



NEVADA LEGISLATURE LEGISLATIVE COMMISSION

(Nevada Revised Statutes [NRS] 218E.150)

DRAFT MINUTES

December 17, 2025

The fourth meeting of the Legislative Commission for Calendar Year 2025 was held on Wednesday, December 17, 2025, at 1 p.m. in Room 165, Nevada Legislature Office Building, 7230 Amigo Street, Las Vegas, Nevada. The meeting was videoconferenced to Room 4100, Legislative Building, 401 South Carson Street, Carson City, Nevada.

The agenda, minutes, meeting materials, and audio or video recording of the meeting are available on the Commission's [meeting page](#). The audio or video recording may also be found at <https://www.leg.state.nv.us/Video/>. Copies of the audio or video record can be obtained through the Publications Office of the Legislative Counsel Bureau (LCB) (publications@lcb.state.nv.us or 775/684-6835).

COMMISSION MEMBERS PRESENT IN LAS VEGAS:

Assemblymember Sandra Jauregui, Chair
Assemblymember Steve Yeager, Vice Chair
Senator Marilyn Dondero Loop (Alternate for Senator Nicole J. Cannizzaro)
Senator Rochelle T. Nguyen
Senator Melanie Scheible
Assemblymember Shea M. Backus
Assemblymember Howard Watts

COMMISSION MEMBERS PRESENT IN CARSON CITY:

Senator Skip Daly
Senator Ira Hansen
Senator Robin L. Titus
Assemblymember Alexis M. Hansen

COMMISSION MEMBER ATTENDING REMOTELY:

Assemblymember Gregory T. Hafen II

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Roger Wilkerson, Deputy Director, Director's Office, and Chief, Administrative Division

Tarron L. Collins, Office Services Coordinator, Director's Office

Dan Rushin, Chief Financial Officer, Administrative Division

Todd C. Peterson, Chief Deputy Legislative Auditor, Audit Division

Asher A. Killian, Legislative Counsel, Legal Division

Jennifer Ruedy, Research Director, Research Division

Christina Harper, Manager of Research Policy Assistants, Research Division

*Items taken out of sequence during the meeting have been placed in agenda order.
[Indicates a summary of comments or clarification.]*

AGENDA ITEM I—CALL TO ORDER, ROLL CALL, AND OPENING REMARKS

Chair Jauregui:

Good afternoon, everyone, and welcome to the Legislative Commission's fourth meeting of the 2025 Calendar Year. Madam Secretary, will you please call the roll?

[Roll call was taken.]

Thank you. It looks like we have three members attending in Carson City, seven members attending down here in Las Vegas, and it looks like we have Assemblymember Hafen attending remotely. Please mark Dr. Titus present when she arrives. We expect her to join us in Carson City. We have a quorum present.

And before we begin, I do have a few housekeeping items to go over. If anyone present or listening today would like to receive a copy of the Commission's agendas, minutes, or reports, you may be added to our mailing list by following the links on the Legislature's website. Contact information for staff is also listed on our website. In addition, we accept written comments that may be emailed or mailed before, during, or after this meeting. The information regarding where to send written comments is also on the website and listed on the agenda for this meeting.

AGENDA ITEM II—PUBLIC COMMENT

Chair Jauregui:

That brings us to Agenda Item II, public comment. We will be accepting public comment at this time from persons here in the Nevada Legislature Office Building in Las Vegas. We will then move to Carson City, and finally, we will take public comment by phone. If you prefer to wait to speak until later, there will be a second period for public comment at the end of the meeting. Please remember that public comment is limited to not more than two minutes per person. And if there are any people in our audience here in Las Vegas, I see you approaching the table, please fill the witness table and we will start down here. Again, I would like to remind everyone that we do limit public comment to not more than two minutes. If you have further public comments, again, you can submit those in writing to our Committee Secretary while you are here. With that, we can go ahead and start public comment down here in Las Vegas. Please remember to state your name and spell it for the record and begin.

Jana Wright, Las Vegas, Member of the Public:

Madam Chair and Commission members, I am speaking in opposition to NDOW [Nevada's Department of Wildlife] R014-25, coyote killing contests. I hold the opinion that killing mammals for prizes or money is morally reprehensible. It gives hunting a black eye. Why the Wildlife Commission brought this forward, regulating a nonprotective species, is questionable at best. This goes against the North American model for wildlife conservation, killing wildlife for nonfrivolous reasons, wanton waste of wildlife, killing for a nonlegitimate reason, and there was zero science used in creating this regulation. Contest participants shoot from the back of a truck at night using military-grade equipment for night vision and thermal imagery. Is this fair chase or even ethical hunting? Nevadans do not support these contests as indicated by a poll taken by Remington Research Group in 2024. All

four Congressional districts and both major political parties were included in the poll. The Wildlife Commission did not have an appetite to require daily bag limits, carcass removal, salvaging the pelts, requiring hosts to display their BLM [Bureau of Land Management] special use permit to have these contests on public lands. There is so much wrong in this regulation. Please hear it separately and deny. Thank you.

Chair Jauregui:

Thank you for your comments. We can go to the next witness.

Stephanie Myers, Las Vegas, Member of the Public:

Despite the fact that the majority—the vast majority—of Nevadans want coyote killing contests to be banned, the state Wildlife Commission thinks they can regulate their way out of the uncomfortable position they find themselves in. People like me are speaking up about these killing contests with their circus atmosphere and gaudy prizes of cash, guns, and belt buckles. The Wildlife Commission thinks they can impress you—Legislators—that they are really doing something about this problem, when it is all smoke and mirrors. These proposed regulations of a seven-month season and required hunter license do absolutely nothing. They say they need these contests to protect livestock, but there are nonlethal ways to do that. And because coyotes are an unprotected species in the state, they can be killed 24/7, 365 days of the year by anyone. Science shows that when coyotes are mass killed in a particular area, the females go into high-gear reproduction. So, the contests are ineffective toward that goal, nor do they boost game species numbers or provide for pet safety. In these contests, technically advanced calling devices and night vision glasses are used. Fair chase is not considered. Rotting carcasses decay roadside. Do the proposed regulations address these important problems? No. No, they do not. Do not let the Wildlife Commission get away with this deception. Reject these proposed regulations and send them back to the Wildlife Commission with orders to do some real scientific research and studies. We need our state Wildlife Commission to open the door to broader public participation. We are not going away. Thank you.

Chair Jauregui:

Thank you for your testimony, Ms. Myers. Next.

Annoula Wylderich, Member of the Public:

Good morning, everyone. I am addressing the same issue. It is significant to note that the Clark County Advisory Board to Manage Wildlife voted against these regulations. And as a 21-year resident of this state, I am frankly surprised that we are looking to legitimize these contests while other states are banning them. Killing contests abandon fair chase, as the previous speakers mentioned, and sound wildlife management. Hunting should reflect respect for the land and the animal. Turning it into a prize-driven spectacle undermines the responsibility and honor that true sportsmen stand for. This indiscriminate killing disrupts and destabilizes ecosystems and leads to more coyotes, not fewer. So how do we explain this to residents who are concerned about their pets or other animals? In the state that is defined by rugged beauty and wild heritage, celebrating cruelty for prizes betrays both Nevada's values and our responsibility to manage wildlife with ethics, evidence, and respect, and Nevada should not be going backwards. I urge you to deny them. Thank you.

Warren Hardy, on Behalf of the Nevada Pest Management Association and Humane World for Animals:

Thank you, Chair, and members of the Commission. I am here on two regulations today. The first, on behalf of the Nevada Pest Management Association, R127-23. We want to thank the Department on that, and that has been a long time coming, and is a major game changer for the industry to be able to have this kind of ability to train on the job. We really saw the exposure during COVID, and this is a massively helpful regulation, and we are fully in support.

I am also here on behalf of Humane World for Animals, formerly the Humane Society of the United States. I want to just quickly in my last minute, 45 seconds focus on the procedure of this. We brought a regulation forward in good faith as residents and citizens of Nevada to outlaw hunting contests. That regulation was rejected, which is the prerogative and the right of the Commission to do, and that is where it should have ended. In our opinion, there are a lot of feelings out there that this was a retaliatory action to say, "We are not only going to not do what you want us to do, we are going to do the exact opposite." I think that is troubling. I am not saying it is illegal. I am not saying it is a problem. I am saying it could have a chilling effect on the desire of Nevadans to come forward and participate in the regulatory process.

The second thing I would say is even if we did support a regulation, this is not a regulation. This does nothing more than legitimize in statute this practice, which, as previous speakers have indicated, violate almost every tenant of ethical hunting. The statement Nevada, the state, will make by adopting this regulation is "we do not care." These kinds of things are open, they are free. They are already open and free. Why do they need the Legislature's explicit approval? Additionally, as I said, it does not do anything. It defines a contest, it requires a hunting license, and it sets a season. I think if you read NRS 501.105, it says the Commission shall adopt policies and adopt regulations necessary for the "preservation, protection, management and restoration of wildlife and its habitat." Nothing in the backup document does any of those things or suggests they even tried to do any of those things. In fact, it does the exact opposite. In there they said there are no biological impacts, biological and economic, but for our purposes, there are no biological impacts of this regulation. By definition, that does not meet the standard in 501. Thank you, Chair. Thank you, members.

Chair Jauregui:

Thank you, Mr. Hardy. Is there anyone else in Las Vegas wishing to provide public comment? Okay, seeing none, we will move to Carson City. I would like to remind everyone that you are limited to two minutes. Is there anyone in Carson City wishing to provide public comment? Thank you. Please state and spell your name for the record, and you can begin when you are ready.

Rebecca Goff, Nevada State Director, Humane World for Animals:

Good afternoon, Chair, and members of the Committee. We urge you to reject LCB File R014-25 relating to coyote killing contests. The Board of Wildlife Commissioners passed these regulations in an apparent retaliation to our comprehensive petition for a rule to ban wildlife killing contests. That petition had broad public support and was backed by the best available science. But instead of banning these contests, the Board chose to endorse and sanction them by promulgating these regulations before you. For the November meeting, hundreds of Nevadans testified in opposition to these regulations, which again, the Board ignored. It is inexplicable why the Board is set on legitimizing killing contests even when

ethical hunters condemn them. Ten states now prohibit them: six in the West, including Arizona, New Mexico, Colorado, Oregon, Washington, and California. Six of the ten states went through the state wildlife commissions because they saw them as embarrassing and wanted to protect the reputations of their hunters. The Board's authority to pass regulations is limited to rules necessary for the prevention, protection, management, and restoration of wildlife in their habitats. Meeting the statutory authority requires the incorporation of science, but the Board presented no science to support these regulations. In sum, these regulations serve no wildlife management purpose, were promulgated outside the scope of the Board's authority, and aim only to punish Nevadans who want to protect the wildlife from this horrific blood sport. Thank you.

Chair Jauregui:

Is there anyone else in Carson City wishing to provide public comment? You can begin when you are ready.

George Forbush, Representing the Nevada Predator Hunting Association:

Thank you. I was not planning on talking, but after hearing everything, I just could not sit by. A lot of what you heard today, just now, I do not agree with. I think you are being completely misinformed. We were part of these negotiations and discussions, and the Humane Society of America never came forward at any point in time and tried to propose their own regulations. They simply wanted to ban this whole entire time. And the reason why the Wildlife Commission moved forward with a hunting license and the season is because we came forward and we showed them that we are not doing anything wrong, and we are acting ethically and appropriately when we go hunting, no different than the guys and gals that go hunting for chukar or through the fishing derbies. And we just asked for a regulation so we could have some parity just like what they have. I have been to this Legislature before with some of you in the Natural Resources Committee where I have heard there is no regulation, there is no regulation. That has always been the argument. We have come forward, and we tried to propose something. This is what we are proposing. They came to the table with nothing.

All the arguments you heard that they are telling you right now, the Commission heard, and they were unpersuasive. This has been going on for a year, and now they are going to try to spend two minutes individually each time to try to persuade you otherwise. I would ask you, please go ahead and put your faith in what the Commission did. The Commission is not the enemy here. These people being advocates asked for this. They are the ones that wanted to have these meetings. The sportsmen did not. We were completely content with this being left alone, where it was left to be legal. But they kept coming and coming; this is the result, and now they are upset about it. I ask you to pass this, please. Thank you.

Chair Jauregui:

Thank you for your testimony. Is there anyone else in Carson City wishing to give public comment? Okay, seeing no one approach the witness table, AVH, can we please go to the telephone lines? And I will remind everyone on the telephone that we do limit public comment to two minutes per person.

***Audio Visual Hearings Unit (AVH), Information Technology Services,
Administrative Division, LCB:***

To participate in public comment, please press *9 on your phone to take your place in the queue.

Iris Stone, Member of the Public:

I have a comment regarding the *Elections Procedures Manual*. Is this the right time to do it or do I have to wait until we get to that item on the agenda? It was not clear.

Chair Jauregui:

This is the appropriate time to give comments. If you would start by please stating your name and spelling it for the record, and then you can go ahead and provide your testimony.

Ms. Stone:

Okay. Very good. Thank you so much. I reside in Las Vegas. I would like to bring up two issues regarding the updates that were made to the *Elections Procedures Manual*. First, there is no reference to NRS 293.535 that allows for challenging a registered voter who is not a U.S. citizen or who has abandoned residence in county. I request that that be included.

My second item refers to pages 261 and 263 of the *Manual*, the paragraph that describes examples of what is not personal knowledge. I request that this paragraph be removed or modified. Let me explain. The regulation would shut the door to any citizen or nongovernmental organization that wants to help election officials maintain accurate voter rolls. Under NRS 293.5303, election officials are allowed to use the national change of address, NCOA data, for list maintenance. In 2023, Citizen Outreach Foundation, a nonpartisan organization, launched Project Pigpen with the sole purpose to maintain voter rolls. I volunteered for that project. We compared the entire voter roll with the NCOA data and then confirmed whether the individuals have registered to vote in another state. The Secretary of State [SOS] initially advised us to submit our findings to the county officials, which we did. However, without notifying us, Secretary Aguilar later told the county not to use our data and incorrectly characterized our work as a voter challenge or multiple voter challenges, even though we simply provided the data. More troubling is that Nevada pays a nongovernmental organization called ERIC [Electronic Registration Information Center] to do essentially the same thing. The difference is that ERIC only checks 26 states. The Pigpen team checks 44 states and does it at no cost to taxpayers.

In summary, Nevada law requires election statutes to encourage participation, not restrict it. It limits citizens' involvement, contradicts existing statutes, and importantly, it institutes language that the government vetoed in 2025 for these exact reasons. Regulations . . .

Chair Jauregui:

Ms. Stone, thank you for your comments. If you have further comments, please provide them to our secretary. We appreciate you being here and giving testimony.

Ms. Stone:

Thank you.

Chair Jauregui:

Thank you. AVH, can we move on to the next call, please?

Ellen Gifford, Member of the Public:

Nevada's 83rd Session adjourned, *sine die*, on June 3, 2025, over six months ago. Assembly Bill 148 was passed and approved by the Governor during that session. It became effective on October 1, 2025. This bill amends NRS 293.269911, addressing the county clerk's distribution of mail ballots to voters. As of this morning, the *Nevada Revised Statutes* still does not reflect the amendment, in spite of the fact that the amendment has already gone into effect. Nevada citizens should not have to wait over six months to see the current version of a Nevada statute online.

There are numerous reasons why the absence of this information could negatively affect Nevada citizens. It also affects timely development of *Nevada Administrative Code* [NAC]. This delay occurs regularly after each legislative session. *Nevada Revised Statutes* 218E.175 states, in part, "In addition to the powers conferred and duties imposed by this title or any law or resolution, the Legislative Commission, in order to carry out its general objectives and functions may [shall] receive recommendations and suggestions for legislation or investigation from . . . Individual citizens." Referring to this statute, I respectfully recommend to the Legislative Commission that there be an investigation into how the issue of delay in the Legislative Counsel Bureau's updating a revised statute can be properly resolved. I look forward to your action and thank you.

Chair Jauregui:

Thank you for your testimony. AVH, can we move on to the next caller, please?

