELIS). The purpose of the amendment is to change what you have heretofore heard about the bill being a two-year cooling-off period before a legislator can lobby in this Legislature, to one that now calls for the prohibition being just until the end of the next legislative session. So that means, for example, if you were term limited in November of 2014 you could be hired as a lobbyist after the last day of the next legislative session, which translates to sometime in June 2015, assuming the next legislative session finished on time.

The bill does not close the so-called revolving door, meaning going from legislator to lobbyist, which many of our colleagues have decided to walk

through. It simply calls for a cooling off period before that next step can be taken. Why do this now? Usually, reform measures like this are a result of scandals involving powerful persons such as Jack Abramoff and Congressional leaders such as Newt Gingrich or Dick Gephardt, who made the switch from being a legislator to a lobbyist, using their influence to parlay their legislative clout into lobbying prowess. There is no scandal to speak of at this moment in Nevada, but I am here to argue before you that it is still the right thing for us to do. Now, our wise founders built checks and balances into our system. We have separate and independent powers that hopefully bring about a balance and counter to the ambitions and power of certain individuals. The other noble ideal, if you will, is that of self-government and that is what we are talking about here. We, as this body, are charged with regulating ourselves.

When I left the Legislature voluntarily in the 1990s, I was offered a position to edit a policy journal in the state. And while working as an editor I attended graduate school and my thesis was on the opinion lawmakers had about media coverage. Part of my research project at that time was to interview lawmakers about what they candidly thought about the press. However, I did not think they could be candid with me if I was representing someone who was reporting on them. That was a personal ethical dilemma that has nothing to do with lobbying, but I came to the conclusion that I could not do both. I left the position that I held as an editor. Those are the types of questions that I think are raised. Is it right or wrong for a legislator to become a lobbyist? I do think it raises ethical questions, and I am sure you have considered them with regards to the public trust.

For example, if I thought I was going to be a lobbyist next session after retiring from the Legislature, and I had someone in mind who might be a client or who I might be employed by them as a client, would it influence how I voted on bills in this legislative session? I would say, just speaking for myself, and knowing human nature, it would probably have an impact. As a legislative leader, and I speak again from personal experience, if I helped raise money for members or helped influence the passage of their bills, would I have a certain undue influence on them if I appeared before them the next legislative session as a lobbyist? I believe so.

Our Committee is a very important one within the Legislature because I think we are the conscience of this body, and that is why I believe now is a good time to do what is right. While A.B. 77 may have an influence on certain members of this body and future decisions they might be contemplating or opportunities that might be offered to them, I think that is the very reason why I urge us to pass this out of the Committee, and let it be a discussion among all of our members. As a citizen legislator I know how much we do and

we do not make. It is not my intent to interfere with or ruin people's economic future. This bill is about restricting the activity of ourselves. It is about self-government even if it costs our colleagues, or ourselves, a delay in money.

In conclusion, we have each sacrificed our families and our pocketbooks to serve here in Carson City. I would say if we pass this, at the very least, we will not be sacrificing the public trust in order to allow our members to further their careers as lobbyists. I think it is ethically the right thing to do to put some distance between their roles as legislators and lobbyists. This man was not a founding father, but I will quote him as he was good enough to have been one, and that was Coach John Wooden from the University of California, Los Angeles (UCLA), when he said, "The true test of a man's character is what he does when no one is watching." No one is watching here. Ultimately this a decision of conscience, and I hope we will exercise it.

Chair Ohrenschall:

Why stop here? Why not have this prohibition extend to county commissioners, city councils, and to other individuals and agencies who we have often seen resign from an elected position to become a lobbyist and then lobby the very agency they were with? I think we all see the merit in what you are trying to do with this bill, but why stop at the State Legislature? Why not expand it to everywhere that this could happen?

Assemblyman Hickey:

I am not an attorney, and maybe Legal could address your questions. I do not believe we have that kind of authority over other areas. I know we can pass bills that are incorporated into the statutes that regulate other areas. When we talk about not being a lobbyist before the Legislature it talks about just what we could or could not do before this legislative body. Now is it worthy of considering all those things? Certainly it is. Would it be more complicated? Yes. I would simply say let us set an example with ourselves.

