

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS**

**Eighty-Second Session
May 16, 2023**

The Committee on Legislative Operations and Elections was called to order by Chair Michelle Gorelow at 4:06 p.m. on Tuesday, May 16, 2023, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Michelle Gorelow, Chair
Assemblywoman Brittney Miller, Vice Chair
Assemblyman Rich DeLong
Assemblywoman Jill Dickman
Assemblyman Reuben D'Silva
Assemblywoman Cecelia González
Assemblyman Brian Hibbetts
Assemblyman Richard McArthur
Assemblyman Cameron (C.H.) Miller
Assemblywoman Daniele Monroe-Moreno
Assemblywoman Sabra Newby
Assemblyman Steve Yeager

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Robin L. Titus, Senate District No. 17
Senator Rochelle T. Nguyen, Senate District No. 3
Senator Edgar Flores, Senate District No. 2
Senator James Ohrenschall, Senate District No. 21

Minutes ID: 1144



STAFF MEMBERS PRESENT:

Kevin Powers, Committee Counsel
Haley Proehl, Committee Policy Analyst
Shuruk Ismail, Committee Manager
Kristi Howard, Committee Secretary
Bet Torres, Committee Assistant

OTHERS PRESENT:

Brett Scolari, Vice President of Government Relations, Strategies 360
Esther Badiata, representing Planet 13 Holdings; and Jardín Premium Cannabis Dispensary
Layke Martin, Executive Director, Nevada Cannabis Association
Will Adler, representing Sierra Cannabis Coalition
Ashley Cruz, representing Chamber of Cannabis
Kimberly Maxson Rushton, Private Citizen, Las Vegas, Nevada
Donna Bath, Private Citizen, Ely, Nevada
Tick Segerblom, Commissioner, District E, Clark County Board of Commissioners
Paul Catha, Political Director, Culinary Workers Union Local 226
Annette Magnus, Executive Director, Battle Born Progress
Chris Anderson, Private Citizen, Las Vegas, Nevada
Rico Ocampo, Lead Organizer, Make the Road Nevada
Samuel Cano, Member/Leader, Make the Road Nevada
Tony Ramirez, Government Affairs Manager, Make the Road Nevada
Andres Rodriguez Lombeida, Private Citizen, Las Vegas, Nevada
David Beltran Barajas, Organizer-Immigration, Progressive Leadership Alliance of Nevada
Aria Flores, representing Chispa Nevada; and Let Nevadans Vote Coalition
Teissy Angel Ramirez, Private Citizen, Las Vegas, Nevada
Deanna Hua Tran, Coalition Coordinator, Nevada Immigrant Coalition
Victor Salcido, General Counsel and Director of Government Affairs, Community Health Alliance
Janine Hansen, State Chairman, Independent American Party
Yolanda Knaak, Private Citizen, Incline Village Nevada
Joy Trushenski, Private Citizen, Carson City, Nevada
Katrín Ivanoff, Private Citizen, Las Vegas, Nevada
Leslie Quinn, Private Citizen, Las Vegas, Nevada
Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada
Lisa Partee, Private Citizen, Carson City, Nevada
Michael Ryan, Private Citizen
Jim DeGraffenreid, National Committeeman, Nevada Republican Party
Kerry Durmick, Nevada State Director, All Voting is Local
Izack Tenorio, representing Campaign Legal Center
Lata Nott, Senior Legal Counsel, Campaign Legal Center, Washington, D.C.

Daela Gibson, representing Planned Parenthood Mar Monte, a member of Let Nevadans Vote Coalition
Emily Persaud-Zamora, Executive Director, Silver State Voices
Matthew Germer, Fellow, R Street Institute, Washington, D.C.
Soren Dayton, Director of Governance, Niskanen Center, Washington, D.C.
Susan Ruch, Private Citizen, Carson City, Nevada
Jacy Davis, Private Citizen, Pahrump, Nevada

Chair Gorelow:

[Roll was called. Rules and protocol were explained.] I am going to take this out of order. We are going to start with Senate Bill 328 (1st Reprint). If Senators Titus and Nguyen would like to come to the table, we will get started.

Senate Bill 328 (1st Reprint): Eliminating the exemption of the Cannabis Compliance Board from the provisions of the Nevada Administrative Procedure Act. (BDR 56-519)

Senator Robin L. Titus, Senate District No. 17:

Here at the table with me is Senator Rochelle Nguyen. We are here to present S.B. 328 (R1). Senate Bill 328 (1st Reprint) revises the procedures by which the Cannabis Compliance Board is required to adopt, amend, or repeal regulations. We brought forward S.B. 328 (R1) after receiving many statements of concern and complaints regarding the regulations of fines that the Cannabis Compliance Board had administered. That led us to a question of how the regulations were passed.

Here is just a little overview. The first laws in Nevada regarding cannabis were passed in 2001. Assembly Bill 453 of the 71st Session established medical marijuana in the Department of Agriculture. In 2019, after passing through a ballot initiative, recreational marijuana became legal and Assembly Bill 533 of the 80th Session created the Cannabis Advisory Board. At the time it was a new industry, and the regulatory process was in its infancy. It was decided to place the Board in the provisions of the Nevada Administrative Procedure Act with the idea that they would function similar to gaming. *Nevada Revised Statutes* (NRS) 678A.460 is the section that creates their special regulation process. This bill, S.B. 328 (R1), eliminates their exemption from the Nevada Administrative Procedure Act, Chapter 233B of NRS. It would then require any regulations they pass would go to the Legislative Commission. To be clear, the Legislative Commission can review the regulations now, but they have to request that they be reviewed. I am going to turn the presentation over now to Senator Nguyen for further comment and to discuss some amendments that you should all have received. We will also have a comment from the Legislative Counsel Bureau we have just gotten today.

Senator Rochelle T. Nguyen, Senate District No. 3:

This is my first time in front of the Legislative Operations and Elections Committee in either House and my first time in this Committee. I am a little intimidated by the fact that you are all like five feet away from me here in this front row. Never did I think I would be sitting here presenting and cosponsoring a bill about weed with Dr. Titus, but here we are today.

I am going to go into some of the details. Hopefully you all have the proposed amendment [\[Exhibit C\]](#) we submitted. We will be presenting that in addition to some of the things in the bill. My favorite thing about this bill is that it came forth as we were sitting in the Senate Finance Committee listening to the Cannabis Compliance Board present their budget. I remember Senator Titus leaning over, since she sits right next to me, and asking, Where did the regulations go? Do they have to come to the Legislative Commission? When I said, No, she said, We should say that. I agreed. When she said she had an extra bill, I said that she should use it. A couple of days later, the language appeared, we signed it, and now we are here before you today. I think it shows the kind of collaboration and problem-solving we can do when we work across the aisle and we have those kinds of conversations with our neighbors. I am excited to be here to present this bill with Senator Titus.

As Senator Titus said, in 2019 the Cannabis Compliance Board was created with the passage of [Assembly Bill 533 of the 80th Session](#). The legislation modeled the Cannabis Compliance Board (CCB) after the Gaming Control Board in many ways, including exempting them from *Nevada Revised Statutes* (NRS) Chapter 233B, the Nevada Administrative Procedure Act (APA). The CCB's procedures vary slightly from the Gaming Control Board in that currently the Legislative Commission can review a regulation passed by the CCB if the regulation is pulled in by a legislator within a designated time frame. However, the scope of that review is limited and narrow as to whether the CCB exceeded its statutory authority in passing the regulation. With any agency there is always concern with concentrating the powers of rulemaking, investigating, prosecuting, and decision-making all in one body, and the APA acts as a safeguard against that kind of accumulation of unchecked power in any one administrative agency.

When this was created—and there are members sitting on this Committee who were a part of that—we were trying to do the best we could with a new thing. I always say that the CCB is still in its infancy, and as a legislature we will come back and probably fine-tune, tweak, and figure out what will raise Nevada up to the gold standard, not only in gaming, but also in the cannabis industry. This is one of those steps. Removing the CCB's exemption from the APA provides for uniformity and administrative rulemaking as well as consistent review and approval of agency regulations by the Legislative Commission. The act also provides a clear process for adjudicating disputes before administrative agencies for judicial review. With that, I will walk through the sections of [Senate Bill 328 \(1st Reprint\)](#) specifically; after that, I will walk through the sections of the proposed amendment [\[Exhibit C\]](#) to [Senate Bill 328 \(1st Reprint\)](#).

Senate Bill 328 (1st Reprint), section 1, amends *Nevada Revised Statutes* 678A.510 to refer to NRS Chapter 233B with respect to disciplinary actions by the CCB. Because the CCB was exempt from the Administrative Procedure Act when the agency was created, it has a set of statutes related to disciplinary procedures that diverge from NRS Chapter 233B. This amendment [[Exhibit C](#)] incorporates the provisions of NRS Chapter 233B into the existing statutes where applicable. Section 2 incorporates the hearing rules into NRS 233B.123. Section 3 incorporates, again, more sections of NRS Chapter 233B to allow for findings, effect, and conclusions of law to be waived where the parties have settled. Section 4 seeks to apply the procedure for seeking judicial review set forth in NRS Chapter 233B to final decisions of the Cannabis Compliance Board. Section 5 also removes the CCB from the list of the agencies exempt from the requirements of NRS Chapter 233B. Section 6 repeals statutes that would conflict with the Administrative Procedure Act, and Section 7 makes the effective date of this bill upon passage and approval.

Essentially what these original sections of the bill do is they bring more due process and clarity to the process that the Cannabis Compliance Board and the industries that are regulated by that Board are overseeing. It also empowers the Legislature, again, to make sure that our intention is overseen through the Legislative Commission, which is all of us who are represented in there. Sometimes we are an equal branch of government only 120 days of the year, every other year, and this brings a little bit more balance to that process. It also provides more due process protections for those businesses that are under the CCB.

I want to go through some of the proposed amendments to S.B. 328 (R1) [[Exhibit C](#)]. I have brought Brett Scolari here to answer any questions that the Committee might have regarding the amendment. This was submitted on behalf of the cannabis industry, and I know that they worked in cooperation with the CCB and a bunch of other stakeholders as well as the Nevada Cannabis Association, me, and other legislators in this process. We appreciate their working alongside us to come up with some of these amendments.

Concept 1 – Proposed Amendment to NRS 678A.005 [page 1, [Exhibit C](#)] makes various changes to the preamble of the Cannabis Compliance Board to more accurately reflect the role and purpose of the Board. When this was first established, we had an idea of how we saw the cannabis industry in our state, and this brings a more modern approach to what we have learned over the past five years. It brings that to the preamble in section 2 of Concept 1 that recognizes the unregulated and unlicensed market and the challenges it brings. It also makes clear that it is a policy goal of this Legislature that the Board commit to considering social equity when issuing cannabis licenses. The changes also acknowledge that a well-regulated industry is important to the state welfare economy and runs contrary to the criminal and corrupt development of an unregulated and illegal market. What we were hoping with this amendment is that it strikes the balance between the strict but fair regulation of those operating licenses of cannabis establishments.

Concept 2 – Proposed Amendment to NRS 678A.350 [pages 1 and 2, [Exhibit C](#)] specifies that the Board adopts and sets regulatory policies within the authority granted to it by this legislative body. This change reinforces the Board's obligation to review and adopt policy

and aims to promote open and robust discussion to give the regulated industry more predictability and participation in the regulatory process. A lot of these concepts come from the idea that this is a legitimate business in our state, and we need to treat it with modern, fair, and open regulatory processes that we would for any other business industry in this state.

Concept 3 – Proposed Amendment to NRS 678A.360 [page 2, [Exhibit C](#)] revises factors for the Governor to consider when appointing certain Board members. For instance, the changes include special reference to experience in agriculture, manufacturing, distribution, retail, law enforcement, illegal cannabis activities, and laboratory testing. The proposed amendment also removes the cooling-off period for the industry related to Board positions to attract quality candidates with relevant experience. This is a direct reflection that we want the Cannabis Compliance Board not only to have regulatory and administrative experience, but also have experience with the business community; to have experience with the agriculture community; as well as have experience with the cannabis industry. They are not meant to be limiting, but to also give the Governor some additional flexibility when appointing Board members who have experience in areas that could benefit the Board with real-life experience, not only with business, but also with the cannabis industry. For example, independent laboratory testing is an incredibly important piece of the regulated cannabis industry, yet the current statutes do not provide for the appointment of a Board member with any lab testing experience. I think having that scientific background will make our industry thrive and it will make it safer for consumers knowing that they are purchasing well-regulated, well-tested products.

