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

## Seventy-Seventh Session April 9, 2013

The Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 4:13 p.m. on Tuesday, April 9, 2013, 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 nelis.leg.state.nv.us/77th2013. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's **Publications** Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

#### **COMMITTEE MEMBERS PRESENT:**

Assemblyman James Ohrenschall, Chair Assemblywoman Lucy Flores, Vice Chair Assemblyman Elliot T. Anderson Assemblyman Wesley Duncan Assemblyman Pat Hickey Assemblywoman Marilyn K. Kirkpatrick Assemblyman Andrew Martin Assemblyman Harvey J. Munford Assemblyman James Oscarson

#### **COMMITTEE MEMBERS ABSENT:**

None

#### **GUEST LEGISLATORS PRESENT:**

Assemblyman Ira Hansen, Assembly District No. 32
Assemblyman Lynn D. Stewart, Clark County Assembly District No. 22



#### **STAFF MEMBERS PRESENT:**

Susan Scholley, Committee Policy Analyst Kevin Powers, Committee Counsel Karen Pugh, Committee Secretary Macy Young, Committee Assistant

## **OTHERS PRESENT:**

Lynn Chapman, representing Nevada Families for Freedom

John Wagner, representing Independent American Party

Stacey Shinn, representing Progressive Leadership Alliance of Nevada

Maddi Eckert, Private Citizen, Reno, Nevada

Vanessa Spinazola, Legislative and Advocacy Director, American Civil Liberties Union of Nevada

Reverend Mike Patterson, representing Religious Alliance in Nevada

Donald Gallimore, Sr., Private Citizen, Sparks, Nevada

Elisa Cafferata, President and Chief Executive Officer the Nevada Advocates for Planned Parenthood Affiliates

Scott F. Gilles, Esq., Deputy for Elections, Office of the Secretary of State

Trudy Stanford, representing Nevada Legislative Affairs Committee

David Goldwater, Private Citizen, Las Vegas, Nevada

James Westrin, Commissioner, Division of Mortgage Lending, Department of Business and Industry

Charles A. Mohler, Member, Advisory Council on Mortgage Investments and Mortgage Lending

Martin Dean Dupalo, representing Nevada Center for Public Ethics

Cadence Matijevich, Assistant City Manager, Office of the City Manager, City of Reno

Brian Reeder, representing Northern Nevada Chapter of Associated General Contractors

Paul J. Moradkhan, Director, Government Affairs, Las Vegas Metro Chamber of Commerce

#### **Chair Ohrenschall:**

[Roll was taken. Committee policy and procedure were reviewed.]

Today we have five measures before us. We will begin with <u>Assembly Bill 216</u> and <u>Assembly Bill 319</u>. Due to their similar nature, Mr. Hansen and Mr. Stewart have agreed to present their bills together.

Assembly Bill 216: Revises certain provisions governing voter identification. (BDR 24-125)

Assembly Bill 319: Requires photographic identification for voting. (BDR 24-162)

## Assemblyman Ira Hansen, Assembly District No. 32:

I am here to present <u>Assembly Bill 216</u>, which is very similar to Mr. Stewart's bill, <u>Assembly Bill 319</u>. Simply put, our bills will require photo identification (ID) to be presented when voting. Nevada would not be the first state to enact this kind of legislation. As you know, there are other states that have strict photo identification requirements: Georgia, Indiana, and Tennessee. There are many other states that are considering or have passed relatively strict identification laws. [Read from prepared text (Exhibit C).]

While some people may think this a radical concept, consider the long list of situations in which we are required to show photo identification in Nevada:

- Obtain a marriage license, as in *Nevada Revised Statutes* (NRS) 122.040.
- Buy cigarettes, as in NRS 202.2493.
- Buy over-the-counter drugs containing pseudoephedrine, as in NRS 453.357.

There are 12 examples listed. [Read from prepared text (Exhibit D).]

We do not think this is radical at all. The reasoning behind <u>A.B. 216</u> is the increase in public perception that there is voter fraud in this state. I am not here to suggest that there is, but there is a strong desire among the citizens of Nevada for this very reasonable request: people should provide photo identification prior to voting.

#### Chair Ohrenschall:

Mr. Hansen, regarding the states you mentioned that have adopted this type of legislation—Georgia, Indiana, and Tennessee—how long have they had their voter identification programs, and have they lead to any significant improvements in either voter participation or lack of fraud?

