

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

**Eightieth Session
March 27, 2019**

The Senate Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 4:32 p.m. on Wednesday, March 27, 2019, in Room 2144 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 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 James Ohrenschall, Chair
Senator Marcia Washington
Senator Heidi Seevers Gansert
Senator Keith F. Pickard

COMMITTEE MEMBERS ABSENT:

Senator Yvanna D. Cancela (Excused)

GUEST LEGISLATORS PRESENT:

Senator Moises Denis, Senatorial District No. 2
Senator Pat Spearman, Senatorial District No. 1
Senator Joyce Woodhouse, Senatorial District No. 5

STAFF MEMBERS PRESENT:

Michael Stewart, Committee Policy Analyst
Kevin Powers, Committee Counsel
Diane Rea, Committee Secretary

OTHERS PRESENT:

Joe Gloria, Registrar of Voters, Clark County
Kathy Lewis, Clerk-Treasurer, Douglas County
Aubrey Rowlett, Clerk-Recorder, Carson City

Jared Busker, Children's Advocacy Alliance
Cyrus Hojjaty
Janine Hansen, Nevada Families for Freedom
Nancy Jones
Bob Russo
Tim Stoffel
Kristen Krusyna
Jim DeGraffenreid
Roland Lee Sterrett

Chair Ohrenschall opened the hearing on Senate Bill (S.B.) 452.

SENATE BILL 452: Revises provisions relating to elections. (BDR 24-1141)

Senator James Ohrenschall, Senatorial District No. 24, introduced the bill, stating this is a measure sponsored by the Committee. He and others who had similar experiences are aware of voters receiving solicitations to request an absentee ballot close to the time of an election. Voters are receiving them from third parties. The concern is that voters might fill out the form and request an absentee ballot, not get the ballot in time, sit at home waiting for that absentee ballot and not go to vote. He expressed his concern to some of the clerks and had a conversation with registrar Joe Gloria from Clark County and other registrars. This bill came to be to make sure if a third-party organization wants to invite people to request an absentee ballot, it still can, but there would be more of a time cushion between that and Election Day.

Joe Gloria, Registrar of Voters, Clark County, stated the bill will do a good job to assist the registrars in being aware these requests are going out. That is important for the registrars and clerks because Clark County received over 500,000 requests through the mail. Increasing the time for these groups to notify the registrars from 14 to 28 days gives the registrars time to scale up staff so the proper number of people are available in the office to process requests received. Increasing the deadline from 21 to 35 days before the election will address the concern the Senator is referring to in that if a third party can send requests out earlier than five weeks before the election, the voter should have time to fill out the form, get it back to the registrar and ensure he or she will get a ballot in time to send it back to be counted. Senate Bill 452 will do 2 things. It will allow the registrars the ability to properly prepare for a large number of mail ballot requests coming in and give the voters

time to get the requests to registrars, ensuring those voters get a mail ballot. Mr. Gloria is in support of the bill as written.

Senator Ohrenschall said several Senators have received calls with concerns as to whether the voters' requests have gone through. The extra time will be helpful.

Senator Pickard said he gets calls and is concerned about the timing. He asked if there is justification for going to 28 and 35 days. Is it because the registrars cannot get the work done in that compressed period of time? Are these the numbers wanted or are they arbitrarily intended to push it out so far that the time frame eliminates any chance of this sort of thing? Where do these numbers come from?

Senator Ohrenschall stated the bill only applies to third-party organizations that plan to send out more than 500 notices. This bill would not apply to a person assisting someone by getting the form for him or her. It only applies to large-scale operations.

Mr. Gloria replied the time for the group to notify the registrar, using the 28 days, allows staff to process the applications as they come in from the voters. Human resources or a temp agency would have to be notified, get the purchase order and get the people hired to work. That is a 21- to 28-day process. Increasing the number of days from 14 to 28 for the groups to notify the registrar will give the registrar time to recruit more help to make sure the workload can be handled. Twenty-one days is right before the start of the early voting period when registrars are focusing their work on answering telephones, assisting voters to assure they are registered or getting them to a polling place and dealing with any type of issue over the phone relating to early voting. When a registrar's office receives a large number of the mail ballot requests in that time period, it is impossible for the staff to serve voters and get the requests into the system.