Additionally, the removal of the cooling-off period for the industry Board position is specific to that position, which is someone with skill and experience in the cannabis industry. It has been limited to an individual without ownership in the industry and this is an incredibly small pool. It is like having a business industry organization and if you own a business, you cannot be a part of it. This looks to address that. For example, the number of attorneys who practice regularly in the cannabis law area in Nevada is only around two dozen. I know that may seem like a lot because the lawyers like me are probably pretty annoying, but there are only two dozen cannabis lawyers who practice in this state. It is still a very small and very young industry, and having a cooling-off period that essentially prevents a former Board member from appearing before a Board for a year following Board service severely limits the pool of qualified candidates. That is what that amendment seeks to amend.

Concept 4 – Proposed Amendment to NRS 678A.370 [page 3, [Exhibit C](#)] staggers Board members, allows a change of chair position after two years, and adds a vice chair position. Some of this is just strong governance changes that give some flexibility; right now, everyone is on the same timeline, so this staggers that so there is more continuity within the Board membership and also allows for more changes in that leadership structure and more support by adding that vice chair position. Under the current statute, Board members serve

concurrently commencing on the last Monday of January, and this amendment again staggers those terms to promote that stability of that Board so there is some stability and continuity; all the things you would have that are not unusual to other boards. That is why we are seeking that governance change here with the CCB.

Concept 5 – Proposed Amendment to NRS 678A.420 [pages 3 and 4, [Exhibit C](#)] provides that the Executive Director of the CCB is appointed and removed by the Governor. It also revises factors for the Governor to consider when appointing the Executive Director, including skill and experience in a regulated industry. Moving the Executive Director to the Governor's appointment promotes more communication and cooperation between the Governor's Office and the Board. At the same time, the Legislative Commission will have oversight over the rulemaking process with the removal of the Board's exemption from the Nevada Administrative Procedure Act in NRS Chapter 233B. Again, this is common for similar state agencies. The Executive Director of the Department of Taxation is appointed by the Governor. The Governor appoints the member of the Gaming Control Board to serve as both the Chairman of the Board and the Executive Director of the agency, so this is consistent with some other boards we have. Again, we will have that additional legislative oversight with the rulemaking when it comes to referring this over to the Legislative Commission.

Concept 6 – Proposed Amendment to NRS 678A.440 [page 4, [Exhibit C](#)] revises Board powers and gives clear direction to the CCB to investigate and refer unlicensed cannabis activities to appropriate state and law enforcement agencies. It also directs the Board to educate the public on the dangers of purchasing from the illegal market. The illicit market is not easily defeated, but we believe these tools, resources, and educational pieces will be important to moving that needle.

Concept 7 – Proposed Amendment to NRS 678A.450 [pages 5 and 6, [Exhibit C](#)] includes a provision to train and certify Board agents prior to commencing inspections, audits, and investigations of licensees. This recommendation also encourages the Board to adopt a system to educate licensees on the items of general compliance. Depending on where another bill I sponsored is, [Senate Bill 195](#), which has to do with time and effort billing, Concept 7 also plays and is consistent with some of the struggles that the industry has had when it comes to some of those regulations.

These proposed changes promote regulatory predictability and an educate first, discipline second-type environment. It is also a strict but fair and equitable system that promotes discourse and respect between the regulator and the licensees. We are hoping the Committee will take this into consideration and be supportive of this bill.

Chair Gorelow:

Committee members, are there any questions?

Assemblywoman Monroe-Moreno:

If you can go to the proposed amendment for Concept 1, section 3(f), could you further explain what "with a commitment to the consideration of social equity" means?

Senator Nguyen:

I am going to call Brett Scolari because I know he was a part of some of these conversations with some other groups, but it is my understanding that we wanted to make sure that was stated explicitly in the preamble in this section. Social equity programs and bringing that kind of thing has never been clearly put into policy or in this preamble. By adding that "but fair and equitable regulation" of persons, by bringing the consideration and commitment to social equity, I think we are standing as a Legislature saying that within this industry, it is important that we take those things into consideration when we are making changes to our cannabis laws.

Brett Scolari, Vice President of Government Relations, Strategies 360:

To Assemblywoman Monroe-Moreno's question, we had some discussions with A'Esha Goins and some other stakeholders on social equity. We wanted to make sure the preamble reflected social equity because it never had before, obviously. To the extent the Legislature ever authorizes more licenses in the market, what the preamble will do is make sure that social equity is taken into consideration when those new licensing rounds come around. So that is really what it is. It gives direction to the Board that it needs to be considered in future rounds.

Assemblywoman Monroe-Moreno:

My next question would be on Concept 3, the members of the Board. Concept 1 spoke about social equity. When I look at the members of the Board, my background was in law enforcement. I often witnessed those who got arrested for possession of marijuana were largely Black and Brown people. But then when we legalized marijuana in the state of Nevada, which I totally agree with, those who were able to open a business and participate on the other side were not Black and Brown people. I am looking at the Board and there is no mention of diversity and inclusion. Could you say why, and could that be added?

Brett Scolari:

Certainly. We would be open to talking about that concept. What we tried to do is make sure the Board reflected those types of businesses that affect the industry, like agriculture and lab testing, so you had folks with expertise. Then there was also the cannabis industry specialty as well. I think the industry would obviously be open to a factor that would consider social equity, or however we wanted to put it, so we would be happy to discuss that.

Senator Nguyen:

I, too, do not have any opposition to that. I think we were focused on some of the skill sets, but including that representation is obviously important. I would be open to those kinds of amendments. I think Senator Titus would be as well.

Senator Titus:

Thank you for bringing that up because sometimes you are so focused on making sure this is fair and equitable that you lose part of the bigger picture. The regulatory process, as Mr. Scolari mentioned, was really about skill sets, but it is our hope that in the future licenses can go out to people who are Black and Brown and minority. Having them as part of the regulatory process is an excellent suggestion and, frankly, we should have picked that up.

Assemblywoman Newby:

This question may be for our Legal Counsel or anyone else in the room. I was wondering if the CCB members are considered public officials for purposes of the required ethics and governance training that is often required of many board members.

Senator Nguyen:

I have no idea, so I will defer to your Legal Counsel.

Kevin Powers, Committee Counsel:

The definition of what a public officer is, is established by the Nevada Supreme Court as a position created by the *Nevada Constitution*, statute, or ordinance and which is invested within some portion of the sovereign function of the government or a public power trust or duty. Under that two-part definition, the members of the Cannabis Compliance Board are public officers, and they would be subject to the ethics laws in NRS Chapter 281A. In fact, they are now subject to those ethics laws in Chapter 281A of NRS.

However, since I have the mic, I want to point out something under Concept 3, subsection 8, on page 2. There is a reference that one category member of the Board would not be subject to the cooling-off provisions in the ethics laws in NRS 281A.410(1). That is overbroad. The cooling-off provisions are in NRS 281A.410(1)(b). There is a provision in 1(a) that prohibits a public officer from being paid compensation to lobby before its own board and that prohibition should still apply to the Cannabis Compliance Board members. Since we are on the subject of ethics, thank you for that indulgence.

Assemblyman Yeager:

I have a couple of comments and then a couple of questions. I had flashbacks to Assembly Bill 533 of the 80th Session, which was the creation of the Cannabis Compliance Board in all 246 sections of its glory that year. To your point, Senator Nguyen, I think we did try to get it right, but I do not think we got it 100 percent right—not surprising with a bill that big that came late in the session. The comments I just had were as the chair of the Legislative Commission really was sort of a weird place to have the Cannabis Compliance regulations in the space where they could be pulled into a meeting but only if affirmatively asked by a member of the Legislative Commission or another member of the Legislature not on the Legislative Commission. We had that happen once and it was a little bit clunky, procedure-wise, so I appreciate the amendment to just make this very clear.

I think some of the members of the Legislative Commission did not understand that we did not review regulations from the Cannabis Compliance Board as a matter of course, so I want to thank you for that amendment and what the bill itself does. On the amendment side, I just wanted to take a moment to really highlight under Concept 4, subsection 5, the part that requires each Board member to receive the same or similar training that you would need to work or volunteer at a cannabis establishment. I think that is really critical. We would hope people would go out on a limb and do that anyway, but obviously the more education we can give to folks about how the industry operates on the ground level is important.

The question is about Concept 6 in the proposed amendment. Specifically, it is section 7, paragraph (d), where it talks about establishing a disciplinary and civil penalty system. I think this is one of the places where we were not clear enough when we created the Cannabis Compliance Board, that part of their duty and mission should be to go after the unregulated market much as we expect the Gaming Control Board to do. The funding and positions are different, but my question about this part here was they could establish a system, but how do you envision this would work because it is a civil penalty system? Would they have the authority to issue those fines to illicit—or unregulated actors, or would there be a referral system? I know on the criminal side it is a referral to the prosecuting agency, but I wondered how you envision that actually playing out.

Senator Nguyen:

I think we had intentions and I think you had intentions when some of these things were created. Even last session, there was a bill brought to allow for civil penalties for the sale, up to \$50,000, and no one knew who was responsible for bringing those civil penalties. This language was meant to clarify that we want the CCB to do that in those civil areas. That is my understanding of it.

Brett Scolari:

The concept was to have civil penalties. There are some "in your face, low-hanging fruit" out there—we have store fronts opening up with big pot leaves on the doors; we have illegal delivery services on Craigslist—I think this intention is to give the CCB a tool to go after those businesses and call them to appear before them. They can fine them, potentially refer them to the business license division of the local government they are in to pull a business license if they, in fact, are acting as a licensee or imitating licensees, or have products with tetrahydrocannabinol in them. I think this is a way to give the CCB some tools, talk about it in some regulations, work through it, and where they can refer things to certain agencies to call these folks in and regulate them from a standpoint that, You are not licensed so we are going to shut you down. That is the civil penalty system. We have to stick it somewhere and we think the CCB has the tools to do that.

Senator Titus:

This is one of those very reasons that we are looking at putting this process back through the Legislative Commission. As they look at establishing some of these penalties and some of these regulations that have to happen, they are going to be mandated to go through the Legislative Commission to make sure the regulations are acceptable and appropriate. That is where this body is going to get back involved.

Assemblyman DeLong:

I wanted to follow up on Assemblyman Yeager's question on Concept 6, subsection 7(d). Are you envisioning the Cannabis Control Board would have, in essence, "pot cops" going out and doing enforcement or issuing citations? I am trying to get a better idea of what is actually going to happen on the ground.

Brett Scolari:

That is really not the intent. I will give you an analogy we have come up with: If someone were to put an unregulated poker table in the middle of the Strip and try to do a gaming operation, the Gaming Control Board would obviously shut those folks down. This is a similar concept. We want to make sure the CCB has a tool if there is something recognized out there—a delivery system, a storefront that has opened that says "CBD Shop"—that needs to be investigated, this is not going to give CCB a bunch more. There is no fiscal note on this. It is really to have regulations in place where they could go have some teeth to investigate those storefronts that open up, illegal delivery shops, or something happening on Craigslist. They really did not have that tool before.

Senator Titus:

Then if it is against the law, the law enforcement could have that as a reason. The reason there is no fiscal note is it allows for the existing Cannabis Compliance Board to identify and set some regulations. Then if they say out there like we would see now, if there is something in any business in Nevada that is operating outside the scope, these departments do not all have their own law enforcement. The Gaming Control Board is the exception to that. So, they would fall under all the other departments that you see something that is not correct.

Assemblyman DeLong:

That is why I questioned it, because you are comparing it to the Gaming Control Board and they have different powers. That is where I was going.

Senator Nguyen:

There are some POST (Peace Officers' Standards and Training Commission)-certified officers who are part of the CCB, so they do have that. This gives them directions on the disciplinary and civil penalty system. Like Senator Titus had mentioned before, this in combination with taking it back to the Legislative Commission, there is some oversight so they cannot be overly prosecutorial. Any of those civil regulations have to come through the Legislative Commission. It gives this body back more power and checks and balances in that. There are some POST-certified officers who are part of that, so they do have some

ability to engage in that type of enforcement, but I think there are only four of them for the entire state. It is not something they are equipped at this time to be able to handle for the large amount, so they do rely on local law enforcement.

Chair Gorelow:

Committee, this is your last call for questions. Seeing none, we will open up testimony in support for Senate Bill 328 (1st Reprint).

Esther Badiata, representing Planet 13 Holdings; and Jardín Premium Cannabis Dispensary:

Today, we offer our support for S.B. 328 (R1) and the proposed amendments. We believe this bill will help to bring about transparency and due process within the cannabis industry in a way that is beneficial to both licensees and the state. Additionally, the bill as amended would enact important updates to the Board structure and provide beneficial legislative direction. We would like to express our thanks to the bill sponsors for bringing forth this bill and urge the Committee's support.