Fred Voltz, Member of the Public:

Speaking to proposed regulation R014-25, the wording defies the charge given by three separate Governors, multiple Legislatures, representatives of three-quarters of the state's population, and multiple citizen petitions to solve the problem of mass wildlife killing contests staged for prizes. The Wildlife Commission and Department bypassed science and other biological truths in proposing a regulation that concerns only one wildlife species, not all species, the potential target of such contests. Collecting minimal fees and setting an arbitrary season do not equate to regulating mass killing contests, unlike other hunted species. Zero necessity exists for this regulation because the act of buying NDOW licenses before engaging in a mass killing contest for prizes materially disrupts local ecosystems by creating an ecological vacuum and large-scale imbalance.

The proposed regulation also does nothing to establish guidelines for how these contests operate or are overseen. The Wildlife Commission and Department have failed to demonstrate how this regulation will benefit the 98 percent of Nevadans who do not buy hunting and trapping licenses or the best interests of wildlife belonging to all Nevadans, their statutory duty, and is thus completely unnecessary and ineffective. Proposed regulation R014-25 should be wholly rejected. Thank you.

Chair Jauregui:

Thank you for your testimony. AVH, can we go to the next caller?

Naomi Duerr, Reno City Council Member, Ward 2:

Good afternoon, Madam Chair, members of the Legislative Commission. I am participating in this hearing to ask you to reject the proposed regulations for coyote killing contests as proposed by the Wildlife Commission. Coyote killing contests are inhumane. They destroy

and speak to the basic aspects of human beings to destroy life for no useful purpose, just for the love of killing and prizes. Coyote killers may clothe their actions in good-sounding principles, but at the end of the day, there is just no rational justification for it. It gives legitimate hunters a bad name. Study after study has shown that these types of contests produce the opposite of the stated intent. Animals live within the natural carrying capacity of the land. Science shows that when you attempt to wipe out species in a particular area, they tend to come back more fruitfully than ever. Opening up the habitat triggers the urge to reproduce and in large numbers. The end result, more coyotes, not less; it is like trying to hold back the sea.

Local governments are often learning laboratories for state policy and state regulations. Several years ago, both the City of Reno and Clark County banned coyote killing contests from our jurisdictions. Our local governments cover about 75 percent of the people in Nevada, but not 75 percent of the land in Nevada. Most of the people in Nevada believe these contests are inhumane. The Legislature needs to act on that.

The Wildlife Commission has done their best to find common ground, but this is not really a subject that lends itself to that kind of compromise. Either you are okay with killing for killing's sake or you are not. Attempting to whitewash the practice and sanitizing it with a requirement to obtain a hunting license does nothing to introduce reasonable wildlife management practices.

Instead, I would suggest that the Legislature take up this issue once again. And this time, listen to the masses of people who do not approve of killing for killing's sake. I ask you to reject the Wildlife Commission's proposal, which is not designed to manage wildlife, but rather to kill it. Please do not adopt this ordinance or this regulation. It will only result in more deaths, not less. Ten states have banned coyote killing contests for prizes. We should, too. Thank you so much.

Chair Jauregui:

Thank you, Council Member Duerr. AVH, do we have any other callers?

AVH:

If you have recently joined the call and would like to participate in public comment, please press *9 on your phone to take your place in the queue.

David Omara, Member of the Public:

I am a resident of Reno, Nevada, and I am here to object to the proposed regulation regarding NRS 293.535, which is the written challenge pursuant to that statute. I believe that this statute is one of political instead of one following the Legislature's intent. There are many, many problems with this regulation. First of which is that statute does not allow for the Secretary of State to prescribe a form. The statute specifically says an affidavit can be produced and therefore no form is necessary. More importantly, the Secretary of State's regulations, while it wants to have a prescribed form, also wants to include additional information that is not required under the statute and therefore is outside of what a regulation should do. For example, the regulation does not require anyone to provide the phone number of the person who is being challenged, only the address. That is simply because all they need is an address because the registrar of voters only needs to provide a notice through the address. There is no statutory authority for the registrar of voters to then contact the individual to have any conversation with them.

Additionally, the number of the precinct in which the person whose right to vote is challenged is also outside the statute and, quite frankly, contradicts the Secretary of State's position that we cannot use a database in regards to find that, because the only way you find someone's precinct is to go online to find their precinct of their registration form. So that clearly contradicts their requirement that personal knowledge has to be a precinct. The other thing that is required is that any documents or evidence support the facts upon which the grounds for the challenge is based. This is not a statute where we are trying to beyond a reasonable doubt, prove someone is not a registered voter. The statute requires statements for the Legislature and the people to provide so that the registered voters can provide a notice to all the people who have left our state so that they know . . .

Chair Jauregui:

Mr. Omara, thank you so much for your comments. If you have further comments, please send them in to our secretary.

Mr. Omara:

Thank you.

Chair Jauregui:

Thank you. AVH, do we have any other callers?

AVH:

The public line is open and working; however, there are no more callers at this time.

The following public comment was submitted for the record:

- Stacey Birkby (Agenda Item II A);
- Stephanie Myers (Agenda Item II B);
- Chris Giunchigliani (Agenda Item II C);
- Nadia Steinzor, Carnivore Conservation Director, Project Coyote (Agenda Item II D);
- Karen Layne (Agenda Item II E);
- Athar Haseebullah, Esq., Executive Director, American Civil Liberties Union of Nevada (Agenda Item II F); and
- Dijana Besicmann (Agenda Item II G).

AGENDA ITEM III—APPROVAL OF THE MINUTES FOR THE MEETING ON OCTOBER 28, 2025

Chair Jauregui:

Thank you, AVH. Okay, Committee members, that takes us to Agenda Item III, approval of the minutes. Commission members, you have in your packet the draft minutes (Agenda Item III) for the Legislative Commission's meeting held on October 28. These draft minutes are also available on our website. Let me first ask if there is any discussion on the

minutes. I see Assemblymember Hafen shaking his head no. I do not see anyone in Carson City. Seeing no discussion at this point, I would accept a motion to approve the minutes.

VICE CHAIR YEAGER MOVED TO APPROVE THE MINUTES FOR THE MEETING ON OCTOBER 28, 2025.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Jauregui:

The motion carries. The minutes for the October 28 meeting of the Legislative Commission are approved.

**AGENDA ITEM IV—REVIEW OF ADMINISTRATIVE REGULATIONS
(NRS 233B.067 AND NRS 233B.0675)**

The list of regulations to be considered can be accessed electronically at:
https://www.leg.state.nv.us/Register/IndexesRegsReviewed/LCMtg_List_2025_Dec17.pdf.

Chair Jauregui:

That takes us to Agenda Item IV, review of administrative regulations. There are 13 regulations that were submitted for approval (Agenda Item IV) pursuant to NRS 233B.067 and NRS 233B.0675. These regulations are all contained in the binder provided to members, and they are also posted on our website under the tab for this meeting.

At this time, I will ask Commission members if there are any additional regulations to be held for further discussion aside from the ones that already have been sent to me. Once those regulations are identified, then we will take a motion to approve the remaining regulations and come back to the regulations held for discussion. Commission members, the following regulations have been asked to be pulled: R014-25, which was requested by Assemblymember Backus; R022-25, which was requested by Assemblymember Watts; R026-25, which was requested by Senator Dondero Loop; and R045-25, which was requested by Senator Daly. Commission members, are there any other regulations that you would like pulled for discussion?

Senator Hansen:

Madam Chair, I would like R053-25.

Chair Jauregui:

Thank you, Senator Hansen. Are there any other regulations? Okay, are there any other Commission members in Carson City who would like to pull regulations? Assemblymember Hafen, I see you shaking your head no. Is there anyone in Las Vegas who would like to pull additional regulations? Okay, seeing none, at this point, I would be looking for a motion to approve the remaining regulations. Before we go to that motion, I will repeat the regulations that were requested to be pulled for further discussion. We have:

R014-25, R022-25, R026-25, R045-25, and R053-25. Okay. And now at this point, I would be looking for a motion to approve the remaining regulations under this item that were not pulled.

VICE CHAIR YEAGER MOVED TO APPROVE THE FOLLOWING REGULATIONS:
R127-23, R016-24, R057-24, R192-24, R005-25, R028-25, R063-25, AND R064-25.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Jauregui:

If you were here to answer questions on your regulation and your regulation was just approved, I will give you about 30 seconds so that you can sneak out of the meeting, and then we will move on to the regulations that have been pulled for further discussion.

Okay. At this time, we will now go to the regulations that have been pulled for further discussion. And we will start with regulation R014-25 that was requested to be pulled by Assemblymember Backus. I believe we have someone in Carson City to answer Assemblymember Backus's questions. If you are in Carson City, please approach the table. Assemblymember Backus, when you are ready.

Assemblymember Backus:

Thank you so much, Madam Chair. My question is more of like one of procedural as opposed to the language of the regulation. When I was diving into this, and then also looking at *Nevada Administrative Code* Chapters 502 and 503, I was really trying to understand the statutory authority for this regulation. I understand that NRS 501.105 providing what the Board can do in implementing regulations, but then I looked to other sections, specifically under *Nevada Administrative Code* 503.610, [inaudible], which would be addressing competitive field trials. And when I looked at that provision, I was able to cross-reference it with statutory authority that the Legislature had put forth to implement such regulations. And so, I have really been struggling with this because it seems like the regulations are like creating legal authority for something that did not really exist by statute. So, if someone can explain that to me, I would greatly appreciate it.

Alan Jenne, Director, NDOW:

Thank you for the opportunity. I am calling up our Chief Law Enforcement Officer, Kristy Knight, and she will help you with that question.

Kristy Knight, Chief Game Warden and Administrator of Law Enforcement, NDOW:

What we were operating under is NRS 501.181, which is the duties and regulations that, "The Commission shall," and 1 is, "The protection, propagation, restoration, transplanting, introduction and management of wildlife in this State," and then, "uniformity of laws." So, we were basing it off NRS 501.181.

Assemblymember Backus:

Madam Chair, if I may have a follow-up. So, with respect to that, and that is what I was trying to understand, and maybe I just do not understand management of wildlife, because I saw that same terminology used in NRS 501.105. Can you kind of explain? I mean, when I think of a sport, I am not thinking of that as like management. I did not see in the regulations where there was any like additional information. Are we trying to control the population? I am really ignorant in this area, so I am coming from a place where I just do not really understand it. I understand hunting when people go out and hunt for food, for clothing, those kinds of things. But when I think about this as a competitor sport, and maybe it is to decrease the population, I just did not really understand that. So, if you can elaborate on that, that would be helpful for me.

Director Jenne:

Thank you for the opportunity. Management would be any actions in which, you know, you are having any influence on wildlife populations. As you are familiar with the work of the Department, that can mean often we are commenting on industrial development projects because indirectly they have that consequence on status of species. When you think about management, I would say that that falls in that realm. Does that help with your question, ma'am?

Assemblymember Backus:

It does and does not. I mean, I think of it as like right now, we already have like an ability where you can do hunting and trapping. And I see this like more of like creating a sport. I am just really struggling with it, but I thank you guys for your explanation and your support.

Chair Jauregui:

Committee members, are there any other questions? Senator Scheible.

Senator Scheible:

Thank you so much. I have a couple of questions. Mine is also procedural. We heard during public comment from a wildlife enthusiast, who I understand does not speak for the Department or for the Board, but he suggested that, you know, advocates for wildlife conservation and animal welfare had kind of pushed this issue to get a regulation into place, and now they are rejecting the regulation that has been proposed. My question is—if we can categorize this, which I think we can as two sides of an issue—who on the other side amongst the participants in coyote killing contests, amongst the hunters and people engaged in wildlife sports, who on that side of the issue wanted to promulgate a regulation and what was the regulation they wanted to promulgate?

Director Jenne:

When you look at the history of this . . . I am going to take a little liberty in helping you understand. I know that Legislators understand that this has been a long-occurring conversation. It dates back to 2015. There was actually a petition at that time that was denied by the Commission for outlawing coyote contests at that time. In 2016, there was an effort by some Commission members to come up with a policy; that did not get anywhere. In 2019, there was a bill, Senate Bill 487, submitted to the Legislature, never received a committee hearing. In 2021, there was, again, discussions by the Commission that were

initiated due to a Clark County resolution in March of 2021. And so, there was a Commission action to consider a ban on all hunting tournaments; again, that failed. In 2023, the Legislature again picked up an opportunity with AB 102, attempted to prohibit competitions for certain animals taken for prize. It received one committee meeting, failed the committee passage deadline, was returned to the Commission for resolution.

This petition that we are talking about here, related to this conversation, was a petition submitted by Humane World for Animals—Humane Society—on March 8, 2024. The Commission at that time heard that. The petitioner actually withdrew their petition due to Commission policy and wanting to basically hold the right for the possibility to be heard again. After that point, the Commission came to the place of thinking about how to deal with this. Commissioners are both here, Chairman and Vice Chair, to walk through the process of how they handled that. It created a contest committee. It held three meetings across the state of that committee: September 2024 in Las Vegas; November 2024 in Reno; and January 2025 in Elko. And that was what this base regulation was off of. What you heard earlier was a gentleman, a sportsman from Nevada Predators Association. It was one of the voices in the room that came up with this proposed regulation. I will pass to the Commission as far as a synopsis of what they heard out of that committee and the action by the Commission, if that would help you.

Shane Rogers, Chair, Board of Wildlife Commissioners:

Thank you, Director Jenne, and thank you to the Committee. To Director Jenne's summary there, we did, as mentioned, create a committee to look at all of the issues around this. And as mentioned, we did hold three meetings throughout the state: one in Las Vegas; one in Reno; and one out in Elko. And a number of hours of discussion and debate over this topic, and really from that, from those various meetings, and based on the stakeholder input that we did receive is when we as a Commission then directed the Department to begin the rulemaking process and draft regulations to really establish this season and license requirements for participating in these types of contests. So again, it was a long and arduous process, but this was again, an attempt by the committee and certainly by the Commission to find some middle ground with a regulation.

Paul Young, Vice Chair, Board of Wildlife Commissioners:

Thank you, Senator Scheible. Just to add on and not to repeat Director Jenne and Chair Rogers, like most regulations and legislation, there were three sides: there was a total ban; do not do anything; and then a regulation. So, that is what we got out of the committee. But the regulation was the vote of the subcommittee and seemed to be, from what the subcommittee was representing, the majority of the conversation.

Senator Scheible:

Okay. Thank you. I appreciate the clarification. The one other question that I have is regarding the hunting licenses. I am hoping that somebody can point me to like a very specific statute or regulation that clarifies whether or not somebody currently needs a hunting license to shoot coyotes in the State of Nevada.

Director Jenne:

Thank you for the question. And so, they are in Nevada, they are classified as an unprotected species. And so, as such, a hunting license would not be required. As far as the specific statute . . .

Chief Knight:

The NAC that states that they do not need a license is NAC 503.193, but it does say in NRS 502.010 that the Commission can create license requirements for any wildlife and then also that they can exempt any wildlife from a license requirement.

Senator Scheible:

Thank you.

Chair Jauregui:

Committee members, any other questions? Assemblymember Watts.

Assemblymember Watts:

Thank you, Chair. I just have one clarifying question. So, both within statute and regulations, there are policies laid out with regards to the hunting and taking of wildlife. Most of those are focused specifically on game mammals and game birds, and that essentially creates a legal framework for some of the ethical practices. Because, even though a license will be required, coyotes remain an unprotected species, none of those policies related to the hunting and taking of game animals would apply. Is that correct?

Director Jenne:

If you could help me understand. I am trying to better understand your question. Could you help me?

Assemblymember Watts:

Absolutely. Thank you, Director. For example, there are violations that result in receiving demerit points, et cetera, in terms of using various vehicles to drive or molest game mammals or game birds, you know, hunting from helicopters, and so on and so forth. Again, my question is, game mammal, as I understand it, has a very specific definition within statute and regulation. And one of the issues that was brought up in some of the public comment is that the use of optics or other guidelines on how these contests would be conducted are not present. And so, I am just trying to make sure that there is clarity that any of the requirements or violations that are spelled out within that NAC, if it says "game mammal" or "game animal" specifically, that would not include coyotes.

Director Jenne:

Unless explicitly stated in there, it would not. I think of scenarios that have been discussed relative to technology in recent discussions regarding classifications of other technology instruments, and some of those in early discussions have been more comprehensive than just game species, but currently, unless explicitly stated in the reg, I cannot think of a situation.

