

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Seventy-Seventh Session
May 24, 2013**

The Senate Committee on Judiciary was called to order by Chair Tick Segerblom at 9:25 a.m. on Friday, May 24, 2013, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, 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 Tick Segerblom, Chair
Senator Ruben J. Kihuen, Vice Chair
Senator Aaron D. Ford
Senator Justin C. Jones
Senator Greg Brower
Senator Scott Hammond
Senator Mark Hutchison

GUEST LEGISLATORS PRESENT:

Assemblyman Michael Sprinkle, Assembly District No. 30

STAFF MEMBERS PRESENT:

Mindy Martini, Policy Analyst
Nick Anthony, Counsel
Ilena Madraso, Committee Secretary

OTHERS PRESENT:

Peter C. Bernhard, Chair, Nevada Gaming Commission
A.G. Burnett, Chair, State Gaming Control Board
James Dold, Senior Policy Counsel, Polaris Project
Mike Patterson, Religious Alliance in Nevada; Lutheran Advocacy Ministry in Nevada
Eric Spratley, Lieutenant, Washoe County Sheriff's Office

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A.J. Delap, Las Vegas Metropolitan Police Department
Adia Lancaster, Project Director, Women's Affairs, Congo Justice
Kristin Erickson, Nevada District Attorneys Association
Kareen Prentice, Domestic Violence Ombudsman, Office of the Attorney General
Sara Wainwright, Nevada Women's Lobby

Chair Segerblom:

We will open the hearing with Assembly Bill 7.

ASSEMBLY BILL 7 (2nd Reprint): Revises provisions relating to the Gaming Policy Committee. (BDR 41-333)

Peter C. Bernhard (Chair, Nevada Gaming Commission):

Chairman Burnett will present Assembly Bill (A.B.) 7 on my behalf.

A.G. Burnett (Chair, State Gaming Control Board):

Last year, Governor Brian Sandoval convened the Gaming Policy Committee, the first time it had been convened in more than 25 years. The Committee is advisory in nature, providing nonbinding recommendations to the Nevada Gaming Commission and the State Gaming Control Board as well as the Governor's Office and the Nevada Legislature. The Committee met over the course of 5 months to discuss gaming policy issues with the specific focus on interactive gaming. Governor Sandoval charged the Committee with the task of laying out a road map to preserve Nevada's leadership role in that sector.

At the Committee's final meeting, it adopted five recommendations to be presented for consideration by the Legislature, and the result became A.B. 7. The proposals in A.B. 7 are as follows. The Committee composition, though it covers relevant constituencies, currently lacks a representative of academia; therefore, section 1 adds a Committee member who will represent academia. Additionally, section 1, subsection 7 allows for the Governor to appoint an advisory committee on gaming education. This committee will review and evaluate all gaming-related educational entities in the State, including the Culinary Academy of Las Vegas, the Institute for the Study of Gambling and Commercial Gaming of the University of Nevada, Reno (UNR), and the International Gaming Institute of the William F. Harrah College of Hotel Administration, University of Nevada, Las Vegas (UNLV). The purpose of this study is to analyze the workforce and technology needs of the gaming industry and to determine how these educational entities can satisfy those workforce

needs. Also, there is a need to study how Nevada can leverage gaming-related competencies and technologies provided by these educational entities into other industries in the State. The Advisory Committee findings would then be reported to the Gaming Policy Committee and ultimately the Governor, the State Gaming Control Board, the Gaming Commission and the Legislature.

Sections 2 and 3 of A.B. 7 set out appropriations from the General Fund for necessary travel and operational costs which include one staffing addition by raising a part-time Gaming Commission staff member to full time as well as the associated costs of a court reporter for transcribing any and all meetings.

Chair Segerblom:

These are gubernatorial appointments? Does anyone supervise or monitor that? Or does Governor Sandoval pick whomever he wants as long as the person fits the criteria?

Mr. Burnett:

As long as the person meets the criteria, it is an appointment made by the Governor's Office.

Chair Segerblom:

Do you know who is the member of the Gaming Policy Committee from the State Senate?

Mr. Burnett:

On the Assembly side, it is Assemblyman William C. Horne.

Mr. Bernhard:

It was Senator Valerie Wiener who served as part of the Gaming Policy Committee. The Legislative Commission appoints the delegate from the Senate and the Assembly.

Senator Hutchison:

What is the end game of the study and research you just described as set forth in section 1, subsection 7? Will there be specific recommendations on regulations, legislation, industry proposals? What do you envision the end product of that analysis to be?

Mr. Burnett:

I will need to defer, as I was not a member of the Gaming Policy Committee when it last met. It is my understanding there was an intent to address those educational-related matters you see in section 1, subsection 8 that arose as part of the meetings last year.

Mr. Bernhard:

The gaming industry has become so complicated over the decades—not just technology, but also academic studies that give substance to decisions that we need to make as regulators and the industry needs to make to be competitive. Through the academics, we had a tremendous resource available—particularly the late Professor Bill Eadington from UNR. He created the gaming practice in the academic world. Next week, approximately 500 academic gaming experts from around the world will convene in Las Vegas for a conference sponsored by the International Gaming Institute.

