

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

**Eighty-first Session  
May 26, 2021**

The Senate Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 5:18 p.m. on Wednesday, May 26, 2021, Online and in Room 2149 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator James Ohrenschall, Chair  
Senator Roberta Lange, Vice Chair  
Senator Nicole J. Cannizzaro  
Senator Heidi Seevers Gansert  
Senator Carrie A. Buck

**STAFF MEMBERS PRESENT:**

Michael Stewart, Policy Analyst  
Bryan Fernley, Counsel  
Barbara Young, Committee Secretary

**OTHERS PRESENT:**

Emily Persaud-Zamora, Silver State Voices  
Amber Falgout, Battle Born Progress

CHAIR OHRENSCHALL:

We are going to work session two bills that were heard yesterday. We will begin with Assembly Bill (A.B.) 365.

**ASSEMBLY BILL 365 (1st Reprint):** Revises provisions relating to governmental administration. (BDR 23-133)

MICHAEL STEWART (Policy Analyst):

Assemblywoman Sarah Peters brought this bill to this Committee on May 25. It declares it is the public policy of this State that persons employed by the State be afforded respect, dignity and equity in the workplace ([Exhibit B](#)).

SENATOR LANGE MOVED TO DO PASS A.B. 365.

SENATOR CANNIZZARO SECONDED THE MOTION.

SENATOR SEEVERS GANSERT:

I am going to be a no on this legislation. We had a bill which dealt with sexual harassment and discrimination. It had protections for those who were filing reports. There is nothing in this bill to protect someone from retribution. There is no structure around how to report or file a complaint. I agree with the goals and the public policy presented in this bill, but part of this bill is also about things which are not unlawful. Harassment is unlawful, so this puts it into a totally different category, versus something that is not unlawful, which is specifically stated in this bill.

THE MOTION PASSED. (SENATORS BUCK AND SEEVERS GANSERT VOTED NO.)

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CHAIR OHRENSCHALL:

We will continue with our next work session on A.B. 441.

**ASSEMBLY BILL 441**: Revises provisions governing legislators. (BDR 17-922)

MR. STEWART:

This bill was brought to us by Assemblyman Jason Frierson ([Exhibit C](#)).

SENATOR LANGE MOVED TO DO PASS A.B. 441.

SENATOR CANNIZZARO SECONDED THE MOTION.

SENATOR SEEVERS GANSERT:

I am going to support this bill because it has strict limits on the amount of money, guardrails around how the money can be spent and requirements that the money must be reported in the regular cycle for contributions and expenses. During Session, frequent expenses associated with rent, travel and so forth can exceed what an individual may have on hand in a campaign account. In this case, there is no campaign account.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR OHRENSCHALL:

Next on our agenda is a hearing on Senate Concurrent Resolution (S.C.R.) 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)

SENATOR NICOLE J. CANNIZZARO (Senatorial District No. 6):

Senate Concurrent Resolution 13 creates an interim committee to conduct an investigation into matters relating to reapportionment and redistricting in Nevada. During the 2019-2020 Interim, I sat on the Legislature's Committee to Conduct an Interim Study of the Requirements for Reapportionment and Redistricting in the State of Nevada. Senator Seevers Gansert joined me on that Committee. That study is held every ten years in advance of the redistricting session to help prepare us for the redistricting exercise. Essentially, it helped us set the stage for redistricting efforts that would occur in 2021.

Due to delays in the delivery of necessary data from the United States Census Bureau, we were unable to conduct reapportionment and redistricting during this regular Legislative Session. No one could have anticipated we would be in the middle of a pandemic while trying to collect census data and conducting our redistricting exercise. I bring S.C.R. 13 to you because of these delays and our inability to tackle the redistricting exercise during the regular Session. As stated in the resolution, 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 from the University of Nevada. We know 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 accomplish this very important task.

Fortunately, we are in the position to have already purchased software and mapping equipment with staff ready to go, thanks to the work done during the interim for the redistricting commission mentioned. The vast amount of census data we 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 once the census data is received.