Assemblywoman Kirkpatrick:

I do think we have the ability through the Office of the Secretary of State. We are all required to do the same expenditure reports, and we hold everybody accountable. There is an abundance of state employees who retire and come back and lobby for the same agency that they worked for the past 30 years. I do believe we should lead by example, but I also believe that everybody should be held to the same standard. I supported this last session, and I support it now but I believe it should include more public officials than just legislators.

Assemblyman Hickey:

I think there are probably many people, not just in this room but in the state, who would be happier if we were to do that. And I am certainly open to the idea if we think this bill could be a vehicle to try to accomplish some of that this session. There is precedent through statute to support this. For instance, members of the Public Utilities Commission (PUC) and I believe the Gaming Commission have certain restrictions. We do recognize that it is not just us. I would certainly love to work with you on that, Assemblywoman Kirkpatrick, if you think it has merit.

Assemblywoman Flores:

I actually share the same concerns as my colleagues. Because we are a part-time legislature—in fact, one of only four states in the entire country that still meet once every two years—I am curious as to why you chose two years given that someone who was barred from this would miss only one session. If the premise is that they have undue influence because they have relationships they have developed and are now leaving with, it would seem that a one-year interim and one legislative session is not going to undo relationships that have been developed over the course of many years.

Assemblyman Hickey:

That is certainly true, and one would assume most of the relationships we have built are built on ethical and solid grounds. So you could argue why do we want to penalize people who might not be doing anything wrong? Of course, we create laws not for the good persons but for the occasional bad actors. The Center for Responsive Politics found there were over 200 former members of the U.S. Congress who were lobbying that governing body. That is when they came up with the two-year cooling-off period. I tried to narrow this somewhat so that it would not literally be two years, but it would be one full regular session. I think if you do not do it for one session then it defeats the intent to have a cooling-off period.

Assemblywoman Kirkpatrick:

Mr. Hickey, is it two years from your last day as an elected official?

Chair Ohrenschall:

Assemblywoman Kirkpatrick, if I might step in. Mr. Hickey did propose an amendment ([Exhibit C](#)) which you can find on NELIS. The effect is not to keep it at two years but to make sure that they could not lobby in the upcoming legislative regular session or in any special sessions, should they be called. Is that correct, Assemblyman Hickey?

Assemblyman Hickey:

Allow me to read the amendment to you. It says in section 1, "A former Legislator shall not receive compensation or other consideration to serve as a lobbyist during the period beginning on the date he or she leaves office and ending on the date of the final adjournment of the next regular session of the Legislature" ([Exhibit C](#)). It is not technically two years. Every state's statute regarding a cooling-off period is different but I have provided links and copies of articles on the revolving door ([Exhibit D](#)) on NELIS.

Chair Ohrenschall:

On that hypothetical then, if a legislator resigned the day after they won the general election, would they be prohibited from just the upcoming legislative session, or the next two regular sessions?

Assemblyman Hickey:

If you resigned and had never served as a legislator, is that what you mean? I would like to defer to Legal on this.

Chair Ohrenschall:

Mr. Powers?

Kevin Powers, Committee Counsel:

As the proposed amendment reads under the scenario you described where the legislator is elected at the general election in November and resigns shortly thereafter, before the start of that regular session, then they would only be prohibited from serving that one subsequent regular session. As the proposed amendment reads it is a ban on lobbying during the next regular session, whenever that next regular session may begin.

Chair Ohrenschall:

Would that include any special sessions that were called as well as any interim committee hearings, until the end of the regular session following the election?

Kevin Powers:

It would cover that entire period so it would cover any sessions called before the regular session, and it would involve any lobbying in the interim as well.

Chair Ohrenschall:

Assemblywoman Kirkpatrick, does that clarify your question?

Assemblywoman Kirkpatrick:

Yes, it does. Thank you.

