

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

**Eighty-First Session
May 28, 2021**

The Committee on Legislative Operations and Elections was called to order by Chair Brittney Miller at 2:56 p.m. on Friday, May 28, 2021, Online and in Room 3142 of the Legislative Building, 401 South Carson Street, 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 www.leg.state.nv.us/App/NELIS/REL/81st2021.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Brittney Miller, Chair
Assemblywoman Sandra Jauregui, Vice Chair
Assemblywoman Jill Dickman
Assemblyman Jason Frierson
Assemblywoman Cecelia González
Assemblyman Glen Leavitt
Assemblyman Andy Matthews
Assemblyman Richard McArthur
Assemblywoman Daniele Monroe-Moreno
Assemblywoman Clara Thomas
Assemblywoman Selena Torres

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Nicole J. Cannizzaro, Senate District No. 6

STAFF MEMBERS PRESENT:

Pepper Sturm, Committee Policy Analyst
Kathleen M. Norris, Committee Counsel
Bonnie Borda Hoffecker, Committee Manager
Traci Dory, Committee Secretary



OTHERS PRESENT:

Emily Persaud-Zamora, Executive Director, Silver State Voices
Annette Magnus, Executive Director, Battle Born Progress
Eric Jeng, Director of Outreach, Asian Community Development Council
Steven Cohen, Private Citizen, Las Vegas, Nevada

Chair Miller:

[Roll was called. Committee rules and protocol were explained.] We are going to take things on the agenda out of order because we will be losing members to other committee meetings as the meeting goes on, and we are still waiting for the bill sponsor to arrive for our bill presentation. I would like to start with our work session on Senate Bill 292 (1st Reprint).

Senate Bill 292 (1st Reprint): Revises provisions relating to elections. (BDR 24-999)

Pepper Sturm, Committee Policy Analyst:

Senate Bill 292 (1st Reprint) was sponsored by Senator Lange and heard on May 25, 2021 [[Exhibit C](#)]. The measure requires ballots for the general election to permit the voter to vote a "straight ticket" for all candidates of one political party in partisan races. The bill requires the voter education program provided by a county or city to include information concerning straight ticket voting. The measure also provides that signatures required for minor party ballot access petitions must be apportioned equally among existing petition districts and changes, from not later than the third Friday in June preceding the general election to the first day of June, the date on which such petitions must be filed. The final date to challenge signatures on minor party ballot access petitions is also changed from the fourth Friday in June to the second Monday in June.

Senate Bill 292 (1st Reprint) makes various changes relating to the filling of vacancies in elective office. For a vacancy in the office of a United States senator, S.B. 292 (R1) requires the governor to appoint a person who is of the same political party as the former senator. The measure provides that, when filling a vacancy in the office of a representative in Congress, a candidate for a major political party must be nominated in a special primary election before a special general election. If such a special election is not consolidated with an existing statewide or local election, the cost of the election must be paid from the Reserve for Statutory Contingency Account, as approved by the State Board of Examiners. For vacancies in the office of a legislator, S.B. 292 (R1) requires the majority or minority leader of the house in which the former legislator was a member, and who is of the same party as the former legislator, to submit to the board of county commissioners a list of qualified nominees to fill the vacancy. The board may vote to reject all of the qualified nominees submitted by legislative leadership and request a new list of nominees to fill the vacancy.

Finally, S.B. 292 (R1) repeals provisions that set forth various requirements for the internal organization and procedures of major political parties, including requirements for the election

of delegates to county and state conventions and the manner in which such conventions are organized.

There were no amendments proposed for this bill.

Chair Miller:

Committee members, do we have any questions? [There were none.] I will accept a motion to do pass S.B. 292 (R1).

ASSEMBLYWOMAN JAUREGUI MADE A MOTION TO DO PASS
SENATE BILL 292 (1ST REPRINT).

ASSEMBLYWOMAN GONZÁLEZ SECONDED THE MOTION.

Are there any questions or comments from members on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYMEN DICKMAN, LEAVITT,
MATTHEWS, AND MCARTHUR VOTED NO.)

I will take the floor statement for S.B. 292 (R1), and we will now work session Assembly Concurrent Resolution 3.

Assembly Concurrent Resolution 3: Requires the Legislative Commission to appoint an interim committee to conduct a study concerning environmental justice. (BDR R-568)

Pepper Sturm, Committee Policy Analyst:

Assembly Concurrent Resolution 3 was presented by Assemblywoman Peters on March 16, 2021 [[Exhibit D](#)]. The bill requires the Legislative Commission to establish an interim committee consisting of three legislators from each house to conduct a study concerning environmental justice. The interim committee must make a report to the 2023 Legislature that includes recommendations for legislation to develop an environmental justice review process for state and local projects that are not otherwise covered by the federal National Environmental Policy Act of 1969 [*United States Code*, Title 42, Sections 4321 et seq.].

