

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

**Eighty-second Session  
April 4, 2023**

The Senate Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 3:40 p.m. on Tuesday, April 4, 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 Nicole J. Cannizzaro  
Senator Heidi Seevers Gansert  
Senator Lisa Krasner

**GUEST LEGISLATORS PRESENT:**

Senator Pat Spearman, Senatorial District No. 1  
Assemblywoman Tracy Brown-May, Assembly District No. 42

**STAFF MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

Rebecca Ortiz, Executive Assistant, Nevada Governor's Council on  
Developmental Disabilities, Nevada Department of Health and Human  
Services  
Eddie Ableser, Opportunity Village  
Joseph Arrascada, Regent, Nevada System of Higher Education  
Raquel O'Neill  
Steven Cohen  
Janine Hansen, Nevada Families for Freedom

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Jake McNeill, Laborers Local 169  
Andy Donahue, Southern Nevada Laborers-Employers Cooperation and  
Education Trust

CHAIR OHRENSCHALL:

Before we start our bills, we have three work session documents.

NICOLAS ANTHONY (Policy Analyst):

Before the Committee are three bills on work session starting with Senate Bill (S.B.) 87. The work session document ([Exhibit C](#)) along with the attached conceptual amendment is in your materials.

**SENATE BILL 87**: Revises provisions relating to state employment.  
(BDR 23-343)

CHAIR OHRENSCHALL:

I thank Assemblyman Howard Watts for reaching out to all the interested parties and working with them on the amendment. I would accept a motion to amend and do pass S.B. 87 with the conceptual amendment.

SENATOR DALY MOVED TO AMEND AND DO PASS AS AMENDED  
S.B. 87 WITH THE CONCEPTUAL AMENDMENT.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

\* \* \* \* \*

MR. ANTHONY:

The next bill on work session is Senate Joint Resolution (S.J.R.) 5. The work session document ([Exhibit D](#)) describes the bill.

**SENATE JOINT RESOLUTION 5**: Urges Congress to expand the Supplemental Nutrition Assistance Program and the Special Supplemental Nutrition Program for Women, Infants and Children to cover the purchase of menstrual products. (BDR R-980)

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CHAIR OHRENSCHALL:

I appreciate Senator Scheible's work on this resolution. I would accept a motion to do pass S.J.R. 5.

SENATOR KRASNER MOVED TO DO PASS S.J.R. 5.

SENATOR SEEVERS GANSERT SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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MR. ANTHONY:

The last bill on work session is S.J.R. 7 of the 81st Session. The work session document ([Exhibit E](#)) explains the bill.

**SENATE JOINT RESOLUTION 7 OF THE 81ST SESSION:** Proposes to amend the Nevada Constitution to remove the constitutional provisions governing the election and duties of the Board of Regents of the State University and to authorize the Legislature to provide by statute for the governance of the State University and for the auditing of public institutions of higher education in this State. (BDR C-944)

CHAIR OHRENSCHALL:

I thank Senator Dondero Loop for all her work on this legislation. I would accept a motion to do pass.

SENATOR DALY MOVED TO DO PASS S.J.R. 7 OF THE 81ST SESSION.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

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CHAIR OHRENSCHALL:

I will open the hearing on S.B. 279.

**SENATE BILL 279:** Revises provisions relating to employment. (BDR 23-882)

SENATOR PAT SPEARMAN (Senatorial District No. 1):

I am pleased to present Senate Bill 279, which continues my ongoing work to ensure that our laws provide equal opportunities for every citizen of this State. The issue before you relates to our recognizing and fostering the employment of persons with disabilities. I heard this during our Council of State Governments West meeting in December, and a couple of states have already begun the process. We continue to pass bills that require employers to recognize the abilities of those persons who are differently abled, but I am not so sure we have done as much as we can in our State.

The existing public policy of this State is that persons with disabilities must be afforded equal opportunities for employment by the State, and full consideration must be given to the employment of a person with a disability if the person can perform the essential function of the position with or without reasonable accommodations.

Senate Bill 279 is intended to take our States' employment practices of those with disabilities one step further. It is our responsibility, as policy makers, to ensure everyone in this State has ample and equal access to employment opportunities.

Senate Bill 279 enshrines Nevada as a model employer in State law. These types of acts are often referred to as SAME policies and practices. The model leads by example and shows State government as an employer of people with disabilities, truly serving as an example for the private sector.

We passed A.B. No. 309 of the 79th Session which gave hiring preferences to veterans and surviving spouses.

Section 2 of the bill declares this State to be a model employer for persons with disabilities. The intent is how the policy statement reads—"to provide agencies in the Executive Department of State Government a framework for recruiting, hiring, promoting and retaining qualified persons with disabilities."

Section 3 establishes the model employer program in the Division of Human Resource Management of the Nevada Department of Administration. This program will ensure the best policies, practices and procedures for hiring, promotion and retention of persons with disabilities. Subsection 2 requires the Division of Human Resources Management to work with the Rehabilitation

Division of the Nevada Department of Employment, Training and Rehabilitation (DETR) to provide technical assistance and training in such endeavors. Subsection 3 requires the Commission to adopt any regulations to carry out the program.

