

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

**Seventy-third Session
March 31, 2005**

The Senate Committee on Legislative Operations and Elections was called to order by Chair Barbara Cegavske at 2:06 p.m. on Thursday, March 31, 2005, in Room 2144 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Barbara Cegavske, Chair
Senator William J. Raggio, Vice Chair
Senator Warren B. Hardy II
Senator Bob Beers
Senator Dina Titus
Senator Bernice Mathews
Senator Valerie Wiener

GUEST LEGISLATORS PRESENT:

Senator Terry Care, Clark County Senatorial District No. 7
Senator Dennis Nolan, Clark County Senatorial District No. 9

STAFF MEMBERS PRESENT:

Brenda J. Erdoes, Legislative Counsel
Michael Stewart, Committee Policy Analyst
Elisabeth Williams, Committee Secretary

OTHERS PRESENT:

Renee Parker, Chief Deputy Secretary of State, Office of the Secretary of State
Larry Lomax, Registrar of Voters, Elections, Clark County
Alan Glover, Clerk/Recorder, Carson City
Phyllis Dryden, Office of Career, Technical and Adult Education, Department of Education
Mary Katherine Moen, Office of Career, Technical and Adult Education, Department of Education

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Diana Glomb-Rogan, League of Women Voters of Nevada
Mary C. Lee, League of Women Voters of Nevada
Lynn P. Chapman, Nevada Eagle Forum
Janine Hansen, Independent American Party
Lucille Lusk, Nevada Concerned Citizens

CHAIR CEGAVSKE:

We are going to take some of these bills out of order to help accommodate the Senators who are not on this Committee. We are going to open the hearing on Senator Care's bill, Senate Bill (S.B.) 303.

SENATE BILL 303: Revises provisions governing persons appointed to National Conference of Commissioners on Uniform State Laws to represent State of Nevada. (BDR 17-1104)

SENATOR TERRY CARE (Clark County Senatorial District No. 7):

I am tempted to call S.B. 303 the Frank W. Daykin bill, though this bill was my idea. For those of you who do not know what Uniform Law Commissioners are, there is a group called the National Conference of Commissioners on Uniform State Laws. It has been around for 113 years. Today, there are roughly 300 active members of federal and state trial and appellate judges, law school professors, practitioners, legislative counsels and a few legislators. They gather once a year in a major American city for eight days. They adopt various uniform acts, and all of you know what uniform acts are. They come from somewhere. Last Session we had, for example, the Uniform Prudent Investor Act. This Session, there are a number of them on the Uniform Environmental Covenants Act. Generally speaking, they go to the Senate Committee on Commerce and Labor. The idea is to have a body of law where there is uniformity or similarity among the 50 states, Puerto Rico, the Virgin Islands and Washington, D.C.

The appointment of a commissioner varies from state to state, but state commissioners can be appointed by a state's supreme court or governor. In some states, such as Nevada, they are appointed by the Legislative Commission. There are other states where state commissioners are appointed by a combination of two or three of those choices. In Nevada, members of the Legislative Counsel chose the commissioner. The active members right now are Scott Wasserman and Brenda Erdoes. Then, we can have two members from the Assembly and three from the Senate. Currently, that is Senator Mark Amodei and me. On the Assembly side, it is Assemblywoman Genie

Ohrenschall. If you punch up a roster of Nevada Commissioners, you will still find the names of Frank W. Daykin and Robert Durango because they did it for 20 years and have become lifetime members. They get to go to the National Conference.

There are a number of commissioners who are still carried on the rolls. It does not cost anything, they just have not gotten around to resigning from the list of Nevada Commissioners. It really comes down to those who are sitting in the Legislature and, by and large, Frank W. Daykin. Section 1, subsection 1 and subsection 2 of S.B. 303 discuss the annual National Conference. For those of us who attend while we sit at the Legislature, the registration fee, the reasonable transportation, the reasonable housing and reasonable allowance is paid. In Nevada, the people who leave the Legislature or Legislative Counsel continue to participate as Uniform Law Commissioners.

The only person who sets the example for this in Nevada is Frank W. Daykin. For years Mr. Daykin, at his own expense, has flown to these National Conferences and participated for the eight days. His registration was paid for because he is a lifetime member. Basically, S.B. 303 is intended to provide reasonable reimbursement for attending the National Conference to a person who actively participates as a Uniform Law Commissioner, but no longer sits in the Legislature or the Legislative Counsel. Section 1, subsection 1 says, the Uniform Law Commissioner must carry out the duties set forth in *Nevada Revised Statutes* (NRS) 219.030 and 219.040.

In those statutes, the duties of the Uniform Law Commissioners are spelled out. Reading from NRS 219.040, "The Commissioners shall ... (b) At each legislative session, make a report of their transactions to the Legislature. (c) At each legislative session, make recommendations to the legislature." I read that to mean you have a duty; you are going to participate because you are a Commissioner; and you have to come to the Legislative Sessions and actively lobby for passage of the various uniform acts. All of you have been around long enough to remember that Frank W. Daykin does that. Again, he has been doing it largely at his own expense. The first part of S.B. 303 will provide a mechanism for somebody like Frank W. Daykin to continue as a Uniform Law Commissioner and receive reimbursement for what, I would say, are reasonable expenses.

There is a handout from Richard J. Morgan, Dean of the William S. Boyd School of Law, University of Nevada, Las Vegas, ([Exhibit C](#)). It occurred to me now that we have a law school in Nevada, there is no reason why we should not have some of our professors participating as Uniform Law Commissioners. That is a practice in many states. In section 2 of the bill, I decided on two members from the faculty of the law school in Las Vegas, but it is not based on any particular study or criteria. I have discussed this with Dean Morgan and in his letter, [Exhibit C](#), he spells out why the law school supports that. He says he would, in essence, pick up the tab. However, I see that it creates a fiscal note. I do not have the fiscal note, so I do not know what it would say.

CHAIR CEGAVSKE:

Did Dean Morgan mean he would pick up the expenses, but he would bill the State for it? Is he saying it is out of his travel expenses? I see the same thing you see. He said he would fund the travel expense; we just do not know if he has a travel-expense fund that we already fund.

SENATOR CARE:

The answer to that question just might be yes. In my conversations with him, I said this was going to cost something. He basically said he would be happy to take care of that. It is all refundable; in a sense, it is all State money.

CHAIR CEGAVSKE:

We better find out for sure what he means.