The purpose of the academic addition to the Gaming Policy Committee is to take advantage of resources that Nevada already has developed and to coalesce all of this knowledge in the Gaming Policy Committee. Previously, we have had representatives of the public, the Legislature, the regulators and the industry, but we did not have independent academic analysis. This is one way to incorporate the university system as well as the world of academic studies of the gaming industry. Input from that perspective would be provided; it would be data-centered and neutral—recommending best practices for regulations and operations. The consensus of the Gaming Policy Committee was that a person of that caliber and that background and perspective would be valuable to the Gaming Policy Committee.

Senator Hutchison:

Is it a role of the Gaming Policy Committee to evaluate potential legislation? Or is that outside its purview?

Mr. Bernhard:

The Governor has plans on how the Gaming Policy Committee can be a much more effective body to fill that role, as well as others in the future. It gives the opportunity for the industry and the government to see—in a relatively neutral but public process—what is required for Nevada to remain at the front of gaming regulations and operations. The Gaming Policy Committee can be called by the Governor and he can set its agenda; therefore, I anticipate that in the

future this will be a much more active Committee that provides independent guidance from all different constituencies.

Chair Segerblom:

Seeing no one in support, opposition nor neutral, I will close A.B. 7 and open the hearing on A.B. 311.

ASSEMBLY BILL 311 (1st Reprint): Creates the Contingency Account for Victims of Human Trafficking. (BDR 16-715)

Assemblyman Michael Sprinkle (Assembly District No. 30):

I have submitted written testimony ([Exhibit C](#)).

The issue brought to my attention stemmed from organizations that wished to raise funds to help victims of human trafficking. There is no way to place money into the State system to be doled out appropriately. In its essence, that is what this bill does.

Chair Segerblom:

Is this a complement to A.B. 67?

ASSEMBLY BILL 67 (2nd Reprint): Revises provisions relating to crimes. (BDR 3-403)

Assemblyman Sprinkle:

That is where the initial discussion stemmed from. Monies had been raised to help offset the fiscal impact of A.B. 67, and that is where inability to funnel money into the State for this purpose was brought to my attention.

Senator Hutchison:

This bill states that its purpose is to establish programs and services for human trafficking. Do we have existing programs and services within the State, or are we waiting for something like this to fund those programs and services?

Assemblyman Sprinkle:

Specifically, this bill establishes the contingency account. Other organizations outside of Nevada—private organizations—would apply for these monies. I would have to defer to the Director of the Department of Health and Human

Services (DHHS) whether the State offers any programs. This bill just establishes the financial account.

Senator Hutchison:

Outside organizations would apply for money to provide anticipated services for victims?

Assemblyman Sprinkle:

Yes. That was one of the questions brought up in the Assembly Committee on Ways and Means. We discovered that DHHS has a subgrants account program and already manages the application for money with personnel in place. The agency was more than willing to take this on.

Senator Ford:

Concerning section 6, subsections 1 and 2, I was wondering if you have contemplated any particular criteria for DHHS in determining who receives the funds?

Assemblyman Sprinkle:

The conversations were only in a broad sense. This money is designed for organizations that provide services for victims of human trafficking. As long as they meet that criteria, that satisfies the intent of this legislation. If, in the future, it becomes necessary to redefine or become more specific about the criteria, we are open to speaking with DHHS.

Senator Ford:

I suspect that a vetting process for these organizations was contemplated?

Assemblyman Sprinkle:

Absolutely. That is one of the reasons I was so pleased once DHHS was determined to be the correct department to oversee the dispersion of funds. The agency has an established vetting process.

James Dold (Senior Policy Counsel, Polaris Project):

I have submitted testimony in support of A.B. 311 ([Exhibit D](#)). One of the things that Polaris Project does for the U.S. government is operate the National Human Trafficking Resource Center and the national hotline. It is our responsibility to field calls from across the Nation, contact law enforcement and connect victims with services once the victims have been identified. Over the last 5 years, we

have fielded over 70,000 calls from around the Country and have identified over 9,000 potential victims. In 2012, we received about 170 calls from Nevada. About 21 were classified as crisis calls and 48 were classified as tips coming from community members reporting suspected trafficking activities. Forty-one of those calls were considered high or moderate indicia of human trafficking. What we are seeing in Nevada is a limited snapshot of the extent of human trafficking on the national level. Oftentimes, victims do not have access to the hotline phone number or have no knowledge of the hotline at all.

From the data and through local law enforcement, I have become aware that there are many victims in need of help and postemancipation services. Thankfully, many organizations are available to serve the victims; the Salvation Army recently entered into a partnership with Las Vegas Metro. Through the Clark County Public Defender's Office, others have been working on creating the Sojourn Foundation—an organization specifically to serve sexually trafficked children.

I highlight those examples to show the importance of A.B. 311 and what this bill will do in terms of allocating funding for the establishment and delivery of services to victims of human trafficking. This is in regard to child sex trafficking, a problem nationwide, but specifically a problem in Las Vegas and Reno. Assembly Bill 311 will fill a critical gap by making sure that once this contingency fund is in place, monies will be available for victim service advocates. This bill will change the way we deliver victim services in Nevada. This bill is so important because it is one thing to have tough criminal laws and it is another to talk about how to end the cycle of violence, provide rehabilitation for victims and make sure that process does not repeat itself over and over again. Assembly Bill 311 is a step in the right direction by guaranteeing the availability of funds for the organizations doing the heroic work. Therefore, we are in strong support of this bill.