## **Assemblyman Hansen:**

I do not have the answers to those questions. I do know that the Indiana statute was challenged and went to the U.S. Supreme Court, which found that it passed constitutional muster. I suspect most of these are relatively current because of that constitutional challenge.

#### Chair Ohrenschall:

In Nevada, when your driver's license expires, you must go in to apply for a new one. Under the new system, the driver is issued a paper document and the clerk punches a hole through his old license. The Department of Motor Vehicles (DMV) then tells the driver that he must keep the paper document and the old driver's license until the new driver's license arrives in the mail. Would this create an issue for someone to vote within your statutory scheme if he had the expired license with the paper document from the DMV? If someone does not have a passport or a military identification, just his Nevada driver's license or Nevada identification card, and he is waiting for the DMV to send him the new one, I am concerned that under this statutory scheme someone might challenge that person's right to vote.

## **Assemblyman Hansen:**

We are looking for reasonable. To me it would be unreasonable to deny your right to vote because there is a hole punched in what is clearly a photographic identification. If they had punched out your entire face, there could be a reason to question it. Again, we are looking for reasonable, so if we need to add something to ensure that this, on the regulatory level, addresses such an issue, then we certainly can do that.

#### Chair Ohrenschall:

Are there any other questions for Mr. Hansen?

#### **Assemblyman Hickey:**

Mr. Hansen, the argument is made that with bills like this, and we are going to be hearing some others, it is just another tool for election officials to identify someone. It gives us a greater sense of assurance of the identification. Could you expand on your reasoning as to why you consider this reasonable to require of people?

#### Assemblyman Hansen:

To elaborate, in our society we use photographic identification for many things all the time. You cannot cash a check without identification. I think that for something as important as voting, we want to make sure that there is absolutely no perception of fraud in the public's mind regarding our election process. Even though I believe there is no evidence to support this, I think there is a public perception that this is something that needs to be done to ensure the integrity of the process. Now, with computerized voting, there are many areas of increasing concern, and this will help alleviate at least one of those concerns expressed by the majority of Nevadans.

#### **Chair Ohrenschall:**

Does the Committee have any other questions for Mr. Hansen?

## **Assemblyman Duncan:**

My constituents in Assembly District No. 37 really care about this issue, so I appreciate your bringing it forward. I am curious, though, because I often hear arguments for and against measures such as this. In Indiana, as you are most likely aware, it is my understanding that they give out photo identification to those eligible voters who do not have a government-issued identification. Do you have any idea of the number of identification cards they may have issued under this law? Or of the numbers of disenfranchised persons who were not allowed to vote because they did not have some form of photo identification?

## **Assemblyman Hansen:**

Frankly, no, I do not have any numbers or statistical information on that. However, I would imagine if there had been a situation where someone tried to vote and was denied because of that, it would have been major news across the country.

For those who do not have photo identification, we provide a mechanism in the law to ensure that they can get one, so everyone who is an eligible elector may cast a ballot. I have not heard of any cases of a person being denied the right to vote because, for whatever reason, he could not produce a photo identification or that the government was trying to deny him a photo identification.

#### **Chair Ohrenschall:**

Are there any other questions from the Committee for Mr. Hansen?

#### Assemblyman Oscarson:

I, too, have heard from a significant number of my rural constituents about voter identification. They ask what we are planning to do with the voter identification issues that had been publicized last summer. It was very important to them that there was some type of identification shown at the polls. So I too appreciate your bringing this bill forward. It is an important issue.

## **Chair Ohrenschall:**

Are there any other questions for Assemblyman Hansen? [There were none.]

## Assemblyman Lynn D. Stewart, Clark County Assembly District No. 22:

This is the third time I have introduced a photo identification bill in this Assembly and the first time I have been able to present it at a hearing, so I appreciate the Chairman granting me this privilege. Much of my testimony has already been given by the eloquent Mr. Hansen, but I would like to share some personal experiences with you.

Two weeks ago I left for the airport, and before I was able to board the plane I had to show identification. When I went to my credit union to deposit my meager check and withdraw some cash, the woman behind the counter asked to see my identification. After pocketing my \$50, which would have to last me through to the weekend, I went to vote, and the person in front of me took out his photo identification. Many people, especially if they came from out of state, expect to be asked for identification when they go to vote. Sometime ago when I took my grandchildren to see the volcano at The Mirage, a police officer came up to us and asked me for identification. In my personal life on numerous occasions I have be required to show identification.