SENATOR WIENER:

There are certain criteria for people who participate as commissioners. You do have to be an attorney. If we are expanding this, how many commissioners are we allowed to have? How many do we have now? I just want to get a sense of perspective.

SENATOR CARE:

I do not believe the National Conference imposes a limit. In Nevada, the statute says there can be two members from the Legislative Counsel Bureau (LCB), and Brenda Erdoes and Scott Wasserman are the two LCB members. Four members can be from the Legislature, but currently there are only three who are actually commissioners. There are a number of former Legislators, such as Greg Brower, David Humke, David Brown and Scott Scherer. Their names are still on the list. They have not been stricken, but they do not go to the conferences. There is no

expense incurred by those names remaining, but their names are still there. Basically, they would have to sign a letter which says they resign or the Commission would approach them about resigning. The answer to your question is there are two members from the LCB and three Legislators, but it could be four.

CHAIR CEGAVSKE:

I had not heard a lot about it. We knew it existed, but you shed some light onto what the commissioners do. How often do the commissioners meet?

SENATOR CARE:

We meet once a year. The National Conference creates drafting committees. It can take the drafting committees two years to actually draft a uniform act, unlike what we see in state capitals. It is a very thorough process. The National Conference meets once a year, and the drafting committees will normally meet two or three times a year.

CHAIR CEGAVSKE:

I will close the hearing on S.B. 303 and open the hearing on S.B. 227.

SENATE BILL 227: Requires Secretary of State to prepare supplemental voter guide for general elections. (BDR 24-803)

SENATOR VALERIE WIENER (Clark County Senatorial District No. 3):

I am here to urge your support for S.B. 227. This bill deals with supplemental voting guides known as Easy Voter Guides, which provide additional assistance to voters during the election process. It also discusses the logistics of making these guides available. I brought this bill forward based on experience. For those of us who were involved in a campaign recently, I was in front of about 5,000 doors in a period of about 6 months. As we got closer to the general election, I had a recurring experience, hearing more and more comments from voters regarding what they should do on the ballot questions. Often, these comments would come with anger. The voters said one of two things: One was that the voter was going to vote no on all of the ballot questions as a protest. The second was the voter was not going to vote for or against any of the ballot questions and would, instead, skip that part of the ballot.

To me, this raised great concerns. I am probably coining this phrase, but it produced a de facto disenfranchisement of the voters. I have been a member of

the Secretary of State's Advisory Committee on Participatory Democracy, which is an extraordinary group of people with an exceptional commitment to the participatory process in our State and our county. We have been working hard as a Committee, and the Secretary of State's Office has been working diligently to assist us in taking direction and moving beyond our Committee meetings. We want to expand voter registration in Nevada and expand voter involvement. Voter registration is not enough; we have to invite people in to participate in the process. Many of you know, part of what I do for a living is speaking and training. I am one of the training speakers. One of the important messages as a communicator is to invite people to participate and invite people to accept your message. When we have voter turnout, it is a demonstration that we have succeeded. We have reached all-time highs with our registration effort in the last election and all-time highs in voter participation. However, it takes extra work for us to invite people in to participate when our ballot questions continue to be difficult to understand and have higher stakes at risk. The disenfranchisement is a concern for me.

Before you are the Easy Voter Guides, in both English and Spanish, that were produced for the last election ([Exhibit D](#), original is on file at the Research Library and [Exhibit E](#), original is on file at the Research Library). The Help America Vote Act (HAVA) money was a part of this, though there was a collaborative effort, by many people who love this process, to produce these guides. About 200,000 of these were printed and used statewide. I do not know how many of those 200,000 guides taken were used, but if just 10 percent of the guides distributed were utilized by voters, that means 20,000 people received additional assistance and education to be well-informed voters. It could have been 20,000 people, 50,000 or 190,000. I am 56, and I have been voting since I was 21. I have never missed an election. I do not remember an election in our State where at least one race or one question was not decided by a mere handful of votes. This Easy Voter Guide is a critical resource in helping us assist and invite people to participate in the voting process.

It is important for us, as State leaders and Nevadans, to do everything we can to expand opportunities for inclusion. We do not want to allow confusion to reinforce exclusion. This guide, as you will note, is a supplement for those who need additional assistance before voting. The guide talks about statewide candidates and explains the questions. I strongly believe we have a responsibility and a privilege to help the Nevadans we love and know to participate in the process with knowledge. We want to increase the integrity of

each and every election by helping people vote with information, so they make decisions they are comfortable with and proud of. They are more willing to participate in the process because they have been educated about the choices.

I have an amendment with two sections to address questions I had and also received from others. In section 3, subsection 5, paragraph (a) of S.B. 227, I want to delete lines 33 and 34 and insert the language, "on a public Web site maintained on the Internet or its successor, if any, by the Office of the Secretary of State and each county clerk or registrar of voters," because that was not included in the original bill.

CHAIR CEGAVSKE:

So, you are adding an "or"? Not every county has a registrar of voters.

SENATOR WIENER:

No, I said each county clerk or registrar of voters. Not every county has a registrar. Then, section 7, subsection 4, lines 13 and 14 are going to be deleted. It would say, "if the sample ballot is for general election, include in a separate box that is created by bold lines and is set forth in a clear and conspicuous manner a notice printed." We have it on the front page and it is too crowded, so I would like the flexibility to put the notice wherever it may be conspicuously located.

CHAIR CEGAVSKE:

You are still asking for the 20-point bold type?

SENATOR WIENER:

That is what we are asking for, but I could negotiate just about anything. It has been a standard. We do have some fiscal information, as well. Based on that and what the supporters of the bill bring to the table, I urge the Committee's support for S.B. 227.

SENATOR MATHEWS:

Did you say these voter guides, [Exhibit D](#) and [Exhibit E](#), were distributed in the last election?

SENATOR WIENER:

Yes, they were distributed Statewide.

SENATOR MATHEWS:

I have never seen them before.

CHAIR CEGAVSKE:

I had not either.

SENATOR WIENER:

That is what this bill is about. We want to make the information more available. They are out there to assist voters.

RENEE PARKER (Chief Deputy Secretary of State, Office of the Secretary of State):

We fully support S.B. 227. We appreciate Senator Wiener bringing this bill forward. The Easy Voter Guides, [Exhibit D](#) and [Exhibit E](#), were a huge success this last election for the people who received them. I will start by addressing Senator Mathews' question. The concept for the voter guides came to us in the middle of the election cycle. It has been successfully done in California for many years. It started out in a similar fashion through several sponsors, Common Knowledge and Literacyworks; Common Knowledge is actually the organization that came up with this idea several years ago in California. They started preparing this guide and found it was very successful with people who needed another resource in order to get more information about the ballot questions. One thing they would do is try to make the language easier to understand, because sometimes the public agencies write in legalese that the public cannot understand.

