



RESEARCH DIVISION  
LEGISLATIVE COUNSEL BUREAU  
Nonpartisan Staff of the Nevada Legislature

# WORK SESSION

## Senate Committee on Legislative Operations and Elections

May 4, 2015

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### Bills Under Consideration

The following measures may be considered for action during today's work session. In some cases, possible amendments are noted. These amendments were either suggested during testimony or submitted after the hearing and do not necessarily have the approval of the Committee.

**Assembly Bill 23 (R1)** \_\_\_\_\_  
**Floor Assignment** \_\_\_\_\_

**Assembly Bill 61 (R1)** \_\_\_\_\_  
**Floor Assignment** \_\_\_\_\_

**Assembly Bill 63** \_\_\_\_\_  
**Floor Assignment** \_\_\_\_\_

**Assembly Joint Resolution No. 4** \_\_\_\_\_  
**Floor Assignment** \_\_\_\_\_

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Legislative Operations and Elections  
This measure may be considered for action during today's work session.  
May 4, 2015

**ASSEMBLY BILL 23 (First Reprint)**

**Makes various changes to provisions governing elections. (BDR 24-446)**

**Sponsored by:** Assembly Committee on Legislative Operations and Elections  
(on Behalf of the Secretary of State)

**Date Heard:** April 29, 2015

**Fiscal Impact:** Effect on Local Government: No  
Effect on the State: Yes

Assembly Bill 23 revises provisions relating to the conduct of elections, including removing the requirement that certain topics, including the duties of election boards and the use of elections supplies, be the subject of regulations to be adopted by the Secretary of State. The bill changes the date of certain general city elections from the first Tuesday after the first Monday to the second Tuesday after the first Monday in June and makes conforming changes to the charters of Boulder City, Caliente, Henderson, Las Vegas, North Las Vegas, and Yerington. The bill also revises a provision in current law to require that only voters who voted at the relevant preceding election may sign a recall petition.

The bill provides that a committee for the recall of a public officer must file contribution and expenditure reports, regardless of the outcome of the efforts to circulate the recall petition. The bill also incorporates the definition of the term "independent expenditure" into the definition of "committee for political action." Contribution limits currently tied to the dates for convening and adjourning the legislative session are changed to calendar years.

**Amendments:** The Secretary of State proposed the attached amendment, which would delete proposed new language in Sections 1.7 and 2.1. Specifically, the term "independent" is proposed to be deleted in Section 1.7, subsection 1, subparagraph (b)(1) and Section 2.1, subsection 1, subparagraph (2)(a). A copy of this amendment is attached.

According to testimony, these proposed deletions would restore the intent of an amendment made in the Assembly that a business or social organization, association, or labor union whose primary purpose is to affect the outcome of an election should be deemed a committee for political action PAC and would need to register as such regardless of whether an expenditure in excess of \$1,500 was an "independent" expenditure.

*(proposed by the Secretary of State)*

**Special Note:** No testimony was offered in opposition to the measure.

Proposed Amendment to AB 23

Submitted by: Scott Anderson  
Chief Deputy Secretary of State  
775-684-5711

Rationale:

Removing the word “independent” in Section 1.7sub b(1) (line 7, page 6) and Section 2.1 Sub 2(a) (line 22, page 7) would have the effect of causing an entity that has the primary purpose of affecting the outcome of elections to be deemed a PAC as soon as it has made \$1,500 in *either* independent expenditures or contributions to a candidate (because the definition of “expenditure” includes contributions to candidates). Since their primary purpose is influencing elections, they should become a PAC upon doing either.

By contrast, putting the word “independent” in Section 1.7, sub (b)(2) (line 14 of page 6) and Section 2.1, subsection 2(b) (line 26, page 7) means that an entity that does *not* have the primary purpose of influencing elections, e.g., a business, does *not* become a PAC simply because it makes more than \$5,000 in contributions to a candidate. Such contributions are reported by the candidate, so there is no need to also require the business to register and report as a PAC in that case.