We must also ensure we are complying with case law and constitutional and statutory legal requirements. The Covid-19 pandemic created the census data delays; therefore, we have not had the public hearing process which occurs during redistricting sessions. It is vitally important to have a continuing discussion on redistricting, and S.C.R. 13 would make it possible.

This resolution calls for the creation of an interim committee to investigate matters relating to reapportionment and redistricting in conjunction with the data from the decennial census of 2020. The study committee must be composed of at least three members of the Assembly and at least three members of the Senate. A chair and a vice chair would be elected by the interim committee. The committee would conduct a continuing examination and monitoring of any redistricting systems established or recommended for use by the Nevada Legislature. This would include requirements for computer equipment, computer software, personnel training and review of case law concerning the planning for reapportionment and redistricting in other states.

Data from the decennial census of 2020 would be analyzed to consider potential issues involving such data that may arise during the process of reapportionment and redistricting. Possible procedures would be considered and recommended for use by the Nevada Legislature to ensure that members of the public are involved in the process and examine any other matters relating to the reapportionment and redistricting committee that yield to benefit the Nevada Legislature.

This final point will give the committee flexibility as we approach the redistricting exercise. I want to emphasize again, I am fully aware we embarked on a study of redistricting last year and made good recommendations. Those recommendations prepared us in the event we would be able to conduct redistricting exercises during this Legislative Session. Unfortunately, due to the delays in receiving our required census data, we are still in flux and need to have continued discussions on important issues. We know we need to be expeditious once the data arrives. We anticipate getting the raw data we need sometime in August, potentially later. Senate Concurrent Resolution 13 allows us to review any ongoing or pending matters, receive updates on where we are

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

SENATOR SEEVERS GANSERT:

While there are members who are appointed from both parties—the majority and the minority—the Speaker and the Majority Leader control those appointments, versus allowing the Minority Leadership to appoint their own members. I am unsure if we did that before. I do not remember seeing such language.

SENATOR CANNIZZARO:

There are differences between S.C.R. 13 and what we did last Interim. Notably, because we are behind in the process. I want to provide a place where folks can come and discuss issues with respect to redistricting in that public process. It has previously been an appointment from the Legislative Commission for the members who serve on that committee. In this bill, we are leaving it to Leadership for the Majority Leader and Speaker to appoint three members, two of whom can be from the same political party and one from the minority party. It is a smaller committee than what had previously been established with our prior resolution from last Session. It is operating somewhat differently.

EMILY PERSAUD-ZAMORA (Silver State Voices):

I stand in support of S.C.R. 13. Specifically, it will ensure all Nevadans can participate in the redistricting process. I will read my submitted testimony ([Exhibit D](#)).

AMBER FALGOUT (Battle Born Progress):

We are in full support of S.C.R. 13. I want to thank Majority Leader Cannizzaro and Speaker Frierson for bringing this forward. We need a bipartisan redistricting committee that looks at redistricting in Nevada. This is an important step in making sure that redistricting is equitable for all of our communities, based on the data.

CHAIR OHRENSCHALL:

I will close the hearing on S.C.R. 13. Given that it is so late in Session and this is something that needs to move, I will take a motion.

SENATOR LANGE MOVED TO DO ADOPT S.C.R. 13.

SENATOR CANNIZZARO SECONDED THE MOTION.

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SENATOR SEEVERS GANSERT:

I am not going to support it because of the appointment process. I think that each party should be able to appoint the members it chooses.

THE MOTION PASSED. (SENATORS BUCK AND SEEVERS GANSERT VOTED NO.)

CHAIR OHRENSCHALL:

As there is no public comment, we are adjourned at 5:42 p.m.

RESPECTFULLY SUBMITTED:

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Barbara Young,  
Committee Secretary

APPROVED BY:

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Senator James Ohrenschall, Chair

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

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
A.B. 365	B	1	Michael Stewart	Work Session Document
A.B. 441	C	1	Michael Stewart	Work Session Document
S.C.R. 13	D	1	Emily Persaud-Zamora	Support Testimony