Layke Martin, Executive Director, Nevada Cannabis Association:

On behalf of the Nevada Cannabis Association, we support the bill and the amendments and thank the sponsors for bringing it.

Will Adler, representing Sierra Cannabis Coalition:

As a representative for the Sierra Cannabis Coalition, I would like to ditto the comments from Assemblyman Yeager on his commentary today. I do think S.B. 328 (R1) is looking to reaffirm and correct some of the changes made when the CCB was accepted in 2019, and some of the oversight that was lacking there and the lack of regulatory process and due process that was created when we made this. Thank you for bringing this bill forward, Senator Titus and Senator Nguyen. I am in full support for the bill and the amendment.

Ashley Cruz, representing Chamber of Cannabis:

The Chamber of Cannabis is in support of the bill, and I just want to thank the sponsors for bringing this bill forward.

Chair Gorelow:

Is there anyone else in Carson City who would like to testify in support? Seeing no one else, we will go to Las Vegas for testimony in support of Senate Bill 328 (1st Reprint).

Kimberly Maxson Rushton, Private Citizen, Las Vegas, Nevada:

I am an attorney in Las Vegas and represent a number of cannabis licensees. Prior to becoming an administrative attorney in the private sector, I served as the chief in the Nevada Attorney General's Office, and then was appointed as a regulator by Governor Guinn to regulate the Nevada Transportation Authority and oversee commercial transportation. That said, I am very familiar with the specifics of NRS Chapter 233B and the Nevada Administrative Procedure Act and strongly encourage you to pass S.B. 328 (R1) in its original form as well as with the proposed amendments. As the other commentators have

stated, this will ensure transparency and accountability that all state agencies should be responsible for holding in their oversight of any regulatory agency. I again also commend the sponsors with respect to their proposed amendments. I think these are necessary changes for the industry, and we welcome those and encourage your support.

Chair Gorelow:

Seeing no one else in Las Vegas to testify in support of S.B. 328 (R1), we will move to callers in support.

Donna Bath, Private Citizen, Ely, Nevada:

I would like to thank the sponsors for doing this bill and also thank the Committee for hearing this. I just wanted to offer my support in favor of S.B. 328 (R1).

[[Exhibit D](#) was submitted in support of Senate Bill 328 (1st Reprint) but not discussed and made part of the record.]

Chair Gorelow:

There are no other callers in support, so we will close testimony in support and move to testimony in opposition to Senate Bill 328 (1st Reprint) in Carson City and Las Vegas. [There was no one.] We will move to callers in opposition. [There were none.] Is there anyone in Carson City or Las Vegas who would like to testify in neutral? [There was no one.] We will move to callers in neutral. [There were none.] Would our presenters like to come back for closing comments on Senate Bill 328 (1st Reprint)?

Senator Titus:

It is an interesting world we live in, and we must address it and cannot ignore it. There clearly were deficiencies in the regulatory process of this industry that we now have in Nevada and that pays taxes in Nevada. As we move forward with the experience that we have, we need to fix it. I appreciate Assemblywoman Monroe-Moreno's attention to the social equity comment. We will work on that because I think it is really important. Assemblyman Yeager, we appreciate your comments also. Hopefully, we will get those clarified and we can get support from this Committee to really improve the regulatory process of this industry that needs it so greatly.

Chair Gorelow:

With that, we will close the hearing on Senate Bill 328 (1st Reprint). We will open the hearing on Senate Bill 262, which revises the qualifications for membership on certain advisory councils and boards.

Senate Bill 262: Revises the qualifications for membership on certain advisory councils and boards. (BDR 21-857)

Senator Edgar Flores, Senate District No. 2:

I am here to present Senate Bill 262 along with Clark County Commissioner Tick Segerblom. If I could provide some context as to why I am presenting this bill today, I will give you the genesis, walk you briefly through the bill, provide a conceptual amendment that we can discuss as a Committee, and then open it up for any questions.

When I originally had the privilege to serve for the first time in 2015, I sat on the Assembly Committee on Government Affairs. I mention that because I have served on the Government Affairs Committee since 2015 and there has not been a single session—not one—that I have heard a bill that was specifically designed to reduce the criteria to remove some of the safeguards in place so that somebody can serve on a board. In fact, the constant conversation we have engaged in ever since I have been in this building is, we have to get rid of boards, we cannot find enough people to serve, how do we make these qualifications easier, et cetera, et cetera, et cetera.

Senate Bill 262 helps address some of those concerns. Commissioner Segerblom, specifically, engaged in a conversation with a few of us in this building not too long ago, a few months prior to session. He commenced to talk to me about a town board or a city council board where the intent was to appoint a legal permanent resident to serve. I believe in that scenario. Commissioner Segerblom will be more detailed. It was somebody from the Culinary Union who wanted to participate, but they realized that individual could not serve, unfortunately, because they were not a U.S. citizen. And that is terminology that is used in this bill which you will see in there: qualified elector. And that is the intent. I want to cast a larger net so that individuals who live in our communities, who are engaged in our community and want to participate, can in fact do so.

However, in the original drafting of this bill, I cast a much larger net than I originally intended. I have had an opportunity to speak both with the Chair and Vice Chair on this particular subject matter, and I appreciate their sitting down with me. When I had an opportunity to meet with both of them, one of the questions I was asked was whether we were trying to capture undocumented immigrants. That was never the intent. Quite frankly, if you are undocumented, you are probably afraid to be involved in anything government, period. I was focusing on folks who are lawfully living in the U.S. but are not U.S. citizens yet.

A perfect example of this would be my father. He actually served on an advisory council after he became a U.S. citizen a few years ago, so he could do that. But my dad has been living here since 1979. My point is, he has been a contributing member of this community and has been incredibly involved. I would argue that my father is probably amongst the most recognized Latino men in southern Nevada. I do not know anybody who gets asked more for pictures. He cannot walk anywhere. He is incredibly involved in the community. He does all the charity events and does amazing work in the community. Understandably, he has

been asked by the City Council and County Commission on various occasions to participate and get involved. My father could not have done that prior to becoming a U.S. citizen, but he was already incredibly involved in the community. What we want to do is just expand the parameters.

One of the questions I want to preemptively address is, when we say town board or citizen council, how many of those are we talking about? I want to give you some context: in Clark County, it would impact 19; in Douglas County, 3; in Elko County, 4; in Eureka County, 1; in Lander County, 2; in Lincoln County, 3; in Lyon County, 6; in Mineral County, 1; in Nye County, 4; in Pershing County, 2; in Washoe County, 8; and in White Pine County, 4. Those are the amounts that are impacted and that this would apply to. We are obviously not talking about city council members. We are not talking about county commissioners. We are not really talking about anybody who is going to be making incredibly important decisions. We are simply talking about the folk, as Commissioner Segerblom will allude to in a second, who help the commissioners make decisions. They live in a certain neighborhood and realize that maybe a stop sign is needed, so they provide that information and send it up to the actual commissioners or to the council members to take actual action. Those are the folk we are trying to capture.

Tick Segerblom, Commissioner, District E, Clark County Board of Commissioners:

As Senator Flores mentioned, this bill came up during my service as a county commissioner. Where we have town boards, they are advisory in nature, but they are based in local areas. Whether it is a zoning issue—sometimes there are chickens the neighbors are complaining about and things like that—the neighborhood people are the first avenue of a complaint or an appeal process. The town boards, for example on Sunrise Mountain, they will review zoning changes. Somebody wants to get a variance for their house, or again, there are chickens in the neighborhood, and they want to get an exemption so they can have chickens in an area where you are not allowed to have chickens—but they are the boots on the ground and the people who are most impacted by these ordinances and zoning problems. Honestly, it is not that easy to find people willing to give up their time two nights a month to spend hours in a meeting where you have to hear from neighbors with lots of issues. A lot of it is pretty exciting; a lot of it is not as exciting, like in the Legislature. But the truth is, we have had a hard time sometimes finding people who are knowledgeable, active, and who care about their community.

I reached out to the Culinary Union and asked if they had members who would like to participate on one of these boards. They responded yes and presented a nice gentleman who owned a house, had been around for a long time, was very interested in his neighborhood, and appeared to be perfectly qualified to serve. It never occurred to me to ask if he was a U.S. citizen. To me, that really was not a relevant question. In my mind, the question was, do you know the neighborhood? Are you willing to serve? Do you have good judgment? And he seemed perfect. After his application went through the process, we discovered that there is this state law which prohibits people who are not citizens from participating.

Town advisory boards do not write laws. They do not pass anything that is binding. All they do is recommend decisions to me as the county commissioner. Then, along with my fellow county commissioners, I will vote on the issue in a separate hearing. It is not like this is the only chance people have to appear before these boards, but the main thing is they are your neighbors and my neighbors. They are very active in our society. They are the most hardworking, qualified people you would ever find to represent their neighborhood, and yet because of this strange law, currently they cannot. I went to Senator Flores and said this seems unfair and it really hurts us as a society. He agreed to carry this bill, and that is why we are here. There is no magic to it. I just want to point out they are not going to have binding authority to bind anybody. It is strictly an advisory board, but it is a great opportunity for me to get input from the neighborhood. Most of them are probably going to become citizens pretty quickly, and in that citizenship process, they are learning how our government works. It is a win-win situation for everybody. I would like to urge you to give this careful consideration and hopefully pass it so that people like the gentleman I am speaking of can help me better represent my neighborhoods.

Senator Flores:

For the sake of clarity, in Senate Bill 262, section 1, subsection 2, line 8, you will find "and qualified elector" crossed out. In my conceptual amendment that phrase will be amended to read "and somebody lawfully authorized to be in the U.S." We would add the same exact language under section 2, subsection 1, paragraph (a), line 10; under section 2, subsection 7, paragraph (a), line 9 and line 11; and section 3, subsection 1, paragraph (a), line 25 and line 26. I just wanted to make it clear and put that on the record. The intent was to capture folk who are lawfully authorized to be here. It did not cross my mind to be that specific, although just to make it abundantly clear, it would be very rare that someone who is undocumented would want to be involved in anything government. They are probably concerned to participate in anything in that means.

Chair Gorelow:

Committee members, are there any questions?

Assemblyman DeLong:

I have a comment and then a question. The comment is about the language you talked about. As far as deleting the elector language and putting in something about someone who is legally qualified to be in the U.S., I think we should probably be very specific because that might be interpreted as legally qualified. The people who are coming across the border illegally right now are getting the app and showing up for a court date in four years. I think we need to be careful with that language, whatever it might be, that you present to this Committee.

The testimony both of you provided makes it sound like town boards are appointed, not bodies that are elected and make decisions. But in section 4, subsection 3, you have a declaration for candidacy for a town board, which means we are talking about someone going to appear on the ballot in either a primary or general election who is potentially not a citizen. That would be something new for this state and is, to me, somewhat disconcerting.

Senator Flores:

Maybe our Legal Counsel could help clarify if that is the case, that they would in fact appear on the ballot in a primary or general election.

Kevin Powers, Committee Counsel:

This is going to be an extensive answer, so sit back in your seats. Here we go. Again, this is all going to turn on the concept of what is a public officer under the *Nevada Constitution* and state law. Our starting point is the *Nevada Constitution*, Article 15, Section 3, that provides no one is eligible to an office unless they are a qualified elector under the *Nevada Constitution*. To be a qualified elector, the *Nevada Constitution*, in Article 2, Section 1 provides that you have to be a citizen of the United States, at least 18 years of age, not laboring under any of the disabilities listed in the *Nevada Constitution*, unless those disabilities have been removed, a resident of the state for a certain period, a resident of the county, and a resident of your district for a certain period. Then the question becomes, if a position in state or local government is an office, those officeholders have to be qualified electors. However, if the position of state or local government is not an office, then those officeholders do not have to be qualified electors and the Legislature can prescribe by statute the qualifications for those offices.

That brings us then to this particular bill. We are dealing with town advisory councils and town advisory boards governed by *Nevada Revised Statutes* (NRS) Chapter 269. In certain counties, the town advisory councils or boards can be either elected or appointed. Generally, then, the question becomes—given that they are advisory boards—are the persons who hold these positions public officers holding a public office? Then we go to the two-part test developed by the National Court for Public Offices. That two-part test is the position has to be established by the constitution, a statute, or an ordinance, and it has to be invested with some portion of a sovereign function or a public power, trust, or duty.