Assemblymember Watts:

Thank you.

Chair Jauregui:

Committee members, any other questions in Las Vegas before I check Carson City and online? Okay. Is there anyone in Carson City with questions? I am going to start with Senator Hansen.

Senator Hansen:

Thanks, Madam Chair. *Unprotected* does not mean "unregulated." And the reason I bring that up is right now, unprotected species include numerous fur bearers: badgers, both species of skunks, coyotes, racoons, and jackrabbits, of course. There are several species of birds that are unprotected, but you do regulate certain things. For example, if I went hunting and shot a coyote and was trying to sell the pelt, is it not correct that that is regulated by you guys at this point?

Director Jenne:

Thank you for the question, Senator. Yes, when it comes to selling a pelt, it does require a trapping license.

Senator Hansen:

Even though they are an unprotected species?

Director Jenne:

Even though they are unprotected.

Senator Hansen:

I think that is an important point because one concern I had, and I know others, is that *unprotected* should mean "unprotected." But in reality, we have always had certain types of regulations to ensure data is collected on certain things. And so, even though we are dealing with coyotes, an unprotected species, there are cases where you have regulated certain aspects of their harvest. And so, this, to me, fits into that type of category where once again, they are still unprotected, but there are, in certain unique circumstances, regulations to do certain things in very specific windows of time. September through March 31, that is basically when the pelts are prime, and they are not in their breeding; they are not having their pups, which is a very reasonable regulation. So, to me, this regulation fits into that same type of category where even though they are unprotected, this creates a limited but reasonable regulation to ensure that the data is available down the road and that we do have some information on these types of contests going forward. So, in my mind, am I missing something? You guys already do certain regulations on unprotected species, correct?

Director Jenne:

Yes, that example that you provided is a great example of that situation.

Senator Hansen:

Thank you.

Chair Jauregui:

Are there any other questions in Carson City?

Senator Titus:

Yes, Madam Chair, if I might. Mine, I think, is more of a comment. First, I want to thank you for being here and presenting this. I have heard a lot of testimony, and folks absolutely have a right to their opinions, and I heard a lot of testimony from Washoe County and Clark County. I frequently will quote that there is a difference between a Republic and a democracy, and the quote that I use is, "A democracy is two wolves or coyotes sitting at a table with a sheep asking what is for dinner." And I think this would be a perfect example that we in the rurals, myself included, I personally have lost sheep to coyotes, and my pushback initially was requiring a license to shoot a predator that has taken out my animals. But clearly, this regulation was defined at really the quest and the pushback of folks who are vehemently against hunting contests, and they have every right and passion to that. So, I applaud the Wildlife Commission for actually trying to solve this by saying there are folks who want to do this, there are folks who do not want to do this, but let us get some eyeballs on it and kind of regulate that. And I want to point out that the Wildlife Commission has made a compromise because there are those of us, myself included, that would say why would we need a hunting license to do this at all? But what I am hearing is in good faith, you came up with a solution, and then I am hearing absolutely no, they are not going to compromise at all.

And so, I want to support this regulation, even though I personally do not think we should have to have a license to do so, but I believe that compromise is sometimes the best. I recognize that there are folks who are absolutely against this, but I think people need to recognize you are trying to solve issues that folks have really strong opinions about and so do we in the rural areas. So, I applaud the Wildlife Commission for trying to come up with a compromise, and I am frustrated that there are still those with no compromises in their future. I am putting on the record that I thank you, and I will support it even though I have objections to it. It is still sometimes best to compromise. So, thank you. Thank you, Madam Chair.

Chair Jauregui:

Thank you. Are there any other questions? I will go to Zoom and see if Assemblymember Hafen has any questions? Seeing none, then I would be looking to see if there is a motion to approve regulation R014-25.

SENATOR HANSEN MOVED TO APPROVE R014-25.

SENATOR TITUS SECONDED THE MOTION.

THE MOTION PASSED. (SENATORS DONDERO LOOP, NGUYEN, AND SCHEIBLE AND ASSEMBLYMEMBERS BACKUS AND WATTS VOTED NO.)

Chair Jauregui:

Thank you for being here to answer questions. We are going to move on to the next regulation. The next regulation that we have up for discussion is R022-25, which was requested by Assemblymember Watts. I believe we have someone online from NIAA

[Nevada Interscholastic Activities Association] to help answer questions.
Assemblymember Watts, when you are ready.

Assemblymember Watts:

Yes. Thank you, Chair. Thank you, Mr. Anderson, for being available. So, I had a chance to review the updated regulation. I see that some adjustments were made from the last version in response to some of the concerns that were brought up by the Commission. I do appreciate that. We have clear amounts spelled out here. The issue that I have, and I see in some of the backup documents that you justified the less than 600 pupil enrollment and the 600 or more kind of differentiation in the dues structure. I think the issue for me is I look at less than 600 pupils. Currently, that is set in regulation at \$850; that is being proposed to increase not quite two times to \$1,500. And in looking at this, it looks like this set of regulations was very first adopted in 2004. So, if this has not been updated in about 20 years, then I understand the need with inflation and rising costs to update that. The concern that I have is that for the 600 or more, that dues amount is now going from \$1.50 to \$5 for each pupil. So again, it seems when I look at those two amounts, the percentage increase seems a little bit off. I tried to see if I could find some information on what your current budget is and the budget deficit and how this would address that, but I was unable to find some of that information. If you could speak to why this amount is increasing more than three times for the institutions with 600 or more pupils, that would be helpful to me.

Paul Anderson, Esq., Legal Counsel, NIAA:

Thank you, Madam Chair. I appreciate the question, Assemblymember Watts. The explanation is this: the increase for the schools with enrollment numbers higher than 600 is roughly the same percentage as the increase that was to the schools that are 600 or less. This was vetted through all of our member schools, including the legislative commission, which is the policymaking body of the NIAA, and that is composed of all the superintendents of the public schools as well as the charter schools. There is no objection from any of them with respect to the numbers that we have presented here through this regulation. And as you pointed out, and as was explained in our documents submitted, these dues have not been increased since 2004. As you know, the price of everything has risen significantly, especially in the last several years. One of the goals of the NIAA is to provide the best possible sites for state and regional competitions, and those numbers have just gotten out of sight. So, these increases, as I say, are approved by the member schools, by the superintendents in the school districts, as far as the charter schools are concerned, as well as by our private schools. That is the best explanation I can give you. It is just basically the price of doing business.

Assemblymember Watts:

Thank you for that. I guess my math is not adding up the same way yours is because again, when I look at the flat \$850 moving to \$1,500, that is less than two times increase, and then you look at \$1.50 per pupil to \$5 is more than three times. I do not understand how those proportions are working out to be the same. If you look at, you know, just basic inflation, I would see justification for doubling these amounts but not tripling. So again, without understanding, you know, really what the increase in both the scope of the activities for the body is or what the budget looks like, this is still an area where I have a bit of discomfort, even with what you brought forward.

The last question I have is how durable is this going to be? Is this amount sufficient just to meet your budget needs for the next few school years moving forward, or is this something

that you expect will last awhile? In other words, when will we expect to see you coming back with another adjustment to dues in order to maintain your agency's budget?

Mr. Anderson:

Thank you for the question. I apologize for my lack of math. I agree with you. That is about a two and one-half times increase in the per pupil amount.

But to answer your other question, as you can see, with respect to the proposed language in the regulation, this dues increase is not going to go into effect next school year. It is the one following, 2027–2028, so we will be going another year at the current amounts. This increase is designed to assist with respect to budgetary needs into the future. It is hard to predict, and that is why in the prior regulation that we presented back at the October 28 meeting, it was the hope, and I guess the request of the NIAA and its membership, that the Board of Control of the NIAA be able to adjust numbers based on current circumstances. That was rejected, as you know, and we are thus proposing this increase with the hope that this is going to take care of the situation for an extended number of years, just as the original numbers have been in place for approximately 21 years now. But it is impossible, obviously, to tell. If there is again significant inflation, I cannot guarantee that there would not be another request to amend the regulation to increase dues.

Assemblymember Watts:

Thank you, and again, I appreciate what you are saying. And again, when I look at substantial increases like this, this is one of the reasons why I think the Legislative Commission asked you to revise these so that we have the chance to review them and that you do not have the ability to unilaterally increase these fees at will. I appreciate that this revision is responsive to that. My request is that, moving forward, that you provide really strong justification about your budget trajectory and that you consider more gradual and phased-in approaches. You could adopt schedules to phase in implementation of some of these things so that it is more predictable and manageable for the institutions and it helps address rising costs and keeps you from coming back to the Commission seeking, at least in percentage terms, very large increases periodically. Thank you, Chair, for the indulgence.

Chair Jauregui:

Are there any other questions from the Committee members down here in Las Vegas? Are there any questions up in Carson City? Are there any questions online?

Okay, Mr. Anderson, I have a couple of questions. I went through the documentation that you provided, and it did not look like anyone showed up to any of the hearings that you had. Have you guys received any opposition from any of the schools to the increases, either by written opposition or calling you? In any of the previous hearings, did anyone show up to oppose the increase?

Mr. Anderson:

Thank you, Madam Chair. No. As I mentioned in my earlier testimony, this regulation has been vetted a couple of times, and there has been no opposition from member schools, from the superintendents, or anybody else with respect to these increases. It is well-known within the athletic community that these are necessary in order to continue to maintain the standards that the NIAA tries to have with respect to high school athletics.

Chair Jauregui:

And I just have one last question, Mr. Anderson. I was under the impression that you guys have the authority to assess a 20 percent special assessment on annual dues. Have you guys exercised that authority in order to keep up with the rising costs?

Mr. Anderson:

I am unaware of what you are referencing. I do not know that we have that in regulation anywhere.

Chair Jauregui:

Okay. I had heard that, and I just was not sure if that was an actual authority that you had. You have not had any assessments on annual dues, and it has been consistent over the 21 years?

Mr. Anderson:

Correct.

Chair Jauregui:

Okay. Those were all the questions I had. Members, seeing no other questions, I would be looking for a motion.

VICE CHAIR YEAGER MOVED TO APPROVE R022-25.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Jauregui:

Thank you, Mr. Anderson, for being here.

Mr. Anderson:

Thank you.

Chair Jauregui:

Committee members, that takes us to our third regulation that was pulled for discussion. It was R026-25, and it was pulled by Senator Dondero Loop. I believe we have somebody from the Board to help answer questions, and I see them approaching the witness table in Carson City. When you are ready, Senator.

Senator Dondero Loop:

Thank you very much, Madam Chair. I do have a couple of questions. Can you please go into a little more detail on why we would remove that requirement of Board notification of criminal charges against someone, is filed against a licensee. And I understand that there

may be a desire to maintain innocence and what have you, but there are many positions that I think we might already do this for. Can you talk about that a little bit?

Jennifer R. Pierce, Executive Director, Speech-Language Pathology, Audiology and Hearing and Dispensing Board:

Thank you, Senator Dondero Loop. This came out of a situation that came before the Board. And I think the Board felt very strongly that, as you mentioned, the presumption of innocence until someone had been convicted, and felt as though it was not fair to ask someone to do that and to report that if then they may be dismissed or come off of their record at some point. That was the rationale by the Board.

Senator Dondero Loop:

I appreciate your answer, but we have people in positions that are taken into custody, and they are taken out of classrooms, they are taken off the street if they are a police officer, what have you. We have many positions that this happens with. So why would this particular position be that way? Is your interpretation of NAC 637B.046, subsection 2, so that would require the Board to take disciplinary action if the charge were not reported?

Ms. Pierce:

Yes. The deletion is to take out the requirement for the licensee to notify the Board of an arrest or a charge without it then being a conviction. The conviction part stays in that section. And then also, it would remove the liability of the licensee if they were then to not have reported it. If something happens, somebody reports it to the Board, six months later, they had not reported it within the required ten days, then it becomes a disciplinary event for that person, whether or not they had been convicted or not. So I think that was also part of the intent of the Board.

Senator Dondero Loop:

Thank you very much, Madam Chair. I will let others ask questions, and I may have one more.

Chair Jauregui:

Thank you, Senator. Members, are there any questions down here in Las Vegas? Are there any questions in Carson City? Are there any questions on Zoom? Okay, we are coming back to you, Senator; if you want to ask your questions, the floor is yours.

Senator Dondero Loop:

I guess I am not sure that . . . I heard you answer the question that I asked at the beginning on why we would remove this requirement of the Board notification if it is filed against a licensee. But, I still need more information because, like I said, we have other positions that we do this for. So why would this particular license be different?

Ms. Pierce:

I do not believe that in the Board's conversation there was any assumption or statement that this position would be different. I think the Board felt strongly that on behalf of its licensees, it was not fair to ask someone to report something that was not a conviction, report it within a very limited time frame of ten days, and report it when it may end up not

ever being on their record. Also, then it would put them at risk of a disciplinary event if they did not follow those reporting requirements. The Board did not necessarily determine that this specific set of licensees should be exempt from this but that the licensees, in general, of this Board should not be held to that standard, and that there was still a stipulation in that section that would require reporting if it turned out to be a conviction.

Senator Dondero Loop:

Does it depend on the infraction, if you will? In other words, I have an auto accident and somehow I am criminally charged. Is that different than someone who has had an inappropriate relationship? Is that different than someone who has been caught burglarizing a business? I do not know. Where is the distinct break in what is criminal? Because *criminal* is a pretty broad word. And I am not a lawyer, but . . .

Ms. Pierce:

There was not a discussion or a decision by the Board to set limits or have a threshold at which it would be determined a criminal conviction. Typically, when we ask our licensees to attest to these, it is any criminal conviction that was not a civil traffic infraction that did not involve alcohol or drugs. It would be anything beyond that version of a traffic infraction. And the Board did not opt to decide whether there were different versions of what needed to be reported, just that it did not feel that it should be necessary for someone to report, just the charge.

Senator Dondero Loop:

Okay. Thank you.

Chair Jauregui:

And I just want clarification, just one quick question for me. So, they do not have to report the charge, but if there is a conviction, they have to report the conviction. Correct?

Ms. Pierce:

Correct. I think it is (c) or (d) in that same section, indicates conviction. Yes, reporting a conviction.

Chair Jauregui:

I am going to go to Senator Nguyen.

Senator Nguyen:

I just want to clarify because I am not sure how other, I guess, similarly situated agencies act. I do not know if you are able to answer this. For example, if you are working with children in this profession and you are arrested and charged with child sexual abuse or anything of that violent nature, but you are able to bail out and you are out of custody pending that and there is no conviction, would you be able to continue to work with children while your case was pending if there was not any further court order prohibiting it? And is that how other agencies also work in this area?

Ms. Pierce:

I cannot speak to the requirements or regulations for other agencies. Under our Board's statutes, unless our Board takes a public action following a disciplinary complaint that is a disciplinary case and goes through the process of the complaint and the investigation and either is resolved through a consent decree where the person stipulates and accepts discipline or there is a hearing, our Board really does not have authority to prohibit someone from working. In that case, it would be the Board could file an administrative complaint against the person and get that process going, but our Board necessarily does not have the authority in our statutes to say you cannot work at this time with anyone or you have to stop practicing unless that process was sped up and then there was an actual public reprimand and action by the Board.

Senator Nguyen:

When you were promulgating this regulation, did you look at other agencies, like teaching licensure or any other like-situated things, to figure out how they handled a similar situation? Obviously, this gives me great concern that someone might, recognizing they might not have a conviction, but I do not want them working with my children if they have a pending case in that manner. Do you understand my question? What other agencies or what other regulations did you look at when you were making this?

Ms. Pierce:

No, we did not. Thank you.

Chair Jauregui:

I do have another question, Ms. Pierce. Thank you, Senator Nguyen for your questions. How many notifications of charges filed against licensees do you guys get in a given year?

Ms. Pierce:

I can only speak to my experience. I have been with the Board a little over six years, and we have received one.

Chair Jauregui:

So leaving that item in the regulations is not causing an overwhelming amount of work because you are not getting these notifications frequently that you guys have to investigate or have a Board hearing about? Correct?

Ms. Pierce:

Correct. No.

Chair Jauregui:

Thank you for being here, Ms. Pierce. I think I do agree with my colleagues, and if you could just come back to a future Legislative Commission meeting and bring back more information on how other boards maybe handle this, I think that would be very helpful in helping us make a determination.