Mr. Gloria said if the mailers of the mail ballot requests would check the registration information on the website, they would not be sending absentee ballots out to people who have already submitted for the mail-in ballots. Those who are 65 or older or disabled can request a permanent mail ballot but are getting the mailers and are confused. These individuals know they are already in

the system. They have to call the office, confirm they were already getting a mail ballot and want to know why they have been removed from the list.

Senator Pickard said many of his neighbors are on the mail list, and those are the concerns he heard. He said with the number of absentee votes requested in the last election, the staffing issues should be understood and the registrars should know when to start staffing up to cover the need. His concern is that the numbers seem high. This pushes it so far out that people will be excluded from obtaining an absentee ballot, and his district is full of people who want the absentee ballots.

Senator Ohrenschall replied the time change is reflected on the third party that is going to mail out over 500 mailers to people asking if they have sent in requests for absentee ballots. The date changes will only affect the third party mailing organization.

Senator Pickard said he realizes they are talking about more than 500 mailers, but registrars trying to make sure the voters who want the absentee ballots are being pushed out to a point where they are going to be unable to help those people. Then it is on the individuals to reach out themselves. Some of the comments he received included that this could be problematic to the voters. He asked if all of the 14 days are justified or can registrars do with 7 days? He said he is not opposed to the intent of the bill, he is concerned about how much further the deadline is being pushed out.

Senator Ohrenschall said he feels more time lessens the chance that someone might get the solicitation late, get confused, think his or her request is not in and send in a new one.

Mr. Gloria followed up by explaining that the 28 days are important for groups to notify registrars that they are sending out the notices, so it does not impact the ability to set up the mailers and do everything they need to prepare. He said he does not know that the language in the bill is preventing people from preparing the mailer, doing everything they need to do and following through with what they need to do to get the mailer out to the voters in Clark County. Moving the 35-day deadline is just making sure the requests do get out to the people in time to make decisions to send in the requests for processing to then receive ballots, giving voters time to get them back to the registrars so they can be counted. The language is not working to prevent the groups from doing what

they have been doing; it makes sure voters are protected and get the notices in time, and clerks and registrars have sufficient time to prepare.

Mr. Gloria said the registrars would not want to hire staff to handle the mailers just in case it is coming out. The number of days suggested in this bill will give registrars time to be more efficient and only bring in help in case a large number of requests are reported to them.

Kathy Lewis, Clerk-Treasurer, Douglas County, spoke in support of the bill, saying the clerks throughout the State have discussed this. It will help their workload and the voters because there is an expectation when a group receives the absentee ballots, it has enough time to send them in for processing and return to the voters, which with the 21 days is not always accurate with the mail.

Senator Gansert asked what Ms. Lewis's thoughts are on the time frames.

Ms. Lewis replied the time frame currently requires the absentee ballot requests be sent out 21 days before the election. If that time is backed up, the registrars require the absentee ballots be received seven days before the election. That leaves 14 days for the requests to be mailed, for the voters to consider and mail them back to the registrars in time for the voters to receive the absentee ballots. The 35 days gives the voters longer to process if they want absentee ballots and time to get the requests back to the registrars. She said she does support the 35 days.

Senator Gansert stated this may help the voters because they are going to have a longer span of time because the registrars are not moving the seven-day time frame.

Ms. Lewis said that is correct. It gives the voters more time to consider the forms without having to put them right back in the mail to get back to the registrars' offices in time for processing

Senator Washington asked the Clark County Registrar what percentage of ballots are mailed in early.

Mr. Gloria asked if she was requesting the rate of return or the number of mail ballot requests submitted by voters.

Senator Washington asked what number of ballots are submitted by voters?

Mr. Gloria replied the estimated number of voters in Clark County was 45,000 for the 2018 general election and the number of mail ballot requests was over 60,000. Mr. Gloria said he would provide more accurate numbers to the Committee.