In this case, these positions—the town advisory council and the town advisory board—are created by statute; there is no doubt. So, the question becomes, are they invested with any sovereign powers or any public power, trust, or duty? It is the Legislative Counsel Bureau's legal opinion that generally because these town advisory boards only recommend matters to the board of county commissioners, these town advisory boards are not exercising a sovereign function or a public power, trust, or duty. Therefore, the members of the town advisory council or board are not holding public offices and they do not have to be qualified electors.

Unfortunately, having said that, the bill needs to be drafted with a little more precision given that distinction. There are some statutes in NRS Chapter 269 that allow a board of county commissioners to delegate powers to a town advisory council or town advisory board. For those town advisory councils or town advisory boards, they would have to be qualified electors. Based on the proposed conceptual amendment, what the redraft would be is bifurcating: if the town advisory council or town advisory board does not have any of those delegated powers, then they do not have to be qualified electors, they just have to meet the qualifications provided by statute, which could be the qualification being a legal resident of

the United States and they do not have to be qualified electors. But those advisory councils or boards in which those members have been delegated authority by the board of county commissioners, they would need to be qualified electors.

Circling back around to the original question, then even if they are not public officers, the board of county commissioners can still provide by ordinance for them to be elected and not appointed. So, it could be possible that a board of county commissioners creates a town advisory council or board that does not have a public power, trust, or duty, but still is elected. Then those individuals, even though they are not holding public offices, would be on the ballot to be elected to those town advisory councils or boards. However, if the town advisory council or board did have those delegated powers from the county and they were subject to election, then they would be public officers on the ballot. I hope that covers everything. I told you to sit back and enjoy the ride.

Chair Gorelow:

Thankfully, that has been recorded. Are there other questions, Committee?

Assemblywoman Newby:

As someone who was staff, running this process to try to get people on town advisory boards, I can attest how difficult it is. My question, unfortunately, is going to go back into the qualified electors. When I looked into NRS Chapter 269, I did not find a definition of qualified elector. The only one I found was in NRS Chapter 266, which defines a qualified elector as a person who is registered to vote in the state and a resident of the area. It sounds to me like the definition that we are using for qualified electors is actually the one in the *Nevada Constitution* because if it is the one in NRS Chapter 266, it is a much wider net. It could be anybody who is just not registered to vote for whatever reason.

Kevin Powers:

I would have to analyze what the definition in NRS Chapter 266 is and to what statutes it applies. The term "qualified elector" is defined by the *Nevada Constitution* and that term cannot be changed by the Legislature because it is a constitutional term. The only way that the Legislature can have qualifications that are different from a qualified elector is if the position is not a public office and is simply a position that does not have that public power, trust, or duty, or is exercising that sovereign function.

Assemblyman D'Silva:

First and foremost, Senator Flores, I have to agree with you and say that your dad is probably way more famous than any of us are in our neck of the woods there. And the second is, thank you for this conversation. I think these are healthy conversations for us to have not just as Nevadans, but as Americans. Twelve to fifteen percent of the U.S. population is foreign born. We are talking about at least one in seven people who were not born in the United States and a significant number are not naturalized. They have not gone through that process yet. My question is this, what kind of opportunities do noncitizens have to publicly and civically participate in our society?

Senator Flores:

Assemblyman D'Silva, I will start off by pointing at you. You have honorably served this country and have earned a Purple Heart, but you were not born here. Now you are a member of the Nevada State Assembly. There is no one who would argue that if we just took away your title of citizen, but everything else remained true—you are a teacher, a recipient of the Purple Heart, you have been involved in your community, you have done amazing work—no one would say that we probably would not want you around. I think most humans would say, I would love to have him participating in the process. I make that point because we have individuals presently honorably serving in our military who are not U.S. citizens. We have individuals who work in our hospitals who are not U.S. citizens. We have teachers presently in the state of Nevada who are not U.S. citizens. In the most essential areas of society we would say are critical for this society to work, we have noncitizens honorably doing amazing work. We know how important noncitizens are to our gaming industry and who are keeping the lights on and paving our streets.

If these individuals are doing so much and this state would not function without their work, it is difficult for me to believe that we do not think they can also participate in this conversation in a meaningful way by providing recommendations of what is happening in their community. There is a genuine investment. I also want to remind folks that the entire basis of what this country is started with a bunch of individuals who were not born in the U.S. The philosophy of what it means to be an American is more deeply rooted in a philosophy than it is in identity politics or where you were born. I remind folks of that often. In fact, we have a lot of individuals who were not born in the U.S., but because their father or mother was honorably serving their country on a base outside of this country, they were not born here, but they are still U.S. citizens. I am making all these points because there is a host of hypotheticals and real-life examples of why these individuals are as important to the glue in the fabric of this community as any other individual. And it has nothing to do with citizenship. It has more to do with who they are and what they are doing. What is their function? What are they contributing? How meaningful is their investment?

Sitting in Las Vegas is Andres Rodriguez, who will be testifying in support of the bill. He ran my campaign. He is the campaign manager, the director of policy—I call him everything. He is not yet a U.S. citizen, but he is a doctoral candidate. I guarantee you he is going to be a member of this body in the future. Why not have an individual with his level of talent, who has a master's degree, who is a doctoral student teaching courses at the University of Nevada, Las Vegas? Why not have someone with that magnitude of talent, who cares so much about the community, get involved? He is already doing it on the political campaign side as a volunteer. Why not have someone who is living amongst the community also utilize that as a platform to eventually get them to a role that we are all in?

Every single person sitting here, I would argue, did not start their political career as a legislator. It probably started in some council, on some board, with some community involvement, maybe in their school. All political candidates, I assure you, started their campaign 10 or 15 years ago. It is not when you put your name on the ballot. What I am saying is that there are phenomenal human beings in the state of Nevada who are not yet

citizens and whose immigration status is very fluid. They are eventually going to become citizens. Why not get them started early, get them involved early, in something as simple and innocent as an advisory council that will eventually become that platform for that individual to become something more. That is what I am asking, plus we desperately need it. We have too many boards that do not have enough candidates. If we have some individuals in the community who want to step up, let us do it.

Assemblyman D'Silva:

I would say for the record, when I received the Purple Heart, I was not a citizen. I was a green card holder.

Assemblywoman Newby:

I think Mr. Powers has an answer on that NRS Chapter 266 question that he wanted to get on the record.

Kevin Powers:

The provisions that Assemblywoman Newby refers to in NRS Chapter 266 do not deal with holding public office. They deal with the eligibility to sign a petition to incorporate a new city. What the definition provides under those provisions is that a qualified elector means a person who is a registered voter and is a registered resident of the area. However, in order to be a registered voter, you first have to be a qualified elector. What this is really is a definition for qualified voter to sign a petition. You have to be a qualified elector and a registered voter in order to sign a petition to incorporate a new city. Unfortunately, the term used here is "qualified electors." If I was drafting, it would have been "qualified voter" but this was drafted in 1987. Despite all my gray hair, I was not advising this body in 1987.

Chair Gorelow:

Thank you very much for that clarification. Committee members, are there any other questions? Seeing none, we will open up for testimony in support for Senate Bill 262.

Paul Catha, Political Director, Culinary Workers Union Local 226:

As the largest organization of immigrants in the state of Nevada, the Culinary Union supports Senate Bill 262. The Union would like to thank Senator Flores for bringing the bill forward. Culinary Union members come from 178 countries and many U.S.-born Culinary members have household members who are immigrants. By disqualifying the hundreds of thousands of noncitizens who live in Nevada from serving on nonelected bodies, the state is losing out on valuable talent and ensuring that its citizen advisory councils and town advisory boards are not representative of Nevada's neighborhoods. The Culinary Union supports S.B. 262 and urges the Committee to support and pass the bill.

Annette Magnus, Executive Director, Battle Born Progress:

We are here today in support of S.B. 262. We should allow our immigrant community members to be a part of town boards and councils. Allowing noncitizens to be members of town councils can have several benefits: noncitizens bring different cultural backgrounds, experiences, and viewpoints, enriching the decision-making process. This diversity can lead

to more comprehensive and inclusive policies that address the needs and concerns of all residents. Noncitizens are often long-term residents who contribute to their communities in various ways. Allowing them to participate in local governance ensures that their voices are heard and that their interests are represented, promoting a more inclusive and equitable society. For these reasons and many other reasons, we urge you to support S.B. 262.

Chris Anderson, Private Citizen, Las Vegas, Nevada:

As someone who has served on a community homeowners' association board, I have seen firsthand how hard it is to get a diverse group of perspectives in any kind of advisory or even decision-making body. We have friends and neighbors who are willing to lend their experience and their perspective. I just think we are really losing out if we do not allow them to take part in these processes. I urge you to support S.B. 262.

Rico Ocampo, Lead Organizer, Make the Road Nevada:

I am part of the large net that Senator Flores mentioned. I am a Deferred Action for Childhood Arrivals (DACA) recipient. I arrived in the United States in 1992 when I was three years old. I have had the pleasure of dedicating my life to nonprofit. I first started working with foster youth for three years, then I went to work with students experiencing homelessness for another three years. I could not get enough of it, so I wanted to do more advocacy work. I am now doing immigration advocacy, fighting for immigrant families. In 2017 I became the co-chair for the Project Homeless Connect, youth and young adults section because I care about my community even though I am not eligible to vote.

In 2021 I was selected to be a member of the external antiracism, equity, and inclusion task force. That was a privilege for me to be able to give back to my community in that way of public service. When Senator Flores talks about casting this wide net, I am that wide net. Unfortunately, sometimes society will only judge me because of my immigration status.

I want to say what a privilege it would be if I could get the opportunity to serve on an advisory council. I would jump on that opportunity because it will remind me of the work that I love, the community that I call home. I am battle born. I am a Nevadan. I have my roots here in this state and I am as American as a street taco.

Samuel Cano, Member/Leader, Make the Road Nevada:

I am here to support S.B. 262. I am also an undocumented student at the College of Southern Nevada. I have been getting involved with my community ever since student council in high school. Last year I had the opportunity to travel to Washington, D.C., to lobby in support of the immigration reform. I love being involved. I love making a change, and despite my immigration status, I would love to make a change one day here in this country which has given me so much. I urge you to support S.B. 262.

Tony Ramirez, Government Affairs Manager, Make the Road Nevada:

I just wanted to ditto the comments by my colleague, Rico, and our member, Samuel.

Chair Gorelow:

Seeing no one else in Carson City who would like to come to the table in support of S.B. 262, we will go down to Las Vegas.

Andres Rodriguez Lombeida, Private Citizen, Las Vegas, Nevada:

I am 28 years old, was born in Spain, and am half-Spaniard and half-Ecuadorian. I am a Ph.D. student in public affairs at the University of Nevada, Las Vegas (UNLV) and I am currently on an F-1 academic student visa. I hold bachelor's degrees in economics and communications from the University of California, Davis, a master's in business administration, and a master's in management information systems from UNLV. Now I am on my third year of the Ph.D. program in public affairs at UNLV and am currently the elected president of the UNLV Young Democrats for 2023-2024.

I firmly believe that the U.S. is the greatest country in the world. That is why I came here. I have always wanted to be involved in politics because I want to help change the things that are wrong and help keep the things that are right. Additionally, I have received a lot of help in my life, and I want to give back so people in Nevada can have the same or better opportunities like the ones I have had. This is why my studies were oriented towards public affairs and I am getting involved as much as I can in day-to-day politics. I will be a citizen of this great nation someday, and I would like a head start with S.B. 262.

David Beltran Barajas, Organizer-Immigration, Progressive Leadership Alliance of Nevada:

I am here representing Progressive Leadership Alliance of Nevada in support of S.B. 262. I have lived in my current area since 2005, been a homeowner in that area since 2021, and have worked hard to develop relationships and be a friend and helping hand in my neighborhood and local community. Senate Bill 262 would expand positions on citizen advisory boards to people who are not qualified electors like myself and many of my neighbors. Passage of this bill would further welcome folks of varying backgrounds who have been members of their local communities and grant them the ability to take on cogoverning roles in towns and neighborhoods they have been so deeply integrated with.

As an immigrant who has lived in Nevada all my life, I want nothing more than to aid and serve this state that has been my home. I know there are many other Nevadans who are in similar situations who would love to continue to serve and lead in their own local towns and neighborhoods. The expansion of these requirements would bring in more qualified members of diverse backgrounds with diverse perspectives, further strengthening our towns in Nevada as a whole. Due to all this, I strongly urge the members of the Committee to vote in favor of this bill. Thank you for your time and your consideration.