Ms. Pierce:

Okay. Thank you.

Chair Jauregui:

Thank you, Ms. Pierce. Committee members, at this time, we are going to defer this regulation, and no further action will be taken.

Okay, Committee members, that takes us to our next regulation up for discussion, which is R045-25 that was pulled by Senator Daly. I believe we have someone in Carson City to help answer your questions, Senator, so when you are ready.

Senator Daly:

Thank you, Madam Chair. I have several questions in some of the language in the proposal. But I guess my first question, the basic question, is what happened with the process and the system that we had that is requiring this appeal process and various things? In other words, if there was a problem, what is the problem? There are probably multiple ways to try to fix it. I just have some concerns when we get to the other part after you answer this question. Is this the right way to fix it? I have some concerns with the approach. What was the genesis? What is the problem? What is it that we are trying to solve, as my friend Marcus Conklin used to say.

**Kathleen Steele, Program Manager, Sagebrush Ecosystem Technical Team,
Sagebrush Ecosystem Council, State Department of Conservation and Natural
Resources [DCNR]:**

I am the Program Manager for the Sagebrush Ecosystem Program. It is a good question. When we created the regulations back in 2019, we authorized the program itself to certify verifiers to conduct our fieldwork and our GIS work. We work across the entire state. We have a team of five. We cannot do all the fieldwork and all the GIS work for the entire state for all the projects that are going on. So we train every year at the end of January, we train and certify individuals, private consultants, to do the work for us. It is a very complex GIS system, and we train GIS verifiers. It is a very complex field—plant identification, data gathering, field verification system.

Senator Daly:

GIS?

Ms. Steele:

Yes, GIS. It is geospatial analysis using ArcMaps, using statistical analysis on the computer just to start off the habitat assessment for greater sage grouse for our mitigation program for conservation credit system. Through that, we certify private individuals to do this work. We have found since then that while we do certify people, there are instances where we might need to protect our clients—our debit project proponents, who are the industry, and then our ranchers, who are on the credit side—from verifiers who do not have the highest quality of work or whose methodologies are a little dubious. We have had instances where a verifier quotes a rancher an amount of money to do some work for them, conducts the work in a very poor fashion. The work is very sloppy. The data is concerning, and therefore, we require them to go back and clean things up to make it more legally sound because the results of these cost millions of dollars. It could be a do-or-die situation kind of thing where

one little mistake could cost someone millions of dollars. We want to ensure that this is the best data, the best work possible. We have had verifiers then have sloppy work, and we require them to fix it and then they charge this proponent more money to fix it and more money to fix it and more time and more money, where we can potentially just stop it there. We have tried retraining verifiers. That is the whole process that is in here, to offer retraining, to sit down and talk to them, to adjust our training methodologies. We have rewritten our training multiple times. But if there comes to be a case where they are showing bias . . . We have had a verifier in the past who falsified field data for the benefit of their client to get fewer debits or more credits, one of the two, which again could save or cost millions of dollars. We did not have in the original regulation any authority to decertify people, and we wanted to be able to protect our clients, to protect the program itself and the validity of the program by this opportunity to decertify people who are concerning to us.

Senator Daly:

Thank you. I think you probably raised more questions than I had before just because I do not know all the ins and outs. Who do these verifiers work for? You said that the state has some. My understanding, and the credit system and the back and forth, is the verifiers are just there to measure how much impact your project is going to have, how you are going to offset that impact. Do you have credits or are you going to do some other mitigation work someplace else or put some other land that was not potentially excluded out of potential development, et cetera, or by somebody else's credit. I do not know if you allow that. I think it is a flaw if you do, but nevertheless. Are these verifiers supposed to be third-party, neutral-type things? And you said that they are working for a particular client? Somebody that is coming in, that is a proponent of the project, and the verifiers are employed by them?

Ms. Steele:

Yes. We certify. These verifiers are private consultants, private companies across the West—it is not just Nevada—across the entire West. We have people of various states come in, send their employees to get certified through us so that they can work with our clients. Then they are hired directly by . . .

Senator Daly:

When you say “your clients,” you mean “their clients.” They work with whoever is applying to you?

Ms. Steele:

Correct. So, ranchers, industry folk, mining companies, roads, NV Energy, various clients who are putting out a disturbance on the landscape, some kind of business, or a road, or a power line out on the landscape. Those are our debit proponents that come to us. They are required through our regulation to come to us and offset that. We determine the habitat that is lost based off of this disturbance, based off of their footprint that is being put out on the landscape. We determine the habitat that is lost. And then, we also work with ranchers or the debit proponent themselves to create or preserve high-quality habitat elsewhere so that we do not actually lose habitat in Nevada. We just shift it over slightly. So those are our credit project proponents as well. Generally, they are ranchers who are hoping to either restore or preserve their land and then they get credits for that. And the debit proponents purchase the credits to offset their disturbance. So then that way the credits are kept in the landscape from 30 to 120 years and either preserved or we work with the ranchers to restore it.

The verifiers are consultants, like I said, and they are hired directly by these debit project proponents or the credit project proponents to do this work. We provide a list of who is certified. We give basically our thumbs up that these people should know what they are doing and can do quality work. We provide that list to our proponents on both the debit and credit side, and they are allowed to hire who they will. And then those people go out and they do the GIS work initially, and then they will do the fieldwork, if so chose to do debit side, they do not have to do fieldwork; there is a little bit of a way to get around that in order to expedite things. On the credit side, we do require fieldwork.

Senator Daly:

I think I understand a little bit better where we are coming from. So, you guys go out and say—and when I say “you,” the Council, because the Council is the state authority of the Sagebrush Ecosystem Council—so you are saying we verified these people are qualified to do this, and they can do it for either client, the debtor clients or the credit clients. And then they prepare a report or a recommendation that goes to the Council.

Ms. Steele:

It goes to us, yes, as representatives of the Council for the large majority of the work. Anything that comes up as specific or something that is off the standard of what we have as our standard procedure, then we take it to the Council. But anything that falls under our standard procedure, we handle internally as representatives of the Council.

Senator Daly:

So, there is somebody that the Council has authorized to check the verifiers and say it meets this criteria, and then that becomes the deciding, you guys are the deciders. You decide whether this is correct or not. So, when you find these particular problems—the one you said where people are acting inappropriately for their client, et cetera—they are not actually neutral third-party people. Explain to me how this regulation is going to fix that. I see the part, and I do not disagree where you are going to put in some additional requirements in order to be a verifier. One of my questions was do all your verifiers currently meet that, or are you going to have a reduction in the number of verifiers? And then you are proposing a hearing, a potential hearing, hearing officers. One of my questions was who are the hearing officers and what is their standard? And what criteria and expertise are they supposed to have? You can have a hearing officer or an administrative law judge that does not know anything about what you guys do. So, what are the qualifications to be a hearing officer?

Then you have a switch where you can say well, I do not want the hearing officer; I want to go to the Council. I think you create a whole separate problem of we do not want this inappropriate activity to take place because, no offense to the people that are on the Council, but they have their interests, too. You got someone from agriculture, you got ranching, you got energy, you got people that have interest in, yes, preserving the habitat because they do not want the sage grouse listed as threatened or endangered, which would affect everybody. But they also then have the same potential conflicts of interest that you are saying these verifiers have. I am just not sure that this is going to fix your verifier problem and get to that by switching it to, no offense, those people on the Council are not subject matter experts. They are not, or they would have all these qualifications you say a verifier is supposed to have. I am not sure that this is going to fix your problem. But if you can answer, or explain, or expand on any of those, I would appreciate it, or if I am not reading it correctly, you can tell me that, too.

Ms. Steele:

Sure. Thank you, Senator. I will start with the quals for the verifiers. That is the standard. What we have included in the regulation is the standard procedure that we have always had internally since we started certifying verifiers. We just wanted to put it into regulation to kind of make it out there so that people are aware and have something that we can point to should we not be able to certify someone. They just do not follow these qualifications. Currently, to date, as far as we know, all of our verifiers do fall under that. They do qualify. We have not lost anyone for that reason, but they are all qualified.

The rest of the regulation outlines a process where, should we find that there is an issue, a very concerning issue, and we have stated this several times throughout the hearing and workshop process, we are not going to use this flippantly. This is for very serious issues. The process is if we have a concern, we speak with them directly about the concern. Try to figure out is there something that you are misunderstanding? Do we need more training? And come up with a game plan verbally. If the verbal does not work and this issue continues, we write them an official written notice. The second instance is write them, if this continues, the verbal does not work, this issue continues, we write them an official written notice, these are the problems, and this is the game plan going forward. If that does not work, then we move on to the decertification process with the hearing officer.

The hearing officer qualifications—we did not outline any qualifications per se. We originally had it as the Director or Deputy Director of DCNR, which is our boss's boss, all the way up. We wanted to have an unbiased third party, but someone who knew the system a little bit. Our Director and our deputies do know our process, our program, and the system, but we feel that they are set apart. However, we were not given the authorization to require certain duties in our regulations for the Deputy Director and the Director of DCNR, so it was pulled out as just blanket hearing officer, but the intention is, as they are willing, to ask of the Deputy Director or the Director of DCNR.

If they so choose, if the verifier who is in question so chooses, if they feel that DCNR is too biased or not enough for their hearing officer, they can choose to be put in front of the Council. I was hesitant to include that because I do not want to slander people—"innocent until proven guilty" kind of thing. I do not want to slander them in public and ruin their chances for further work, in general. I wanted to keep it a little bit more private until the official, like they are just "off the list" kind of thing. But if they so choose, there has been expressed interest from verifiers that they might choose the Council as more a "collective, unbiased party," then they can choose that.

I understand your concerns regarding the Council. I think they understand enough about the process. Our data collection and our analysis process is the exact same on both sides, on credit and debit. It is the exact same methodologies, the exact same process. The Council understands that, and they understand that if something should affect this, it possibly could affect their side as well. So, there is an understanding of fairness on the board. We thought that the Council would be a good final say if something should come up, and that is the same across all of our documents. If someone should have a problem with anything within our program, they are more than welcome, I can put them on the agenda for the next Council meeting.

Senator Daly:

So, let me just follow up a little bit because I think I am understanding a little clearer, and maybe there is a spot . . . I think there are a few other things that need to be done in this regulation, but we will see.

When there was the inappropriate activity that you were talking about and you had this verifier, you are saying you did not have a mechanism to decertify them or to get rid of them. And mainly, the only thing that a hearing officer or the board would hear would be whether or not this person can still be a qualified verifier and get rid of them, whatever. And if they were guilty, they deserve to have their reputation tarnished and let that be out there in the world. What happened to their recommendation? Who decides on are we accepting this report? They gave too much credit here. They got a kickback from whoever on either side, it does not matter, inappropriate activity. Was their report accepted? Do you have a mechanism to reject their report? If you do not, then there is another flaw. But nevertheless, because I think that is really the part . . . I do not want people to be able to potentially game the system and say I put in this report, I am getting kicked back hundreds of thousands of dollars, whatever, and they still took my report, and now I am just going to get kicked out of being able to do this again, but I got mine and I am going home. Was their report accepted? Do you have a way to reject that? And how often do you catch them doing this though?

Ms. Steele:

Very good questions. Thank you. For that particular instance, their report was not accepted. We do have the capability to completely reject anything that is submitted to us under those cases where we feel that it does not match the on-the-ground, actual habitat; the metrics there; the GIS, something the map computer analysis was tampered with. We have the authority to reject and rerun, and we have a very stringent analysis process where we go through and check everything with a fine-tooth comb. Every report that is submitted to us, we rerun the desktop analysis, the computer analysis to make sure that we get the same number that they get, the same answers that they get, so that if there is any tampering, we would find it immediately. My staff is very good about picking out issues. Most of the time, 90 percent of the time they are innocent issues, human error, a flaw in the field, something happened very simple. We usually just note it; we see if we can correct it, and we move on from there. For something like this, there is a huge issue. Luckily, their employer, under their consulting firm, their employer, we presented the evidence to their employer, talked to them about it, stated that we would need this rerun because all the data collected was suspect, and he ended up rerunning everything for free. And we went out and also assisted in that to make sure that it was collected appropriately. We were lucky in that instance that the employer was on our side, understood, and was able to help with managing that. And that person who collected the data is no longer with that company.

Senator Daly:

Understood. And that is good to hear. I got to imagine that this is not very regular, but the potential exists. If I can just come back to one thing. When you guys reject your review, and you are employed by the state, and you have got no axe on this either way, and you want to make sure that it is being done correctly, is there an appeal to your rejection of their deal? And that is the part that I would not want to have go to the board. If it is just whether you are going to decertify somebody, it is a little bit different issue, which I did not get in the nuance until we asked the questions. But I do not think the board should be able to be the arbiter of the decision to accept or reject, and that is where I think that conflict

would come in. What is the process on rejecting or an appeal to your determination that this is not good enough, it is not up to our standards? Or, are you guys the final say and that is that and go back and redo it?

Ms. Steele:

In our regulations, if there is a dispute about debits or credits on either side of the report, whatever it is, the Program Manager does have the final say. If they push it, they are able to go in front of the Council and complain. We have not had any instance of that at this given moment, but it is stated in our regulations that the Program Manager does have the final say.

Senator Daly:

Okay, and I have one question about the tribal land stuff, but the other thing I would say about, what I would suggest if you are going to have these qualifications, is that you should include that they have to go through ethics training and prove to you that they went through whatever accredited course you might say on ethics training. And then I know there are other provisions and various things where if they have done the work, like you said, they "fudged," and the evidence was there, and the company that they employed said we will do it again for free and that guy is not there anymore. I think you should make that person who is certifying it, your verifier, liable for those things. I know attorneys are liable for that type of stuff, plenty of other professionals if they act unethically or go against the standards in the industry, that no, they are liable for it. I do not know if you can make it criminal, but you can make them liable and let somebody be able to sue them to fix those damages. I think those things on your verifier would go a lot further than some of these other requirements that you have, and I would suggest that.

In Section 14, excluding the tribal lands, I understand the whole issue and the sovereignty and all that kind of stuff. I am assuming the tribes wanted to be excluded for whatever reason, but I think it creates a different question on the debit versus the credit. So then, if they are excluded, if the project is on tribal land, there are no rules; they can do whatever they want and they do not have to do any credits or any debits. The other side of that is, if it is on private land and the tribe is excluded, would the tribe be able to gain any credits and sell any credits to give credit for things on tribal land? It cannot work both ways. If the tribes can still create credit to sell, but they do not have to mitigate any impacts, I think that is unfair. So tell me, is that the case, or are the tribes completely out and they cannot be in the credit business? And if they can still be, I think that is another flaw in this.

Ms. Steele:

We count tribal land the same as private land. Private land does not have to mitigate for any disturbance on their land. We see that as their land; they are allowed to do what they will. Tribal land, we count it the exact same as private land. They are able to create credits just the same as private land with ranchers. They are able to generate credits and sell those, but they are not liable for building, say, a power line on their land. However, if they are generating credits on their land, if they are locked in under a management plan and they decide to then put in a disturbance that will affect their credit project, they will lose credits. It is a give-and-take. What they do on their private land, if they are in the system with us on credits, will affect their credits. Once they are in, their number of credits is affected by what they do on their land, and they could lose, potentially, credits if they so choose to put something on their land. So, there is a consequence. They just do not have to

mitigate, and that is the exact same as private land across the state of Nevada. And that was a decision by our Council.

Senator Daly:

So, they cannot have it both ways if they are creating credits, if I understood you correctly. If they have a project that is entirely on tribal land, they can do it even though they may be disturbing the sagebrush ecosystem. They do not have to mitigate; they do not have to do anything.

Ms. Steele:

Correct, but their credit amount is affected by what they do. So if they decide, if they want to generate credits, it will be much, much lower, if not null. We probably would reject the project itself if they choose to put a debit project nearby or on their same land.

Senator Daly:

So, they can generate credits that you guys would give them if they do something that protects the ecosystem. They can generate the credits. But if they turn around and have the credits, they would have to hurry and sell them before they did some debit project.

Ms. Steele:

Those credits would be lost.

Senator Daly:

Not if they use them first?