We went along with that concept, which started in California. We had a limited amount of HAVA funds, but we threw in some HAVA funds. The Department of Education put in some grant money, and the Department also helped through its adult literacy program. The Nevada State Library and Archives put some money in to print the guides. We went to all the newspapers and asked if they would distribute the guides, and several papers agreed. We were hoping we could get them distributed because it came so late in the process. As you know, the ballot questions were tied up in court, so it also delayed this guide until the last minute. When there was a change to Question 3, the newspapers said they were not willing to put the guide in the papers for various reasons, so we put them in all the libraries, Statewide. We tried to distribute them as much as we could throughout the State. Unfortunately, it was not as widespread, but the

Easy Voter Guide turned out to be a valuable resource for the people who did receive it. I even used it. I oversaw the committees that prepared the arguments, and after I read the guide, I knew how I was going to vote.

CHAIR CEGAVSKE:

What are you envisioning? What are you going to do differently next time to get more of these guides to the people?

MS. PARKER:

In Senator Wiener's bill, it talks about putting a notice in the sample ballot. We think that will help. That is a way to get the word out. There is going to be a notice in the sample ballot, so if a person wants the supplemental guide, he or she can call the Secretary of State's Office. We will mail it out, and the guide will also be on the Web site. That will get the word out much more than we were able to in the last election.

CHAIR CEGAVSKE:

Can they call Larry Lomax or Alan Glover and get the guide? Do you all have the postage required in your budgets to send the guides?

MS. PARKER

Yes, the public can call Mr. Lomax and Mr. Glover. No, we do not have the costs for the postage in our budgets. We do have a fiscal note for postage. At this point, we have allocated HAVA funds. The postage is a new concept; I do not know how many people will want us to mail the guides.

CHAIR CEGAVSKE:

Do you have a projection?

MS. PARKER:

Based on the size of this guide, [Exhibit D](#) and [Exhibit E](#), we estimated that if we mail out 50,000 guides at \$1 apiece, it will be \$50,000.

CHAIR CEGAVSKE:

Are you going to send both the English and the Spanish version of the guide?

MS. PARKER:

Members of the public can request whether they want the English or the Spanish version.

CHAIR CEGAVSKE:

It costs \$1 to mail this out?

MS. PARKER:

That is the estimate at this time. We did not have a lot of time to gather the estimates. I do not have a solid estimate.

CHAIR CEGAVSKE:

We are going to need some hard costs. Senate Bill 227 will probably have to go to the Senate Committee on Finance.

MS. PARKER:

Just so you are aware, we do have other groups here who participated in the Easy Voter Guide Project, such as the League of Women Voters. There were grant funds from other agencies, and all of them are here to indicate they intend to help provide those resources in order to assist us. The guide was so successful and helpful to many of the voters, we are trying to continue to utilize the resources we had last time and use HAVA funds to the extent we have allocated HAVA funds for this.

The other issue with the notice in the sample ballot is we can tell members of the public where they can obtain the guide. They may not all want us to mail out the guides. We are going to put them in the library and in all the county clerks' offices. We are going to have them in the polling places. That will be different than last time. Last time, we did not have that opportunity.

CHAIR CEGAVSKE:

Is the Secretary of State's Office expending money on this now, and if so, how much? Is anyone else spending money to have this guide printed? Is it just you along with the people who are listed here?

MS. PARKER:

Yes, we used \$39,000 of HAVA funds to help with the printing. The Department of Education put in \$18,000. The Nevada State Library and Archives put in \$12,000. The League of Women Voters put in federal grant money they had to use for education-type purposes. That money helped pay for the printing.

CHAIR CEGAUSKE:

What would help the Committee is an accounting of the money spent and who spent it. I will talk to Senator Raggio about whether or not this bill should go to the Finance Committee. If we are talking money, then that Committee is usually where it would go.

SENATOR RAGGIO:

These guides are very effective and interesting. How did you acquire the statements and the information about each candidate? Were they requested to furnish it and, if so, how did you limit it? What if a candidate wanted a 500-word biography? If you have the guide in the law, how are you going to deal with this and the arguments for and against it?

MS. PARKER:

The information was requested from the candidates. There are guidelines prepared by the project. I believe there was a word limit. The candidates send back the information they want within the guidelines. The Department of Education may be able to further expand on those guidelines.

With respect to the ballot questions, they went through the adult-education program. The coordinator of the program, who I believe is a retired teacher, oversees the program. The program distributed the questions to the adult-education students. They received the ballot questions and the baseline explanations, and then we gave them the arguments prepared by the committees. They took all that information and put it into the easy-to-understand version you have before you, [Exhibit D](#) and [Exhibit E](#).

CHAIR CEGAUSKE:

Is that where you got the eighth-grade-level standard from? I know there were quite a few write-ups in the paper about that terminology.

SENATOR RAGGIO:

This is a great idea, but what bothers me is if you put this in the law where you have to prepare this guide and make these criteria, what if someone objects to the way it comes out? Are we just creating some litigation fodder so everyone can go to court and say they did not like the way their statement or their arguments appeared? Everything is litigious now with elections. If we put this in

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the law and make it a requirement, someone is going to object about how they are represented or how their issue is represented. Is that a problem?

MS. PARKER:

I know Janine Hansen is here, and she was in the guide. She is here to support this bill. We did not have any of those types of problems this time. The guide was not widespread.

SENATOR RAGGIO:

Well, this guide was not a requirement. It is not in the law. You just did it as a service. If it is in the law that the guide has to be printed, which is what S.B. 227 will do, then some people can come in and say they did not like the way they and their issues were presented in the guide. That is what is bothersome about this. It has good intentions, but when it is in the law, it becomes fodder for someone to go to court. The courts are busy enough with the election issues they have now. I am not downgrading this, but I am saying that is what is bothersome about putting this into the law. You can do the guide as a service, and you have done that. The question is, if you can do the guide without it being required, why do we need to put it into law?