Section 4 provides the measure is effective upon passage and approval for the purpose of adopting regulations or other preparatory tasks. The measure takes full effect on January 1, 2024. This will allow time for the Division of Human Resource Management to get everything up and running.

ASSEMBLYWOMAN TRACY BROWN-MAY (Assembly District No. 42):

I am honored to assist Senator Spearman today and to be included in this piece of legislation. I have spent the last 20 years advocating for the rights of individuals with intellectual, developmental and related disabilities. Employment is something we continue to focus on.

I come at this from a disability perspective. How do we engage members in our community who have diagnoses or disabilities which visually or otherwise may prohibit them from entering competitive integrated employment?

The Americans with Disabilities Act of 1990 is more than 30 years old. We must realize many of the provisions have been enacted in this piece of legislation. We continue to have conversations about how we can better engage this part of our population.

What most people do not recognize or realize is approximately 25 percent of our population is people who identify as having a disability. Many things can inhibit a person from being able to seek employment for one reason or another. Sometimes, they are discriminated against by how they look. Sometimes, people are believed to not be able to do a job, when in fact they can do a job better than others. This is really about setting standards for us to encourage the State to be a model in employment by seeking proactive ways to encourage people with disabilities to become part of our State's rolls.

Members of this Body had an opportunity to listen, through our Assembly Ways and Means Committee, to a number of vacancies we have throughout our State agencies. By creating ways to eliminate barriers to employment for people with disabilities, we could assist the State and fill its rolls with qualified people and further inclusion for the folks with disabilities throughout our community.

We have some programs in existence in Nevada. The 700-hour program is one that exists in State legislation. It is an internship program for folks with disabilities who have been certified through DETR to become State employees after a period of 700 hours of training. You must be certified by DETR as opposed to applying for the job and being hired.

SENATOR SPEARMAN:

I want to read some statistics from the Centers for Disease Control and Prevention regarding how disability impacts Nevada. Everyone can play a role in supporting more inclusive State programs and health care to people who have or are at risk for disabilities. Percentages of adults in Nevada have select functional disability types. Number 1 is mobility at 13 percent, cognition is 11 percent, independent living is 7 percent, hearing is 6 percent, vision and self-care is 7 percent.

We spend about \$6 billion on disability care in the State. One of the other reasons I wanted to bring this bill is because I know people who have disabilities do not want to be dependent on government. They really want to be self-sufficient and be able to provide for themselves. This bill affords them an opportunity, like Assemblywoman Brown-May said, to have the same advantage and opportunities as people without disabilities.

From my 30 years in the military, I have hearing loss and did not realize it until being processed out for a medical retirement. I got hearing aids. Also, on a military exercise, I injured the nerves in my arm. I used to be right-handed. Now I am left-handed. If people looked at this dystonia and the hearing loss, they probably would not want to hire me. I think the same is true for those people who are living with disabilities, and some refer to themselves as differently abled.

CHAIR OHRENSCHALL:

Business Enterprises of Nevada does a tremendous job trying to help folks to have small businesses, and this will expand so many opportunities.

REBECCA ORTIZ (Executive Assistant, Nevada Governor's Council on Developmental Disabilities, Nevada Department of Health and Human Services):

My written testimony ([Exhibit F](#)) is included.

EDDIE ABLESER (Opportunity Village):

Opportunity Village is in support of S.B. 279 and excited about the opportunity to name the State as a model employer. As a former director in agencies throughout the State, I had a chance to work with individuals off the 700-hour list, which created full-time employment opportunities. That program is important in the expansion of this bill. The State has a need to fill jobs as well as provide opportunities for individuals with disabilities.

JOSEPH ARRASCADA (Regent, Nevada System of Higher Education):

I have been using a wheelchair for the past 36 years. I had the opportunity to utilize vocational rehabilitation. The University of Nevada, Reno, gave me an opportunity to work full time immediately following my graduate degree in social work. I worked at the Ioannis A. Lougaris Veterans' Administration Medical Center in Reno for 20 years.

RAQUEL O'NEILL:

I am under the care of the Nevada State Rehabilitation Council and have lived with visual impairment since I was aged 15. I support this bill. Everyone with a disability who is allowed the opportunity to be employed in the State will have an impact on what is available to and for us and be able to provide an important role in what we do together.

STEVEN COHEN:

I support S.B. 279. In 2018, I was hired under the 700-hour program by Medicaid. After I passed the program, Medicaid staff waited until my 11-month review, which determined whether I was going to become a full-time employee or let go. They scheduled the review, canceled and then let me go.

Fifty-three percent have passed probation of the 700-hour program since the program became mandatory in the 2017 Session.

CHAIR OHRENSCHALL:

We have received written testimony ([Exhibit G](#), [Exhibit H](#) and [Exhibit I](#)) in support of S.B. 279 and written testimony ([Exhibit J](#)) in opposition.