Assemblywoman Peters submitted a conceptual amendment [page 2] that does the following:

1. Makes technical changes and amends the second "Resolved" clause [page 2, lines 27 through 34] to add that the process referenced in the clause requires the proposed action or review to mitigate environmental degradation and promote environmental justice principles.
2. Adds the concept of investments to the gap analysis listed on page 2, line 39.

The full text of the amendment should be available on the Nevada Electronic Legislative Information System. This resolution is exempted from the deadlines set forth in Rule 14 of the Joint Standing Rules of the 81st Legislative Session.

Chair Miller:

Are there any questions from Committee members? [There were none.] I will accept a motion to amend and adopt A.C.R. 3.

ASSEMBLYWOMAN JAUREGUI MADE A MOTION TO AMEND AND
ADOPT ASSEMBLY CONCURRENT RESOLUTION 3.

ASSEMBLYWOMAN TORRES SECONDED THE MOTION.

Are there any questions or comments on the motion? [There were none.]

THE MOTION WAS ADOPTED. (ASSEMBLYMEN DICKMAN,
LEAVITT, MATTHEWS, AND MCARTHUR VOTED NO.)

I will assign the floor statement to Assemblywoman Peters and close the work session. I will open our bill hearing on Senate Concurrent Resolution 13, a measure that creates an interim committee to conduct reapportionment and redistricting in the state of Nevada. It is sponsored by our two leaders: Senate Majority Leader, Nicole Cannizzaro, and Speaker of the Assembly, Jason Frierson.

Senate Concurrent Resolution 13: Creates an interim committee to conduct an investigation into matters relating to reapportionment and redistricting in the State of Nevada. (BDR R-1166)

Senator Nicole J. Cannizzaro, Senate District No. 6:

I am pleased to be here this afternoon to introduce Senate Concurrent Resolution 13, which creates an interim committee to conduct an investigation into matters relating to reapportionment and redistricting in Nevada. During the 2019-2020 Interim, I was fortunate enough to sit on the Committee to Conduct an Interim Study of the Requirements for Reapportionment and Redistricting in the State of Nevada. Joining me on the Legislative Committee were your colleagues on this Committee: Speaker Frierson, Assemblywoman Jauregui, and Assemblyman Leavitt.

As you know, that study is held every ten years in advance of the redistricting session to help us prepare for the redistricting exercise. Essentially, it helped us to set the stage for those redistricting efforts in 2021. As you are also aware, due to delays in the delivery of necessary data from the U.S. Census Bureau [of the U.S. Department of Commerce], we were unable to conduct reapportionment and redistricting during this regular legislative session. It is because of these delays and our inability to tackle the redistricting exercise during the regular session that I now bring to you Senate Concurrent Resolution 13.

As stated in S.C.R. 13, every ten years the "Nevada Legislature is required to reapportion and redistrict the election districts for the members of the Legislature, the members of the United States House of Representatives from the State of Nevada and the Board of Regents of the University of Nevada" [page 1, lines 1 through 5]. We also know that the U.S. Census Bureau will deliver redistricting data to us during the second half of 2021. In short, we will likely need a special session to help accomplish that important task.

Fortunately, we have already made purchases of software and mapping equipment, and we have staff lined up and ready to go. The vast amount of census data that we do expect to receive, coupled with the need to complete reapportionment and redistricting in an expeditious manner after the receipt of the data, makes our preparations for this process even more critical. We will have a short window of time to hit the ground running once the census data is received; of course, we must also ensure that we comply with current case law and constitutional and statutory legal requirements. Finally, because of the census data delays due to the COVID-19 pandemic, we have not been able to have the same public hearing process that we would normally have had during previous redistricting sessions. These are some of the reasons why a continuing discussion on redistricting as set forth in Senate Concurrent Resolution 13 is so important.

This resolution calls for the creation of an interim committee to investigate matters relating to reapportionment and redistricting in conjunction with data from the decennial census of 2020 [page 2, lines 5 through 8]. The study committee must be composed of at least three members of the Assembly and at least three members of the Senate [lines 9 through 14]. The interim committee shall elect a chair and a vice chair [lines 15 and 16] and must conduct "A continuing examination and monitoring of any redistricting systems established or recommended for use by the Nevada Legislature, including the requirements for computer equipment, computer software and the training of personnel" [lines 20 through 23].