MS. PARKER:

I understand what you are saying; I have found myself in court many times during this election cycle. You are right, if it is in the statute, then somebody will always try to find a loophole or a reason to take us to court and potentially hold up a ballot question or an election. Having it in the law gives us the authority to continue this guide once we are out of HAVA funds. We can continue to get grants from the League of Women Voters. It is a mandate; the voters have the certainty there is going to be a guide available. We have committed HAVA funds, but another Secretary of State may decide this guide is not a good idea. Then, the voters would no longer have the opportunity to continue to receive the guide. It was a successful guide; voters found it advantageous. What if, two years later, there is a change in the Secretary of State's Office and a decision is made not to put the guide out there, even though there is a strong demand for it? If it is not in the law, there will be no requirement to produce it, no matter how successful it is. Maybe some other testimony about how the project obtained those statements may help shed some light on that.

CHAIR CEGAUSKE:

I was going to ask the same thing about how you got the information from the candidates.

SENATOR MATHEWS:

You said something about an explanation in the sample ballot. Can you repeat that?

MS. PARKER:

Senate Bill 227 requires a notice in the sample ballot which would tell the public the guide is available and where to obtain it.

SENATOR MATHEWS:

In Washoe County, a number of us did not receive sample ballots. We had already voted before our sample ballots came. I can tell you, by the thousands, they did not get them. We asked the voter registrar, and he said he mailed out the Republican ballots first because there were more Republicans in the area. He mailed out the Democrat ballots last, and that was why we did not get the ballots in time. According to the newspaper, that is what he said. I do not know what he did with the Independent ballots.

I cannot depend on that sample ballot if people are making those arbitrary decisions. The notice would not get to me, and I do not want to spend that much money if I am not going to get the notice.

MS. PARKER:

Some of the changes being contemplated this Legislative Session, with respect to some of the deadlines and the initiatives, may help with that situation. This was a unique election when all eyes were on Nevada. Some things came late, and we were in court at the eleventh hour. I am not here to defend the Washoe County registrar, but the purpose of putting the notice in the sample ballot is just another way to get the word out about the Easy Voter Guides. I cannot guarantee the notice will get the word out, but it certainly will get the word out more than we did in the last cycle.

SENATOR MATHEWS:

It probably will. I am just saying we need to get the sample ballot, if that is where the notice on where to get the guide is going to be. I like the voter registrar in Washoe County. This has nothing to do with that. It concerns me that we would stick money into this if a whole population is not going to get it.

SENATOR WIENER:

Ironically, if the printing of the guides became a practice, then people would know the guide would be coming or that it was available. If the sample ballots did not come, the public could still be informed about statewide candidates and ballot questions because they could pick up the guide and know. The guide could not inform the public about the local elections, but if this became a practice every election cycle, it would become a habit to know that even if the sample ballot did not arrive, the things the public would be voting on would be at the library or the registrar of voters.

LARRY LOMAX (Registrar of Voters, Elections, Clark County):

One of the biggest complaints we get from the voters in the county is how they can find information about the candidates and the questions. I do not get as many complaints about the questions; most of the complaints are about finding information about the candidates. I support S.B. 227 in the sense it would help solve that problem. I also appreciate the amendment to not require us to put the notice on the first page of the ballot. We are just out of space on the cover of the sample ballot.

A new wrinkle which has come out in the discussion, that I am not sure I support, is a requirement for the county to mail these guides out. I am more than willing to distribute them, make them available and put them on an Internet site. We are mailing out 750,000 sample ballots about the time these guides would be sent out. Having a new requirement to take phone calls and mail these guides out could cause us some significant manpower issues.

CHAIR CEGAVSKE:

You might want to submit a fiscal note on that because we are looking at what S.B. 227 would cost.

SENATOR WIENER:

I have no problem with that. If mailing is a factor, we could just make the guide available to the public. I do not want that to be a deal killer. In the past election, the guides were successful, and no one even knew they were at the libraries. Making the guide available and printing a notice on the sample ballot to state where the guides are available would be good. We could just include a Web site address; it could be put on county Web sites, the Secretary of State's Web site and at libraries and county clerks' offices. The availability could be explored and

expanded. I do not want S.B. 227 to die because of postage. I want these guides to be available and accessible as a supplement.

MR. LOMAX:

As written in S.B. 227, it is the Secretary of State who is going to be putting them out, not us.

ALAN GLOVER (Clerk/Recorder, Carson City):

We do appreciate Senator Wiener's amendment. As Mr. Lomax said, that helps us out quite a bit. We were unaware these guides were going to be available during the last general election. On our sample ballot, we referenced the KOLO Channel 8 Web site on candidates and issues. Over the years, we have also used and made the supplement in the *Nevada Appeal* available. We certainly are not budgeted to mail these guides out, but we would make them available either at the library or at our office.

CHAIR CEGAVSKE:

Would you instruct the public to call the Secretary of State's Office and ask Ms. Parker to mail the guide to them?

MR. GLOVER:

That is exactly what we had in mind. If people call, we were going to refer them to the Secretary of State's Office.

CHAIR CEGAVSKE:

Okay, Ms. Parker is fine with that.

SENATOR BEERS:

Did you get any kind of a count on how many people looked at the supplemental information in the guide on the Internet?

MR. GLOVER:

No, we did not. As we were sitting here earlier, I was asking myself how many people really hit that Web site to look at the guide? On our Web site, we listed the Easy Voter Guide Web site and the Secretary of State's Web site for information about candidates and information. That would be very interesting to know how many people really did.

PHYLLIS DRYDEN (Office of Career, Technical and Adult Education, Department of Education):

I am here today to speak for Dr. Keith Rheault, Superintendent of Public Instruction, to say we do support this bill. Personally, I used the voting guide because I had direct access to it. It is wonderful. We support it because we are a part of the educational process, especially with adult education. We also deal with civics in our adult education programs. Senate Bill 227 made this material easy to read for any level of the adult students in the adult education programs.

CHAIR CEGAVSKE:

Did the money come from Adult Education?

MS. DRYDEN:

It was federal money from the Adult and Family Literacy Act.

CHAIR CEGAVSKE:

It was federal dollars. Do you remember how much it was?

MS. DRYDEN:

Ms. Moen said it was \$18,000.

MARY KATHERINE MOEN (Office of Career, Technical and Adult Education, Department of Education):

This project came to light as a result of a Nevada State Library and Archives employee who received a leadership grant from my federal funds. We started with our collaborative effort there at the State Library. Once we got going on the project, I reluctantly joined in.