We will close the hearing on Senate Bill 279 and open the hearing on Senate Bill 326 sponsored by Senator Daly.

**SENATE BILL 326**: Revises provisions governing elections. (BDR 24-542)

SENATOR SKIP DALY (Senatorial District No. 13):

Senate Bill 326 fixes a few things in the campaign practices in *Nevada Revised Statutes* (NRS) 294A. As originally drafted, it covers the same language in several different areas of legislation.

When candidates report, they have a lower threshold than some political action committees or other people making independent expenditures. The statute does not lower the threshold on political action committees or other entities making independent expenditures. It does say all contributions above \$1,000 must be included. This bill will add language in statute asking to see the contributions less than \$1,000 once they total \$1,000 or more. In other words, candidates do not have to report every \$100 contribution, but if the candidate received contributions totaling \$1,000, the candidate reports all contributions less than \$1,000.

The other part of S.B. 326 is to have those entities report their cash-on-hand balance in the campaign account. It also clarifies toward the end that large multistate or out-of-state organization only need to report the contributions received or the expenditures made in Nevada regarding the cash on hand.

I hope to make a couple of amendments and will go over them verbally. When we get them in a formal way, I will share them with the Committee.

One amendment ([Exhibit K](#)) pertains to NRS 294A.0055, which has the definition of a committee for political action. People ask me if they contribute, not doing anything else, do they have to register? If it is one of the gaming organizations, it is not registered for contributing. Individuals are in the same category. The bill will clarify if the only activity engaged in is contributing, then the candidate receiving the contribution must report it. Individuals are not defined as a political action committee and would not have to register or report.

The other amendment involves NRS 249A.160. A candidate who has unspent campaign funds after the end of the election can keep those campaign funds if remaining as a candidate. Contributions received after the end of the election of \$100 or more when losing the election can be kept if the person meets the definition of a candidate and plans to run again in four years. The candidate does have to dispose of the contribution if his or her name is not on the ballot before the end of the four years. If he or she does not qualify as a candidate, the unspent contributions must be gone by January 15, or the fifteenth day of



the second month after the election. Some language will clarify that if a candidate loses and still qualifies as a candidate afterward, any unspent campaign contributions could be kept until the candidate may run again in four years.

The final thing to clarify or clean up is in NRS 294A.365. When candidates complete their reports, the form has all the categories: office expenses, expense related to volunteers, travel, advertising, etc. They list all those expenses, put in the right category and then, identify the name and address of the recipient of the campaign expense or expenditure. That is not in the statute. This would clarify that piece.

Those are the three proposed amendments, [Exhibit K](#), for S.B. 326. I will have the amendment language available for everybody before the work session.

JANINE HANSEN (Nevada Families for Freedom):

The one portion of S.B. 326 I am interested in is the part which allows you to identify your contributions without telling who the person is below \$1,000. This happened during the last election when I oversaw the Stop Question 1 campaign. I called the Secretary of State's Office several times and asked where we can put this because if we spend money and have not reported it, then we look like we are violating the campaign finance laws. The Office told me there was no provision to put a cumulative total for those who had donated under \$1,000. I was on the phone several times with the Office about this.

I was working with Barbara Cegavske when she was a State Senator and the chair of this Committee to get this changed to \$1,000 years ago. I am in favor of that part because when you are raising money, you do want to be transparent about it and not be accused of hiding what you have raised and are spending. Most of our contributions were small and would never qualify for the \$1,000 limit.

JAKE MCNEILL (Laborers Local 169):

Laborers Union Local 169 is in support of what Senator Daly is working on.

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ANDY DONAHUE (Southern Nevada Laborers-Employers Cooperation and  
Education Trust):  
The Trust is in support of S.B. 326.

CHAIR OHRENSCHALL:  
We will close the hearing on Senate Bill 326. We are adjourned at 4:22 p.m.

RESPECTFULLY SUBMITTED:

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Diane Rea,  
Committee Secretary

APPROVED BY:

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Senator James Ohrenschall, Chair

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

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit Letter</b>	<b>Introduced on Minute Report Page No.</b>	<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
	B	1		Attendance Roster
S.B. 87	C	2	Nicolas Anthony	Work Session Document
S.J.R. 5	D	2	Nicolas Anthony	Work Session Document
S.J.R. 7	E	3	Nicolas Anthony	Work Session Document
S.B. 279	F	7	Rebecca Ortiz/ Governor's Council on Developmental Disabilities	Written Testimony in Support
S.B. 279	G	7	Ashlee Cooper / Opportunity Village	Written Testimony in Support
S.B. 279	H	7	Dawn Lyon / Nevada Statewide Independent Living Council	Written Testimony in Support
S.B. 279	I	7	Ellen Marquez / Nevada Governor's Council on Developmental Disabilities	Written Testimony in Support
S.B. 279	J	7	Reva Crump	Written Testimony in Opposition
S.B. 279	K	8	Senator Skip Daly	Proposed Amendment