Aubrey Rowlett, Clerk-Recorder, Carson City, said Carson City is in support of the bill. Carson City also experienced issues on duplicate absent ballot requests from the mass mailers. It took a lot of staff time to answer phone calls to make sure all the requests were getting processed correctly and voters got ballots in time. Carson City is a small county, so it has a small staff. The timelines set in the bill would be acceptable.

Chair Ohrenschall closed the hearing on Senate Bill 452.

Chair Ohrenschall opened the hearing on Senate Joint Resolution (S.J.R.) 5.

SENATE JOINT RESOLUTION 5: Proposes to amend the Nevada Constitution to revise provisions relating to the State Legislature. (BDR C-58)

Senator Joyce Woodhouse, Senatorial District No. 5, read a written presentation ([Exhibit C](#)).

Senator Pat Spearman, Senatorial District No. 1, read a written presentation ([Exhibit D](#)), adding that during her first session, this bill was heard. It passed but unfortunately was missed in 2015. In 2017, it was brought back.

Senator Spearman said in the early 1970s, gas was 20 cents per gallon, a gallon of milk was 35 cents, there were still telephone booths, Jordan's tennis shoes did not exist and she does not think there were microwaves. So many things have happened since the last time this was presented to the voters, which speaks volumes, and it is time now to update and modernize.

Senator Spearman added that the cost of housing in Carson City has gone up. She is in a two-bedroom unfurnished accommodation with a base rent of \$1,525 a month, which is not covered by her legislative salary.

Senator Spearman said it is not realized that once Legislators leave here, they do not have full-time staff and have to meet with constituents in the open, which does not lend itself to professionalism. From 2007 to 2009, the bottom fell out of the economy in Nevada. The Legislators struggled to make ends meet. Annual sessions would not have had such a devastating impact and allowed the Legislators to come back into session not long after the beginning of the Great Recession. Things would have adjusted sooner and been less harmful to many of the citizens of Nevada.

Senator Spearman said the people's branch of government, the one designated and intended to be the most stable and accessible to the people, should now come into the twenty-first century.

Chair Ohrenschall said most constituents assume the Legislators have a district office where meetings can be held. Looking at the crisis that happened between 2007 and 2009, many hoped there would be a special session called by the Governor to help people who were losing their homes. It never got called. Annual sessions would provide more of an opportunity to respond to crisis and make a difference.

Senator Moises Denis, Senatorial District No. 2, gave a written statement ([Exhibit E](#)), adding that the Legislators pass laws but are not here to make sure they happen.

Senator Gansert asked if Senator Woodhouse knows how many days of special sessions the Legislature has had and the cost of those sessions.

Senator Woodhouse replied she does not have that information but will provide it to the Committee. Some have lasted a day or two, and others have been five days. Each of Nevada's special sessions deals with one specific issue, depending on what the Governor calls as the agenda items.

Senator Gansert asked if Senator Woodhouse has some idea of what the pay should be.

Senator Woodhouse said when she discussed this bill with the bill drafter, the 120 days are calendar days; this bill would change those to legislative days. The average 120-calendar-day session is 96 days. The total cost did not get covered but will have a figure as this bill moves along. With the 90- and 60-day

sessions, there will not be the costs for Interim Finance Committee meetings. The Legislative Commission meets about every two months, and those meetings would be less. The Interim Committees, if this passes, would have a much shorter period to meet and might be directed as to what they are to pursue when meeting. The Legislative Committee on Education had about eight meetings this past Interim. With session starting in the even-numbered year for the 60 days, that Education Committee would not need as much time. A cut back on some costs would balance a bit of the additional costs.

Senator Spearman added that a lot of times, the proposed bill gets reduced to people saying the Legislators want to increase their salary. That is not it. If the people looked at the impact of an every-other-year Legislature on business alone, whatever is done in 2019 may hurt a business in August, but there is nothing to be done about it until the next session. The special sessions are called for a specific reason, but Legislators work on several issues while they are in the building. A number of other issues present are addressed. The Texas Legislature has district offices and year-round staff. This is a governance issue. Nevada has two and a half branches of government with the Executive Branch full time, Judiciary Branch full time and Legislative Branch at 120 days. Sometimes, Legislators are not aware a bill has been implemented until two years later. The presenters are talking about coming into the twenty-first century so the Legislators can more adequately serve their constituents. At 3 billion people and all the businesses looking to come to Nevada, this antiquated system is not working.