I have never been involved in a project which fed me to the degree this one did, in terms of renewing my passion for our democracy, what we do and what we can do. I am proud to have been a part of this project. It had an enormously broad impact on and through the adult education community. I am talking about 40,000 adult education students in this State, who are either voters or would-be voters. In adult basic English and English as a Second Language (ESL) programs, we receive federal funding for over 80 percent of the ESL adult students, who very much mirror the population in our State. For these folks, I was most grateful that we had something like this project.

Some of the funding we received for the adult education is for English literacy and civics. It is supposed to go toward teaching English literacy in the context of civics, such as how to be a better citizen, how to vote and how to be a better parent. Approximately 40,000 voters and would-be voters in the Nevada adult education programs had access to these booklets. They were distributed to all adult education programs in the State, as well as to all the libraries and the League of Women Voters.

We know we did not get it to everyone. In our debriefing, we decided our major problem was distribution. We were simply unable, with the time and the collaboration we had, to get the guide to every place we wanted. We are astounded that just one printing brought us to this and are ever so grateful to have this kind of an impact. It is terribly exciting.

SENATOR CEGAVSKE:

How many total guides were published in each language? Does anybody know?

MS. MOEN:

I do not remember. I did not operate on the publishing part of the project.

CHAIR CEGAVSKE:

The Easy Voter Guide had 150,000 copies in English and 50,000 in Spanish.

MS. MOEN:

The project coordinator, as Ms. Parker mentioned, worked with the adult students. We had five adult students, from four different countries, cultures, original languages and literacy levels, working on this. They received small stipends; it became their job to put this guide together. It was extremely bipartisan; they were cautioned the whole way through to remain bipartisan. They did not change any of the biography information sent in by the candidates. The League of Women Voters was highly involved in that process. If they felt the language was too sophisticated, they sent it back and asked that the material be rewritten. It was never changed without the candidate's knowledge.

CHAIR CEGAVSKE:

Is this just statewide? Do you get into any of the local races?

MS. MOEN:

That is correct, we only did national and State offices.

Each item was reviewed by numerous entities, including the Secretary of State's Office and the League of Women Voters, before anything was published. I have been passionate enough to let you know it has been a real honor for me to actually live civics, as you do here. I would love to see this project continue because it makes sense.

Most of the federal money I contributed went to supporting and putting the Web site together. I do not know how many hits we had on the Web site, but I do have two unsolicited thank-yous. One was from somewhere in Nevada saying how valuable it was for her to go to that Web site. The other was from a Nevada resident, an expatriate in London, who found the Web site and was able to get the information she needed to vote with her absentee ballot.

DIANA GLOMB-ROGAN (League of Women Voters of Nevada):

I have testimony prepared ([Exhibit F](#)), but a lot of the information has already been covered, so I will not belabor those points. I just want to say the League of Women Voters spent 160 hours of volunteer time in Clark County alone distributing the voter guides to people. It was also distributed in northern Nevada. Unfortunately, Senator Mathews, it did not get to everyone.

With me is Mary Lee, the President of the League of Women Voters of Nevada. She has more detailed information and can answer questions about some of the specific work which was done. The League of Women Voters is very much in favor of S.B. 227. We appreciate Senator Wiener's efforts in bringing this forward. We feel the voters need to be comfortable with the process, and the way to do that is to give them a guide. On the ballot questions, they were comfortable and thankful it was in language they could understand. It was a useful tool, and this encourages people to be a part of this process.

SENATOR MATHEWS:

If you are going to do things for the population, all the population should be included. My district is a much underserved district; this just points out how underserved it is. I sometimes say these things, and people think Senator Mathews is always complaining she did not get the ballot or the supplement. We still vote in my district whether we get the ballot or not. I tell my constituents to get in line, and we will all go together. I am fortunate this

time that the newspaper printed the ballot questions, which helped a lot. People could come and do workshops to talk about the questions. I could hardly read it because the print was so small.

MARY C. LEE (League of Women Voters of Nevada):

I want to answer some of the questions which have arisen regarding the guide. The League of Women Voters sent out letters to all the candidates who were included in the guide. We asked them to provide information about their background as well as their top three priority issues. We, basically, used the language the candidates provided. We were also concerned about lawsuits. We did not try to change the language they provided unless, like Ms. Moen said, it was complicated. Then, they were asked to submit something in simpler language. We were basically using what the candidates submitted as far as the language in the guide.

CHAIR CEGAVSKE:

Did you have to cut down on what the candidates said?

MS. LEE:

We told the candidates how many words they could submit. They just submitted their top three priorities and however many words for each. In northern Nevada, the guide was distributed and sent to the Department of Motor Vehicles. A press release was put out by the Secretary of State telling people about the Easy Voter Guide and the Web site. The League of Women Voters distributed it to all the Albertson's and Smith's Food and Drug Stores in Washoe County, as well as in Lyon County, Douglas County and Carson City. We did try to distribute them to a certain degree. In Clark County, they were distributed far wider. The League of Women Voters did a separate guide in Clark County, apart from this Easy Voter Guide, which included all the local offices. That guide was distributed, as well as this one, to a lot of locations in Clark County.

CHAIR CEGAVSKE:

Do you know how many you are going to get on your door this next election?

SENATOR MATHEWS:

Albertson's and Smith's Food and Drug Stores require those cards. You have to sign up for a card. I do not go to any store which charges me one price and

someone else another price. I know a lot of people in my neighborhood do not do that either. I do not go to stores that require me to have those cards.

MS. LEE:

The League of Women Voters did not submit any money as far as grants, but we did provide the volunteer time to gather the information for the guide. We would be happy to do so in the future.

CHAIR CEGAVSKE:

You said there were 160 hours.

MS. LEE:

That was just in distribution. We also sent out all the letters to the candidates, gathered the information from the political parties and attended meetings.

CHAIR CEGAVSKE:

I am going to temporarily close the hearing on S.B. 227 and open the hearing on S.B. 311.

SENATE BILL 311: Revises provisions relating to reimbursement for legislators for travel and other expenses during legislative session. (BDR 17-742)

SENATOR DENNIS NOLAN (Clark County Senatorial District No. 9):

Senate Bill 311 is a common sense bill. We just need to make a change in the statutes with regard to the Legislative travel allowance. The travel allowance has been established for over 13 years at \$6,800 for Legislators.

CHAIR CEGAVSKE:

I was told it was in 1987.

SENATOR NOLAN:

You are right, it was 1987. The sheet I have before you ([Exhibit G](#)) shows what the travel allowance covers. It covers the mileage paid to Legislators as well as car rental expenses, moving to and from the Legislature, furniture rental while here and the supplemental housing allowance, which is indexed by the Fair Housing Act from the U.S. Department of Housing and Urban Development. It is indexed at a one-bedroom apartment, which is pretty much at the welfare level for one-bedroom, U.S. Housing Act, Section-8 housing in the Carson City area.