In my bill, and in Mr. Hansen's, we list the various types of identification that will be acceptable. An individual can go to the county clerk, and if she does not bring one of those different sources of identification, she can get one free of charge under this bill. It is a very simple thing. I agree with what Mr. Hansen said, that in this modern society we all have to show identification on so many occasions that this is not a great burden on anyone.

#### Chair Ohrenschall:

Are there any questions for Mr. Stewart?

#### **Assemblyman Duncan:**

How does it work if a person wants to get an identification card? Do they obtain one from the state? Who do they call or how does that work?

#### **Assemblyman Stewart:**

As an example, my aunt, who lost her driver's license, just went to the DMV and they gave her a substitute driver's license, which will suffice as identification.

## **Chair Ohrenschall:**

We went to the Indiana Secretary of State's website and looked up the state voter identification law, and they are not reporting any problems with their current system. Are there any other questions for Mr. Stewart or Mr. Hansen? [There were none.] Is there anyone who is in favor of <u>Assembly Bill 216</u> or Assembly Bill 319 and would like to testify?

#### Lynn Chapman, representing Nevada Families for Freedom:

We support both bills and believe they will increase the integrity of our elections and go a long way in helping to alleviate people's fears of voter fraud. As many have previously testified, we show our identification for almost everything we do in life.

#### Chair Ohrenschall:

Are there any questions for Ms. Chapman? [There were none.]

## John Wagner, representing Independent American Party:

We, too, feel strongly that showing identification to vote is not unreasonable. And should a voter forget his identification at home on Election Day, there are provisional ballots available. We support both bills.

#### Chair Ohrenschall:

Are there any questions for Mr. Wagner? [There were none.] Is there anyone else who would like to speak in favor of <u>A.B. 216</u> or <u>A.B. 319</u>? [There was no response.] I will now move to opposition. Is there anyone opposed to either measure who would like to testify?

## Stacey Shinn, representing Progressive Leadership Alliance of Nevada:

The Progressive Leadership Alliance of Nevada (PLAN) is against A.B. 216 and A.B. 319, and will considered both bills negatives on our Racial Equity Because research has shown that up to 11 percent Report Card. Why? of eligible voters across the country do not have the type of identification specified in these bills. This 11 percent is primarily composed of the elderly, students, minorities, and those living in poverty. It is estimated that 25 percent of African Americans, 16 percent of Latinos, and 18 percent of U.S. citizens over the age of 65 do not have such identification, indicating this type of requirement unjustly discriminates against some groups more than others. We know that 20 million eligible voters in the U.S. lack the type of identification required by this bill. There are many reasons why. Many people live ten or more miles away from the nearest DMV office, and these offices are closed on weekends and evenings. By definition, individuals that do not have driver's licenses do not drive, so they need to arrange private transportation or spend hours traveling by public transportation. They may require unpaid leave from They also need identifying documents in order to obtain such identification, which can be costly. In evaluating the necessary documentation costs to obtain an identification for voting, it is clear that providing the identification, even for free, may not be an adequate solution to the problem.

Other viable options exist to increase the security and accessibility of voting for eligible citizens. Rather than spend time and money on an intervention that has

no evidence demonstrating its effectiveness, we should be considering interventions, such as automated voter registration and computerized poll books that have been proven to increase accuracy of the rolls and reduce the opportunity for fraud. We know solutions exist that will improve our elections without disenfranchising any eligible Nevada voter. In a state such as ours, where voter turnout is already among the lowest of all the states, we cannot afford to implement laws that will further reduce civic participation in Nevada.

#### **Chair Ohrenschall:**

Ms. Shinn, of the states that Mr. Hansen mentioned—Indiana, Georgia, and Tennessee—do you know if there is any data where people have been frustrated in their attempt to vote because they did not have the proper identification? Or if they had trouble getting the documents they needed in order to obtain a valid identification card?

## Stacey Shinn:

I am not completely sure, but I would venture to say that I can find out and can prove that it is an additional burden. In my days of working as a social worker this was a definite problem here in Nevada.

## Assemblyman Hickey:

Of those 11 percent of eligible persons you quoted, or approximately 20 million, do you think any of them, for any reason, are involved in public assistance or other government programs? If so, would they not already need identification in order to qualify for some of those benefits?

#### Stacey Shinn:

In some cases, yes, they would, but in some cases they are just living in poverty, not receiving any form of assistance, and are unable to obtain identification.