Chair Ohrenschall said the way he reads the proposed amendment, the issue of compensation could be set by statute, by a future Legislature, by a commission to look at compensation that would be independent of the Legislature.

Kevin Powers, Committee Counsel said, for the record, I think we need to start with the existing constitutional provision. The existing constitutional provision limits the number of days during a Legislative Session that each Legislator may be paid and that is 60 days. The current Constitution does not limit the amount of pay. It only limits a pay, cannot be increased and applied to that current Legislature; it has to be the next Legislature that receives the pay increase. So, by removing the 60-day limit from the Constitution, it does not increase Legislator pay. The Legislature now has the power, by statute, to increase its pay. What this does is establish that that pay could be done on regular intervals throughout the biennium, and it does not have to be done on a per session day

basis. But to be clear, right now the Legislature has the power to increase the compensation of Legislators. That compensation; however, would only be paid during those 60 days of the legislative session. That is the difference; is that this resolution allows pay to be done on regular intervals instead of during that 60-day legislative period. But this resolution by itself, if approved by the voters, would not increase legislative pay. That would still be determined by statute.

Chair Ohrenschall asked if there is nothing in this proposed amendment to the Constitution that would prohibit a future group of Legislators from passing a statute asking an independent commission to look at what would be appropriate as compared to other legislatures around the Country and compared to possible workload. Is that correct?

Mr. Powers stated, for the record, it is partially correct in that the Legislature could by statute establish a commission that dealt with legislative pay. In fact, there is such a commission in existing statute now, it just has not met on a regular basis. But the actual decision to increase pay could not be made by that independent commission. The actual decision would have to be done by the Legislature through a statute. So the Legislature could take advice from a statutory commission with regard to legislative pay, but the Legislature itself would have to pass the statute increasing that legislative pay. And, again, the Constitution prohibits that increase from taking effect during the term of the Legislators who voted for that increase.

Senator Gansert stated her concern is the citizen Legislature. If we were to change to legislative days—90 legislative days, which could be closer to 110 or 120 days—based on a session having 120 days that really only has 96 legislative days, how do the Legislators maintain a citizen Legislature where there are people coming from all walks of life? This would still be part time, but you would have to take off every year, so that would be a concern. What employers would allow them to do that? Or would this force, in some cases, only people who are more affluent to serve because you would have time off every year? There are firefighters, teachers, attorneys and such a variety of people who really lend to deliberation here.

Chair Ohrenschall replied there are only four states that have the biannual sessions, but his assumption is of the 46 states that have annual sessions, many are still part-time legislators, not full-time.

Senator Pickard asked if Mr. Powers is suggesting the rate of compensation is not going to change but the number of days paid will. Legislators are paid for all legislative days that they attend, so their net income would go up. Is that correct?

Mr. Powers replied, for the record, if this resolution amended the Constitution, everything would be controlled by statute so that if the statute, which currently provides that the Legislator is paid for each legislative day up to the maximum allowed by the Constitution, obviously there would no longer be a maximum allowed by the Constitution. So the statute would provide for legislative pay for each legislative day of the session. However, the Legislature could change that by statute. It could provide for pay on biweekly basis, a monthly basis. Because of the constitutional provision proposed here, it has pay at regular intervals. It would be up to the Legislature to determine whether you are paid on a per day basis, a per legislative day basis or some other basis, such as a typical two-week salary basis.

Senator Pickard asked if a legislative day is different from a calendar day. Is this a Monday through Friday? Is this Monday through Saturday? Has that been decided? Is the Committee leaving that up to the next Legislature to decide?

Senator Denis said what he saw in other states is the legislatures determine that. They create a calendar. In some states, they only meet on Monday, Tuesday and Thursday or Monday, Tuesday and Wednesday. It is up to the Legislature to determine what days it meets. The Legislature might spread it out longer, keeping Legislators in their jobs and not having to be gone as long. The Legislature would have to determine on what days it would like to meet.