[Exhibit G](#) gives you an example of what expenses a Legislator from Clark County will incur this Session. You can see the airfare from Las Vegas to Reno ranges from \$215 to \$219 round-trip. Most Legislators, right now, would love to book their flights out in advance and try to reduce that amount, but the reality is we do not know when we fly out. We often change our flights, and as soon as we do, we get hit with the higher fare. This is more often than not the cost of a round-trip flight.

The housing reimbursement is at \$616. All of us here know that is not realistic. A Legislator cannot get a hotel or a motel room for the five nights he or she is here. A Legislator cannot rent a condo or an apartment or anything else for less than, maybe, \$900 a month and up to \$1,200 a month. The entire allowance is \$616, and 4 months totals \$2,464. Furniture rental, if you do have an apartment or if the Legislator finds a house to rent, would run about \$300 a month.

The car allowance is \$127 a weekend, which is about the State motor pool rate plus what a car rental agency would charge out of the airport for taxes and such for a three-day weekend. The assumption is you are a Legislator who has a car in Carson City and needs another car to travel back to Las Vegas. That is the situation in my case. My wife has a car, but we are a two-car family with three kids. We do a lot of juggling on the weekends when I come home. A lot of Legislators will rent a car. There are some Legislators here who only have one car, and they keep it in Las Vegas. They then rent a car while they are here. That car rental is quite a bit more.

This does not take into consideration those Legislators coming from Elko, whose airfare is about twice what the Legislators from Las Vegas pay. In light of the fact there is not a State airfare rate anymore, most Legislators traveling into Carson City from around the State are going to exceed their travel allowance. Last Session, it happened as well. I exceeded my travel allowance and paid out of pocket for about the last three weeks of the Session.

Senate Bill 311 helps to take care of this inequity by allowing a base of \$7,000 for each regular session and \$1,200 for special sessions. I do not know about the rest of the Legislators, but I paid about \$1,200 out-of-pocket after the 20th and 21st Special Sessions. This would allow the Legislative Commission to establish, prior to a session, the reimbursement rate for travel. It also gives the director of the LCB the authority to provide for extraordinary circumstances if, in

fact, a Legislator has an emergency situation, such as a sick family member he or she needs to go home and attend to. If that is the case, the Legislature can approve additional costs. A Legislator who ends up with an illness and needs regular treatment, but must fly home once or twice a week for that treatment, could carry out their Legislative responsibilities. This bill would provide for those extraordinary circumstances.

That is the genesis of the bill, and you all understand the need for it. Senate Bill 311 does become effective upon passage and approval. I hope the Legislative Commission would convene during Session, as they often do, to make an adjustment in the supplemental allowance, because most of us are going to be expending out of pocket, soon.

CHAIR CEGAVSKE:

We are going to close the hearing on S.B. 311; let us go back and reopen S.B. 227.

LYNN P. CHAPMAN (Nevada Eagle Forum):

We are in support of S.B. 227. At Nevada Eagle Forum, we put out a voter guide, and we have done this since 1988. We cover everything in the voter guides, not just the statewide offices and ballot questions. We do all the county commissioners, sheriffs et cetera. We raise the money ourselves through donations. We had about 50,000 guides printed this last election, and we mailed out 15,000 of those guides. It is a lot of work.

CHAIR CEGAVSKE:

Do you print your guides in anything other than English?

Ms. CHAPMAN:

No, I do not know how to speak any other languages.

CHAIR CEGAVSKE:

I understand; it is extremely expensive to have an interpreter. It is very difficult. How many do you print?

Ms. CHAPMAN:

This last election we printed 50,000 guides, but we have done 75,000.

CHAIR CEGAVSKE:

I know I have received them in the mail, so you actually mail them to all of the Legislators.

MS. CHAPMAN:

Yes, we have mailed one to Senator Mathews. We have mailed out about 15,000 voter guides in the past. My daughter and her boyfriend were able to vote for president this last election; they were very excited about being able to vote. What was most important was not voting for the president, although that was exciting, but that they had something to use for the ballot questions. They did not understand most of those questions, and the guide was important. Anything like this for ballot questions is a great idea. It is valuable, especially for new voters who are not quite sure of the issues. This is a good idea. I have frequently been asked to bring voter guides to various people. That is how we get a lot of our guides out; we hand them out.

JANINE HANSEN (Independent American Party):

I have supported this concept for many years. Former Senator Joseph M. Neal, Jr., had a similar bill to S.B. 227. The guides have been successful in states like California and Washington, and other states use them. If you have questions about how this would work, those states might be sources for answers. I suggest we add the Legislature to the guide because it is important, and it would add greatly to the usefulness of the voter guides. I was one of the candidates covered in the voter guide. They told the candidates how many words we could use and the format they wanted. We could participate in that way. They did not censor what we wanted. I felt comfortable about that.

We now have committees selected from citizens who are advocates on either side of the ballot questions. Who supervises the language which actually goes into the guide? Until Senator Raggio brought it up, I had not known the guide was an issue in other states where there was litigation, but you can find out if litigation occurred. The ballot issues may be an area open to litigation. If the candidates provide their own language, that should not be open to litigation, but the ballot issues might. I wanted to ask about that especially since citizen committees prepare the language. Apparently, the problem was that it was not on a level they could understand.

I have another question about the fiscal impact. In California, one of the ways they raise money for the ballots is they actually charge the candidates a certain

amount of money to put their statements into the guides. It is probably one of the cheapest ways they can participate and is valuable for the candidates. We have been doing our guide for the Nevada Families Eagle Forum since 1988. People are interested in being informed voters, but it is difficult, so these guides are popular. This bill would not change the fact we would continue to do our own, but we still support this.

Who determines whether proposed constitutional amendment or statewide measure language is objective or not? In S.B. 227, it says the information is supposed to be objective. I am concerned about who decides that.

We support this concept because the more information that can go out to the voters, the better. I did get one of these guides, [Exhibit D](#) and [Exhibit E](#), and I was impressed with what I saw. There are many ways to get the guide out. We have our volunteers write to us and ask for as many copies as they need. Then we ship those guides to them, and they give them out to the people they know. We have a chairman in every county who is responsible for getting them out. We had almost no guides left after this last election. They were popular.

