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

**Eighty-second Session**
**June 2, 2023**


The Senate Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 1:09 p.m. on Friday, June 2, 2023, in Room 2149 of the Legislative Building, Carson City, 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 Skip Daly, Vice Chair
Senator Heidi Seevers Gansert

**COMMITTEE MEMBERS ABSENT:**

Senator Nicole J. Cannizzaro (Excused)
Senator Lisa Krasner (Excused)

**STAFF MEMBERS PRESENT:**

Nicolas Anthony, Policy Analyst
Jeff Koelemay, Counsel
Diane Rea, Committee Secretary

CHAIR OHRENSCHALL:
I am going straight to our work session starting with Assembly Bill (A.B.) 192.

**ASSEMBLY BILL 192 (2nd Reprint):** Revises provisions relating to elections. (BDR 24-836)

NICOLAS ANTHONY (Policy Analyst):
Assembly Bill 192 is the first bill on our work session. The work session document (Exhibit C) describes the bill. There is a General Fund appropriation to the Office of the Secretary of State (SOS) on the bill. There are no amendments.

CHAIR OHRENSCHALL:
We have been working on a proposed conceptual amendment. Senator Daly can go over the provisions. We do not have it in a hard copy.

SENATOR DALY:
I would move to amend and do pass A.B. 192 with the following conceptual amendment: We would change "shall" to "may" in section 1, adding the words "the State can enter into one or more contracts for all ballots Statewide." We must put in a provision that counties can opt in with "may" language for the first year for the Presidential election. They must do that within six months, and after that it would be eight months once they are in for a cycle. The State would have the obligation to be under contract, and counties are obligated for the entire election cycle.

CHAIR OHRENSCHALL:
I would accept an amend and do pass motion with the amendment.

> SENATOR DALY MOVED TO AMEND AND DO PASS AS AMENDED
> A.B. 192 WITH THE CONCEPTUAL AMENDMENT.

SENATOR SEEVERS GANSERT:
The first thing we are going to do is to change "may" versus "shall" in section 1. We are going to require if a county wants to opt out, it is going to be six months for this year, but eight months after this election cycle and then it is going to be for an entire election cycle. If there is a primary or general election in that year, then one or more vendors will be contracted to provide ballots and envelopes.

I must look at the language to see if that was pertaining to Statewide races. What happens right now is each county and some of the municipalities have different elections. They are not all Statewide. We have Statewide ballot measures and people who run for office, and things change all the way down to the cities and municipalities.

SENATOR DALY:
I believe we are talking about the Statewide elections and the elections that are set up for the June primary and the November general. The municipal elections that may be in on or off years and various things not Statewide would not be covered by this.

My understanding is each county puts out ballots for Assembly and Senate; if the county's local officers are on the same cycle, they would be on the ballot, but that is a different function. Constitutional Officers are elected once every four years and then the Presidential primary once every four years as well. Those are the elections we are talking about.

SENATOR SEEVERS GANSERT:
I am looking at the language, and it talks about in all Presidential preference, primary and general elections held in the State. To be honest, that language is ambiguous if we are talking about just Presidential elections.

SENATOR DALY:
No. The language is not about just Presidential elections but all the normal, every two-year election cycles. I do not think it was intended to cover municipal elections that are in the off-year cycles.

CHAIR OHRENSCHALL:
I think this applies to elections that are Statewide, whether the Presidential preference primary or Statewide elections for Constitutional Offices. That is why I say not municipal elections or anything like that.

SENATOR SEEVERS GANSERT:
I am thinking about when we have a Statewide ballot, about the upcoming election in 2024. You are going to be voting for President. You are not going to have Constitutional Officers this time, but you are going to have races for city council, judges and justices. They all show up on the same ballots. That is nuanced, and the further you go down the ballot, the more specific it gets.

SENATOR DALY:
Unless the U.S. Constitution has changed at the national level, you will have a Statewide election every two years for all four House members. You will have one every two years.

SENATOR SEEVERS GANSERT:
I do not hear the complexity of having the State, through the Secretary of State, go to those ballots because those ballots still will contain municipal issues. You do not get two ballots. You do not get a ballot for the Statewide races and a different one for municipal races. It is a big commitment for the

Secretary of State to pick up all the nuances of ballots that are more local, but the ballots would still be Statewide in some respect.

SENATOR DALY:
Yes, and the Secretary of State's Office will go county by county and ballot by ballot. When you get a ballot in Eureka County, it may have the county commissioners, a judge, the county clerk, whatever is up in that cycle, and the SOS is going to coordinate with the county for the ballot. If it is a Constitutional Officers' year, there will be the Constitutional Officers. If it is not, you may have a U.S. Senator, but you are going to have a House of Representatives race. The SOS staff will do the ballot for the Statewide election and then all the local races. The SOS will go coordinate with the counties. That is why you are doing it county by county because each county will provide information for its ballots.