Chair Ohrenschall said on page 3, lines 20 through 24 statutorily define legislative day:

means any calendar day on which either House of the Legislature is in session or any legislative committee holds a meeting during a session. The term does not include any day the Legislature is in recess pursuant to subsection 5.

He said the way he is reading it could give future Legislators more flexibility if an important issue came up that needed to have the Legislature meet six weeks during a certain period.

Senator Pickard said that is why he questions how that is defined. Are we going to leave that up to the next Legislature to decide how to structure it? If we are having the even-year session for financial issues, would that be a Committee of the Whole or a number of people showing up who are not involved in the session?

Senator Ohrenschall said he is not reading either session as being limited in topic matter.

Mr. Powers stated, for the record, the proposed constitutional amendment does not limit the power of the Legislature during either the even-year Legislative Session or the odd-year Legislative Session. The provision that Senator Pickard may be referring to is subsection 4 of the proposal on page 2, and that directs the Legislature to prioritize its legislative business during the even-numbered year session to deal with executive budget matters and other fiscal issues, but that prioritization does not limit the other powers of the Legislature. So, although they may be preeminent issues during the even-year session, the Legislature retains its full regular session powers and can address any legislative issue that it sees fit during the even-year Legislative Session.

Senator Pickard stated, starting on page 2, line 36 says "determines is fiscal in nature or requires the immediate attention of the Legislature," adding if the Speaker of the Assembly, Majority Leader of the Senate and Governor feel it is worthy of consideration, it is heard. He asked would the Interim Committees continue to operate as they do, with less frequent meetings.

Senator Woodhouse replied that is the intent. There may be fewer of them because they are found to not be needed, but they want to continue with ones like the Legislative Committees on Energy, Education and Health Care. Maybe some others may not, and expenses can be cut down.

Senator Spearman added an Interim Committee usually starts with where it left off in the last session with the things not done. It is not like inventing another agenda item for those committees.

Senator Spearman said with regard to Senator Gansert's question about would that be more difficult, many of her colleagues start in February, but most of their leases start in January. A few had to sign leases in November so they could have a place to stay. When taking off for 90 days, you still have the

household mortgage. In terms of being financially taxing, most people, including teachers, would rather have the two sessions than the one. This puts them more at risk of having a more influential Legislature.

Senator Ohrenschall asked whether the 46 jurisdictions with annual sessions had less need for special and emergency sessions. Here, with the 20-month gap between regular sessions, we have had emergency sessions to pass tax incentives or aid a school district that needed to have the State step in and provide help. Was there any finding in the states with the annual sessions for less need for special or emergency sessions?

Senator Denis replied the information is available, and he will provide it to the Committee.

Senator Pickard stated to confirm the Committee is not looking at Committee of the Whole, it would be the regular Committees as assigned, so S.J.R. 5 is focused on financial issues. The others would wait until a bill is heard.

Senator Woodhouse replied on page 2, subsection 4, oftentimes, the need is there for other issues to be addressed. The Committees would continue to meet, especially in the 90-day session, like now. In the smaller session of 60 days, Committees would address issues prioritized as on page 2 of the bill. Everybody elected to office would be here working.

Senator Pickard asked if in the even-numbered years the Legislators would not get any bill draft requests (BDRs). Are these just bills brought by the Governor and the Committee Chairs?

Senator Woodhouse replied that would be determined once they know where the bill is going. It would be the intent that Legislators would have a smaller number of bill drafts than today, but they would be processed through Committees and to the Floor. Everything would not be a Committee of the Whole. That would not be the intent.

Senator Pickard stated the expectation for staff and district offices is not in this bill. He asked if that is an anticipated action of the Legislature once they know if this is occurring?

Senator Spearman said she mentioned that because it is one of those things constituents do not know. Many of them call and say “can you have your staff do ‘x’ or can you have your staff set up” That said a lot about things people think Legislators have, whereas the Legislators currently do not have. Being talked about is whether this S.J.R. 5 is going to the people. They will be the ones to decide, not the Legislators. What they are talking about are three equal branches of government.