Assemblyman Duncan:

I want to know whether a former legislator would still be allowed to work for a lobbying firm. When I look at *Nevada Revised Statutes* (NRS) 218H.080 ([Exhibit E](#)), which contains the definition of a lobbyist, I can at least envision times where someone would work for a lobbying firm but does not communicate directly with current legislators. They are specifically working with another lobbyist, not going to the Legislative Building, but they are directly working on legislative activity. Does this bill cover that situation?

Assemblyman Hickey:

Excellent question. You should have a one-page copy of the Lobbyist Registration and Overview sheet ([Exhibit E](#)). This basically defines what a lobbyist is. And under the heading "Do you need to register as a lobbyist?" it says, "Are you paid to represent an entity, group, or employer to lobby?" So, to answer your question, if you belong to an organization that may lobby or may have other lobbyists, and you are not yourself paid to lobby, then you are not affected by this. Another question I have had is if a former legislator would be exempt if after leaving the Legislature, they became the Executive Director of Easter Seals, and came here to testify on a piece of legislation. The interpretation of NRS Chapter 218H is that they would not be affected because again, they are not being employed exclusively to lobby. So A.B. 77 would not restrict members from coming back and testifying on bills as a private citizen or a stakeholder in some way.

Assemblyman Duncan:

If there was an interest group that I want to go work for after my time as a legislator comes to an end, and as you mentioned, my judgment may be clouded by thinking about something in the future, is that not an issue attached to allowing people to go work for lobbying firms? I may just be sensitive to this because I have seen it happen at the federal level. So I wondered what your thoughts are on that.

Assemblyman Hickey:

I would want it to be more narrowly defined. If you worked for a lobbying company and you were here at the Legislative Building, then I think you ought to be registering as a lobbyist. And if you are a lobbyist then you would be prohibited from doing this. If you are from an organization that sometimes has concerns about what we are doing, a public entity, then I do not think you would be affected by belonging to that organization. Arguably we affect all people out there, even private organizations that have lobbyists. But the intent here is to narrowly define that if you are in the building appearing before a standing committee, or an interim committee, representing an entity that is in fact lobbying for legislation, that would be prohibited.

Chair Ohrenschall:

Does your amendment shorten the time that an ex-legislator would be able to join the lobby core? In the original bill you had two years' time certain from the date you left the legislature. Right now, as I understand the law, you could resign today and start working for a lobbying firm tomorrow and come back and begin lobbying the legislature. Is that correct Mr. Hickey?

Assemblyman Hickey:

Because it is not the end of this legislative session?

Chair Ohrenschall:

Under current law you can resign your seat in the Assembly and could start lobbying the Legislature tomorrow, which I think all of us agree is outrageous. But that is how I understand current law.

Assemblyman Hickey:

I will again defer to our legal counsel.

Kevin Powers:

Currently, under the law there is no prohibition against a legislator lobbying after they leave office so, if they were to resign during the session and after that resignation started lobbying the next day, that would be permissible because there is no statutory prohibition.

Assemblyman Hickey:

If I may, Assemblywoman Kirkpatrick made a powerful point that we now have people who are elected to certain offices and who can register as lobbyists here in this building and we should question whether that is appropriate or not.

Chair Ohrenschall:

Is it just a desire to make the bill more appealing to go from two years' time certain to the end of the next regular session?

Assemblyman Hickey:

I did shorten it, and my thinking was why make it so arbitrary as two years when the intention was just to ensure that people would not be able to lobby the next legislative session. I am sensitive that people have a right and a need to earn a living. If they choose to do that, then I do not want to make an arbitrary period to prevent them from being able to do so.

We have a responsibility as people who have been afforded the opportunity to be elected and to serve, to do things with our lives and our careers following service to the public in the State Legislature, that I think are in keeping with the highest ethical standards possible. There are certainly instances, and the U.S. Congress may be an example, of people who have immediately gone into lobbying. It raises a lot of questions and contributes to the lack of trust the public has in us because they see us as self-serving, as parlaying a powerful position into a significant income.

Chair Ohrenschall:

Your bill does not prohibit ex-state legislators from lobbying county commissions, city councils, anything else such as that. It only pertains to the State Legislature, so they could, theoretically, go out and earn an income as a legislative advocate, just not where they used to serve.