Ms. Steele:

No. Even if they sell them, then it is considered an "intentional reversal," and they are penalized per their contract with us and required to replace those credits either by purchasing or generating elsewhere. And there is also an additional penalty fee on top of that. I think it is \$25,000 or something like that. Do not quote me on that.

Senator Daly:

I guess I did not understand why you were putting the words in that tribal governments are exempt the same as local governments. But there are safeguards in there for gaming the system because we are in a gaming state, I do not know if you have noticed. I do have some concerns about your solution. I would add those two things in—ethics training and make them liable. That will solve your problem. Almost guaranteed.

Ms. Steele:

Thank you.

Chair Jauregui:

Thank you, Senator Daly. Are there any other questions? Senator Hansen.

Senator Hansen:

Thanks, Madam Chair. A couple of questions. Where does the BLM fit into the Sagebrush Ecosystem Council? Are they part of it? I mean, most of the lands you are describing are public lands, most of which are administered by the Bureau of Land Management. Is there an appeals process to them for people that are not happy with your decisions?

Ms. Steele:

There are ex officios on our Council. We have nine voting Council members and eight, I believe, ex officios from various state and federal agencies that are the directors of various state and federal agencies. So, when someone comes up to appeal, they are able to appeal in front of the BLM, as well, but BLM works with us. We have an MOU with them that they will honor our NAC, our regulation, to require mitigation on lands that are habitat for greater sage grouse.

Senator Hansen:

Wow. So, they actually have delegated to the state Sagebrush Ecosystem Council, the "authority" over federal lands.

Ms. Steele:

Yes.

Senator Hansen:

That is interesting. I did not know that. That is actually surprising, frankly.

Landscape scale, you are talking about. I have a ranch—I do not live there, but about half the time anymore—right on the edge of what was the Charleston Fire from 2005. It has come back beautifully. It is mainly serviceberry, big sage, all sorts of sage species, beautiful bunchgrass all over. I am just kind of wondering, do you guys keep track of these big burns as well? And when you were doing these kinds of decision-making processes, do you take into account the traditional changes in habitat that have occurred? And where do you guys factor in things like fires in an area where you are going to have—I do not know exactly who comes to you—mines or you mentioned ranchers several times. I am curious as to how you factor in the historical changes on landscape scale changes.

Ms. Steele:

Thank you. That was a wonderful question. For the debit side, we take it as a picture, a snapshot in time. For the debits, we verify what is on the ground at that given moment. If it was a fire and all it is is cheatgrass or dirt, they are going to have a lesser debit amount because that is what it is going to look like when they disturb that area. We take that as a snapshot in time.

However, on the credit side, we do take into account fire, fire history, especially something that has come back absolutely beautiful, and I am very excited about that. We are working with several landowners who have had either a fire in their past or fire this year. We have had three of our credit projects burn this year, so we are working very closely with that. For the initial credit assessment, we take what is on the ground at that given moment and then we work together on a plan. If it has been burned and it is not showing very good quality habitat, we will work with them on a restoration plan to get that back up into good

quality habitat. If it does burn, like we have had, while they are in the system, we work very closely with them to put together a restoration plan, to get some grant money to fulfill that restoration plan. And we keep tabs with that, and we note that in their file. We make sure that we are aware of that throughout the whole 30 to 120 years that they are required to maintain that land. And then we keep track of the ecosites of that land. The vegetation that is currently in the past could be potentially in the future on that land. Then we gear all our management and potential restoration towards those ecosites. We keep track of state and transition models, and we monitor and work towards those transition models.

Senator Hansen:

That is a great answer. But I guess I should make one thing clear—the Charleston Fire, for the most part, was at a higher elevation, more water, probable average is 6,000 feet, so it has come back naturally. If it is below about 5,500 or 5,000, so much in Nevada now is all cheatgrass, and unless a miracle occurs and you can keep fires from recurring every 10 or 20 years, it does not seem to come back.

I am kind of curious as to, when you talk about giving credits, do you guys have any responsibility for figuring out a way to reduce the cheatgrass? I mean that is definitely part . . . I know your Sagebrush Ecosystem Council, but the biggest threat that I have observed in Nevada has been the dramatic expansion of cheatgrass right here, literally, where we are sitting. If we look out at the C-Hills, Carson City has actually hired a sheep rancher, and he comes in and grazes that aggressively every year, and since 2008, they have not had a repeat fire. And I am just kind of wondering, do you have any authority to do things like, you know, I would talk credits. Frankly, what I would like to see is sheep expand in certain parts of Nevada where you have this constant cheatgrass infestation that is just flat, has not changed. In some cases, I have been observing the same piece of ground for over 40 years, and it is still looks horrible.

Ms. Steele:

Thank you. So, for credit projects, as it stands, we do require a cheatgrass management plan. We work with ranchers to reduce their cheatgrass on their land. We have had a lot of success with Imazapic and other preemergents reducing cheatgrass, especially after a wildfire. That is with our ranchers, and we are working on that. We just—and we are very excited about this—got approved through our Council to add in invasive annual grass management and restoration into our overall restoration goals. We recently received approval to move forward with that. We hope to step a little bit, not really outside of the CCS, but work on restoration projects on our own, very much what you are talking about, working with the BLM to reduce and manage cheatgrass and other invasive annual grasses on public lands. We are hoping to either use any credits that are generated, just retire them in our system as net gain as we are just working better towards the landscape. They are not going to be sold. We are just retiring them or will slide them into our reserve account as a buffer due to the massive amount of fires. And just as you said, it just keeps coming back; we do need a little bit of a buffer. This is like an insurance pool for our landowners that if something should happen on their land, their credits are being covered somewhere through restoration, through habitat restoration, until the time that they have it restored. So that is what our reserve account is, but we just recently got approved to do all that work and we are very excited. We have several projects in mind along those lines.

Senator Hansen:

Good. Last quick question. Sage grouse, sage hens, population trends. As I recall, I think it was under Governor Sandoval, that you guys came into existence about 2013 or so, so you have been doing this job for 13, 14 years. What are the trends that you guys have observed on sage grouse populations in Nevada? We have NDOW in the background to back you up if you are going to try to pass the buck a little bit. But I would like to know your observations, because really, the ultimate purpose for your Council to exist was to mitigate the possibility of that bird being listed as an endangered species. And one of the ways to do that, of course, is to enhance habitat. If you have successfully enhanced habitat for the last 12 or 14 years, is that reflected in the sage grouse population trends?

Ms. Steele:

I will defer to Shawn regarding sage grouse population trends. However, we have been working really hard for the last . . . So, the CCS, the Conservation Credit System itself, our mitigation program, has been up and running since 2016, so we are about nine years into that. Our first real transaction getting it going was required by our regulation in 2019, so we are actually six years, then, really into it. We have seen some increase habitat-wise. Currently, we have more credits than debits at this given moment, so we are preserving more functional acres than we are losing. And that is why we are working on the CCS; we have got it up and running. We are now starting to step into more restoration to see that further increase. So yes, on our habitat side and numbers-wise, we are seeing benefit, but I will let Shawn talk about the population.

Shawn Espinosa, Game Division Administrator, NDOW:

Thank you for the question, Senator Hansen. To put it briefly and succinctly, from 2018 to about 2022, we saw sage grouse numbers be as low as we have seen them in the past 50, 60 years. Numbers did decrease pretty substantially during that period. The overall trend continues in a downward decline. However, more recently, over the past three years, we have seen a positive response. We link that to more favorable precipitation regimes that we have seen lately, until this year. Hopefully that changes here very soon. And possibly some restoration-type activities that have taken place on the landscape, such as pinyon-juniper removal projects, a lot of reseeded, those types of things that have happened.

Senator Hansen:

Good. So overall, the trend was down, and now you see an increase, to a degree, over much of the state. I will say that in the Charleston Fire area where I bought a ranch, there has been a substantial increase, in my opinion, in the last five years or so. And there has definitely been some very, very good moisture years, so undoubtedly, that is related to that.

Thank you, Madam Chair, for allowing me to indulge and get a little bit off topic. But I think the real purpose of the Sagebrush Ecosystem Council is ultimately what happens with the sage hens. Thank you.

Chair Jauregui:

Senator Hansen, would you like to make a motion, or are there any other questions up in Carson City?

Senator Titus:

Thank you, Madam Chair. I did have a question. I know that Senator Daly went into this, but I was very concerned about Section 6, number 2, about the appeal process and the appointment of a hearing officer. I just need to make sure that the Sagebrush Ecosystem Council is not the judge and the jury when somebody has an appeal, that the person, the arbitrator, or the appeal person is somebody outside your organization. Is that correct? Or do you appoint somebody within your organization? That is where my concern is, about you being the judge and the jury.

Ms. Steele:

As it internally stands, it is not outlined in our regulation. As it internally stands, we have the hearing officer set as either the Director or Deputy Director of DCNR. However, we can appoint whomever, a third-party, unbiased person. We can have it as our DAG [Deputy Attorney General]. I am not sure who else to talk to or to bring it in. We can even bring in our state-appointed intermediates or however someone requests.

Senator Titus:

So, the person that has been denied, and again, just in Section 6, if the applicant is being denied, they have a right to say, "I do not want that person. He is part of your program. I want this outside person." I just need some clarity because again, I was very concerned about that particular process.

Ms. Steele:

As it states in our regulations, "The appeal must be heard by the hearing officer as appointed by the Program Manager." I am more than willing to bring in someone who is, if they want, an actual, unbiased person. We have had people before ask to talk to a person, but that person is like their cousin. I just want to make sure that it is actually an unbiased person. I feel that the Director is quite unbiased, but if someone has a concern, we can definitely bring in someone else. I am more than open to something to make it fair and equitable.

Senator Titus:

Thank you. And that is my concern. It is not in the process here in this language. I do not see where if the applicant says, "Wait a minute. This person clearly is biased," how do they then appeal that and bring another person?

Ms. Steele:

I do not think it is included. It is just the hearing officer or if they would like to bring it to the Sagebrush Ecosystem Counsel.

Senator Titus:

Thank you. That is what I was concerned about. Thank you, Madam Chair.

Chair Jauregui:

Are there any other questions in Carson City? Are there any questions in Las Vegas? Are there any questions on Zoom? Seeing no other questions, does someone want to make a motion for R045-25?

VICE CHAIR YEAGER MOVED TO APPROVE R045-25.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION PASSED. (SENATORS DALY AND TITUS AND ASSEMBLYMEMBER HANSEN VOTED NO.)

Chair Jauregui:

Committee members, that takes us to our last regulation for discussion, which is R053-25, which was requested by Senator Hansen. I believe we have the Board of Wildlife Commissioners with us to help answer questions. Senator Hansen, once they approach the witness table and you are ready, please go ahead with your questions.

Senator Hansen:

Thank you. Real quick, pike, no problem. The question I got is on the bait portions, Section 6 on page 20 on mine, "The use of any game fish or protected species of fish or parts thereof for bait is prohibited." Would that include a common practice where you are gutting your fish, and you are going to keep fishing, and you find roe or something in the fish or use the gills, as I have seen people do, and they use that as bait? Would that now be illegal when you mention "or parts thereof"?

Kim Tisdale, Sport Fish Staff Specialist, NDOW:

You are correct. "Parts thereof" would refer to cut bait or fresh roe taken from game fish. That would not be legal.

Senator Hansen:

Okay, so, the fish comes out of the water. If it was allowed to die naturally, the same parts would remain in the water, but now it is going to be a crime if somebody like myself uses some internal organ or something to fish with? Is that correct?

Ms. Tisdale:

That is correct.

Senator Hansen:

I have a real problem with that.

Same page at the bottom. "Any fresh, dead or frozen saltwater species of fish," cannot be used for bait except in certain appropriate regulations in different regions. Why? I mean, saltwater cannot . . . Fish parts that are saltwater, including sardines, anchovies, and

shrimp, cannot be used as bait? They obviously cannot live in fresh water. There is no saltwater in northern Nevada. What is the problem with using those?

Ms. Tisdale:

We are allowing the use of saltwater fish for bait. Saltwater fish cannot survive in freshwater environments, and they are exempt. People can have possession and transportation of saltwater fish in Nevada.

Senator Hansen:

Okay. That is only where the use of aquatic bait is authorized. Aquatic bait would include saltwater species. Is there some danger of transfer of something? I am just kind of wondering why you would limit that as bait, except where aquatic bait is authorized. Normally you have aquatic bait restrictions because of dangers of trans . . . like northern pike has minnows and so forth. There is no possibility of any saltwater species surviving in any of our waters. Why would we limit the use of that to only where aquatic bait is authorized? Pardon me for not phrasing that correctly initially.

Ms. Tisdale:

We are not restricting their use. We are just specifying that the use of fresh, dead, or frozen saltwater species is allowed in Nevada wherever the use of aquatic bait is allowed.

Senator Hansen:

I just do not see why that would be regulated at all, period.

Next, page 22, you may have already answered this, "The capture, possession while fishing or the use of fish as bait, whether dead or alive, or parts thereof, is prohibited." Same thing. If somebody is fishing and they want to use a part of that trout, or whatever, that is going to be illegal going forward in that section as well then. Correct? A little bit redundant, perhaps, since you already covered it in the first question, but . . .

Ms. Tisdale:

Yes, the bait regulations for all the different regions do restrict the use of fish as bait, whether dead or alive, or parts thereof, in all areas except where they are allowed. And it is specified in statute where in each region the use of bait is allowed.

Senator Hansen:

Okay. Same question on page 23, basically number (b), "Other forms of aquatic life and animal life, including, . . . crayfish, . . . and any unprotected . . . or parts thereof which are commercially prepared . . . may be used as bait." But you are getting rid of, "Aquatic bait may be used only in the water from which it is taken." Would that also apply for a fish that is removed from that body of water, and you want to use parts of that for bait? Why would you guys strike that out? I am just kind of wondering why if the fish originates in the same body of water that you want to use it as bait and if it was allowed to just naturally do whatever it does, it would still remain in that body, why is it going to become a crime for somebody to use a piece of fish that they caught, for example, as bait, and then the rationale behind it?

Ms. Tisdale:

This NAC is referring to the use of bait in the eastern region. Previously, the use of any fish for bait was prohibited and the use of any—with the exception of preserved salmon eggs—the use of any unprotected species of freshwater fish, including those that were commercially prepared or preserved, was prohibited. There was no ability to . . . It was unlawful to use live fish for bait or even commercially prepared and preserved fish for bait. What we are proposing here is changing that. We are still prohibiting the use of fish for bait and their parts of game fish, but we are allowing preserved baits to be used. These are baits that are readily available in all the tackle shops.

Senator Hansen:

Salmon eggs or the minnows that they have preserved.

Ms. Tisdale:

Yes.

Senator Hansen:

The question, though, is what is the rationale? That is really what I am getting at. Why does the Department of Wildlife want to make it a crime for people who want to use a piece of fish from the body of water that the fish was removed from as bait? I am missing something here in this discussion.

Director Jenne:

You can look at many instances where the average citizen may not know the species of fish that they have, maybe malintent of garnering a live fish from one location, taking it to another as possible baitfish. Their perception of dead is a little bit different than ours. And we have had situations where we have . . . Pike is a great species that has been introduced illegally. There have been other places where we have actually had to treat fish populations to each other in the Wild Horse Reservoir. We actually had to historically treat that to remove those because they had overrun that reservoir to the point where game fish were no longer thriving. This is one of those places where we are just trying to minimize the risk around illegal introduction of unintended species into Nevada's water and the impact on our sport fish.

Senator Hansen:

Okay, I see where you are going with it. But to me, you should have, kind of like your cross out in (b), if it comes from, "the water from which it was taken," I cannot see why that is going to cause what you just described. My concern is we are always making new rules, and these are laws and then they get enforced. And so, some poor guy fishing on the bank and the Warden says, "Hey, what are you using for bait?" "I ran out of bait, and I am using the gills off of the fish." And suddenly this guy is getting a citation for something that, in my opinion, is absolutely harmless as far as the dangers of introducing unwanted species. It is interesting to bring that up because it was the Fish Commission back in the 1870s and 1880s that introduced carp to Nevada as the new "game fish," and everybody was like, "Oh my gosh."

But anyway, as far as the pike and cutting holes in the ice, I think that part of the regulation is fine. I just think you may have gone a little too far, in my opinion, on the bait

side of this stuff. I think we need to make some kind of an exception for fish that are removed from that body of water where parts of those could be used for bait. It just seems completely reasonable to me. That is my two cents worth. Thank you, Madam Chair.

