

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

**Eighty-second Session
May 18, 2023**

The Senate Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 4:06 p.m. on Thursday, May 18, 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

STAFF MEMBERS PRESENT:

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

CHAIR OHRENSCHALL:

We are doing work sessions today. I will turn it over to Mr. Anthony.

NICOLAS ANTHONY (Policy Analyst):

Before the Committee are seven bills on work session starting with the work session document ([Exhibit C](#)) for Assembly Bill (A.B.) 286.

ASSEMBLY BILL 286 (1st Reprint): Makes various changes relating to elections.
(BDR 24-530)

Sponsored by Assemblywoman Brittney Miller, Assemblyman Cameron (C.H.) Miller and others, this bill was heard in this Committee on May 16, 2023. Assembly Bill 286 requires the administrator of a county or city jail to establish policies concerning voting for those detained in the jail. The bill makes various other changes including requiring county and city jails to provide certain information relating to elections.

Senate Committee on Legislative Operations and Elections
May 18, 2023
Page 2

There are no amendments to this measure.

CHAIR OHRENSCHALL:

I would accept a motion to do pass A.B. 286.

SENATOR DALY MOVED TO DO PASS A.B. 286.

SENATOR OHRENSCHALL SECONDED THE MOTION.

SENATOR SEEVERS GANSERT:

I am going to support the motion but reserve my right to vote no. We have had a couple of these measures. One was Senator Melanie Scheible's measure and there are some differences between the two of them. I need to look at that.

SENATOR KRASNER:

I also will be voting yes to get this out of Committee. I did ask a question of the legal counsel as to the constitutionality of a person who is temporarily incarcerated but has not faced a hearing or conviction if the person does have the right to vote when in the city or county jail. The answer is yes, but there are other questionable sections of the bill. I reserve my right prior to Floor.

CHAIR OHRENSCHALL:

Thank you for asking the legal counsel for that information.

THE MOTION CARRIED. (SENATOR CANNIZZARO WAS EXCUSED FOR THE VOTE.)

* * * * *

MR. ANTHONY:

The next bill on work session is Assembly Bill 13 in its first reprint. The work session document ([Exhibit D](#)) describes the bill.

ASSEMBLY BILL 13 (1st Reprint): Revises provisions related to governmental administration. (BDR 23-418)

Provisions in A.B. 13 are related to governmental administration. It is sponsored by the Assembly Committee on Government Affairs on behalf of the Attorney General and was heard in this Committee on May 2, 2023. This bill

relates to a whistleblower protection for State officers and employees. It provides a 60-day period for filing an appeal and eliminates the authority of the hearing officer to order the termination of employment of the proper person.

There are no amendments.

CHAIR OHRENSCHALL:

I would accept a motion to do pass Assembly Bill 13.

SENATOR DALY MOVED TO DO PASS A.B. 13.

SENATOR CANNIZZARO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

MR. ANTHONY:

The next bill on work session is Assembly Bill 394. The work session document ([Exhibit E](#)) describes the bill.

ASSEMBLY BILL 394: Revises provisions governing elections. (BDR 24-776)

This bill revises provisions governing elections. The bill was brought forward by the Assembly Committee on Legislative Operations and Elections and was heard in this Committee on May 4, 2023. Assembly Bill 394 requires the Secretary of State to adopt regulations concerning the abstract or certification of results for any election that is not timely prepared or transmitted and provides ballots may only be counted once, except as otherwise required during an audit or recount.

There are no amendments to the measure.

CHAIR OHRENSCHALL:

This bill came out of the Joint Interim Standing Committee on Legislative Operations and Elections. I would accept a motion to do pass Assembly Bill 394.

SENATOR DALY MOVED TO DO PASS A.B. 394.

SENATOR CANNIZZARO SECONDED THE MOTION.

SENATOR SEEVERS GANSERT:

I am going to vote yes and reserve my right to vote no.

SENATOR KRASNER:

I will be voting yes out of Committee but reserve my right to change prior to Floor as well.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

MR. ANTHONY:

Next bill on work session is Assembly Joint Resolution 1 of the 81st Session. The work session document ([Exhibit F](#)) describes the bill.

ASSEMBLY JOINT RESOLUTION 1 OF THE 81ST SESSION: Proposes to amend the Nevada Constitution to add and revise terms relating to persons with certain conditions for whose benefit certain public entities are supported by the State. (BDR C-477)

The bill proposes to amend the Nevada Constitution to add and revise terms relating to persons with certain conditions or disabilities. The bill was sponsored by Assemblymembers Robin Titus, Teresa Benitez-Thompson and others. Assembly Joint Resolution 1 of the 81st Session proposes to amend Section 1 of Article 13 of the Nevada Constitution by replacing certain terms such as institutions with entities, insane with persons with significant mental illness, blind with persons who are blind or visually impaired and deaf and dumb to persons who are deaf or hard of hearing and add certain entities to the Constitution for such purposes as well.

There are no amendments.