Aria Flores, representing Chispa Nevada; and Private Citizen, Las Vegas, Nevada:

We are in support of S.B. 262. We would just like to ditto everything that everyone has testified previously to us. On a personal capacity, I would also like to testify in support of S.B. 262. Hearing everyone's testimony and support just sends me a rush of hope. Being able to go give presentations at high schools to the youth, the hardest part is always having a

student ask me, If I cannot vote, how can I get involved? How can I be a leader? How can I get ahead? I want to be able to give them as many resources and be able to tell them, You know what, you can actually be a part of this advisory board. There are other options. Senate Bill 262 would give all these youth and high school students hope of being able to get involved in different ways.

Teissy Angel Ramirez, Private Citizen, Las Vegas, Nevada:

I am the lawful individual you are speaking of. I am recognized by the law or rules. I am also a student at the College of Southern Nevada, and I am on student government. What I am hearing today is that in the future if I want to proceed with public service, public policy, or anything of service I have been doing in the community, I am going to be denied. I just quit my full-time job to be able to do my hobby, which is advocacy for immigrants like myself. I am in full support of S.B. 262.

Chair Gorelow:

Is there anyone else in Las Vegas who would like to testify in support? [There was no one.] We will move to callers in support.

Deanna Hua Tran, Coalition Coordinator, Nevada Immigrant Coalition:

I am here on behalf of the coalition. The Nevada Immigrant Coalition (NIC) consists of diverse organizations from across the state that work together to fight for immigration reform and immigrant justice, and the NIC is here in strong support of Senate Bill 262. A community member's background or citizenship should not reflect the level of investment they may have in the welfare of their community, neighborhood, or their fellow residents. We have residents who have been here for many years and have raised their families and watched their children grow in our communities. Their life experiences within the state should be promoted through their leadership on these boards. Many of our local advisory boards already experience a lack of active participation and enrollment for residents. Discouraging residents from the opportunity to engage in these local leadership roles not only diminishes the effectiveness of these boards, but also limits the representation that should exist for our diverse communities. We urge the Committee to please support S.B. 262.

Victor Salcido, General Counsel and Director of Government Affairs, Community Health Alliance:

I am here on behalf of Community Health Alliance, a federally qualified health center in Washoe County. With six locations, we serve over 27,000 patients in Washoe County. At first blush, it might seem a little odd that we are in this Committee right now, but I am also here representing not only those 27,000 patients, but staff members. We have a staff of over 250 individuals. I know from personal experience that close to two dozen of them are here as legal residents—working here legally, living here legally, paying taxes here. I can also speak to the amount of talent that is among those individuals. Washoe County, the City of Reno, the City of Sparks, and the state of Nevada would all be lucky to have them serve on a volunteer basis and in these capacities. On a personal level, like Senator Flores, my father spent many years as a legal permanent resident. I could also say anyone would be

lucky to have someone like that serve in any kind of advisory capacity at a minimum. Because of that we at Community Health Alliance, in support of our employees and support of our patients, are here in support of S.B. 262.

Chair Gorelow:

There are no other callers in support, so we will close testimony in support and open up testimony in opposition to Senate Bill 262 here in Carson City.

Janine Hansen, State Chairman, Independent American Party:

We are very concerned about this bill because it is just the beginning. This is not a place we are going to stop. This is going to allow us to go forward. This bill allows noncitizens not only to serve on town boards, but it allows them to be elected at the ballot. Now, if they can be elected, the next step is why should they not be able to vote? We hear all these very nice people coming up here with a lot of great qualifications and that is wonderful that they have come and that they appreciate our country.

But we all believe in abiding by the rules and the rule is that the *Nevada Constitution* defines a qualified elector as a citizen qualified to vote. This is very important, and this is a very important red line. Many people are concerned about it because this bill will set a very dangerous precedent and there is nothing in it that prevents illegal aliens—we heard there is going to be an amendment, but we have not seen it yet—from participating in these processes, not just legal noncitizens. One of the things I mentioned in the last hearing that we had is that we have had many noncitizens come and testify to the Legislature expressing their concerns and participating, I am sure, on local county commissions and cities. They do have a voice. They do have an opportunity to participate just like I come here. I am not elected to office, but I come so I do have an opportunity to do that. I want to say that I particularly appreciated Mr. Powers' explanation of how this would have to be bifurcated in order to be able to abide by the *Nevada Constitution* and the laws. That is very important, but we are very concerned about the dangerous precedent this sets.

Yolanda Knaak, Private Citizen, Incline Village, Nevada:

I think that there is some misunderstanding about why we do not have enough citizens on our citizen advisory boards or other boards. I believe it is because of a lack of advertising and a lack of promoting the boards. I do not think it has anything to do with not having enough citizens who want to take those seats, so I am opposed to this bill.

Joy Trushenski, Private Citizen, Carson City, Nevada:

Please vote no on S.B. 262. Noncitizens and illegal aliens should not be able to be appointed or elected to serve on town boards. Our *Nevada Constitution* defines what a qualified elector is and that is a citizen. That is how it should remain. Illegal aliens broke our immigration laws and committed a felony. We should not be giving noncitizens and illegal aliens the same privileges as American citizens. This bill goes against the *Nevada Constitution*, and it is not lawful. Our borders have been open for several years under Democrat administrations. Currently, our borders are illegally open, and millions are crossing into our country and are not being vetted. This is so unfair to those who are trying to come here legally. Why have

laws if they are not followed? Why have a *Nevada Constitution* if that is also not followed? I support the rule of law and legal immigration, but I do not support S.B. 262, which is opening the door and goes against American citizens.

Katrin Ivanoff, Private Citizen, Las Vegas, Nevada:

I am here to express my disappointment with some of you who think a lot more about the people who did not elect you to come here. You are supposed to represent the people who elected you and sometimes that may not coincide with what you guys want to do. If you listen to the voices of your constituents, I honestly do not know how anybody thinks that we Nevadans want to give our rights away to people who came to Nevada illegally. We should not have illegals on the boards and making rules or laws for the legal citizens of Nevada. If we do not have enough people, it is because people are turning off of politic games and turned off of politics, period. So maybe we should do something to engage our citizens into the political rules and what we need. I personally am trying to implore as many people as possible to join the political process, not only to run for offices, but also to just engage in supporting candidates that they agree with regardless of which side of the aisle those people are. We just need people to get more involved and not just vote straight on R or D line. They should know who they are actually voting for and who they are putting in office to make the laws. That bill is a very clear reason why they should know who they are putting in office because right now the people they put in office—whoever presented this bill—are not really presenting the interests of Nevadans. They are working in the interest of people who did not elect them. So please vote no. Think about the people who actually elected you and vote no on this bill.

Chair Gorelow:

Seeing no one else in Carson City who would like to testify in opposition, we will go to Las Vegas.

Leslie Quinn, Private Citizen, Las Vegas, Nevada:

I oppose S.B. 262 and ditto all current opposition. I am also Hispanic, and I realize that it is difficult when you come to any country and you are trying to gain your citizenship, but I think it should be done correctly. It is an honor to live in the United States of America. I do not take that lightly, and I am grateful for that opportunity. For all the young people who have been doing this the right way or anybody that does it the right way, I welcome you. I oppose again Senate Bill 262 and ask my legislators, Assemblywoman Brittney Miller and Senator Marilyn Dondero Loop, to stand with me and oppose S.B. 262 as well.

Chair Gorelow:

There is no one else in Las Vegas who would like to testify in opposition, so we will move to callers to testify in opposition to Senate Bill 262.

Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:

I am really glad this issue is being brought up because I have had many quality talks with Commissioner Segerblom and Senator Flores about this issue on immigration. When he brings up the Culinary Union, it further proves what I have been trying to point out for many

years: they are pushing for noncitizens who are being used to gain more power. It makes me feel like perhaps these claims that show they do vote is actually true. Channel 8 News interviewed a DACA recipient in 2020 who was voting. I have not been told why we have such a high rate of noncitizen, illegal aliens who are actually voting in this election. To me, it is a disgrace that you are giving foreign nationals more power in our elected form of government. This to me is taxation without representation. In fact, we have had many people who are paid—I can show you the ads—who are brought here to support these measures. Many of them who are noncitizens could be illegal aliens. If this is the case, we should call the authorities. What is the point of their becoming a U.S. citizen? What is the point of passing an exam?

I do not really trust the Culinary Union. They have supported many politicians who are in bed with large casino elites, other nongovernmental organizations, and wealthy billionaires. They were the ones who pushed this whole COVID-19 era with the vaccine. Given the border crisis we have had so many apprehensions by the millions. What are we doing? Are we giving cartels more power? You are telling people that people can come here illegally tomorrow by the tens of thousands. This can affect our boards. Not to mention we have state, Assembly, county lines, and city councils that are affected by population which includes illegal aliens and not U.S. citizens. Not to mention if their children are born here, they are automatic U.S. citizens. Clearly this board is out of touch. It is dysfunctional. We need to instead add more commissioners and break up the county. We need to add more city government. Our entire structure is increasingly flawed. Please do not support this bill.

Lisa Partee, Private Citizen, Carson City, Nevada:

I want to echo the gentleman who just spoke. He said volumes. I am sorry, but to be in this country illegally is treasonous in its own right. Please do not try and take over our government while not having earned the right by becoming a U.S. citizen, first and foremost. Of all these pro-illegal alien bills this session, you never hear any of them at the hearings mention them actually wanting to become a part of our country. All you hear is demand and demand to get free medical and driver's licenses. Now they want to sit on the board and dictate to us how we live, those of us who are U.S. citizens. They work here and send their money home to their families, so they are not paying their fair share and getting away with it. Where are the bills that stop that from happening? The declaration of candidacy has them affirmed that they have not committed treason, but they are, just by being here. Enough of this madness. Our *Nevada Constitution* defines what a qualified elector is and that is a citizen. That is how it should remain. You took an oath to protect the *Nevada Constitution* from enemies, foreign and domestic. These people fall under those categories, and you are committing treason as well if you pass this bill. This goes against our state and federal constitution. I am really curious as to where the Legislative Counsel Bureau is in allowing all these bills to come forward. These should not be heard this session.

Michael Ryan, Private Citizen:

I am a longtime resident of Nevada and a Marine Corps veteran. I implore you to vote no on S.B. 262. Noncitizens and illegal aliens should not, capital NOT, be able to be appointed or elected to serve on town boards. Our *Nevada Constitution* defines what a qualified elector is. That is a citizen and that is how it should remain. Please vote no on this horrible bill.

Jim DeGraffenreid, National Committeeman, Nevada Republican Party:

I am testifying in opposition to S.B. 262 on behalf of the Nevada Republican Party. This may well be one of the craziest bills we have testified against in this or any other session. The very concept of enabling noncitizens to serve on a body called a citizen's advisory board is nonsensical on its face. Our platform is very clear on the subject of immigration. We welcome people from all nations, races, and cultures who are in our country legally and support the constitution and our rule of law. We support annual merit-based immigration and naturalization levels that maintain sustainable employment and wage growth for all Americans. Part of our support of legal immigrants—those who follow the rules and entered by the front door—is making sure that their hard work and effort is not cheapened by giving the same benefits and advantages to those who chose not to make the same effort.

Senate Bill 262 is a slap in the face to legal immigrants who could well find themselves subject to policies proposed by those who are not citizens. It makes no sense to give individuals who are not even eligible to vote in an election the ability to serve on an advisory board. To do so is a first step to having noncitizen council members and more. If I moved to any foreign country and attempted to become an elected or appointed government official or to even vote for any elected officials, I would quickly be shown the door. It would not be acceptable there and it is absolutely not acceptable here. Opposing S.B. 262 is just plain Nevada common sense. I hope the Committee and legislators will oppose this.

Chair Gorelow:

There are no more callers to testify in opposition, so we will close the testimony in opposition and open up testimony in neutral. Is there anyone in Carson City who would like to testify in neutral? [There was no one.] Is there anyone in Las Vegas? [There was no one.] Are there any callers in neutral? [There were none.] We will close testimony in neutral and invite the bill sponsor to the table for final remarks.

[[Exhibit E](#) was submitted in opposition to Senate Bill 262 but not discussed and made part of the record.]

Senator Flores:

I wanted to first start off by thanking those who spoke in opposition. I sincerely believe that folk are passionate about this subject matter, and everybody should be authorized and should be heard. I believe that so wholeheartedly I have a bill I think achieves that.