Ms. Tisdale:

I just had one point of clarification. That part that we crossed out, "Aquatic bait may be used only in the water from which it is taken," we removed that because it is stated earlier in 502 in the statewide bait regulations that you can only use aquatic bait from the water in which it is taken. So that is a statewide regulation. We are not removing that, but it is just aquatic bait, which is . . .

Senator Hansen:

I know it is defined. I would like to say "aquatic bait and fish that are removed from that body of water." That would make it reasonable at that point, trying to prevent the dangers that you are talking about. Obviously, I do not think this is something that is a life-or-death issue, but I am definitely sensitive to this constant expansion of law, which then, innocent sportsmen, who did not really commit any crime, in my opinion, end up getting cited and paying fines and so forth. So, thank you, Madam. Chair.

Chair Jauregui:

Thank you, Senator Hansen. Are there any other questions in Carson City?

Senator Titus:

Yes, Madam, Chair. Thank you for the indulgement. Thank you for being here. I understand the regulations are specific to locations. I am a catch-and-release fly-fisher person, and I never use live bait. There are specific regulations in these areas where it is clearly marked barbless hooks, no live bait, et cetera. I understand that.

My question is about Section 11. I am an ice fisherman, also, in the wintertime, and I do not use a chainsaw to cut the hole. I have a drill that drills out the hole. And I am looking at these regulations and I was just going, why can I only cut one hole? I have had to cut multiple holes because there is no fish where I start. I do not understand why I have to cut one hole, and I have to keep that block. I have to keep that block of ice that I have cut out, I guess, and put it back in. Can you explain to me why I am only allowed to cut one hole, and if I am keeping that block and putting it back in because there is no fish in that hole, I cannot go and cut another hole? I have been there and done all the above.

Ms. Tisdale:

Thank you for the question. The regulations that you are referring to, what we are doing here with this regulation is, the way ice fishing has always worked is they are restricted to fishing out of an ice fishing hole that is no more than ten inches in diameter. The regulation that we are adding here is allowing for people who are spearfishing and bowfishing, only at Comins Lake through the ice, those people employing those methods are allowed to cut a hole that is 12 inches wide by 24 inches long. This is a larger hole than what we allow for regular ice fishing. And these holes are only for bowfishing and spearfishing. We are restricting the number of holes mostly just for safety concerns. We do not want people . . . These are larger holes, so we want to limit how many of these are on the landscape. And retaining the block and putting that block back in the hole kind of allows that hole to refreeze overnight, and it prevents more open soft ice in these larger holes that are being

cut for bowfishing and spearfishing. You can still cut as many holes as you want for regular hook and line fishing.

Senator Titus:

Thank you. Madam Chair, one other follow-up. I guess I just needed the clarification that . . . I understand that this is a bigger hole, but looking at regulations in other states—Minnesota, those kinds of areas where they have a lot of ice fishing and they have big open things—is this reentry of the block and the keeping of the block, is that standard in those other areas?

Ms. Tisdale:

We did look at a lot of the fishing regulations in the Midwest where they have a lot of ice fishing and that is where we got this. I think a lot of states want the ice blocks to be put back in the holes so it does not create a problem for transportation across the ice. If you have these big blocks sitting on the ice and left there, then they refreeze and people who are running across the ice on their snowmobiles can run into these things and that can be a big mess. So that, I think, is a lot of the purpose for that, but we also did not want these blocks to be sitting on the ice, and we thought it was a good way to require them to put that back, creating less of a hazard for people who might be on the ice.

Senator Titus:

Thank you. I just want to make sure that when I am fishing at Wild Horse that I am not getting in trouble with my little hand drill. Thank you, Madam Chair.

Chair Jauregui:

Are there any other questions in Carson City?

Director Jenne:

If there are no questions, Madam Chair, if I could just take one moment, in response to the line of questioning here. If this group has been paying attention to the regulations over the years, most notably in the Fisheries Division, most notably, Kim Tisdale has been doing a heck of a job trying to simplify Nevada's fishing regulations and trying to make them much easier to comply with in working with our Law Enforcement Division. We have been trying to shrink the size of our regulation booklet and all the particulars of it. I am, in one sense, very glad that you called up staff specialist Kim Tisdale because she is going to be retiring this next spring, and her career would not have been complete without a presentation to the Leg Commission. Thank you.

Senator Hansen:

Madam Chair, if I could comment on that. I was going to say they need to put you in charge of the shed antler program if that is the case. Thank you.

Chair Jauregui:

Thank you, Senator Hansen, and seeing no questions down in Las Vegas, do you want to . . . First, I would like to congratulate you on your service and on your retirement and then toss it back to Senator Hansen for a motion.

Senator Hansen:

Sorry, Madam Chair, I am a no on this one; I was not there on the bait yet.

Chair Jauregui:

Okay. Well, I would be looking for a motion.

VICE CHAIR YEAGER MOVED TO APPROVE R053-25.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION PASSED. (SENATOR HANSEN AND ASSEMBLYMEMBER HANSEN VOTED NO.

Chair Jauregui:

I believe that completes all the regulations that had been pulled for discussion today. Thank you, Commission members, and thank you to the representatives of the state agencies who hung out with us to help answer questions.

AGENDA ITEM V—REVIEW OF THE SECRETARY OF STATE DRAFT *ELECTIONS PROCEDURES MANUAL* (NRS 293.2502)

Chair Jauregui:

Now we can move on to Agenda Item V. I do believe that we have lost the Secretary of State, but we have Mark Wlaschin here to help with the presentation and to help answer questions.

Committee members, SB 54 from the 2023 Legislative Session required at least once every two years that the Secretary of State prepare, and maintain, and publish an *Elections Procedures Manual* (Agenda Item V A) to ensure correctness, impartiality, uniformity, and efficiency in the elections procedures of the state. The *Manual* must be submitted to the Legislative Commission for approval, not less frequently than every four years. I believe Mr. Wlaschin has already approached the witness table. Mr. Wlaschin, if there are any statements that you would like to make or any presentations, please feel free to do so now, and then we will go to questions from the Committee.

Mark Wlaschin, Deputy Secretary of State for Elections, Elections Division, Office of the SOS:

Thank you. Good afternoon, Chair, and members of the Commission. I am joined here today by Miss Heather Hardy who also works in my Elections Division. We are here on behalf of Secretary of State Francisco Aguilar who again, as I think the Chair had noted, was in attendance down south until, unfortunately, his schedule pulled him away.

We are here today before you to discuss a landmark piece of work that will benefit both Nevada's elections officials and members of the public. The *Elections Procedures Manual* has been in development for years, and we are presenting it to you today for formal approval as required by SB 54, which was passed back in 2023. I want to start by reassuring you that this *Manual* is aligned with state statute and regulation. It provides clarity and plain language explanations about the many different elements of our electoral process. Elections administration can be complex, but it is our job to ensure that this process is transparent

and understandable. This *Manual* is our effort to help citizens be more engaged with their state and local government, whether they want to understand how to run for office, register to vote, start a PAC [Political Action Committee], or submit a petition. The *Elections Procedures Manual* will also help with the onboarding of new staff in our state, county, and city election offices. All 15 of our elected clerks will be on the ballot in 2026. As we continue to see turnover across all levels of election officials and their staff, this *Manual* will help ensure that they have a better starting point than we did.

I would like to thank Heather, in particular, who has taken lead on the development of this *Manual*, and who has made a point to gather feedback from the county and city clerks, their staff, and members of the public. We held three separate meetings totaling about four hours to get feedback from the public on the *Manual*. We were not required to hold those workshops, but the feedback from the public is just as important as the feedback from other election officials.

Finally, the work on this *Elections Procedures Manual* is not done. We intend it to be a living document that receives frequent updates and improvements. We are going to continue to make nonsubstantive changes, including adding more legal citations and further improving the plain language.

Earlier, there was a comment made by a member of the public during the original public comment about AB 148 [2025] and the concerns about codifying that into the statutes online. The *Elections Procedures Manual*, you will note, actually cites AB 148 specifically, but that is an example of one citation that will update to the correct statute once those changes are made online.

We will plan on bringing back major changes for approval prior to the start of the 2028 election cycle. That concludes my presentation, and we are available for questions.

Chair Jauregui:

Thank you, Mr. Wlaschin. I know we have questions for you. The first person who expressed interest in asking questions was Assemblymember Backus, so we will start with her first.

Assemblymember Backus:

Thank you so much, Madam Chair. Mr. Wlaschin, thank you so much for your presentation. My question is, as I understand, we have kind of moved forward to this wonderful, comprehensive *Manual*. And so, looking forward, because obviously for the Legislative Commission, we handle regulations and dealing with changes, can you elaborate a little more, like what would require the Secretary of State to come back before the Legislative Commission with respect to changes that could be made to this document? And specifically, I noted, like for example, under the bright yellow green tab of the *Manual*, which is appendix A, it has like specific references to the 2026 Election, including folks that hold those offices. And so, all I kept thinking when I was looking at that appendix is, is that like something that you would have to bring back before us if like a judge had retired midterm? That kind of stuff.

Mr. Wlaschin:

Excellent question, Assemblymember. To be perfectly clear, those sorts of changes like you are describing—the list of elected officials, certain dates, the elections calendar, for example, also in Appendix A—those would be considered nonsubstantive changes. And in

fact, we have a list that I would like to put on the record just to make sure that everyone is clear on that. We consider nonsubstantive changes to include: grammar and syntax, spelling, typos, punctuation, formatting, citations and hyperlinks, and minor factual corrections, including dates and addresses, and as you mentioned, perhaps a list of elected officials, someone may resign, an appointee may be put in their stead. Those sorts of changes we would make and update online so the public has access to that immediately.

Larger changes that you will see, I suspect, leading up to the 2028 election cycle, we are looking at adding in more detail and additional sections relating specifically to the role the Secretary of State's Office plays, for example, during a legislative session. It is an important part of the electoral process and what the Elections Division does again, especially when it comes to transparency for the public, not included this moment, but also likely it needs to be added. But that would be enough of a big change that we would come back to the Legislative Commission. Also, changes to the structure of the document itself. If we are thinking about eliminating or combining sections for clarity, again, large sections, not just rewording a single sentence, those are the type of topics that would ultimately be captured, worked on during the interim period, but in a separate document, not the public-facing approved one, of course, that we would then bring back in draft form to the Legislative Commission prior to the 2028 election cycle. Does that answer your question?

Assemblymember Backus:

It does. Madam Chair, may I have a follow-up? My next question would be, and thank you for that. It makes sense what you are saying, and I also am appreciative of all the citations to the legislative and administrative code authority. Just out of curiosity, with this *Manual*, and I know in other states it could be used to maybe drive policy that may be different than existing law, my understanding though, and if you can explain, the Secretary of State's Office cannot do that with respect to the law that passed here.

Mr. Wlaschin:

Absolutely. You were spot on and that is correct. In other states, an easy example is Arizona, the Arizona *Elections Procedures Manual* carries the weight of law. It is, in essence—as I am told, and I am not an expert on Arizona elections law—but it is their administrative code captured in their *Elections Procedures Manual*. That is not how our statute in NRS 293 created this procedure *Manual*. This *Manual* cannot conflict with statute; it cannot conflict with regulation. It is absolutely not an opportunity or a means by which the Secretary of State or his Office could somehow bypass the legislative process or the regulatory process. The *Manual* is very much intended as a user guide, taking complex statutes across our nine chapters plus the regulations and in some cases incorporating federal law and explaining it so that a new staff member who is hired into a county elections department can take this book and quickly understand how to administer an election from their point of view, be it again, part of my staff in the Elections Division or in a county or city across our state.

Assemblymember Backus:

Thank you so much, and thank you, Madam Chair, for the questions.

Chair Jauregui:

Assemblymembers and Senators in Las Vegas, are there any questions down in Las Vegas? Seeing none in Las Vegas, I will go to Zoom to see if Assemblymember Hafen has any

questions. Okay. I will go to Carson City to see if there are there are any questions in Carson City?

Senator Titus:

I think we all have questions up here, Madam Chair, and if it is all right, I will go first.

Thank you, sir, for being here, and thank you for reaching out to me and wondering if I had any questions. And as we chatted, I have multiple concerns. First and foremost, starting if I might, Madam Chair, literally the "Political History of Nevada." When I read that chapter, and again, I understand the *Manual*, I understand you are mandated to do it, and I appreciate the clarity on all of that. But I have big concerns in just a paragraph. It says while Carson City is the state's capital, Clark is home to 70 percent of the people, and then it talks about sessions of the Legislature are conducted both in person and virtually. I do take issue to that because sessions are not conducted in multiple locations, in Las Vegas, et cetera. Sessions, by our *Constitution*, are held in our capital in Carson City. And so, as we talked, I know many folks that have moved, most folks that live in Nevada now have not been here very long. They chose to be Nevadans, and I welcome them, but they have not had any civics lessons on where we are, we meet every 120 days, et cetera. And the fact that that does not add clarity to the fact that this is the capital, this is where sessions are held now. Certainly interim committees are held just like this one is, and we have folks in Carson City, in Las Vegas, and virtual, and I appreciate all of that, but I just wanted to make sure that, indeed, the understanding is clear that we meet every other year for 120 days and that they are held in Carson City. So, I do have exceptions on that.

And if I might continue with a question now, Madam Chair?

Chair Jauregui:

Yes, go ahead, Senator.

Senator Titus:

Thank you. I know in the past election cycle, there were cards mailed out by your Office to get voter turnout. And again, I appreciate that, and I did have some concerns about who you reached out to. And in this *Manual*, specifically, you prioritize outreach to youth, campus-based populations, non-English speaking communities, and native Americans. But I do not see it actually identifying comparable outreach to people in my areas, our rural Nevada, and senior citizens, veterans, and military families. And I think I need to ask, rural voters sometimes will face long travel distances, limited polling locations, unreliable broadband, mail delays. And I have had people communicate to me recently, we lost our mail carrier in my rural community, and it was way backlogged. Seniors cannot get their transportation. What programs have your offices done to reach out to those folks, the people that I represent in the rural areas? I am just concerned. I understand the purpose of the *Manual*. I understand that you are mandated, but I am concerned about how you reach out to all Nevadans that need to vote or would like to vote.

Mr. Wlaschin:

That is an excellent question, Senator. First, to clarify, in regards to your concerns about the political history, I do appreciate you taking the time to explain that. That is considered absolutely an important but nonsubstantive change that we are going to make. I did talk to the Secretary about that, and he is aware of that as well. So, first, I want to assure you that we will address that.

Second, in regards to outreach, you are right. Ultimately, all 2.1 million of our registered voters across our state warrant the same outreach, period. In regards to the rurals specific, minus Clark and Washoe, we are looking at roughly 240,000 registered voters across the other 15 counties. Again, firmly believe that for each and every one of them, their vote matters. Their ability to ask questions of the state and county election officials to get clarity on timelines, processes is no different than anybody in any other part of our state. To that end, we do make a very much concerted effort to reach out to every voter. And in fact, you will see in your mailbox in the very near future, a postcard that has been sent to every voter across the state.

In addition to that effort, Secretary Aguilar has made a very deliberate point, also, to personally go to every one of our counties, including our tribal locations across the 28 tribal areas across our state. Those meetings have also not only talked about elections specifically but also other elements of the agencies. Talking about entrepreneurship or securities, investor fraud issues. Each one of the divisions—while I may be a little bit partial to the Elections Division—every one of the divisions that he represents and leads provide an amazing service to the constituents, and they are all wrapped together in regards to that outreach. That will continue throughout next year.

We do also have plans again to not only lead but also support the county election officials in their outreach efforts. This is something that again, knowing, while I am here in Carson and we have staff in Las Vegas, ultimately, our county and city election officials know their communities the most and have frankly the best ideas on how to reach out to the voters in their communities, especially those voters who may find it too difficult to vote or think for some reason that it is challenging or have concerns. By supporting the county and city election officials, by asking and engaging with them to make sure that as they identify obstacles and challenges that we are supporting, either through the purchase of outreach documents or providing information or even in some cases, the Secretary himself or us sending staff to those locations. These are all ongoing efforts that have started before and will continue through the general election of next year.