Assemblyman Hickey:

I think the real influence that one would have would be upon members of the body that you just served in, especially if you were a powerful individual.

Assemblyman Martin:

How do you anticipate this legislation affecting family members of a legislator from serving as potential lobbyists?

Assemblyman Hickey:

I do not believe we can regulate, but it would be something that I think we should all consider if we are trying to keep the good name of this body.

Assemblyman Elliot Anderson:

Mr. Hickey, I would be hard-pressed to find anything wrong with this bill but I do believe we need to look at broadening the reach of the bill. It is possible that a serving legislator could be employed by another entity. After all, we are a part-time citizen legislature. I feel that we have to start talking about moving toward a more professional model; maybe not today, but I did want to put it on the record.

Assemblyman Hickey:

I would hate to see us, given this opportunity to do something for ourselves, or to ourselves depending on your viewpoint, that we found a reason not to do it because we tried to reach so far, and it became overly complicated and we did not do anything. But to your point, it is well taken.

Assemblywoman Flores:

I am curious if other elected persons—county commission, city council, school board, or whatever—can become paid lobbyists, or if they are paid for lobbying activities they may do.

Assemblyman Hickey:

I believe there are some who are, but I do not believe they are doing anything illegal. Whether or not it is appropriate is something we could look into if we decide that we want to reach further than the narrow confines of this bill.

Assemblywoman Flores:

I think it is interesting that we are taking this approach and limiting it to legislators, who quite frankly, are also very part-time. In the interim we do so much around legislative issues that obviously we are not compensated for. We are always attempting to limit our behavior but never talking about the larger issue of professionalizing the legislature.

Assemblyman Hickey:

Certainly the discussion about a professional or a full-time legislature is one that is ongoing. I would have to say if we were a full-time, professionally paid legislature, I think that would be all the more reason to enact a bill like this. You are certainly right that we have certain financial limitations, but most of us either know that going in or learn it soon after. When I first served in the Legislature in the mid-1990s it was very difficult to manage a business outside of this building and a young family and all the things that a lot of members have dealt with for many years.

Assemblyman Oscarson:

What would be the penalty for knowingly working as a lobbyist during the cooling-off period? Obviously, you are no longer an elected official, so it is not an ethics issue. I do not see anything in the bill that relates to a penalty. In addition, I want to say that I applaud this effort because I know over the interim you have worked on this transparency in government issue and making those within the government more accountable to the people. I appreciate that. But I would like to know what penalties exist to help enforce it.

Assemblyman Hickey:

I believe there is reference in existing statute and will defer again to Legal.

Kevin Powers:

Under NRS 193.170, any act that is prohibited by statute for which a penalty is not prescribed is a misdemeanor. So this violation of this statute would be a misdemeanor.

Chair Ohrenschall:

That is punishable by up to six months in the county jail and a \$10,000 fine?

Kevin Powers:

A \$1,000 fine.

Chair Ohrenschall:

I had a similar question as to who would police this. Right now the lobbying laws are policed by the Director of the Legislative Counsel Bureau. So are you envisioning the same thing, Mr. Hickey?

Assemblyman Hickey:

Yes, it is under the jurisdiction of the Director. Now in terms of the actual policing, I would say someone that is here to lobby in this building must register as a lobbyist and there are penalties if they do not.

Assemblywoman Kirkpatrick:

On the issue of policing, one thing that can be done to assist is that on the form a person must fill out to register as a lobbyist, you could easily include a question like, "Have you ever been a legislator, state employee, et cetera in the last two years?" I think there is a pretty good system in place and I do not foresee an enforcement issue.

Chair Ohrenschall:

Thank you for that comment, Assemblywoman Kirkpatrick. Are there any other questions?

Assemblyman Elliot Anderson:

I just had one other question, Mr. Hickey, on the term consideration. I know generally what consideration means, and I know it is defined in your bill, but let us say that you have someone who receives travel reimbursement to come here and help an organization. That would not be included in the intent and I do not think it is in the plain text either. Would you say that is correct?

Assemblyman Hickey:

I would like to defer to Legal, if I may on that, since it is in statute.