CHAIR OHRENSCHALL:

This is a second time through the Legislature. If it passes now, it will go to the voters at the next general election. I would accept a motion to do pass Assembly Joint Resolution 1 of the 81st Session.

SENATOR KRASNER MOVED TO DO PASS A.J.R. 1 OF THE 81ST SESSION.

SENATOR DALY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

MR. ANTHONY:

The next bill on work session today is Assembly Joint Resolution 1. The work session document ([Exhibit G](#)) describes the bill.

ASSEMBLY JOINT RESOLUTION 1: Urges the United States Department of Veterans Affairs to study the effectiveness and use of hyperbaric oxygen therapy for veterans. (BDR R-838)

The joint resolution urges the United States Department of Veterans Affairs to study the effectiveness and use of hyperbaric oxygen therapy for veterans. It was brought forward by Assemblyman Richard McArthur.

The resolution has no amendments.

CHAIR OHRENSCHALL:

I would accept a do pass motion on Assembly Joint Resolution 1.

SENATOR KRASNER MOVED TO DO PASS A.J.R. 1.

SENATOR SEEVERS GANSERT SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

MR. ANTHONY:

The next bill on work session today is Assembly Joint Resolution 5. The work session document ([Exhibit H](#)) describes the bill.

ASSEMBLY JOINT RESOLUTION 5: Proposes to amend the Nevada Constitution to revise provisions relating to lotteries and the sale of lottery tickets. (BDR C-986)

This bill proposes to amend the Nevada Constitution to authorize the Legislature to revise provisions relating to lotteries and the sale of lottery tickets. The measure was sponsored by Assemblyman Cameron (C.H.) Miller and Assemblywoman Daniele Monroe-Moreno. The bill was heard in this Committee on April 27, 2023.

If passed by the 2023 Legislature, it will return for the 2025 Legislature.

CHAIR OHRENSCHALL:

I would accept a do pass motion on Assembly Joint Resolution 5.

SENATOR DALY MOVED TO DO PASS A.J.R. 5.

SENATOR CANNIZZARO SECONDED THE MOTION.

SENATOR SEEVERS GANSERT:

I will be a no on this proposed resolution. We have an industry in this State which is the best in the world, has invested billions of dollars in brick-and-mortar infrastructure and employs hundreds of thousands of people. I am concerned this will deteriorate the industry, and I want to make sure we support it. I will be a no.

SENATOR KRASNER:

I also will be voting no on A.J.R. 5. Tourism, gaming and mining are the largest industries in the State, and they provide jobs to the people of Nevada. We do not want the brick-and-mortar establishments to have to compete with the lottery, so I will be voting no.

CHAIR OHRENSCHALL:

I am going to be supporting A.J.R. 5. We heard concerns from the gambling industry but also heard concerns from folks who drive to our borders to buy lottery tickets and who do not usually gamble. I believe there is a way the two could coexist.

Senate Committee on Legislative Operations and Elections
May 18, 2023
Page 7

If this measure passes this Session, it will be heard during the Eighty-third Session and then go to a vote of the people.

THE MOTION CARRIED. (SENATORS KRASNER AND SEEVERS GANSERT VOTED NO.)

* * * * *

MR. ANTHONY:

The last bill on work session today is Assembly Joint Resolution 8. The work session document ([Exhibit I](#)) describes the bill.

ASSEMBLY JOINT RESOLUTION 8 (1st Reprint): Urges the Congress of the United States to deschedule marijuana as a schedule I controlled substance. (BDR R-615)

The measure was sponsored by Assemblyman Reuben D'Silva, Assemblywoman Brittney Miller and others. The bill was heard in this Committee on May 9, 2023.

There are no amendments.

CHAIR OHRENSCHALL:

I would accept a do pass motion on Assembly Joint Resolution 8.

SENATOR DALY MOVED TO DO PASS A.J.R. 8.

SENATOR CANNIZZARO SECONDED THE MOTION.

SENATOR SEEVERS GANSERT:

I am going to be a no on A.J.R. 8.

SENATOR KRASNER:

I am going to vote yes to get this out of Committee, but I reserve my right to change my vote prior to Floor.

THE MOTION CARRIED. (SENATOR SEEVERS GANSERT VOTED NO.)

* * * * *

Senate Committee on Legislative Operations and Elections
May 18, 2023
Page 8

CHAIR OHRENSCHALL:

Seeing no further business for the Legislative Operations and Elections Committee for this day, we are adjourned at 4:27 p.m.

RESPECTFULLY SUBMITTED:

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. 286	C	1	Nicolas Anthony	Work session document
A.B. 13	D	2	Nicolas Anthony	Work session document
A.B. 394	E	3	Nicolas Anthony	Work session document
A.J.R. 1 of the 81st Session	F	4	Nicolas Anthony	Work session document
A.J.R. 1	G	5	Nicolas Anthony	Work session document
A.J.R. 5	H	5	Nicolas Anthony	Work session document
A.J.R. 8	I	7	Nicolas Anthony	Work session document