Senator Titus:

Thank you for that. Follow-up, Madam Chair?

Chair Jauregui:

Yes, go ahead, Senator.

Senator Titus:

Thank you. I appreciate that. I mean, and you referred to, referring actually back to the county clerks and that is their job for the outreach, et cetera. But again, your department, at the state level, has chosen to reach out to the voters, specific populations, and I was concerned. I know the card went out to specific populations because we had this discussion. I was just wondering what the outcome and what metrics are you using to see if that outreach actually had any effect on the voter turnout.

Mr. Wlaschin:

In regards to the metrics, Senator, there is a direct correlation between voter turnout in one election cycle and our efforts in the next. Again, there are highs and lows. Presidential general elections typically have the largest turnout across the state. A midterm primary historically has the lowest turnout. We are careful to assess based on the realities of the

electoral cycle over a four-year period. But we do track, and again, we try to identify communities across the state—not just in Clark and Washoe, but truly across all 17 counties—and try to identify where folks are not turning out, where they may be viewing obstacles. Again, talking with the counties, talking with community leaders. There is a number of metrics, but including voter turnout is the most prevalent of those to identify areas for improvement for that outreach effort.

Senator Titus:

Thank you, and thank you, Madam Chair, for the questions.

Chair Jauregui:

Thank you, Senator Titus. We will go next to your left to Senator Hansen.

Senator Hansen:

Actually, back to political history. You know, this document should be as nonpartisan as possible. You talk about “none of these candidates” being kind of a unique feature. And the only example you give is, “In 2024, ‘None of these candidates’ won the Republican primary for President of the United States.” Now that is about as partisan a statement as you could put into a thing because that is the only example in the entire book that I found where you guys did not just mention that we have it, and it is kind of unique. You specified probably one of the most controversial elections in United States history and used only this party, my party, as an example, that my base did not like President Trump, is what you are really saying. To me, that disqualifies this as something that is a nonpartisan, you know, just a general election oversight. It clearly has a built-in bias right off the bat, so I am very uncomfortable with that. That is not something the Secretary of State should . . . If he is running for office, that is one thing, but when he is putting out a document that is this thick, and it is an elections procedures manual, and he uses an example like that in the very beginning of this entire *Manual*, it taints the whole thing.

So, I am a strong no on this. I have been going through the whole thing, and I have not found any other example like that. Again, that is not the kind of thing that the Secretary of State should be putting out in an election manual. That is more of a statement than a question, Madam Chair. If we are going to vote on it today, an action item, I am a no. Thank you.

Chair Jauregui:

Thank you, Senator Hansen. We will go to your left, and I believe it is Senator Daly.

Senator Daly:

Thank you, Madam Chair. I do have a couple of questions. I recall when the bill came up in Legislative Operations and Elections, I was on that Committee. In my understanding of what we are trying to do here, and I understand completely what you were saying is that technically, it is not a regulation, so it does not have the force of law. We have statutes. We have regulations that cover all of these issues. But what we did have, especially coming up with some of these more contentious elections that we have had in recent years, is a divergence of what it all means. And do I have to follow it? And what is the procedure that I am required to follow because I get to decide in my county? And that is not the case. We have state law. We have state regulations. They have the power of law, and these people

are required to carry out their duties regardless of what other concerns they may have on a personal level.

So, this *Manual*, in my view, despite all of that—I will not even respond to my colleague’s accusation of bias—but nevertheless, as I recall, the person in question that would have probably won the primary, did not choose to participate in the State of Nevada. And that is how “none of the above” won. So just remember that, as well, if we are going to have that discussion.

This obviously is not the law, but this is trying to give guidance so that every single official who is administering a regulation or administering an election in the state of Nevada has this handbook, this user guide, on what the laws are, what the standard operating procedure is, what is expected of them under Nevada law and from the Secretary of State who is the ultimate administrator of all the elections. Is this just mainly meant to get everybody on the same page so that we can actually have the processes go forward? I have a separate question, follow-up on a couple of things, but I want to understand the purpose of the *Manual* and where we are at.

Mr. Wlaschin:

Thank you for the question, Senator. Yes, and I think the answer to your question lies in the statute itself in NRS 293.5202 [*sic*], sub 1, the intent of the *Manual* is to “ensure correctness, impartiality, uniformity and efficiency.” So exactly like you are saying, get everybody on the same page by statute. It does specify later in the next sentence that each county and city clerk is required to comply with the procedures, which to your point, while it does not carry the weight of law, because the regulations and statutes essentially built the foundation for this procedure *Manual*, if the *Manual* says you have to do a, b, and c, it is really how to implement the statutes and regulations that exist. A noncompliance or a violation of that would essentially not be a violation of the *Manual* but would be a violation of the statutes, to your point.

Senator Daly:

As I recall, I insisted when we were doing the legislation that the *Manual* had to come in front of the Legislative Commission because our current Secretary of State is not going to be Secretary of State forever. Whether you like him or not, the next Secretary of State is not going to be able to say, I am going to develop the *Manual* and I am going to turn over all these other things, and you say I cannot be in violation of the law, but I interpret it differently, et cetera, et cetera. So, we are going to put these rules and procedures in place, and if there is any substantial change—I understand we need to change names or maybe some dates, punctuation, corrections; I know you mentioned all those things—but if the substantial portions of the *Manual* are going to be changed, they have to come back in front of the Legislative Commission so that you cannot have some nefarious intent to try to say, no, you do not have to mail out ballots if you do not want to. That would be a violation of the law. But nevertheless, people were trying to do those things, which instigated the need for this. The question on that is, who is the cop on this, on the enforcement? The Secretary of State's Office has enforcement over all election rules and various things. You are going to rely on the statute, but you are also going to rely on the *Manual*. Where is the teeth in this if people are not following it? I know there are a couple of statutes. I brought them with me today, but I am sure you know them as well.

Mr. Wlaschin:

Thank you for the question, Senator. Yes, again, in essence . . . I know this has been Secretary Aguilar's point of view really over the last couple of years—to work collaboratively with our county and city election officials. The enforcement mechanisms that we have taken in the past, if there are questions or concerns, start with a phone call, questions about what is going on and why if there is something that we are missing or maybe a misunderstanding. From there, it can escalate to letters and communications between the Office of the Attorney General [AG] and county or city attorneys, which has occurred also. And frankly, that is usually where it gets resolved. Oftentimes, it is just a misunderstanding or maybe two different opposing views of a certain statute that maybe could use some clarity through regulation or otherwise. But ultimately, the statutes are the gold standard. We will follow the laws and enforce those laws across all nine chapters. And I am proud to say that the county and city election officials that we work with understand and eagerly agree with that approach.

Senator Daly:

One more follow-up quickly on that. My understanding, and you can tell me if it is different, from what I have seen, what I have heard testimony on in the committees, and various things that we have been on, is that by and large, the clerks or the registrars in the two larger counties, the people that are required to follow these rules in administering the elections, by and large, they have been on point. They are trying to do their job. I think some of the pushback has come from the county commissioners and people with other agendas trying to say you have to do it this way because the county commission said that is the way we are doing it here. Has that been your experience as well? Is it basically the people that are responsible are trying to do it pretty much, and if they get pushback from other elected officials in their county, they have this *Manual* and the laws to go back and say we are not doing that.

Mr. Wlaschin:

Thank you for the question, Senator. I cannot speak necessarily to the private conversations between some of our county election officials and other county leadership. I certainly do not want to point fingers inappropriately. I do know that the biggest discrepancy that I have seen so far when it comes to the implementation across Title 24 is really a local interpretation. Again, Clark County, 1.5 plus million registered voters, Eureka about 1,203 at last count. Different resource pools, different requirements, but both the registrar and clerk, as appropriate, are striving to achieve conformity with the statutes. If people are pushing or encouraging with a negative approach, I could not speak to that specifically, but I do know that when we talk about compliance with state and federal law, the big discussion comes down to how we do it here, this is why because of our resource pool, because of the size of the county. Nye County is the 3rd physically largest county in the entire United States, and Clark, I think, is 12th/13th by population.

There are unique physical and demographic challenges when it comes to implementation, but happy across the board and excited that our clerks and registrars across the board reach out. We discuss with each other best practices. We learn from each other. We make sure that when a question comes up at all, we discuss it with the Office of the Attorney General. It is not me or my staff arbitrarily making a determination; we seek outside counsel. And our lawyers, I am happy to say, rarely give me the easy answer that I would like to hear. They say this is what case law says and here is what you need to do. And if that is the case, then roger that, we get together and we move forward with the hard,

correct thing to do. And that has been the case in the five years that I have been your State Election Director. But specific to who is pushing and prodding, otherwise, I cannot speak to that.

Senator Daly:

And I understand; that was maybe an unfair question. Final question, Madam Chair, and maybe it is for Legal Counsel as well on this. You mentioned nonsubstantive changes; you may change something in the Nevada history. You talked about punctuation, syntax, grammar, et cetera, et cetera, and I understand that. Maybe this is for Legal. If there was going to be some other change, who is determining if it is substantive or not? I know you have tried to outline it as best you can. But like I said, we are not going to have the same group of people forever, and they may say, I do not think this is standard, I am not going to do that. You go with the Attorney General. Is LCB the gatekeeper? You said that we could just go online and make those changes online, so you can amend this apparently through your Office, and what gets put up on the website. Is there a notice requirement to the AG's Office, to the LCB to say, no, we think you crossed the line here. You got to bring that back to the Legislative Commission. Who is the gatekeeper on that? And how do we make sure that it is followed?

Mr. Wlaschin:

Excellent question, Senator. We have discussed this with our legal team in regards to—and I do not want to speak for LCB Legal—but it is our understanding that in the past when we have talked with them, they try not to make recommendations or give guidance to Executive Branch offices. They view that as the role of the Office of the Attorney General. Our plan though, recognizing the importance of transparency . . . If I was, and I guess I technically am just a voter, but if I looked online and a government document that had been approved by the Legislative Commission was just randomly getting updated without any explanation as to why, that would not please me. We are going to track changes. We are going to have a tracker very similar to the one that we submitted (Agenda Item V B) as part of the agenda item that captures what those nonsubstantive changes are, so that when somebody looks online and sees a copy of the procedure *Manual* and says it looks slightly different from two months ago, they should be able to track exactly why and what we changed.

When questions come up about the nature of a substantive change, our plan is to go to the Office of the Attorney General. It may well result in a regulation, and I may be back in front of this committee in a couple of months proposing a regulation that captures what is and what is not acceptable. Not that I am trying to make regs for regs' sake, but to your point, I think it is important that we clarify that in writing somewhere so that my future successor, and Heather's, and the Secretary's, and everybody else's has a clear understanding of what is acceptable and why, so that members of the public can look, and see, and understand what changed and what is not changing.

Senator Daly:

I am sorry, Madam Chair, he made me ask another question. Is there a process, or is there some rule, or is there something in place that requires any change—I do not care which it is—to provide notice to the LCB, perhaps whoever the Chair of the Legislative Commission is, so that we can say there was a change made and that we can look at it. We can ask our Counsel to say this and that, and the Legislative Commission, not the LCB, can make a decision that says we think you crossed the line and we want you to come in. Is there a

process for that where the Legislative Commission can then exercise their right to say we think you made a substantial change and you need to bring this back in front of us?

Mr. Wlaschin:

Thank you, Senator. Short answer is no. There is not a process in place.

Senator Daly:

Sounds like a bill to me.

Mr. Wlaschin:

Or a possible proposed regulation, Senator, that may come back in front of the body, but not currently.

Senator Daly:

Thank you.

Chair Jauregui:

Okay. We are just going to move to the left. Assemblymember Hansen, did you have questions?

Assemblymember Hansen:

I did. Thank you, Chair. Thank you for being here. I have had a chance to look over a few things and a couple of clarifications, if I could. Actually, I was glad to hear that you addressed a comment from the public. I think it is important that the public know that we really do here on the dais and those of you in the audience listen and try to address those concerns. Could you clarify a little bit, because I was trying to make notes when the caller brought up AB 148 and not having that addressed. If you could clarify exactly what their concern was and how you are addressing that.

Mr. Wlaschin:

Thank you for the question, Assemblymember. I will summarize what Ms. Gifford mentioned in the original public comment, and I do hope if she is listening, to call me out if I miss something. It was my understanding, because she participated in the public meetings that we had, and her question was specifically that AB 148 had been passed, it changes laws, it is in effect. But when you go online, if you Google NRS 293 and look, it is not reflected currently. She was concerned, as I recall, about how do you cite something like that in a procedure manual that has been changed, that is absolutely in effect law now, yet, is not online in a way that the public can see. So, while that is that process, the codification falls under LCB's requirements, and I know that they are working very hard on that. I explained that we capture it as a citation to AB 148 and other bills that were passed. And then once that statute is updated, we would change from AB 148 (2025) to NRS 293. something.

Assemblymember Hansen:

Thank you for getting that on the record, and that brings up some of the issues that I ran into. I get that this is new. This is a document that, like you said, is going to be a living document; it is going to need updating. What is happening for me is I am going online, and

this is just for the transparency thing, because when we get into election security and integrity, there are legitimate claims, and it does not make you a conspiracy theorist, right? There are the machinations that you are going through that we are trying to get clarity on. When voters are concerned about integrity, and they go and they say it is not online, I do not see it, I ran into that with going to the Secretary of State's website versus going to the *Manual*.

And to your credit, I appreciate that you have got the voter challenge form listed in the *Manual* in the section under "Voters," where voters, if they have a concern over an address . . . I know just from personal experience being in my own campaign, other campaigns, the lists, we have to admit—say the quiet part out loud—the lists have been a mess for years. When you go to the voter's door, they have moved, they have been gone, they died, whatever. It is just not being updated quickly enough for elections. That has been a common complaint I have heard from constituents, and I have seen myself. So I am hoping that with the Voter Registration Elections, the VREMS [Voter Registration and Election Management System], I think you referred to it as, that passed in 2021, and you are in the third phase of it where you are going to be able to communicate with the counties and get things more clarified with lists, catch discrepancies, help with investigations. Can you give us an update on how that is going, the VREM System, and what it is going to address that we have not previously been as good at addressing?

Mr. Wlaschin:

Absolutely. Voter list maintenance. I do want to start by saying that that is a critical component to the electoral process. That is something again at the state, county, and city levels that we are fully aware of and embrace. Strong list maintenance increases confidence in the process. It saves all of us money, taxpayer dollars so that a ballot is not being sent to an address for somebody who had moved five years before, or who had passed away six months before, or frankly, who had been incarcerated as a felon six months before. Those processes we continue to look very closely at. We talked again with our counties, who are primarily responsible under statute for the maintenance of those lists, and when it comes to improvements, the VREMS project that you speak of absolutely is contributing to an increase in the transparency and effectiveness of our voter list maintenance processes across the state. By doing so, by coming together under that bill, which proposed and is mandating a centralized voter registration database, we are now able to, in a more timely manner, compare, identify individuals who have moved from one county to another. So that way, we can properly act on the previous registration and move somebody from Nye to Carson.

We have a better and new process, frankly, in the last year with the Department of Corrections that now comes to the state on a daily basis so that every incarcerated felon, who is incarcerated as of today, is on a list that comes to our office on a daily basis, instantly bounced against that statewide centralized database, and then those county election officials are notified so that they can cancel the voter registration, as appropriate, as well. If that person is released the next day, their name is off it, and they can register again, no problems. It is an incredible improvement.

But similarly, all our different checks and balances that we used to do in a much more deliberate, slower manner, including the sending of notices as required by 293.530, there is a process to inactivate somebody, all of those have been greatly improved and expanded upon. The Secretary, as Chief Officer of Elections, has a greater ability to audit and make sure that the appropriate things are being done in a timely manner in a way that we, frankly, used to not be able to do. We can make sure, as we work collaboratively with our

clerks and registrars, that those appropriate list maintenance functions are being done regardless again of the turnover of the staff, or the clerk, or the registrar, or for that matter, the Secretary, as we look to the future. That is a critical part of the process, and I am very happy that you brought that up. It is important to all of us.

Assemblymember Hansen:

Chair, if I could just follow up with one last question?

Chair Jauregui:

Yes. Go ahead, Assemblymember.