I want to make two points. I agree with the argument that the opposition brought up, that we need to do more to activate Nevadans to get involved in our councils, boards, et cetera. We really do. We need to activate more people to run for office. I think we need to have

larger pools of folk running for office. We need to bring more diversity of thought. I believe that to be one hundred percent true. That is not in conflict with this bill. Unfortunately, that is something collectively we all have to do, but that is not the bill that I am bringing forth. We all have a responsibility to engage more Nevadans so they realize they have a responsibility to be more involved, but this bill does not address that in any way.

Furthermore, I want to remind folk that if advisory boards were as powerful as everybody claims, and we are giving all these powers to folk, then everybody would be running for them. The opposite is true. Because they do not yield any power, what we are seeing is, unfortunately, folk do not want to get involved because it is a huge undertaking, it takes a lot of time, it is a tremendous amount of responsibility, and if you have a family, you do not have time for this. What I am saying is we need to allow more folk in the community to get involved.

The other thing I just wanted to bring up is I also appreciate the remarks and the sentiment about breaking the law and that people are concerned about that. But again, I just wanted to remind everybody that with my conceptual amendment, we are focusing on folk who are lawfully authorized to be in the U.S. This bill is not breaking the law. In fact, I am changing it. The very fact that I am here is to remind folk that every single one of us here has a responsibility to represent every Nevadan, not just U.S. citizens. We have a responsibility and an obligation to listen to every Nevadan, not just those we care about because they happen to be born here. We have a responsibility to ensure that everybody is eating, everybody has education, everybody has access to take care of themselves, and everybody has an opportunity to open up their own business. That is our obligation, and I agree one hundred percent that we should ensure that everybody has a right to speak here. I have been in this room and heard people speaking different languages. We have a lot of folk from our tribes who come up here and we have made it abundantly clear that this space belongs to the people. What I am saying is that those in opposition agree with me. They said everybody should be able to come up and speak.

What I am saying is we should open up as many available avenues for folk to be heard. That is all an advisory council is. It is an opportunity to be heard. It yields no power, and it is recommendations that are being sent up for somebody who was elected to do X Y Z. That is simply what we are saying. That may bother folk, but that is why I got elected. I am specifically here, making it abundantly clear that it is my mission and role in this body to ensure that every Nevadan feels there is somebody who actually cares about them and is listening. That is why folk elected me. I do not know if Commissioner Segerblom would like to make any additional remarks.

Tick Segerblom:

Just very quickly, I can say, having listened to this, it makes me want to cry. The people who want to serve us should be allowed to serve. They can work in the government that Assemblyman D'Silva earned a Purple Heart from when he was not a citizen. These people are the bread and butter of Nevada, these are our neighbors, and the fact that we would not allow them to serve on an advisory committee like this and give me advice is, to me, wrong.

Chair Gorelow:

With that, we will close the hearing on Senate Bill 262. I would like to open up our work session on Assembly Bill 243. I will turn it over to our policy analyst, Ms. Proehl.

Assembly Bill 243: Revises provisions relating to legislative affairs. (BDR 17-366)

Haley Proehl, Committee Policy Analyst:

[Read from Exhibit F.] Assembly Bill 243 is sponsored by the Assembly Committee on Legislative Operations and Elections on behalf of the Joint Interim Standing Committee on Legislative Operations and Elections. It was heard in this Committee on March 16, 2023. It makes various changes to the Joint Interim Standing Committees of the Legislature.

There are three proposed amendments for this bill:

1. Vice Chair Brittney Miller proposed an amendment during the March 16, 2023, bill hearing to prohibit legislators who are serving their last term, whether based on term limits or not seeking election to remain in the Legislature, from serving as Chair or Vice Chair of an interim committee.
2. The Legislative Counsel Bureau (LCB) proposed to revise the Nevada Lobbying Disclosure and Regulation Act and the Nevada Financial Disclosure Act with regard to: (1) legislators, legislative officers, and staff members who undertake or attend legislative committee investigative meetings, events, or trips; and (2) legislative officers and staff members who undertake or attend other educational or informational meetings, events, or trips.

There is an attachment A for more details on this amendment, and there is a third amendment from this Committee which proposes several additional changes to the interim structure of the Legislature. I will not go through them all, but there is an additional attached summary (attachment B), and mock-up language (attachment C) for this amendment.

Chair Gorelow:

Committee members, are there any comments or questions?

Assemblywoman Brittney Miller:

Ms. Proehl, I am not sure if it would be a personal amendment at this time or just a point of clarification, but in the amendment as written, I understand there is a challenge to not knowing, during the interim committee, someone's decision to seek reelection. The intent of the bill was because interim committees are designed to prepare for the next legislative session. With the bill that revamped the entire interim session last session, one of the lessons learned is that we had instances where Chairs were chairing who were not returning or able to return, so they were not able to continue the work and the planning they had done.

Would it be okay if I just crossed out the one clause that said, "whether based on term limits or not seeking election to remain in the Legislature"? I guess the point is it does not matter why they are not returning. In some cases, if someone has termed out, we understand they are not coming back, but there are cases where people make decisions at all times not to seek reelection. Would that be sufficient to move the amendment forward?

Haley Proehl:

I would defer to Legal Counsel to make sure that is good. If you have a proposed change to that amendment, we can adopt that new amendment today.

Kevin Powers, Committee Counsel:

It is my understanding that the underlying intent of the amendment is to deal with the legislator who has been termed out in both houses and is incapable of running for reelection for any legislative seat. If the amendment was limited to just the legislator who has termed out in both houses, that certainly would be a draftable amendment because it would not matter if they ran for reelection. You could also have the amendment apply to someone who was termed out in their own house, regardless of whether they planned on running for election to the other house. That is a clear situation where you can define by statute.

As far as whether or not they are going to run for reelection, as you mentioned, these decisions about committee chairs are made in the summer after the session, but the declarations of candidacy are not filed until the following March. There would be no way to know whether or not they will actually be running for reelection.

Assemblyman Yeager:

I appreciate the discussion. Having been the one who made a lot of these appointments over the last interim, they are made pretty early. I think I like what Mr. Powers was recommending. The way this works, it alternates from interim to interim. If the Senate chairs the committee one interim, then the Assembly will chair the next interim and the same with the vice chair. I think it would make more sense to say that if you are termed out in your own house, you are not eligible to serve as either the chair or vice chair—we will not know which one because it depends on which interim we are in. I think that is probably easier because the truth is, most legislators are not going to get to 12 years in both houses. That is just the reality of where we are now.

Assemblywoman Brittney Miller, if you are willing to have that be the concept under proposed amendment 1, I think that would really work and I would certainly be supportive of that.

Assemblywoman Brittney Miller:

Thank you, Assemblyman Yeager, I absolutely agree. If we could have that drafted as such?

Chair Gorelow:

Committee, do we have any other questions? We will stay on A.B. 243, amendments 1, 2, and 3, and we do have Mr. Powers and Mr. Ziegler who can answer questions on those. Does anyone have questions or comments on those?

Assemblyman Yeager:

I do not have a question. We did the bill last session to reform the interim process, and I think it was a real learning experience for all of us. I think it is working, but I appreciate the work that has gone into this mock-up to address problems that we figured out during the interim when we went through the structure.

I wanted to thank Mr. Ziegler and Mr. Powers in particular for helping us through some of these amendments. I think what is going to happen with this is we are going to continue to refine this process and, hopefully, the interim legislative process actually helps us get ready in a real way for the next legislative process.

Assemblyman DeLong:

Given that this bill is looking at revamping the interim committees, amendments 1 and 3 seem to make a lot of sense. I am not seeing how amendment 2 fits into that. It looks like it is bringing in a completely different topic. I just would like some clarification on that.

Kevin Powers:

I will interpret that question as whether or not the amendment fits within the single subject requirement under the *Nevada Constitution* for this particular bill, A.B. 243. The title of the bill is an act relating the legislative affairs under the single-subject requirement. Every provision of the bill must relate to legislative affairs but not every provision of the bill must relate to each other. Under the single-subject requirement, Article 4, Section 17, of the *Nevada Constitution*, this will comply with the single-subject requirement if the Committee decides to include the amendment proposed by the Legislative Counsel Bureau.

Chair Gorelow:

Thank you very much for that clarification. Committee, are there any other comments or discussions? [There were none.] I will entertain a motion to amend and do pass Assembly Bill 243 with the changes in amendment 1.

ASSEMBLYWOMAN BRITTNEY MILLER MOVED TO AMEND AND DO PASS ASSEMBLY BILL 243 WITH THE CHANGES IN AMENDMENT 1.

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

Are there any comments or questions on the motion? [There were none.]

THE MOTION PASSED UNANIMOUSLY.

We will give the floor statement to Assemblyman D'Silva. We will close the work session on Assembly Bill 243 and open the hearing on Senate Bill 404 (1st Reprint).

**Senate Bill 404 (1st Reprint): Makes various changes relating to elections.
(BDR 24-843)**

Senator James Ohrenschall, Senate District No. 21:

Thank you for hearing Senate Bill 404 (1st Reprint). I think the Assembly owes me a big debt of gratitude because we amended it over in the Senate and we took out 66 sections. It is a lot less to read than the original version we introduced. I believe it is very good policy that will be good for all constituents and good for the process of participating in our democracy. With your permission, I would like to turn it over to Kerry Durmick on my right. I have Dr. Izack Tenorio on my left and joining me on Zoom will be Lata Nott from Campaign Legal Center, who will be available to assist with questions.

Kerry Durmick, Nevada State Director, All Voting is Local:

In the summer of 2022, Campaign Legal Center and All Voting is Local worked together on concepts and ideas to strengthen Nevada's election system. We brought these concepts to Senator Ohrenschall, and this is how S.B. 404 (R1) was created.

I will be discussing sections 5 and 27 which provide guardrails when challenging voters in Nevada. In 2020 and 2022 we saw bad actors in several states use voter challenges as a tool to intimidate and harass voters. This bill would strengthen Nevada's voter challenges laws so that bad actors would not be able to use voter challenges to intimidate voters and protects all eligible voters in Nevada. Current law states if a voter is challenged based on their address, the voter may only vote a regular ballot if the voter signs an oath that they actually reside at that address and provide satisfactory identification that proves this is true. While current law simply states that a voter must furnish satisfactory identification to prove the residency, it does not define that term beyond stating that a voter registration card does not suffice. This creates confusion for challenged voters, election officials, and workers who have to adjudicate these challenges.

Section 5 and section 27 clarify what satisfactory identification is. These sections clarify that satisfactory identification (ID) includes, but is not limited to, a current and valid Nevada driver's license or ID card, military ID, tribal ID, utility bill, bank statement, paycheck, tax return, mortgage or lease statement, and really any other document issued by a government agency. These sections clarify how a challenged voter could defend themselves and provide a challenged voter with a provisional ballot, under perjury if they cannot provide a satisfactory identification at the time of the challenge. This provision makes sure no voter is disenfranchised if they are challenged and do not have the satisfactory identification on hand. Also, these sections help to eliminate any confusion surrounding challenges to mail ballots, clarifying that in the currently accepted process that they may not be challenged. I will now pass it to Izack Tenorio to go over the other sections.

Izack Tenorio, representing Campaign Legal Center:

I will be presenting section 8 and section 28 of the bill. During the 2020 election cycle, we saw partisan actors use delays in processing and tabulating ballots to convince supporters that results were fraudulent. These arguments were being used in Nevada to question the validity of the election in Nevada. Senate Bill 404 (1st Reprint) addresses this risk. Currently, Nevada's election and code regulations provide for advanced processing and tabulation of mail ballots, but only allow early in-person ballots to be counted after 8 a.m. on Election Day. Senate Bill 404 (1st Reprint) will allow county clerks to begin processing and counting early in-person ballots during the early voting period. The proposed legislation was allowed for no later than the first day of early voting. The city clerk may order the appropriate board to begin the count of the returns for early voting. This gives autonomy to the county clerks or the registrar of voters to start counting early and it adds another tool in their toolbox. This provision will help prevent partisan actors from capitalizing on delays and results from late ballot processing to undermine confidence in Nevada's election. This provision will have the additional overall benefit of allowing officials to provide results to Nevada voters more quickly. Nevada came under scrutiny for this issue during the 2020 election. Now I will turn it over to Senator Ohrenschall. [[Exhibit G](#) was submitted and made part of the record.]

Senator Ohrenschall:

I am happy to answer any questions.

Chair Gorelow:

Committee members, do you have any questions?

Assemblyman DeLong:

I have a comment and a question. Under section 5 you ran through a list of documents that were acceptable and called them government-issued documents. However, a utility bill, a bank or credit card statement, paycheck, or even a tax return are not government documents. If the intent is to have government documents, this list is inappropriate and includes documents that should not be there.