Kevin Powers:

If you were receiving travel expenses it could possibly fall into the category of a payment, advance, or deposit of money or anything of value. There is the potential because of the broad definition of consideration, if your travel expenses were paid by an organization and you came up here and lobbied on their behalf that possibly could be interpreted as consideration.

Chair Ohrenschall:

And Mr. Hickey, was it your intent that this only apply to the paid lobbying core and not those who are unpaid lobbyists?

Assemblyman Hickey:

Yes. It is my intention that it just be applied to the paid lobbying core, not only because of the definition in section 1, subsection 2(a), but again, what I understand to be the definition of a lobbyist and how it is defined in NRS Chapter 218H ([Exhibit E](#)). I am recommending that if it goes forward in this form, that we change the amendment from NRS Chapter 218A to NRS Chapter 218H, as I think it is more appropriate under lobbyist.

Kevin Powers:

In the text of the bill, in subsection 1, it specifically states that "A former legislator shall not receive compensation or consideration to serve as a lobbyist," so it would only apply to a "paid" lobbyist.

Chair Ohrenschall:

I suppose a murkier area could be that someone's plane ticket was purchased for them to come here, but they were not paid a salary. Not quite sure how it would be applicable.

Assemblyman Elliot Anderson:

Mr. Hickey, I was thinking maybe just some language could be added to tighten it up for people who are receiving a travel expense from a bona fide nonprofit, or something other than a for-profit company. I do not know if that is necessary, but I know of several people who get a ride to come down to the Legislature.

Chair Ohrenschall:

Are there any other questions? [There were none.] Mr. Hickey, do you have any witnesses you would like to call forward to testify?

Assemblyman Hickey:

I do not have any. I will reserve time for final comments afterward.

Chair Ohrenschall:

Is there anyone here in Carson City who would like to speak in favor of Assembly Bill 77, please come forward to be heard. [There was no response.] Is there anyone who wants to speak in opposition to Mr. Hickey's proposal? [There was no response.] Is there anyone who is neutral on Assembly Bill 77 who would like to speak? [There was no response.] Mr. Hickey, if you would like to come back up and make some closing remarks.

Assemblyman Hickey:

What I would like to say, and in a way it is in response to Mr. Anderson's last comment, I think we should apply "walks like a duck" to this thing. I think we know with respect to this bill what is meant by lobbying. And I would be happy if it is the desire of members of this Committee to look into expanding this to a much broader scope, as Assemblywoman Kirkpatrick has suggested. But I would say this: I think that we should consider whether or not the bill would then get lost in myriad concerns and opposition by various other entities that we might want to extend this to. I hope we do not find a reason to not do this, to regulate ourselves, because I think this is the right thing for us to do.

Chair Ohrenschall:

You know it is a fine balance you have to strike. The people have the right to petition their government at all levels. Individuals, whether they are former legislators or not, have the right to earn a living. But I think all of us were troubled hearing that there is currently no prohibition on this. I do not practice administrative law but in that area there is something called agency capture. This is where folks in an industry being regulated grow very close to the bureaucratic officials in those agencies, and eventually they go join those agencies. I think we are all very troubled to think that can happen, and we could have legislature capture whether it is at the state level, the city council level, or the county commission level. Again, I applaud what you are trying to do and like Assemblywoman Kirkpatrick, I supported this last time. I was sorry it did not pass into law. If anything, I would like to see it be broader. But you are right that this is a good start. I will now close the hearing on Assembly Bill 77.

Next on our agenda is the work session. We have one bill to cover so I will turn it over to Ms. Scholley to present the work session documents.

Assembly Bill 108: Revises provisions relating to the eligibility to vote of certain persons. (BDR 24-267)

Susan Scholley, Committee Analyst:

I would like to remind you as we have our first work session that as nonpartisan staff for the Legislative Counsel Bureau (LCB), we neither advocate nor oppose legislation. Assembly Bill 108 is sponsored by Assemblyman Anderson and was heard in this Committee on February 26. This bill would add a new section to NRS Chapter 293, Elections, clarifying that a person who is found to be mentally incompetent is not necessarily ineligible to vote unless a court makes a specific finding, based on clear and convincing evidence, that the person lacks the mental capacity to vote. [Read from prepared text ([Exhibit F](#)).]