Assemblymember Hansen:

Thank you. What I was bringing up, too, I mentioned, in the *Manual*, I see the challenge. When a voter wants to challenge another voter that is in their precinct to say you do not live there, I think that is a requirement. If you are going to challenge a voter's registration, you have to be in the same precinct or the same district?

Mr. Wlaschin:

We have a few different types of challenges. I believe the one you are speaking of is 293.547. It is a challenge that requires you to be in the same precinct as those individuals, but there are others where you do not. There are other challenges where you have to be an elector or reliable person. I think part of what we are trying to achieve here in the *Manual* is to clarify—I do not assume that your average Nevada voter intuitively knows 535, verse 303, verse 547 challenges or what the timing are and those sorts of things—but our goal is to provide clarity and a more clear process to make those sorts of steps more accessible to the public.

Assemblymember Hansen:

And, if I am not mistaken, the forms are online on the website. Although, the form I am seeing on the Secretary of State's Office is not the exact one that I see in the *Manual*, but maybe that is because the *Manual* has not been approved yet. And, also, just a heads-up for anybody who is listening, when you go to the link for Washoe County, there is nothing there. It just says URL not available for their county form to do a challenge. So, we have some challenges.

Mr. Wlaschin:

Thank you for highlighting that, Assemblymember. Constant improvement as I see going forward, corrections to hyperlinks and those sorts of things, but I appreciate the feedback.

Chair Jauregui:

Okay, seeing no other questions in Carson City, I am going to Las Vegas one more time. Members, any questions down here? Okay, seeing none, I would be looking for a motion to approve.

VICE CHAIR YEAGER MOVED TO APPROVE THE *ELECTIONS PROCEDURES MANUAL*.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION PASSED. (SENATORS HANSEN AND TITUS AND ASSEMBLYMEMBER HANSEN VOTED NO.

Chair Jauregui:

Thank you, Mr. Wlaschin, for being here today to present and to help answer questions.

AGENDA ITEM VI—DESIGNATION OF MEMBERSHIP OF LEGISLATIVE INTERIM COMMITTEES

Chair Jauregui:

Committee members, that now takes us to Agenda Item VI, which is the designation of membership of legislative interim committees. Here with us today is Roger Wilkerson, our Deputy Director and Acting Director of the LCB. Roger, do you want to lead us through this item?

Roger Wilkerson, previously identified:

Thank you, Madam Chair. In your packet you will see a set of recommended appointments for one body this afternoon (Agenda Item VI), the Regional Rail Transit Advisory Working Group. This is a one-shot interim study created by AB 256 of the 2025 Regular Session, which requires members to be appointed by the Legislative Commission and for the Working Group to report back to the Joint Interim Standing Committee on Growth and Infrastructure by July 1, 2026. While AB 256 provides that the Working Group elects its own Chair and Vice Chair, I believe that it is the intent of our Chair that the Legislators appointed to the Working Group, be elected Chair and Vice Chair, because otherwise, the LCB would be prohibited by law from providing staff support to the Working Group. If you wish to proceed, the appropriate motion would be to approve these appointments. Thank you, Madam Chair.

Chair Jauregui:

Thank you, Mr. Wilkerson. And yes, it was my intent in the conversations I had that Assemblymember Carter would chair the Commission and Senator Daly would vice chair it so that LCB could staff it. Members, any discussion?

Senator Titus:

Madam Chair?

Chair Jauregui:

Go ahead, Senator Titus.

Senator Titus:

Thank you. I would like to disclose that my son-in-law is one of the persons proposed to be appointed by the Legislative Commission to the Regional Rail Transit Advisory Working Group created by AB 256. And because this relationship would meet the definition of *immediate family* in Senate Standing Rule 23, I am hereby making this disclosure for the

purposes of that rule and will abstain from voting on appointments to the Regional Rail Transit Advisory Working Group. Thank you, Madam Chair.

Chair Jauregui:

Thank you, Senator Titus. Any other members? Okay, seeing none, I have a motion to approve.

VICE CHAIR YEAGER MOVED TO APPROVE THE RECOMMENDED APPOINTMENTS TO THE REGIONAL RAIL TRANSIT ADVISORY WORKING GROUP:

- ASSEMBLYMEMBER MAX CARTER (TO SERVE AS CHAIR);
- SENATOR SKIP DALY (TO SERVE AS VICE CHAIR);
- CLARK COUNTY COMMISSIONER JUSTIN JONES;
- HUGH ANDERSON;
- TOMMY BLITSCH;
- ANGELA FUSS;
- JIM GEE;
- JOHN HESTER;
- RICHARD LANDON;
- CHRIS MARTINOVICH;
- M.J. MAYNARD-CAREY;
- COLE MORTENSEN; AND
- JACOB SNOW.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION PASSED. (SENATOR TITUS ABSTAINED.)

AGENDA ITEM VII—APPOINTMENT OF MEMBERS TO COMMITTEES AND SIMILAR ENTITIES

Chair Jauregui:

I will now move on to Agenda Item VII, which is the appointment of members to committees and similar entities. And again, we have Mr. Wilkerson here to assist us with this item; I will hand the mic over to him.

Roger Wilkerson, previously identified:

Thank you, Madam Chair. In your packet you will see recommended appointments for one body this afternoon, the Nevada Silver Haired Legislative Forum (Agenda Item VII). I am happy to provide further information if you wish, but in the interest of time, I will leave that to your discretion. Thank you, Madam Chair.

Chair Jauregui:

Thank you, Mr. Wilkerson. Members of the Commission, do you have any questions or discussion on this item? Okay, seeing none, I have a motion to approve.

VICE CHAIR YEAGER MOVED TO APPROVE THE FOLLOWING APPOINTMENTS TO THE NEVADA SILVER HAIR LEGISLATIVE FORUM FOR TERMS BEGINNING ON JANUARY 1, 2026, AND EXPIRING ON DECEMBER 31, 2027:

- ELIZABETH MARTINEZ, SENATE DISTRICT 2;
- LEONARD FOLMAR, SENATE DISTRICT 4;
- MICHELE JOHNSON, SENATE DISTRICT 6;
- BOB LINDEN, SENATE DISTRICT 7;
- LAURA LEAVITT, SENATE DISTRICT 8;
- FRANK B. SLAUGHTER III, SENATE DISTRICT 11;
- CHER DANIELS, SENATE DISTRICT 14; AND
- LISA COFFRON, SENATE DISTRICT 17.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Jauregui:

Thank you, Mr. Wilkerson.

AGENDA ITEM VIII—REQUEST FOR ADDITIONAL MEETINGS FOR THE SUNSET COMMITTEE (NRS 232B.210, NRS 218E.330, AND SENATE BILL 226 [CHAPTER 445, STATUTES OF NEVADA 2025])

Chair Jauregui:

And that brings us to Agenda Item VIII, the request for additional meetings for the Sunset Subcommittee. We have the Chair of that Committee, Assemblymember Shea Backus, to present the request and to answer questions. Assemblymember Backus, do you want to say a couple of words about why you would like some more meetings?

Assemblymember Shea M. Backus, Chair, Sunset Committee:

Thank you so much, Madam Chair. I think you know probably, personally sitting on the Sunset Committee, but as Chair of the Sunset Committee, I am respectfully requesting two additional meetings for the Sunset Committee beyond the four already approved by this body on October 28, 2025. The additional meetings will ensure the Sunset Committee has a productive interim by allowing the Committee to meet as frequently as it usually does. Since its inception in 2011, the Sunset Committee has consistently met six or seven times each interim. Prior to this interim, the Sunset Committee was a subcommittee of the Legislative Commission with an unspecified number of meetings. With passage of SB 226 from the 2025 Legislative Session, the Sunset Committee is now a stand-alone committee, and the Legislative Commission approves the number of meetings. However, the Committee's workload remains the same. I would also note that the Sunset Committee appears to already be budgeted for six meetings. With that, Madam Chair, I would thank you for your consideration of this request (Agenda Item VIII), and I am happy to answer any questions the Commission may have.

Chair Jauregui:

Thank you. One of my favorite committees. Members, any questions for the Chair? Seeing none, I would look for a motion to approve.

VICE CHAIR YEAGER MOVED TO APPROVE TWO ADDITIONAL MEETINGS FOR THE SUNSET COMMITTEE DURING THE 2025–2026 INTERIM.

SENATOR NGUYEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

AGENDA ITEM IX—PUBLIC COMMENT

Chair Jauregui:

This brings us to our next and final item, which is our second period of public comment. We will be accepting public comment at this time from persons here in the Nevada Legislative Building in Las Vegas. Then we will move to the Legislative Building in Carson City and then to people who would like to provide public comment by phone. I would like to remind everyone that public comment will be limited to not more than two minutes per person. If there is anyone here in Las Vegas wishing to provide public comment, please approach the witness table. I do see someone approaching the witness table. I would like to remind you to please state your name and spell it, and you have two minutes to provide your public comment. Thank you.

Jean Coquilla, Member of the Public:

Good afternoon, Chair, and members of the Commission. Thank you for the opportunity to offer a brief public comment today. I am here to raise some concerns regarding NRS 116, which governs homeowner associations [HOAs] in Nevada. I am not here to describe isolated hardship, but rather a systemic structural issue that continues to produce irreversible harm for homeowners across our state, particularly for seniors and veterans, without meaningful opportunity for correction once escalation begins.

There are 219,000 veterans in the State of Nevada; 55,000 people have Alzheimer's in Nevada; and there are 3,700 homeowner associations in Nevada. And in Nevada's nonjudicial lien framework, enforcement actions are many times done by integrated companies. The fees can escalate without court oversight, without confirmed receipt of notices, without meaningful opportunity to cure once the process advances. When communication breaks down, the penalties and fees can accumulate rapidly, sometimes exceeding the underlying obligation many times over, even where homeowners have attempted to comply, they have paid the fees, or they have already remedied the alleged violations.

And I just want to be clear, this is not about eliminating HOA governance. It is about basic communication safeguards: ensuring that notices are actually received; payments are properly processed and credited; and homeowners have a clear, documented opportunity to resolve issues before penalties escalate into financial devastation or loss of housing. I have personally documented multiple cases in which violations were corrected within required timelines and dues were paid in advance or in surplus a year in advance, but the fines continued to accrue into tens of thousands of dollars. Not to mention, the loss of equity,

over \$300,000 and \$400,000 in equity, leaving homeowners with no practical recourse other than costly litigation. Alone in one day, I did see notices of default, liens, notices of sale, and that is only in one day. There were quite a few, so it is not an anomaly.

In states—Texas, Florida, and California—they have already implemented reforms to curb these types of outcomes. Nevada has the opportunity to adopt narrow, targeted safeguards that protect homeowners while preserving legitimate HOA authority at no cost to the state. So, I respectfully ask that this issue be referred for interim review or that a narrow bill draft request be initiated to study and implement basic communication and notice standards under NRS 116 so that irreversible harm . . .

Chair Jauregui:

Ma'am, thank you for your testimony, and if you have it in writing, if you would like to hand it in, we can . . .

Ms. Coquilla:

Thank you so much.

Chair Jauregui:

Thank you. Is there anyone else in Las Vegas? Okay, seeing none, we will move to Carson City. Is there anyone in Carson City wishing to provide public comment? Okay, seeing no one in Carson City, we will move to the phone lines. AVH, do we have any callers?

AVH:

If you would like to participate in public comment, please press *9 on your phone to take your place in the queue.

Ellen Gifford, previously identified:

Hello, this is Ellen Gifford again. I am grateful to hear that others are also interested in the topic of improving the timing of updates to the NRS. If there is anything additional that I am required to do to make my request for an investigation official, I would appreciate your guidance. Thank you.

Chair Jauregui:

Thank you for your testimony. AVH, are there any other callers?

AVH:

Yes, Chair, there is one more caller on the line.

Chair Jauregui:

Thank you.

Fred Voltz, previously identified:

Good afternoon again. In the last legislative session, SB 78 intended to begin the process of reforming how the many state boards and commissions operate. It failed to emerge from committee hearings. Acknowledging that the Sunset Committee lacked sufficient time to

review the hundreds of boards and commissions in depth, the conversation with Assemblymember Tracy Brown-May suggested that the Legislative Commission would be an appropriate forum to present an alternative method. A citizens committee would be composed of individuals with specific requirements vetted first by the state department of personnel with 12 finalists submitted to the Legislature for review and approval. The Department of Administration and Governor's Office of Finance would create summary information about each board and commission. Business and Industry would facilitate Zoom meetings and act as secretary and technical advisor to the committee. Tasks would include: evaluating elimination and consolidation, ensuring proportionate representation of all Nevadans, balancing technical skills with the concern of regulatory capture, recommending an ongoing nominee review process, creating a list of standard qualifications, and ensuring universal remote access to all board and commission meetings. An outline of the particulars will be submitted to LCB for inclusion in the meeting minutes (Agenda Item IX A-1) (Agenda Item IX A-2). Thank you.

Chair Jauregui:

Thank you for your testimony. AVH, have any other callers joined?

AVH:

The public line is open and working; however, there are no callers at this time.

Chair Jauregui:

Thank you, AVH.

Commission members, seeing no other business before the Legislative Commission, this meeting is adjourned. Thank you for your participation today.

The following public comment was submitted for the record:

- Deb Schiavi (Agenda Item IX B);
- Sasha Bernier (Agenda Item IX C);
- Samrina Vasani (Agenda Item IX D);
- Nick Nunez (Agenda Item IX E);
- Jennifer Burton Jones Berquet (Agenda Item IX F);
- Multiple Members of the Public (Agenda Item IX G);
- M. J. Daleo (Agenda Item IX H);
- Kelley Whittenburg (Agenda Item IX I); and
- Charlene Evans (Agenda Item IX J).

AGENDA ITEM X—ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 4:12 p.m.

Respectfully submitted,

Janet Coons
Research Policy Assistant
Research Division, LCB

APPROVED BY:

Assemblymember Sandra Jauregui, Chair

Date: _____

draft

MEETING MATERIALS

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item II A	Stacey Birkby	Public Comment
Agenda Item II B	Stephanie Myers	Public Comment
Agenda Item II C	Chris Giunchigliani	Public Comment
Agenda Item II D	Nadia Steinzor, Carnivore Conservation Director, Project Coyote	Public Comment
Agenda Item II E	Karen Layne	Public Comment
Agenda Item II F	Athar Haseebullah, Esq., Executive Director, American Civil Liberties Union of Nevada	Public Comment
Agenda Item II G	Dijana Besicmann	Public Comment
Agenda Item III	Tarron L. Collins, Office Services Coordinator, Director's Office, Legislative Counsel Bureau (LCB)	Draft Minutes of the Meeting Held on October 28, 2025
Agenda Item IV	Asher A. Killian, Legislative Counsel, Legal Division, LCB	Administrative Regulations for Review
Agenda Item V A	Mark Wlaschin, Deputy Secretary of State (SOS) for Elections, Elections Division, Office of the SOS	<i>Elections Procedures Manual (EMP), 2026 Edition</i>
Agenda Item V B	Mark Wlaschin, Deputy SOS for Elections, Elections Division, Office of the SOS	Recommendations and Changes Tracker for the EMP
Agenda Item VI	Roger Wilkerson, Deputy Director, Director's Office, and Chief, Administrative Division, LCB	Designated Members of Legislative Interim Committees
Agenda Item VII	Roger Wilkerson, Deputy Director, Director's Office, and Chief, Administrative Division, LCB	Appointment of Members to Committees and Similar Entities
Agenda Item VIII	Assemblymember Shea M. Backus, Chair, Sunset Committee	Sunset Committee Request for Additional Meetings

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item IX A-1	Fred Voltz	Public Comment
Agenda Item IX A-2	Fred Voltz	Public Comment
Agenda Item IX B	Deb Schiavi	Public Comment
Agenda Item IX C	Sasha Bernier	Public Comment
Agenda Item IX D	Samrina Vasani	Public Comment
Agenda Item IX E	Nick Nunez	Public Comment
Agenda Item IX F	Jennifer Burton Jones Berquet	Public Comment
Agenda Item IX G	Multiple Members of the Public	Public Comment
Agenda Item IX H	M. J. Daleo	Public Comment
Agenda Item IX I	Kelley Whittenburg	Public Comment
Agenda Item IX J	Charlene Evans	Public Comment

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