Chair Ohrenschall said the Legislators are planning a two-year budget based on the Economic Forum. He asked if annual sessions would help Legislators meet budgetary goals and be more realistic in terms of revenue that comes into the State, meeting the needs of the constituents and the State versus planning out a budget two years ahead while not knowing whether forecasts are reasonable.

Senator Woodhouse replied absolutely, adding that by having annual sessions, on a limited basis, the Legislature working with the Governor can do a much better job in taking care of the needs of the people of this State in a more timely manner and not having to react to problems. Instead, it can look prospectively ahead to address what is seen on the horizon. It is better to be proactive than reactive. At times, the Legislature will be reacting to something that happened, but it would be better to do most business in a proactive manner.

Jared Busker, Children’s Advocacy Alliance, spoke in support of S.J.R. 5.

Cyrus Hojjaty said he wants to be more in touch with the government but fears this is going to enhance the ability for the Legislature to pass more dangerous and destructive laws faster. One of the issues he has with a Legislature that meets every year is it increases the probability of special interests and cronyism deals to influence the Legislature to pass more destructive laws and to further put our State in jeopardy. One of the reasons that makes our State an attractive place to live is that in addition to not having a lot of taxes, including State income taxes, we do not have a Legislature that has large sessions. Usually the larger the sessions, the easier it is to cram down more laws. Given that a lot of these laws that are being passed, people are not happy. People are skeptical. Senator Spearman pointed out that we should leave it to the will of the people. He wants to live in a state with limited government. Instead of having a Legislative Session every year, maybe meet with everyday people, conduct more town halls or do something like that so Legislators are more in touch and get more benefits without changing our laws. He is opposed to the resolution.

Janine Hansen, Nevada Families for Freedom, presented a written statement ([Exhibit F](#)), adding that Utah only meets 45 days every year. An additional concern is a citizen Legislature, saying that will be more difficult for citizens who have regular jobs to come with the projected idea that they will only meet two or three days a week. An agreement between the Senate Majority Leader and the Assembly Speaker may result in a recess that might last for weeks or months.

She is in favor of Legislators being fairly compensated. Campaign finance laws prohibit people who are running for office to get money for 30 days before and during the Legislative Session. This would impact those laws because if you are in session all year long, there will have to be a change to the campaign finance laws so Legislators will be able to get money during the session.

She suggested that the Legislature cut the bills in half to get the best and more thought-out bills, and people would combine their efforts to get together. Instead of having 1,251 BDRs, we would all be better off to have half that many and not need to extend the Legislative Session to every year or to full time.

Nancy Jones stated unlimited power to fix a problem is what she wants. To have a government that is by the people, for the people and of the people, we have legislative members who are the people and not full-time Legislators. She is in opposition to this resolution. Nevada does not need to keep up with other states to feel good about the work the Legislature can do. If there is an increase to the number of times the Legislature meets, we are increasing the number of bills to be looked at, the expenses and restrictions on the people who have to live with the laws that are passed.

Bob Russo provided a written statement in opposition ([Exhibit G](#)).

Tim Stoffel spoke against S.J.R. 5, representing those in rural areas without huge incomes or businesses who have interests that brought them to Nevada because the State has limited government and taxes. This proposal would bring a situation of being overrun by laws. Other states that have done this, their governments are starting to grow like "a stinking, dead bloating hippo." We really do not want that in Nevada. He asked if Nevada really needs more government.

Mr. Stoffel said when you add 90 plus 60 you get 150 days. If you add the definition of legislative days, it just grows beyond there. Having government offices is what the Legislators need to meet the citizens instead of having them go to Carson City. There was a time when Nevada had an annual Legislature, and the people voted it down. He said he does agree that Legislators need to be compensated fairly for what they are doing. A constitutional amendment could be crafted to fix this in a way that would not be so objectionable.

Kristen Krusyna spoke in opposition of S.J.R. 5, saying her only additional concern is just how bloated it actually could get. At minimum, if weekends are added to the proposed 90 and 60 days, we are over 200 days; if spread out, it becomes a large amount of time, increasing over 120. How many more bills, how much that can be drawn out and how difficult it makes it for citizens to participate in their government.