What I am more concerned about is sections 8 and 28 are looking at starting to count ballots before people are done voting. Given how information leaks in this country, the chance that early votes that are being counted get released before people are done voting is a big concern to me. My question then is what states or what other countries start counting votes before people are done voting?

Senator Ohrenschall:

First, I wanted to point out in section 5 the list of documents that you pointed to in terms of a challenge of residency. Challenge of residency is, let us say you and I are neighbors. We both have lived on Sycamore Street for 20 years. Election Day comes and I am standing in line behind you. You suddenly say, James sold his house six months ago and I heard he moved to Cleveland. Why is he here? Why is he in line voting? You are challenging my residency. You are not challenging that I am James Ohrenschall. All you are challenging is that I still live on Sycamore Street in that precinct and should be voting. These are to

challenge residency, not to challenge identification. These parallel very closely documents already in statute for same-day voter registration in *Nevada Revised Statutes* (NRS) 293.5837, section 4, that includes things like subsection (b) a utility bill including without limitation, a bill for electric, gas, oil, water, sewer, septic, telephone, cellular, telephone or cable television service; subsection (c) a bank or credit union statement; subsection (d) a paycheck; subsection (e) an income tax return; subsection (f) a statement concerning your mortgage, rental or lease of a residence; subsection (g) a motor vehicle registration; subsection (h) a property tax statement; or subsection (i) any other document issued by a governmental agency. And I am reading from NRS 293.5837. That is for supplementing residency for that same-day voter registration. This parallels that the only thing new that is added is the tribal identification card that is not in that other statute. I believe those are documents which—even the ones that are not government issued—can go to support that. Let us say I still live on Sycamore but maybe I rented it out, maybe I am back, but maybe there is some good reason that I should be voting, and I still live there. Even though you thought I moved, maybe I did not move, maybe we are not as close neighbors as we thought we were.

As to your question regarding section 8. The goal behind that, to begin the counting of the early votes on or after the first day of early voting, is to try to take some of the burden off clerks and registrars as to having that mass of ballots to try to count right after polls close on Election Day. This is to try to help deal with that and get returns a little quicker. The same penalty that is in the law now as to divulging any of the information is a gross misdemeanor and is still applicable, and that it says it is still applicable in statute that returns for early voting must not be reported until after the polls have closed on Election Day. There is still a gross misdemeanor penalty if anyone were to leak information like that.

As to your other question about what other states allow counting of early votes—that is one I do not have an answer to, but I am going to phone a friend and see if maybe someone does. If not, I am happy to try to get that information and provide it to the Committee later.

Lata Nott, Senior Legal Counsel, Campaign Legal Center, Washington, D.C.:

I am senior legal counsel at the Campaign Legal Center, and off the top of my head, Arizona and Michigan do allow for early ballot processing. There are other states that do as well. I can definitely provide a more comprehensive list. I would also like to add that in Nevada, mail ballots are already processed before Election Day. They are counted. They are not allowed to have the results released but they are processed and must be completely processed seven days before the date of the election. This just applies the same logic to ballots that are cast early in person.

The bill specifies that this count will not take place in public. As our good friends at the Legislative Counsel Bureau advised, making the counting public violates Nevada law because there is a crime in making returns public. That was incorporated into the bill to make sure there would not be leaks of results. Like mail ballots, early ballot results would be counted but unreleased before all of those were counted.

Assemblyman DeLong:

I have a follow-up to two points on the response from Ms. Nott on Zoom. It is impossible to count all mail-in ballots seven days before an election since ballots can come in two days after the election. I am not sure how that works. Prior to 2020, we did not seem to have many problems counting ballots. It was not until we started the mail-in ballot process that we started to have concerns about not getting the vote counted in time to make the voters happy. To me, the system seems to be the mail-in ballot system rather than how we count.

Senator Ohrenschall:

I want to make sure the clerks and registrars have enough time to accurately count all ballots. Certainly it is frustrating when we do not have returns Election night the way we used to in the old days, but I think the accuracy of the count and making sure every vote is counted is very important to me.

Lata Nott:

I truly apologize. I meant that Nevada law allows mail ballots to be counted early 15 days before the date of the election. The counting must be completed on or before the seventh day following an election. But the ballots may begin being counted 15 days before the election.

Assemblywoman Monroe-Moreno:

I just want to apologize. I have to step out for another meeting, but I wanted to thank the three of you for bringing this bill. I look forward to casting my vote on the floor in support of this bill.

Assemblyman Hibbetts:

My question goes back to sections 8 and 28. We have had a lot of registrars come before us both in here and in Government Affairs. I have yet to hear a single one say anything about having trouble counting early votes because they are all computerized. I am not a technician. I do not know exactly what the process is, but early votes are counted on Election night very quickly. They always have been since we started early voting. It has never been a problem—it has always been mail ballots. So why this section? Why not something that would actually make a difference?

Senator Ohrenschall:

Yes, we are all used to, since Nevada expanded early voting, seeing those very initial returns, and seeing how the early voting numbers look first before we see Election Day ballots and mail ballots. I believe this actually gives the clerks and registrars more flexibility to at least get that done beforehand so they can focus on all the other work, especially with big elections. We have our first presidential preference primary coming up. I think this is a small help, but I think it is a help in terms of reducing the workload from Election Day on for clerks and registrars. I do not want to speak for the registrars, but I believe this will help them.

Izack Tenorio:

I do want to point out that this is also an opt-in option, so it does permit the counties to make that decision. That is important to rural counties. They would adopt the best practice that suits them the best.

Chair Gorelow:

Committee members, are there any other questions? Seeing none, we will move on to testimony in support of S.B. 404 (R1).

Annette Magnus, Executive Director, Battle Born Progress:

Battle Born Progress is in support of S.B. 404 (R1). While Nevada has some of the safest elections in the nation, we need to ensure our election administration procedures are protected from bad actors. We have seen in recent elections how those bad actors can work to undermine the process after votes are cast. Senate Bill 404 (1st Reprint) will bring extra security into our election processes which we should all support. Please support this legislation.

Chair Gorelow:

Would anyone else in Carson City like to testify in support? [There was no one.] I do see someone coming to the table in Las Vegas.

Aria Flores, representing Chispa Nevada; and Let Nevadans Vote Coalition:

We are in support of S.B. 404 (R1). Senate Bill 404 (1st Reprint) ensures that challenged voters can fulfill residency requirements by presenting a broad array of documents as satisfactory identification, including driver's license, utility bills, income tax returns, and more. This expanded definition acknowledges the diverse circumstances faced by individuals and demonstrates our state's commitment to fairness and upholding their voting rights. Additionally, this bill effectively safeguards mail-in voting, guaranteeing that a voter being challenged does not affect a voter's ability to exercise their right to vote. This provision is crucial in ensuring that every eligible voter can cast their ballot without unnecessary obstacles. Furthermore, S.B. 404 (R1) establishes a well-defined timeline for the counting of early voting returns. County and city clerks are empowered to commence this process no later than 8 a.m. on Election Day. By setting a clear expectation, we enhance transparency, promote efficiency, and deliver timely and accurate election results.

Chair Gorelow:

Is there anyone else in Las Vegas? [There was no one.] We will go to callers in support of S.B. 404 (R1).

Daela Gibson, representing Planned Parenthood Mar Monte, a member of Let Nevadans Vote Coalition:

We support this bill and ditto other statements in support.

Emily Persaud-Zamora, Executive Director, Silver State Voices:

Today we are in support of S.B. 404 (R1). Existing law permits any registered voter to challenge an individual's eligibility to vote and the person being challenged must present a satisfactory identification. However, current law does not explicitly define what qualifies as satisfactory identification. This bill aims to address this issue by establishing the same list that is required for same-day voter registration. Additionally, this bill grants the option for close-to-commence counting the returns from early voting either on or after the first day of early voting. If a clerk chooses not to initiate the counting process during the early voting period, they may do so no later than 8 a.m. on Election Day. It is important to note that this bill does not mandate or impose an obligation on clerks to count the returns earlier. Rather, it offers them the flexibility to begin the process sooner if they so choose. We appreciate the work that All Voting is Local and Campaign Legal Center, along with Senator Ohrenschall, have done around this bill, and we urge the Committee to support S.B. 404 (R1).

Matthew Germer, Fellow, R Street Institute, Washington, D.C.:

R Street Institute is a think tank devoted to research in support of free market and limited effective government. I conduct research on election policy, and I am here today in support of Senate Bill 404 (1st Reprint). With each election season, we have seen voters become more and more frustrated when the vote counting process proceeds slowly. Perhaps even more importantly, this slow counting process fuels conspiracy theories and misinformation as voters speculate about who won the race and why the canvassing process is taking so long.

This is why I encourage you to prioritize faster vote counts without compromising on election security. Under Senate Bill 404 (1st Reprint) counties may choose to begin canvassing early voting ballots as they are received, bringing Nevada's process for counting early votes into alignment with the process for counting mail-in votes. Just over one quarter of voters in 2022, nearly 300,000 Nevadans, have to vote using early voting in Nevada, meaning Senate Bill 404 (1st Reprint) could substantially increase the speed of those results. Importantly, these tallies would be protected from disclosure by law and this law should be and must be rigorously enforced in order to ensure that elections are trustworthy.

Ultimately, Senate Bill 404 (1st Reprint) can help alleviate delays and produce faster results. This is an administrative change that harms no one, benefits everyone, and provides flexibility to the local government.

Soren Dayton, Director of Governance, Niskanen Center, Washington, D.C.:

Thank you for allowing me to testify in favor of S.B. 404 (R1) and in particular, provisions that allow for faster counting and increased confidence in elections. Briefly about me: I lead the governance program at the Niskanen Center, a center-right think tank in Washington, D.C. Previously, I served as the executive director of the Young Republican National Federation. I worked for John McCain's campaign for president in 2008, for a Republican member of Congress, and on Republican campaigns around the country.

Our primary interest in election policy is that administrators and legislators should take actions to increase voter confidence in elections. One guiding principle is that election results should be available accurately and quickly. By ensuring the public gets complete election results as quickly as possible, you limit public confusion about results. Senate Bill 404 (1st Reprint) has strong provisions that if enacted, should increase the public's confidence in the vote counting process. The pre-canvassing provision would allow, if a jurisdiction chooses, local election officials to pre-canvass early votes.

There are several reasons why this is a good idea. First, S.B. 404 (R1)'s pre-canvassing provisions would align the treatment of early votes with the way mail ballots are handled. As you know, vote by mail is the majority of votes cast today. In the same way, S.B. 404 (R1) simplifies that process by treating all votes cast before Election Day the same way. Second, S.B. 404 (R1)'s pre-canvassing provisions allow local election administrators more flexibility in how they manage elections. They have an enormously challenging job. If they can do some work before Election Day, that leaves Election Day to manage in-person voting and counting those votes and mail ballots that come in on Election Day. This allows election administrators to get results out more quickly. Third, it is still up to the local administrator. The pre-canvassing provisions are completely at the discretion of the administrators. If it does not help them manage their process or increase confidence, they do not have to implement them.

Furthermore, S.B. 404 (R1) does not increase the risk for fraud. It is already illegal to disclose mail voting information. That is over half the ballots counted in the state. The provision making that illegal stays on the books. There are many legitimate reasons for disagreements on election policy, but pre-canvassing is a straightforward, commonsense administrative step that should increase voter confidence in election results.

[[Exhibit H](#) was submitted in support of Senate Bill 404 (1st Reprint) but not discussed and made part of the record.]

Chair Gorelow:

There are no more callers in support of S.B. 404 (R1), so we will move to testimony in opposition. You are welcome to come to the table in Carson City.

Yolanda Knaak, Private Citizen, Incline Village, Nevada:

Please vote no on S.B. 404 (R1). I have a big problem with section 8. First of all, after listening to the proponents, they are throwing out terms like, It is going to make elections secure, and We are going to have accuracy on vote counts. And yet I do not see anything in this that is going to give any kind of election security. In fact, I think it is going to be the opposite and that is why I am opposed to it. We have enough trouble getting people to watch the polling counts on the day of the election and now we are going to be getting those people to come early for early voting. I do not see anything that says it is going to be more secure or more accurate. In fact, I think it is the opposite.