Chair Segerblom:

Does the Polaris Project give grants? Is that where the funding for this contingency fund comes from?

Mr. Dold:

No. We are funded through the federal government to run the national hotline. Some monies come from the State Department and other private grant foundations, such as Google. We do not hand out grants. We do some grant

management through subcontractors, such as legal services, to provide services to victims of trafficking. Because we do not have an office in Nevada, we would not oversee nor apply for any grant funding for your State.

Mike Patterson (Religious Alliance in Nevada; Lutheran Advocacy Ministry in Nevada):

We are pleased to have Assembly Bill 311 come forward with the help of Assemblyman Sprinkle. We have heard the stories about the lack of support for these kids once rescued. In the Assembly Committee on Judiciary, testimony revealed there is no place in northern or southern Nevada to put rescued children. We hope this fund is the first step toward establishing treatment centers in both the north and the south. To date, the Religious Alliance in Nevada (RAIN) has raised about \$3,000 for this fund—and that is without any formal fund-raising campaigns. As soon as this bill is signed by the Governor, it is RAIN's intention to commence a full campaign among the Alliance's five member churches. We thank you for allowing us to help the citizens of Nevada by setting up this fund.

Eric Spratley (Lieutenant, Washoe County Sheriff's Office):

We support A.B. 311. We have heard testimony this Session about human trafficking and the travesty that it is. This bill provides for the resources necessary to help the victims escape this vicious and oppressive cycle. A program in Reno called Awaken Inc. seeks to help these children get off the street. This bill could possibly help that service.

A.J. Delap (Las Vegas Metropolitan Police Department):

We also support this bill. We think it has great merit and appreciate it.

Adia Lancaster (Project Director, Women's Affairs, Congo Justice):

I have submitted testimony in support of A.B. 311 ([Exhibit E](#)).

Kristin Erickson (Nevada District Attorneys Association):

We also support Assembly Bill 311.

Kareen Prentice (Domestic Violence Ombudsman, Office of the Attorney General):

The Attorney General's Office supports A.B. 311. This bill will allow the State to assist victims of sex trafficking with much-needed services.

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Sara Wainwright (Nevada Women's Lobby):
We strongly support A.B. 311.

Assemblyman Sprinkle:
Thanks to all the supporters of this bill. I ask for your support on A.B. 311.

Chair Segerblom:
Seeing no one opposed or neutral, I will close the hearing on A.B. 311 and open the hearing on A.B. 499.

ASSEMBLY BILL 499: Ratifies certain technical corrections made to NRS and Statutes of Nevada. (BDR S-522)

Nick Anthony (Counsel):
The Legislative Counsel Bureau is authorized to bring this legislation each session. This is the ratification bill, also known to some as the reviser's bill. This bill makes technical corrections to all the bills from the 76th Session that are now statute.

Senator Hutchison:
A colleague of mine had some concerns about the purpose of the changes made to the Tahoe Regional Planning Compact found in section 27. Is there a way to summarize the changes there?

Mr. Anthony:
Starting in section 27, there are a number of changes to the Tahoe Regional Planning Agency (TRPA) Regional Compact. Those are clarifications—drafters' technical revisions—requiring remedy after passage during the 76th Session.

Senator Hutchison:
For example, in section 27, Article III, beginning on page 61, line 15, there is a change regarding a quorum, which goes from four members to nine members. Is that a reflection of what happened in the 76th Session?

Mr. Anthony:
That is correct. Nothing in this bill is a substantive change. These changes simply bring this provision in line with other bills that passed which affected those sections.

Senator Hutchison:

I can then tell my colleague that the only thing A.B. 499 does is reflect what had happened legislatively during the 76th Session?

Mr. Anthony:

That is correct.

Senator Brower:

The changes with respect to the TRPA that were just referenced seem substantive. But out of context, I cannot tell what the Chair's intent was for this bill this morning. It might make sense to take a closer look at those changes over the next 24 hours and allow those members of the TRPA who make regulations and policy to review this.

Chair Segerblom:

A work session is coming. We will not pass it without the work session.

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Chair Segerblom:

Seeing no one in opposition or neutral, I will close the hearing on A.B. 499.
Seeing no public comment, I will close the hearing for the Senate Committee on
Judiciary at 10:01 a.m.

RESPECTFULLY SUBMITTED:

Ilena Madraso,
Committee Secretary

APPROVED BY:

Senator Tick Segerblom, Chair

DATE: _____

<u>EXHIBITS</u>				
Bill	Exhibit		Witness / Agency	Description
	A	1		Agenda
	B	3		Attendance Roster
A.B. 311	C	1	Assemblyman Michael Sprinkle	AB311 Testimony
A.B. 311	D	2	James Dold	Testimony
A.B. 311	E	1	Adia Lancaster	Testimony