I understand why Senator Wiener wants to put the questions in here, because the most popular portion of our voter guide is the information we provide on the questions. Again, I would like to see the Legislature added, because it is very important. I would start with the Legislature. We raise our own money. It is always a problem with money, but there are other options available. This is a worthwhile project, and we do support it.

CHAIR CEGAVSKE:

Do you support the project? Are you saying it is the funding mechanism you have a problem with?

MS. HANSEN:

I do not have any problem with the funding mechanism. This project is worthwhile for government to spend money on. You will not hear me say that very often. There is also the option of getting grants. I suggested you could even charge candidates to put their statements in the guides like they do in California. That would raise money for the project.

CHAIR CEGAVSKE:

I will now close the hearing on S.B. 227 and open the hearing on S.B. 329.

SENATE BILL 329: Provides for option of voting "no preference" for ballot question or certain offices. (BDR 24-1328)

SENATOR BEERS:

Senate Bill 329 came about after hearing from voters who had particular races they did not want to vote in. This is not an uncommon phenomenon when there is only one major party represented in a legislative general election. The voters found they were unable to not vote in that particular race because of the programming of the election machines. When they left a race blank, the election machine would bring the voter back to the screen where they had not voted and would encourage them to vote. To allow deliberate under-voting, this bill would add a choice on all races which do not have "none of the above" to vote "no preference."

Section 2 of the bill describes tabulating the vote from such a system. Section 3 does the same thing for ballot questions. Section 4 and section 5 are technical. Section 6 is somewhat anachronistic since it describes mechanical voting systems. We are moving toward having digital voting systems. Finally, section 7 includes these requirements for the output of the voting machine.

SENATOR RAGGIO:

What does having a "no vote" option on a particular race do? Does it have an effect on the ballot being counted as a proper ballot?

SENATOR BEERS:

It has always been common to see a smaller total number of votes cast on a legislative race than on the presidential race at the top of the ticket. Presumably, that is because some people believe they do not know enough about the candidates at the lower-level races, so they opt to not vote rather than make a mistake. I heard from some people who wanted to do that, but felt they were not allowed to because the programming of the voting machines would tell the voters they forgot to do their civic duty. The machine would bring the voter back to the race they had deliberately not wanted to vote in. One of the voters said she was eventually able to navigate out of the loop without casting a vote. The spouse of that person indicated he was unsuccessful and ended up casting a vote in that race, just to get done voting.

SENATOR RAGGIO:

It could still happen even if you had the option on the ballot and they did not check that box.

SENATOR BEERS:

Right, the assumption has been that under-voting is something bad we want to reduce through technology. Under-voting is a time-honored technique for the voter. The voters can say, although they did not do their homework on the lower-level races and do not want to vote on them, they do want to vote for the president. Senate Bill 329 would delineate a "no preference," so those people could vote on their first pass and not have to navigate the screens which warn them they did not vote on a particular race.

CHAIR CEGAVSKE:

I went over to the Secretary of State's Office, and I looked at the new machines. Where I voted, I had the old version where you could read and look at the whole screen. There had been some concerns about people not being able to vote "no" on the new machines. The machines bring the voter back to the race they did not vote in and ask the voter if they are sure they did not want to vote for either one of the candidates. When I first saw that machine and how it operated, it gave the voters the option of "none of the above."

MS. PARKER:

We support Senator Beers' bill. We have had several voters say they wish they could vote "none of the above" on everything. There are a couple of minor issues. It might not be a bad idea to have the option say "none of the above," which is similar to the other ballots. I do not know how Senator Beers feels about that.

SENATOR BEERS:

I am fine with that, but there may be 62 other people here in the building who have a problem with that particular expression. I went with "no preference" in an attempt to get around that.

MS. PARKER:

The suggestion was made because there is going to be "none of the above" on some races and "no preference" on others. It is a potential confusion issue for the voter. We still support the bill even if it ends up being "no preference."

This bill particularly states we do not report in the abstract the totals that were voted "no preference." The only concern we have is, if we are going to give "no preference" as an option, why would we not include how many people voted "no preference" in the totals, the abstracts and all the reporting. We currently report those totals for the "none of the above" option.

SENATOR BEERS:

My answer for that question is the same as for the previous question.

MS. PARKER:

That would be a suggestion. We will probably get questions about how many people did vote "no preference." We would not be able to answer them. We would have the record, but we would be prohibited by this bill from reporting that.

CHAIR CEGAVSKE:

Senate Bill 329 would prohibit you from reporting it?

MS. PARKER:

Yes, it is not allowed to be included in the tally or the abstract.

CHAIR CEGAVSKE:

Was it your intent not to have that recorded, Senator Beers? They are saying it is in the bill. What section are you in?

MS. PARKER:

It is in a couple sections. Section 2, subsection 2, reads, "Only votes cast for the named candidates may be ... listed in any tally list, posting of voting results or abstract." There is also language, with respect to the measures, in section 3, subsection 2. Therefore, we could not provide the "no preference" information based on the language in the bill. I did not know what the intent was.

CHAIR CEGAVSKE:

Do you already calculate the "none of the above" votes?

MS. PARKER:

Yes, we do currently calculate that for the races it applies to.

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CHAIR CEGAVSKE:

Senator Beers, was your intent to not have it tallied?

SENATOR BEERS:

It was at the time of drafting, but I am certainly willing to discuss it.

SENATOR HARDY:

What public purpose would it serve to report on a candidate who got 30 percent of the votes under "none of the above"? What purpose would it serve for them to be embarrassed publicly?

CHAIR CEGAVSKE:

"None of the above" is already calculated, so it is happening to candidates now.

SENATOR HARDY:

Why would you publish it?

CHAIR CEGAVSKE:

They already are.

SENATOR HARDY:

Senate Bill 329 would prohibit them from doing that. I think that is a better policy. I do not see a public purpose for embarrassing a candidate who puts his name on the ballot and gets a lot of "none of the above" votes.

CHAIR CEGAVSKE:

It is my understanding, Senate Bill 329 would only prohibit the "no preference" tally. The "none of the above" votes would still be published.

SENATOR HARDY:

Then, let us prevent that from happening.

MR. LOMAX:

There is a technical issue here. We cannot do that. When you list the "no preference" selection on the voting machine, the voting machine tallies it as if it were another candidate. When the machine runs through everything, it is going to tally that, print it and it is going to show up. We do not have an ability right now to edit that out. Everything we currently use for all our reporting is there.

