

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

**Eighty-first Session
March 25, 2021**

The Senate Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 3:35 p.m. on Thursday, March 25, 2021, Online. [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

GUEST LEGISLATORS PRESENT:

Senator Dallas Harris, Senatorial District No. 11
Senator Pat Spearman, Senatorial District No. 1

STAFF MEMBERS PRESENT:

Michael Stewart, Policy Analyst
Bryan Fernley, Counsel
Wayne Thorley, Fiscal Analyst
Diane Rea, Committee Secretary

OTHERS PRESENT:

Alexis Motarex, Nevada Chapter Associated General Contractors
Jim Haining, Purchasing Manager, Las Vegas Valley Water District

VICE CHAIR LANGE:

We will open the hearing on Senate Joint Resolution (S.J.R.) 6.

SENATE JOINT RESOLUTION 6: Expresses support for the creation of a retirement plan for spouses of members of the military. (BDR R-384)

SENATOR PAT SPEARMAN (Senatorial District No. 1):

I am pleased to introduce S.J.R. 6. I have submitted my written testimony ([Exhibit B](#)). At least 28 percent of the active military persons say that being realistic or staying in the military depends upon whether or not their spouse has a job, can find a job or can work in their profession. The Department of Defense (DOD) considers the ability to find military spouses jobs within their profession a readiness issue.

You will see many compacts agreeing to make sure that Nevada is linked with other states which have the same criteria for spouses to work in their professional occupations. When spouses come into or leave Nevada, they could immediately start work. This is a serious issue that we cannot address state by state. Nevada cannot set up a retirement system for military spouses because whatever the profession, it would mean some civilians who are living in Nevada and have paid into their retirement would probably have to give up something. The best way to do this is through the DOD Appropriations Act.

SENATOR SEEVERS GANSERT:

Are any other states presenting a resolution, or has there been any discussion at the federal level to do this?

SENATOR SPEARMAN:

To my knowledge, I do not think anyone has. I have contacted people I know through the Black, Indigenous and People of Color Communities, CSG West and anyone I know in other states. I have suggested all who have military bases bring legislation forward.

At the end of 20 years, the military member, along with others who are retiring, get a 21-gun salute, a coin, a certificate of retirement and a thank you for all he or she has done. The spouse who has had a professional career may have only worked 3 or 4 years toward 20 years of a profession because of moving.

Every time they move and it is not a compact state, they have to start from the bottom. The military member has a retirement plan, but the civilian spouse gets nothing. It is time to change that.

VICE CHAIR LANGE:

We will close the hearing on S.J.R. 6 and open the hearing on Senate Bill (S.B.) 176.

SENATE BILL 176: Revises provisions relating to the Commission to Study Governmental Purchasing. (BDR 17-512)

SENATOR PAT SPEARMAN (Senatorial District No. 1):

Thank you for the opportunity to present S.B. 176. I have submitted my written testimony ([Exhibit C](#)). I asked everyone to look at their diversity, not just among staff but of suppliers, and to make sure it was not just people they knew but small businesses, men and women, including veterans, and allow them the opportunity to work with the government.

ALEXIS MOTAREX (Nevada Chapter Associated General Contractors):

We are here in opposition to S.B. 176. Many of the Associated General Contractors (AGC) members engage in public purchasing and have tried to engage with the Commission on their behalf over the years. There is a lack of transparency that is concerning. There is no website, meeting notices are nearly impossible to find, there does not seem to be a list of Commission members, and there are no minutes available.

I was able to find a meeting agenda on Clark County's website from last November and one on the Sparks website from September 2019. Those agendas indicate notices are posted on <<https://Notice.gov/>>, which might meet a minimum standard but is just a minimum and leaves the public out of the process.

It is our belief that this Commission has not matured to the point that it has proven it can self-direct and request its own bill draft requests (BDRs). According to statute, every member has access to BDRs through his or her city, county, the Nevada League of Cities and Municipalities, and the National Association of Counties. Why should this Committee be able to circumvent the public process its governing bodies have to comply with when prioritizing its BDRs? Until there is more transparency, AGC respectfully requests S.B. 176 not be processed.

SENATOR SEEVERS GANSERT:

It was stated that members already have access to BDRs because they are either elected officials or government. Is this correct?

JIM HAINING (Purchasing Manager, Las Vegas Valley Water District:
I am a member of the Nevada Public Purchasing Study Commission. I will do a short presentation ([Exhibit D](#)) to explain the Commission.

We were set up by the Legislature to review the laws that impact local purchasing in the State of Nevada, to review proposed changes during each Legislative Session and to work with perspective entities during the session.

Meetings are at least quarterly. They are posted, and we invite everybody who is interested. We do not have a website because we are not a corporation that belongs to one of the entities. Our membership is every entity within Clark and Washoe Counties. We were set up so we could make recommendations of any changes to the legislative law.

To date, we have not been able to find a sponsor. Since 2008, we tried to propose changes to the *Nevada Revised Statutes* (NRS) 332. State Purchasing decided to help us in 2019. Prior to that time, nothing had been done. We can only be effective in proposing changes if we can find another entity or Legislator who will submit a BDR on our behalf.

If we are unable to submit BDRs, we should dissolve this Commission because we have no effectiveness. Giving us the ability to have two BDRs helps keep the politics out of our side of the process. We are purchasing agents. We spend within each of our agencies making sure we meet the laws according to NRS 332 and NRS 338 and that our processes are correct.

SENATOR SEEVERS GANSERT:

You do not have a website, so how do you post your minutes and let people know what you are doing? How can you be more transparent?

MR. HAINING:

We do not have a website. Our minutes are available when people ask, and the agendas are posted when we send out the email blast before and after the meeting. If the meetings are open to the public, we have public comment. Since we do not belong to any single agency, we have zero funding and no access to build or maintain websites. We have no staff. We are just employees of each of the entities that are required by statute to be members of the Commission.

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VICE CHAIR LANGE:

We will close the hearing on S.B. 176 and open the hearing on S. B. 268.

SENATE BILL 268: Revises provisions relating to state financial administration.
(BDR 17-545)

SENATOR DALLAS HARRIS (Senatorial District No. 11):

Thank you for the opportunity to present S.B. 268. I have submitted my written testimony ([Exhibit E](#)).

SENATOR SEEVERS GANSERT:

I thought we could get some ideas from Wayne Thorley of what this would look like for our State.

WAYNE THORLEY (Fiscal Analyst):

The purpose of the stress test is to look at how the State budgets and revenues respond under various economic scenarios. The language in this legislation is broad, and that would allow our office to figure out the best way to approach this with the resources and time restraints we are under. Methodology is something that will be looked at if this legislation is passed.

SENATOR HARRIS:

I know Mr. Thorley has been in contact with his cohorts in Utah who have been doing this for a while and have committed to walking us through the process as we develop it.

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VICE CHAIR LANGE:

We will close the hearing on S.B. 268. Having no further business on the agenda, we will adjourn the Committee meeting at 4:31 p.m.

RESPECTFULLY SUBMITTED:

Diane Rea,
Committee Secretary

APPROVED BY:

Senator James Ohrenschall, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
S.J.R. 6	B	1	Senator Pat Spearman	Written testimony
S.B. 176	C	1	Senator Pat Spearman	Written testimony
S.B. 176	D	1	Jim Haining / Las Vegas Valley Water District	Presentation
S.B. 268	E	1	Senator Dallas Harris	Written testimony