Janine Hansen, State Chairman, Independent American Party:

This bill allows the election officials to start counting ballots on the first day of early voting. This is a dangerous practice which would allow leaked information by bad actors on whether a candidate is winning or losing to be used to be able to adjust a possible campaign, with the results that may change the entire election. Now, we cannot imagine that we will not have leaked information because even the Supreme Court had leaked information where they never were able to find the person who leaked the information, which was last year, which we are all aware of. It would be highly prized leaked information by candidates who are running, and so we can expect that there will be many opportunities for that information to be leaked.

One of the other problems I have with this, besides the fact that I think that would occur, is how will individual citizens be able to observe ballot counting starting on the very first day of early voting? It is hard enough to have people donate their time and go and look and see how the ballot process is happening. This does not provide for that. How can they see and notice whether or not this process is really according to the state law when it is the entire time during the election process?

They talked about rigorously enforcing this. I was good friends with the former Secretary of State. She often mentioned to me that it was very difficult to get because the Secretary of State does not have any enforcement arm and they must depend on the Attorney General for any kind of enforcement of election laws. This is another problem with this because you will not have rigorous enforcement because you do not have the Secretary of State having any power to do that. I think this will certainly make more problems with election integrity and we would ask you to oppose it.

Joy Trushenski, Private Citizen, Carson City, Nevada:

I strongly oppose S.B. 404 (R1) which allows election officials to start counting ballots on the first day of early voting. How will citizens be able to watch this process of vote counting during early voting? If information on the election results is leaked, it will allow candidates to adjust their campaigns, changing the results of elections.

I believe our Nevada elections are not safe from fraud since the last Legislature changed the voting laws, allowing massive mail-in ballots and other measures. I feel a misdemeanor for a leak in the election is minor punishment. Cheating could occur with mail-in ballots if there is a leak, and the outcome could be changed. I do not support S.B. 404 (R1), but I do support Governor Lombardo's voter integrity bill, Senate Bill 405. It should be heard and passed because we do have problems with our elections in Nevada.

Susan Ruch, Private Citizen, Carson City, Nevada:

Counting ballots before our official Election Day opens up our election process for more fraud than already occurs here in Nevada. The Heritage Foundation rated our state as number 50 in the country for election fraud. I think that is deplorable and we can do much better than that. We are the only developed country that is now using mail-in ballots. All other European countries have banned mail-in ballots, including Russia, which I think is our

enemy. They have banned mail-in ballots because it is too wrought with fraud. I am just deeply concerned that you are here representing your voters, and if you go to your website, which I do not know whether you do, but 92 percent of the voters are opposed to this bill. I think all of you should be paying attention to that because that is who you are representing. I am asking you, please do not pass S.B. 404 (R1). Please represent your voters.

Katrin Ivanoff, Private Citizen, Las Vegas, Nevada:

I reside in Assembly District 42 and Senate District 9, and I am opposed to this bill. This bill erodes the trust in the voting process due to allowing more fraud to occur and less chance to watch over the process itself. People are in absolute disbelief with our voting systems, with our politicians, on every level of the government, and we need to work to earn their trust back, not to erode it. If your own system on Nevada Electronic Legislative Information System shows such a big opposition on the bill, I really do not know why you would pass this bill any further. Please vote no. Please put Governor Lombardo's S.B. 405 at least for listening and being able to comment on it. If you are going to pass it or not, we will see, but at least give it a chance.

Chair Gorelow:

Is there anyone else in Carson City who would like to testify in opposition? Seeing no one, we will go to Las Vegas.

Leslie Quinn, Private Citizen, Las Vegas, Nevada:

I am here in opposition to S.B. 404 (R1). I would like to know why we cannot just keep voting simple and make it on one day, with identification, on paper ballots. I understand allowances need to be provided for those in the military via absentee ballots, the disabled, and the elderly via mail-in ballots if they are unable to use technology or get to the poll sites. I like the KISS acronym—keep it super simple.

I often hear the repetitive blaming of the 2020 elections or January 6 to substantiate pretty much everything going on in the United States that does not align with a certain party's agenda. People, let us be grownups; build a bridge and get over it. We cannot go forward if we keep looking in the rearview mirror. Senate Bill 404 (1st Reprint) infringes on our First Amendment right to petition the government.

There are loopholes in S.B. 404 (R1) that compromise voting. The Nevada Department of Motor Vehicles website makes it quite simple for non-U.S. citizens to obtain their identification and proof of residency as well as a license to drive, all items needed to establish voting in the United States. Both the Fifteenth and Twenty-sixth Amendments clearly state that only U.S. citizens have the right to vote.

I would like to share this with all of you: If a government is powerful enough to give people everything they want, it is also powerful enough to take from people everything they have. You cannot have one without the other. Even if collectivism were not morally wrong, we would still oppose it because freedom is more than prosperity.

I ask my legislators, Assemblywoman Brittney Miller and Senator Marilyn Dondero Loop, to stand with me in opposition to S.B. 404 (R1).

Chair Gorelow:

Is there anyone else in Las Vegas who would like to testify in opposition? [There was no one.] Are there callers to testify in opposition to Senate Bill 404 (1st Reprint)?

Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:

It is a beautiful cloudy day out here. I would like to ditto the past and future comments made on opposition to this bill, especially from Janine Hansen. I yield my time.

Jim DeGraffenreid, National Committeeman, Nevada Republican Party:

I am calling in opposition to S.B. 404 (R1) on behalf of the Nevada Republican Party. The bill as originally introduced covered a wide range of subjects, including an increase in emergency powers, new powers for the Secretary of State, changing rules on recounts, allowing arbitrary poll hours, making it more difficult to challenge voters who no longer live in the state, making already loose election audits meaningless, and changing the burden of proof in court. There have been a number of positive amendments proposed that would address many of these issues, and we support those. However, the one major change to election law remaining in this bill that we absolutely cannot support would allow early tabulation of results starting from the first day of early voting, as well as removing language, the ballots be counted in full view of the public. While ballots can be processed prior to Election Day under current law, results cannot be tabulated until Election Day. The objective of every election bill should be to increase voter confidence in the system.

Under the current system we have increased access to the expense of confidence in the election system, and most of the election bills that you are allowing hearings on, including this one, reduce transparency and confidence. Early tabulation of results further erodes the transparency which has been under attack for years in Nevada. As seen often in the observer principle, once someone knows the outcome, it alters what and how they measure. Anything that increases the amount of ballots processed behind closed doors increases distrust in the election system.

Every election bill should be an attempt to increase transparency and restore trust to our broken election system in Nevada. This bill does the opposite of that and for those reasons, we ask you, please vote no on S.B. 404 (R1).

Michael Ryan, Private Citizen:

Please oppose S.B. 404 (R1) which allows election officials to start counting ballots on the first day of early voting. I think there are many potential integrity issues with this, so please vote no on S.B. 404 (R1).

What this Committee should be focusing on is S.B. 405. That is a bill that will provide rationality through commonsense legislation. You need an identification for everything in adult life, interacting with government agencies. Senate Bill 405 provides free identification for people who cannot afford it and it is a simple requirement of proof of voter identification to prevent voter fraud. That is what this Committee should be focusing on.

Jacy Davis, Private Citizen, Pahrump, Nevada:

Senate Bill 404 (1st Reprint) addresses the ability to challenge someone who is applying to vote in person, but it fails to address the ability to challenge someone who votes by mail ballot. Why is that? A person who knows without a doubt that someone is using another voter's mail ballot to vote has no recourse. Why is that? The bill seeks to mandate the time frame for counting early vote returns, changing 8 a.m. on Election Day to begin on or after the first day of early voting. Current law declares that anyone disseminating information on early vote count before polls close is guilty of a gross misdemeanor. Extending the number of days before Election Day for counting returns also extends the time and opportunity to violate the law. This extension should also increase the penalty to a felony. Lastly, the true failure of S.B. 404 (R1) is in violating all statutes on election transparency. It removes the public's right to view ballot handling and counting. The following *Nevada Revised Statutes* state repeatedly that ballot counting and handling must be in public view: NRS 293.269931, NRS 293.3606, NRS 293.363, NRS 293B.330, NRS 293B.380, and NRS 293B.252. This bill is a disgrace that tramples all over the rights of the people. Please vote no against this bill.

Lisa Partee, Private Citizen, Carson City, Nevada:

Not being able to count in public is just horrific, and to count it early in the start, we know that we do not trust the election process anymore. This is just going to further degrade that process. I really implore you to vote against S.B. 404 (R1).

[[Exhibit I](#) was submitted in opposition to Senate Bill 404 (1st Reprint) but not discussed and will be made part of the record.]

Chair Gorelow:

There are no more callers in opposition, so we will close testimony in opposition. We will open up testimony in neutral. Is there anyone in Carson City or Las Vegas who would like to testify in neutral? [There was no one.] Are there any callers to testify in neutral? [There were none.] We will close testimony in neutral and invite the bill sponsors up for final remarks.

Senator Ohrenschall:

Thank you for your patience this late hour. I certainly believe that section 5 and section 27 provide more protections for all voters—Democrat, Republican, Independent, nonpartisan, conservative, or liberal. If anyone is challenged on the residency, it clears up an ambiguity, ambiguity in the statute as to what constitutes satisfactory identification, and it parallels our

statute on same-day voter registration. As to the early vote count, I believe it will take burdens off our clerks and registrars to focus on the mail ballots and the Election Day ballots if that passes. May I give Dr. Tenorio and Ms. Durmick an opportunity to make closing remarks?

Kerry Durmick:

I would just quickly like to thank Senator Ohrenschall for sponsoring this bill and for the Chair's and Committee members' time today. Nevada's election system has already received an A grading from the Institute for Responsive Government, and S.B. 404 (R1) will only strengthen it.

Izack Tenorio:

As you saw in support testimony, this bill has support for ideologies across the board because it is good policy. You would put Nevada in the forefront of a more effective and efficient democracy. I do want to address a few points to provide further context and more clarity. First, canvassing of mail-in ballots is already happening, so this bill will not provide any further security risk. Second, when you early vote, your ballot is cast but it is not canvassed. Canvass is the official tally of the votes. The purpose of the canvass is to count every ballot cast and to ensure that every valid vote cast is included in the election total, so they provide additional security measures in that process. Third, this does not make any changes to the poll watching process—none at all. Any Nevadan who wants to volunteer to poll watch still has the ability to do so.

Senate Bill 404 (1st Reprint) would be a substantial victory, not just for the hardworking election administrators that manage this complex process, but for Nevadans all across our great state. Committee members, we thank you for your time. I also want to thank Senator Ohrenschall and Ms. Durmick for their work on this bill.

Chair Gorelow:

I want to just briefly mention that some of us were able to go to Clark County and witness the process and what it was supposed to be. You had mentioned that, at least with Clark County, you can watch the process at any point. I am not sure yet on other ones. I would assume it is the same policy or something similar. Would our Legal Counsel care to comment, please?

Kevin Powers, Committee Counsel:

Although this bill deletes the reference to in public for the counting of the early vote results, that is to ensure that the entire process is not open to the general public. However, under regulation *Nevada Administrative Code* (NAC) 293.356, it allows and requires the county clerks to allow observers of the counting process. It is just that the county clerks can put a limit on the number of observers in the counting process so they do not interfere with the counting process.

The ability to observe the counting of the early votes after the period of early vote begins is still preserved in the regulation NAC 293.356. It is just not a process that is open to the entire general public. It is open to the observers who meet the qualifications of the regulation and any limitations on the number of observers.

Chair Gorelow:

With that, I will close the hearing on Senate Bill 404 (1st Reprint), and we will open up public comment. [Public comment was heard.] Thank you all for being with us and sticking with us through to the end. Special thanks to our guest counsel, Mr. Powers. We appreciate your help with the bills. We are adjourned [at 6:53 p.m.].

RESPECTFULLY SUBMITTED:

Kristi Howard
Committee Secretary

APPROVED BY:

Assemblywoman Michelle Gorelow, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a proposed amendment to Senate Bill 328 (1st Reprint) presented by Senator Robin L. Titus, Senate District No. 17, and Senator Rochelle T. Nguyen, Senate District No. 9.

[Exhibit D](#) is a collection of letters in support of Senate Bill 328 (1st Reprint).

[Exhibit E](#) is a collection of emails in opposition to Senate Bill 262.

[Exhibit F](#) is the Work Session Document for Assembly Bill 243, presented by Haley Proehl, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is written testimony dated April 12, 2023, submitted by Izack Tenorio, representing Campaign Legal Center, in support of Senate Bill 404 (1st Reprint).

[Exhibit H](#) is a collection of letters in support of Senate Bill 404 (1st Reprint).

[Exhibit I](#) is a copy of an email dated May 17, 2023, from Adrienne Potter, in opposition to Senate Bill 404 (1st Reprint).