SENATOR HARDY:

It goes automatically from there to the public? There is no way to intercept that?

MR. LOMAX:

We would have to intervene somehow to try to do that. I am saying all the reports we currently post on our Web sites come out automatically. The machine sees the "no preference" selection as just another candidate. We would have to get with our software person about that.

SENATOR HARDY:

There would be a legitimate public policy reason to do that then.

SENATOR BEERS:

I agree with Senator Hardy. Let us go ahead and draw up an amendment to avoid a fiscal note on this. Let us eliminate that provision.

MS. PARKER:

The only other comment I have is for the sake of the voters who chose to lodge a protest vote. That would be the only other public policy concern we have. This State has the lowest number of residual over-votes. We think part of the reason is the ability of the voters to lodge that protest vote. To not report that to them, it would be for the voters.

The other issue is with respect to this loop and the summary screen. Under HAVA, you have to inform the voters if they under-voted prior to casting their ballots, in case they did not mean to under-vote. That is why you get the summary screen. Mr. Lomax can further expand on the one situation where you might end up in a loop. Other than that, when voters go to the summary screen and are informed they under-voted, they have to push the button to go back to the race to cast their votes or cast their ballots with the under-vote.

SENATOR BEERS:

Would HAVA be satisfied with a "no preference" choice having been selected? Would it make that race no longer count as an under-voted race for purposes for complying with HAVA?

MS. PARKER:

Yes, when you go to the summary screen, it will show you voted "no preference." It will not go in as an under-vote.

MR. LOMAX:

I have a couple other observations. We will get a zillion questions about why "no preference" is for some races, and "none of the above" is for others. If you need that to pass this bill, then fine.

Section 7, subsection 1, paragraph (d), subparagraph (3) says we are supposed to record "the total number of votes recorded on the mechanical recording device indicating votes against all candidates" There is no such thing. People do not vote against candidates. Something got out of whack with that provision. I am not even sure what the intent is. Subparagraph (4) says, "the total number of votes recorded on the mechanical recording device indicating votes of no preference for or against any candidates" The provisions above it say we have to record the votes for candidates and for and against measures. I am not quite sure what subparagraph (3) is intended to refer to.

SENATOR BEERS:

That needs to be rephrased. It is supposed to refer to the "none of the above" races. What are the Committee's thoughts on converting the existing "none of the above" choices to "no preference"? That would make it consistent across all races.

CHAIR CEGAVSKE:

I do not think it makes much difference. I, personally, do not have a problem with that.

SENATOR TITUS:

I understand that "none of the above" sounds a little harsher than "no preference." It is kind of like dead end as opposed to no outlet. Why not make it as simple and consistent as possible, so voters do not get confused and think it means something it does not. I would make them all the same, whatever it ends up being.

CHAIR CEGAVSKE:

That was his request. Would everyone in the Committee feel comfortable with "no preference"?

SENATOR TITUS:

Can you then change the federal race, too? Can we change them all? What about ballot questions? What if someone has "no preference" on those? Could they say "no preference" on ballot questions as well as candidates?

CHAIR CEGAVSKE:

Yes.

SENATOR WIENER:

We were talking about whether it would apply to a ballot question. "No preference" seems to be a more appropriate response for a ballot question than "none of the above." If we are looking for consistency as a response to questions and candidates, "no preference" seems more appropriate.

CHAIR CEGAVSKE:

It sounds like the majority of the people on the Committee we have left agrees with Senator Beers.

MR. LOMAX:

Using the optical scan absentee ballot we have now, if we added 50 additional "no preferences" to that ballot, it could push us into a second page. If we have to go to a second page, it will cost \$100,000. It could also do nothing. I do not really know. It depends on how many contests are going to be on a ballot. You are adding, potentially, a significant number to the ballot.

SENATOR BEERS:

We are probably going to put the ballot on a second page just with the Legislature's ballot questions.

SENATOR MATHEWS:

I do not know who said this, but it did not originate with me. Consistency in all of this is a mark of a small mind. Why do we not do what we are doing? That is what consistency is; it is the mark of people who cannot think beyond the box.

MR. GLOVER:

I cannot add much more to this. I echo what Mr. Lomax just said. There is a potential fiscal cost to this if we have to go to additional pages. It is very confusing for voters when you have to do that. People tend not to vote as much on that second page. You do not want to do a two-page ballot if you can avoid

it. It would probably only occur in those years in which there are a lot of ballot questions.

SENATOR BEERS:

In all seriousness, it is an issue truly spawned by the electronic voting machines. I am amenable. On a paper ballot, someone who wants to express "no preference" in a particular race is simply not going to vote, and then they are done. If the Committee feels it is appropriate, I would not be averse to only making this apply to electronic voting machines.

MS. PARKER:

You cannot do that. It has to be uniform for the voter. I do not think that would pass constitutional muster.

LUCILLE LUSK (Nevada Concerned Citizens):

I want to testify in favor of S.B. 329. We had a tremendous increase of people this last voting cycle asking if their ballots would be thrown out if they chose not to vote in a race. People want to be responsible. They do not want to vote by guessing if they do not know. This could give them a real benefit. There is a difference between "no preference" and "none of the above." "No preference" means the person does not know. They are not saying one candidate is bad, they just do not know, and they do not want to guess. "None of the above" means the voter does not like any of the candidates. If you want to make it consistent, I prefer "no preference."

MS. HANSEN:

I concur with Ms. Lusk about using "no preference." It better characterizes what is happening. I am sorry we have been pushed into this by the electronic age because it does not really serve a good public purpose to have "none of the above" or "no preference" on the ballot. In the past, we have always been able to not vote, which is sometimes how I want to vote. I do not want to do it. I am not really opposed to this bill, but I am opposed to the situation that puts us in this position. I neither like "no preference" nor "none of the above."

One other option besides "no preference" is just not voting in the particular race. If we are forced into a "no preference" option, that is okay. I am now voting absentee because the precinct I am in has become so devoid of voters. That is a new experience for me. On the record, I do prefer "no preference," but there is also the option of not voting. I really do not like any of them.

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SENATOR BEERS:

I would agree. However, HAVA requires the voter to navigate a light guilt trip in order to not vote.

CHAIR CEGAVSKE:

I will now adjourn this meeting of the Senate Committee on Legislative Operations and Elections at 3:37 p.m.

RESPECTFULLY SUBMITTED:

Elisabeth Williams,
Committee Secretary

APPROVED BY:

Senator Barbara Cegavske, Chair

DATE: _____