The interim committee must review the case law concerning the planning for reapportionment and redistricting in other states; review the programs of other states relating to the planning for reapportionment and redistricting; examine data from the decennial census from 2020 and consider potential issues involving such data that may arise during the process of reapportionment and redistricting; consider possible procedures recommended for use by the Nevada Legislature to ensure that members of the public are involved in the process to the greatest extent possible; and examine any other matter relating to redistricting and reapportionment that the interim committee determines may yield information to the benefit of the Nevada Legislature [lines 24 through 39]. This final point will give the interim committee much-needed flexibility as we approach the redistricting exercise.

I want to again emphasize that I am fully aware we did embark on a study of redistricting last year, and we did make some good recommendations that prepared us well in the event that we were able to conduct the redistricting exercise during this legislative session. Unfortunately, with those delays in data, we were not able to do so. Now it is time for us to make sure that we have the process in place that will allow us to review any of the upcoming issues and matters, receive updates on where we are in our final redistricting preparations,

and, most importantly, provide the opportunity for the public to participate in advance of the redistricting exercise.

At this point in time, I would be happy to answer any questions that you may have. I urge your support of S.C.R. 13.

Chair Miller:

Committee members, do we have any questions?

Assemblyman Leavitt:

As you stated, I served on the [2019-2020] interim committee. The divide between both Senate and Assembly members on the committee and how it was laid out was a little different. How it is laid out in the bill, it would be four and two, and the Senate would have equal representation with the Assembly on this committee. If I recall, it was a little different last time on the interim committee. What were the thoughts behind doing three and three when we usually do it a little bit differently?

Senator Cannizzaro:

This is obviously a very unique situation to be in. Ordinarily, we would undertake a number of inquiries in the interim prior to a redistricting session. Being that the pandemic has slowed our ability to get the decennial census data, we are now in the position of figuring out how we have a conversation about redistricting where we can include the public in the process. As you know from being a member of that interim committee, we had a lot of time and the ability to delve into some of the meatier issues revolving around our preparations for redistricting. That work has been done, and we are not going to simply throw that data out with the bath water, if you will.

Also, this Committee has heard bills that have allowed us to implement some of the decisions from that interim committee [Senate Bill 84]. This is obviously a much shorter time frame and a slightly different exercise, so it is structured differently in terms of the number of members and what that membership looks like. The whole purpose of this interim committee is to make sure there is some sort of interim vehicle to facilitate public participation and to make sure we can process all the data and have good conversations around it. It is different from some of the other work that has been done and is certainly not meant to replace the work that was done during this last interim.

Chair Miller:

Are there any additional questions? [There were none.] We will move on to testimony. I will take up to 20 minutes of testimony, and we will alternate between those who are here physically in the room, those on Zoom, and those on the telephone. Everyone will have up to two minutes to speak. Is there anyone in the room who wishes to testify in support of S.C.R. 13?

Emily Persaud-Zamora, Executive Director, Silver State Voices:

I stand in support of S.C.R. 13 because it would create an interim committee to investigate reapportionment and redistricting. Specifically, this bill will help to ensure that everyday Nevadans can participate in the redistricting process. Last year, Nevadans Count worked with various Black, Indigenous, people of color, and hard-to-count communities to ensure a more accurate census count. We sent over 66,000 text messages, made over 100,000 calls, and purchased mobile truck ads with census-related information for routes tailored to areas with census response rates below 50 percent.

After the 2020 census, we shifted our outreach and advocacy to redistricting because we believe it is vital to our democracy and because it helps reflect how our population has changed over the past ten years. When talking about redistricting, we often hear the term "fair maps," but apart from being used in tandem with gerrymandering, this term is seldom defined. To have fair maps is to have a transparent redistricting process with meaningful public input. During the last redistricting cycle, our Legislature did a good job with both. During the required public hearings in both rural and urban areas, nearly all residents praised the redistricting committee for its transparency and commitment to hear from Nevadans. In 2014, *The Washington Post* published an article where it stated that Nevada and Indiana stood out as the states that "did a remarkably good job of drawing sensible district boundaries" ["America's most gerrymandered congressional districts," May 15, 2014].

Senate Concurrent Resolution 13 helps ensure the redistricting process is done in a fair, efficient, and transparent manner. Thank you to Senate Majority Leader Cannizzaro and Speaker Frierson for bringing this bill forward, and I urge the Committee to support this bill.

Annette Magnus, Executive Director, Battle Born Progress:

We thank the Senate Majority Leader and the Speaker for this important bill. This is the second time today we have gotten to support a fantastic bill presented by Senator Cannizzaro [Senate Bill 420 (2nd Reprint)]. We are in support of S.C.R. 13 because it will bring transparency to the redistricting process and because it will examine and recommend procedures for how members of the public are involved in the process to the greatest extent possible. Our organization has been consistent in asking for both transparency and public input in this process. We are excited for our advocates to be involved in the process this year. We encourage this Committee to pass S.C.R. 13.