There was discussion at the hearing, and the Office of the Secretary of State suggested adding language to require the notification of his office of voter registration cancellations due to such court orders so that the statewide record of voter registrations would reflect those cancellations and also possible restorations. This would also be a way to provide notice to other counties of these cancellations or restorations in the event the ward or other person moved around the state.

To that end, the Secretary of State's Office was kind enough to submit a proposed amendment, which is attached to your work session document and essentially plugs them into the notification process. It also adds references to the registrar of voters. If there are any questions, Mr. Scott Gilles is in the audience and I am sure he would be happy to answer any specific questions you might have on the amendment.

Chair Ohrenschall:

Are there any questions regarding A.B. 108 or the proposed amendment from the Secretary of State? My question is if someone was found not competent to vote, and then their competency was restored, under this amended language that is proposed, would the court then do all the work and contact the county clerk? I want to make sure there are no extra obstacles for someone who regains competency and is found competent.

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

That is my understanding and intention with the amendment. Once the court has entered the specific order of restoration, the provisions we have added to section 4 require them to not only provide a certified copy to the clerk or registrar as applicable within 30 days after the entry of the order, they would also have to give a copy to our office. So the idea with this is the court is sending the certified copy of the order of the restoration to the county where the individual resides. That would presumably fix any registration issues that person could face in that county, should they want to reregister to vote. The court would also provide our office a notice so that we would be able to, with the system we have in place with our statewide voter registration list, to essentially generate an automatic notice to all the other counties that this individual's rights are restored. If they should attempt to register, they are allowed to do so. It is the fastest, most efficient way for us to get that accurate notice to any other counties in the event this person moves.

Chair Ohrenschall:

Are there any questions for Mr. Gilles? [There were none.]

Assemblyman Elliot Anderson:

I would also like to speak to the purpose and intent of A.B. 108. The whole point of this is to make sure the district courts are the ones deciding these questions. The provisions about the county clerks and the Secretary of State really only have to do with notification and cancelling or reinstating registration. What we do not want is different agencies and counties making different and sometimes arbitrary, or capricious decisions about someone's right to vote. That is to be left up to a court of competent jurisdiction.

Scott Gilles:

Assemblyman Anderson brings up a good point. The primary goal, and I believe the focus of this bill is to make clear that it requires a very specific order from the district court that will ultimately be making this decision about someone becoming ineligible to vote, or having their rights restored. The amendment the Secretary of State provided is just to clarify and hopefully improve the system by which the county clerks and registrars have notice of the status of that individual. Quite frankly, what is nice about the bill is our clerks will no longer have to make any type of subjective determination as to whether this person is qualified or not qualified to register to vote. It requires very specific language that the court must provide.

Chair Ohrenschall:

I like the extra protection this bill provides in terms of trying to make sure no obstacles are put in front of someone's right to vote. And I like having a district judge decide whether a person is competent or not competent to vote. I believe that adds a protection that was not there before. Are there any other questions or comments about A.B. 108? If not, I would accept a motion.

ASSEMBLYWOMAN FLORES MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 108.

ASSEMBLYMAN MARTIN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Ohrenschall:

Congratulations, Mr. Anderson. I will assign the floor statement to you. That concludes our work session so I will open the meeting to public comment. As there is no one here who wants to make any comments, I will close today's meeting of the Assembly Committee on Legislative Operations and Elections.

The meeting is adjourned [at 5:05 p.m.].

RESPECTFULLY SUBMITTED:

Karen Pugh
Committee Secretary

APPROVED BY:

Assemblyman James Ohrenschall, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Legislative Operations and Elections

Date: March 12, 2013

Time of Meeting: 4:07 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 77	C	Assemblyman Pat Hickey	Amendment
A.B. 77	D	Assemblyman Pat Hickey	Various articles on "revolving door" legislators
A.B. 77	E	Assemblyman Pat Hickey	Lobbyist Registration Overview, Excerpt from NRS Chapter 218H
A.B. 108	F	Susan Scholley	Work Session documents, amendment