Jim DeGraffenreid spoke in opposition to the resolution, stating he is sympathetic to what Senator Spearman mentioned about the difficulties of not having an office. He stated the people speaking today are here to defend themselves against what the Legislature does to them for 120 days every other year. This Legislature is considering just under 1,000 bills, many of which are originated by special interests and lobbyists, and few will benefit the ordinary Nevadan in any way. They will cost us money, make it more difficult to operate businesses or simply live daily lives. Even without new laws, extending Legislative Sessions is going to cost plenty. Legislator pay is certain to increase significantly as will Legislative Counsel Bureau (LCB) expenses. The fiscal note on this bill says LCB cannot accurately predict the added costs. Its best guess is \$13.3 million in additional revenue to cover the expense of more legislative days. Governor Steve Sisolak, in his State of the State address, laid out a number of priorities like increased teacher pay. Are we not going to do that so we can pay more for the Legislature to meet for a longer period of time?

One of the best things about our Nevada government is the citizen Legislature and that regular citizens are able to come and participate in this Legislature. It has been mentioned by others that we are at risk of losing that if Nevada goes to a longer session. This is only the starting point. We are going to eventually find ourselves with a full-time Legislature much like other states have, and it will be impossible for citizens to come and participate in any meaningful way. On the legislative website today, there are 90 people who are signed in opposition and only 4 in favor of the resolution. He asked that the Committee put aside

what would be best for lobbyists and Legislators and instead do what is best for your constituents in the State and reject this resolution.

Chair Ohrenschall responded that the Legislators' ideas for bills come from constituents.

Roland Lee Sterret gave a written statement in opposition ([Exhibit H](#)).

Chair Ohrenschall asked Mr. Powers to explain how a proposed amendment to the Constitution would work under a possible annual session framework.

Mr. Powers stated, for the record, under Article 16, section 1 of the Nevada Constitution, when a session of the Legislature passes a resolution to amend the Constitution, the Constitution provides that that resolution must be referred to the Legislature then next to be chosen, which requires an intervening general election. So, the fact that there are going to be annual sessions under this proposed Constitutional amendment would not change that requirement for an intervening general election. The Legislature in an odd- or even-numbered session would propose a constitutional amendment; it could only be referred to the Legislature after the next general election. So, therefore, it would not change the current process, but it would allow the Legislature to propose a constitutional amendment in an odd-numbered year session; and then in an even-numbered year session—as long as the next Legislature that heard it—there was an intervening general election.

Chair Ohrenschall said there is a table that shows the costs of the special sessions since 2001 ([Exhibit I](#)).

Senator Denis added, as Legislators, they could be more effective if given the opportunity to do so. He pointed out that this resolution would not affect any of the three presenting the resolution. The reason it is important is the Legislature needs to do what is best for the citizens. The Legislature can attract a more diverse body. If it is just about saving money, there are other options if we do not want responsive Legislators.

Senator Spearman added this is to make sure the State is more responsive and brings us into the twenty-first century. The comment made about meeting constituents in a restaurant, they are coming to ask for help on some issue they have, and it is not fair to talk with them in a public atmosphere.

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Chair Ohrenschall closed the hearing on S.J.R. 5.

Cyrus Hojjaty said the government needs to be more in touch with people, more town hall meetings and stricter campaign finance laws.

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Chair Ohrenschall adjourned the meeting at 6:07 p.m.

RESPECTFULLY SUBMITTED:

Diane Rea,
Committee Secretary

APPROVED BY:

Senator James Ohrenschall, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	5		Attendance Roster
S.J.R. 5	C	8	Senator Joyce Woodhouse	Written Statement
S.J.R. 5	D	5	Senator Pat Spearman	Written Statement
S.J.R. 5	E	6	Senator Moises Denis	Written Statement
S.J.R. 5	F	1	Janine Hansen	Letter of Opposition
S.J.R. 5	G	1	Bob Russo	Letter of Opposition
S.J.R. 5	H	1	Roland Lee Sterrett	Letter of Opposition
S.J.R. 5	I	1	Senator James Ohrenschall	Costs for Special Sessions of the Nevada Legislature – 2001 through 2010