35 Sec. 1.7. NRS 294A.0055 is hereby amended to read as  
36 follows:

37 294A.0055 1. “Committee for political action” means:

38 (a) Any group of natural persons or entities that solicits or  
39 receives contributions from any other person, group or entity and:

40 (1) Makes or intends to make contributions to candidates or  
41 other persons; or

42 (2) Makes or intends to make expenditures,

43 designed to affect the outcome of any primary election, general  
44 election, special election or question on the ballot.

1 (b) Any business or social organization, corporation,  
2 partnership, association, trust, unincorporated organization or labor  
3 union:

4 (1) Which has as its primary purpose affecting the outcome  
5 of any primary election, general election, special election or any  
6 question on the ballot and for that purpose receives contributions in  
7 excess of \$1,500 in a calendar year or makes **independent**  
8 expenditures in excess of \$1,500 in a calendar year; or...

[...]

12 Sec. 2.1. NRS 294A.230 is hereby amended to read as  
13 follows:

14 294A.230 1. Except as otherwise provided in subsection 2,  
15 each committee for political action shall, before it engages in any  
16 activity in this State, register with the Secretary of State on forms

17 supplied by the Secretary of State.

18 2. A person who qualifies as a committee for political action in  
19 accordance with:

20 (a) Subparagraph (1) of paragraph (b) of subsection 1 of NRS  
21 294A.0055 by receiving contributions in excess of \$1,500 in a  
22 calendar year or making ~~independent~~ expenditures in excess of  
23 \$1,500 in a calendar year; or...

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Legislative Operations and Elections  
This measure may be considered for action during today's work session.  
May 4, 2015

**ASSEMBLY BILL 61 (First Reprint)**

**Revises provisions requiring the submission of certain reports by the Personnel Commission and the Administrator of the Division of Human Resource Management of the Department of Administration. (BDR 23-286)**

**Sponsored by:** Assembly Committee on Government Affairs (on Behalf of the Division of Human Resource Management)  
**Date Heard:** April 29, 2015  
**Fiscal Impact:** Effect on Local Government: No  
Effect on the State: No

Assembly Bill 61 eliminates the requirement that the Personnel Commission and the Administrator of the Division of Human Resource Management, Department of Administration, submit certain biennial reports to the Governor.

**Amendments:** No amendments were offered.

**Special Note:** The reports referenced in A.B. 61 are still mandatory as needed or required and testimony indicated that the Division already makes quarterly reports covering the subjects addressed in the reports proposed for elimination. The bill only removes the requirement for a biennial report. No testimony was offered in opposition to the measure.

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Legislative Operations and Elections  
This measure may be considered for action during today's work session.  
May 4, 2015

**ASSEMBLY BILL 63**

**Clarifies that certain candidates who are elected despite ending their campaigns must file with the Secretary of State certain campaign finance reports. (BDR 24-436)**

**Sponsored by:** Assembly Committee on Legislative Operations and Elections  
(on Behalf of the Attorney General)

**Date Heard:** April 22, 2015

**Fiscal Impact:** Effect on Local Government: No  
Effect on the State: No

Assembly Bill 63 clarifies that, if a candidate for elective office ends a campaign without officially withdrawing his or her candidacy and subsequently is elected to office, the candidate must resume filing campaign contributions and expenditure reports starting with the next report due after the election to office.

**Amendments:** No amendments were offered.

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Legislative Operations and Elections  
This measure may be considered for action during today's work session.  
May 4, 2015

**ASSEMBLY JOINT RESOLUTION NO. 4**

**Urges Congress to enact legislation allowing states to establish daylight saving time as the standard time throughout the calendar year. (BDR R-583)**

**Sponsored by:** Assemblymen Edwards, Armstrong, Oscarson et al., and  
Senator Goicoechea

**Date Heard:** April 29, 2015

**Fiscal Impact:** Effect on Local Government: No  
Effect on the State: No

Assembly Joint Resolution No. 4 urges the United States Congress to enact legislation to authorize individual states to establish daylight saving time as the standard time of their respective states throughout the calendar year.

**Amendments:** No amendments were offered.