Eric Jeng, Director of Outreach, Asian Community Development Council:

The Asian and Pacific Islander community here in Nevada is the fastest growing minority, and our voter share has also grown. We saw that Nevada Legislature representation went from zero to five for Asian and Pacific Islanders in the last ten years. As a nonprofit organization, we are very excited to push for the census; we did 30,000 door hangers for the census information, pushed the hard-to-count communities with English-language learner materials and support. Now, we want to make sure that our communities' voices are represented and that we are part of the process. We thank the Senate Majority Leader for this great resolution.

Chair Miller:

Is there anyone on the phones who would like to testify in support?

Steven Cohen, Private Citizen, Las Vegas, Nevada:

I will ditto the vast majority of prior remarks. Thank you, and I yield.

[There were no more callers in support.]

Chair Miller:

Is there anyone else in the room who would like to testify in support? [There was no one.] I will close testimony in support and open testimony in opposition. Is there anyone in the room who would like to testify in opposition? [There was no one.] Is there anyone on the line? [There was no one.] I will close testimony in opposition and open testimony in neutral. Is there anyone in the room who would like to testify as neutral? [There was no one.] Is there anyone on the line? [There was no one.] I will close testimony on S.C.R. 13. Senate Majority Leader, do you have any closing remarks? [Senator Cannizzaro did not.]

I will close the hearing and open the work session on Senate Concurrent Resolution 13.

Senate Concurrent Resolution 13: Creates an interim committee to conduct an investigation into matters relating to reapportionment and redistricting in the State of Nevada. (BDR R-1166)

Pepper Sturm, Committee Policy Analyst:

Senate Concurrent Resolution 13 creates an interim committee to investigate matters relating to reapportionment and redistricting in conjunction with the data from the decennial census of 2020. The interim committee, which is composed of at least three members of the Assembly and at least three members of the Senate, must examine data from the U.S. Census Bureau [of the U.S. Department of Commerce] and monitor any redistricting systems established or recommended for use by the Nevada Legislature, including the requirements for computer equipment, computer software, and training of personnel. Relevant case law and programs of other states relating to redistricting must be reviewed. Possible procedures for use by the Nevada Legislature to ensure that members of the public are involved in the redistricting process must also be considered. Finally, the interim committee must examine any other matter relating to reapportionment and redistricting that it determines may be beneficial to the process of redistricting. The resolution was heard today, May 28, 2021, and sponsored by Senate Majority Leader Cannizzaro and Speaker Frierson. There were no amendments proposed.

Chair Miller:

Committee members, are there any questions? [There were none.] I will accept a motion to adopt S.C.R. 13.

ASSEMBLYWOMAN JAUREGUI MADE A MOTION TO ADOPT
SENATE CONCURRENT RESOLUTION 13.

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

Are there any questions or comments on the motion?

Assemblyman Leavitt:

Although I do think that the interim committee was great and effective and we accomplished a lot, I have an issue with the breakdown of how this interim committee is laid out. I think it should more reflect what the body sits at in this moment. I will be voting no.

Chair Miller:

Are there any additional questions or comments on the motion? [There were none.]

THE MOTION WAS ADOPTED. (ASSEMBLYMEN DICKMAN,
LEAVITT, MATTHEWS, AND MCARTHUR VOTED NO.)

I will give the floor statement to Vice Chair Jauregui and close the work session. There are a few members who need to leave at this time because of everything going on right now. The last thing we have is public comment on anything within the purview of this Committee. Everyone will have two minutes. Do we have anyone in the room or on the line who would like to make public comment? [There was no one.]

We are at the point in session where I cannot guarantee anything or any schedule, but we will let you know. Pretty much everything is at the call of the Chair right now. I believe we will not have any more business today but, if for any reason we have more meetings scheduled, I will let you know as soon as possible. Not seeing any other business before us, this meeting is adjourned [at 3:25 p.m.].

RESPECTFULLY SUBMITTED:

Traci Dory
Recording Secretary

RESPECTFULLY SUBMITTED:

Jordan Green
Transcribing Secretary

APPROVED BY:

Assemblywoman Brittney Miller, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for Senate Bill 292 (1st Reprint), submitted and presented by Pepper Sturm, Principal Policy Analyst, Committee and Policy Research Services, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for Assembly Concurrent Resolution 3, submitted and presented by Pepper Sturm, Principal Policy Analyst, Committee and Policy Research Services, Research Division, Legislative Counsel Bureau.