SENATOR SEEVERS GANSERT:
It is good that we put "may" in the bill because of the complexity of what those ballots are going to look like.

CHAIR OHRENSCHALL:
I am glad we have that "may" too, so there is some flexibility.

>    SENATOR SEEVERS GANSERT SECONDED THE MOTION.

>    THE MOTION CARRIED UNANIMOUSLY.

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MR. ANTHONY:
The next bill on work session for today is A.B. 239. The work session document (Exhibit D) describes the bill. There were no amendments.

**ASSEMBLY BILL 239 (1st Reprint)**: Makes various changes relating to government administration. (BDR 23-896)

CHAIR OHRENSCHALL:
I would accept a do pass motion.

>    SENATOR SEEVERS GANSERT MOVED TO DO PASS A.B. 239.

SENATOR DALY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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MR. ANTHONY:
The next bill the Committee will take up on the work session is A.B. 246 in its second reprint. The work session document (Exhibit E) describes the bill. There were no amendments.

**ASSEMBLY BILL 246 (2nd Reprint)**: Revises provisions governing elections. (BDR 24-821)

CHAIR OHRENSCHALL:
I would take a do pass motion on A.B. 246.

SENATOR DALY MOVED TO DO PASS A.B. 246.

SENATOR OHRENSCHALL SECONDED THE MOTION.

SENATOR SEEVERS GANSERT:
I am going to reserve my right to change my vote on the Floor. I support it, but I need to look at it one more time.

CHAIR OHRENSCHALL:
I appreciate your reserving your right but supporting it out of Committee.

THE MOTION CARRIED UNANIMOUSLY.

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MR. ANTHONY:
The next bill on work session is A.B. 376 in its second reprint. The work session document (Exhibit F) is provided.

**ASSEMBLY BILL 376 (2nd Reprint)**: Establishes provisions governing paid family leave for certain state employees. (BDR 23-1053)

CHAIR OHRENSCHALL:
I would accept a do pass motion on A.B. 376.

> SENATOR SEEVERS GANSERT MOVED TO DO PASS A.B. 376.

> SENATOR DALY SECONDED THE MOTION.

> THE MOTION CARRIED UNANIMOUSLY.

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MR. ANTHONY:
The last bill on work session is A.B. 399 in its first reprint. The work session document (Exhibit G) explains the bill.

**ASSEMBLY BILL 399 (1st Reprint)**: Creates the Subcommittee on Education Accountability of the Interim Finance Committee. (BDR 17-1043)

There was discussion during the hearing regarding the number of meetings. The bill requires a meeting at least once every six months.

Senator Seevers Gansert brought up a question on the timing of whether the subcommittee should just have two meetings per year. There is an appetite for an amendment for two meetings per year to give the subcommittee a little more flexibility.

CHAIR OHRENSCHALL:
I would accept an amend and do pass motion with the amendment. Senator Seevers Gansert, would you mind articulating.

> SENATOR SEEVERS GANSERT MOVED TO AMEND AND DO PASS AS AMENDED A.B. 399 WITH THE CONCEPTUAL AMENDMENT REQUIRING TWO MEETINGS PER YEAR.

SENATOR SEEVERS GANSERT:
The amendment would be changing the language in the bill for when members are supposed to meet from every six months to twice a year.

> SENATOR OHRENSCHALL SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR OHRENSCHALL:
We will close the work session. Seeing no further business for the Legislative Operations and Elections Committee for this day, we are adjourned at 7:05 p.m.

RESPECTFULLY SUBMITTED:

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Diane Rea,
Committee Secretary

APPROVED BY:

_____
Senator James Ohrenschall, Chair

DATE:_____

| | | | EXHIBIT SUMMARY | |
|---|---|---|---|---|
| **Bill** | **Exhibit Letter** | **Introduced on Minute Report Page No.** | **Witness / Entity** | **Description** |
| | A | 1 | | Agenda |
| | B | 1 | | Attendance Roster |
| A.B. 192 | C | 1 | Nicolas Anthony | Work session document |
| A.B. 239 | D | 4 | Nicolas Anthony | Work session document |
| A.B. 246 | E | 5 | Nicolas Anthony | Work session document |
| A.B. 376 | F | 5 | Nicolas Anthony | Work session document |
| A.B. 399 | G | 6 | Nicolas Anthony | Work session document |