#### **Assemblyman Hickey:**

You suggested automated registration as an alternative. My understanding is that a person must have some form of identification to register to vote online. Is that correct?

#### Stacey Shinn:

Yes. Currently, most systems use your Social Security number or your state identification number to register online. In Nevada we only accept the Nevada identification number or driver's license number in order to register.

#### **Chair Ohrenschall:**

Are you aware of many instances of fraud here in Nevada that have occurred under our system?

## Stacey Shinn:

No, I am not.

#### **Assemblyman Elliot Anderson:**

I wanted to offer a brief comment in support of Ms. Shinn's assertions. I work with homeless veterans, and one of the things we try to do is get the DMV to help them obtain identification. Unfortunately, half the time the DMV is not able to process their requests for identification because the veterans do not have the correct paperwork. When you are down and out, it is not always as simple as going to the DMV and picking up a license. Regardless, you still have the same right to vote.

#### **Chair Ohrenschall:**

That is a very good point, Mr. Anderson. Are there any other questions for Ms. Shinn? [There were none.]

#### Maddi Eckert, Private Citizen, Reno, Nevada:

I am a high school student representing myself. I am proud to say that I will definitely be voting in the next election. Many states that have already imposed strict voter identification laws have had to defend those laws in federal court. Even when the constitutionality of such laws is upheld, the law is open to continuing litigation by individuals unduly burdened by the law. [Read from prepared text (Exhibit E).]

## Chair Ohrenschall:

We are very impressed to have someone from high school come and testify before us. I am sure your teachers are very proud. You have a wonderful sense of civic engagement. Are there any questions for Ms. Eckert? [There were none.]

## Vanessa Spinazola, Legislative and Advocacy Director, American Civil Liberties Union of Nevada:

I echo the comments of Ms. Shinn and Ms. Eckert. I would like to point out, as Assemblyman Anderson indicated, voting is a constitutional right and therefore should not be dependent on voter identification. Cashing a check is not a constitutional right and neither is walking outside of your house. There are more constitutional amendments that protect voting than any other right that we have. It is absolutely sacred; it is what being an American is all about and there should not be any impediments placed on that.

There have been discussions about disenfranchisement and the result. I want to echo that even a free identification still costs money. People still need to have a birth certificate. They still need to have other identifying documentation in order to get that identification. I am from Louisiana, and after Hurricane Katrina we lost everything. It took me six months to get a Social Security card out of the Social Security Administration. A fire can hit your house, and many other things can interfere with your ability to get the needed documentation to get the identification, so free does not necessarily mean free.

I just want to point out that there are significant numbers of people who get through this world without having a photo identification. There are homeless people who do not have any sort of identification and they should not have barriers put up which prevent them from voting. By putting up a voter identification requirement, you are burdening the most marginalized people in our communities, and I do not think that is what this country is all about.

#### Chair Ohrenschall:

I can empathize with what you say because I have worked with constituents who ended up losing everything they had, and that struggle to get copies of their birth certificates so they can get their identification cards can be quite challenging.

We heard testimony that these measures were not being brought in response to a particular problem but to a perception of a problem. Do you know, in the states that did pass it, was it in response to concrete instances of fraud or was it in response to a perception of a problem?

## Vanessa Spinazola:

I do not have the answer to that question. If the Committee is interested in seeing real cases, the American Civil Liberties Union (ACLU) in Wisconsin is challenging the Wisconsin voter ID law. Our website has five cases with photographs and stories of individuals who cannot vote in Wisconsin due to the fact that they do not have the necessary identification. So I did want to address that. But I agree with what Ms. Eckert said, that in-person voter fraud, which is what this bill is aimed at, is practically nonexistent to my knowledge.

#### Chair Ohrenschall:

A lot of times we look at a bill and we ask ourselves, what is the problem? I wonder if there is actually a problem here or just the perception of a problem.

#### **Assemblyman Munford:**

There is another group that experiences disenfranchisement, and that is ex-felons. They have to go through a very extensive process to have their voting rights restored, and I am sure during that process they will need to obtain photo identification. Even when they go to the DMV, they often have difficulty with the paperwork and the things of this sort. I think that is a group, to some degree, that has been disenfranchised and ignored and overlooked, and there are a lot of them.

#### Chair Ohrenschall:

Are there any other questions?

#### **Assemblyman Duncan:**

My understanding is that the Indiana law has provisions which allow a person to vote and then, within ten days after the election, they must go to the election official's office and show their identification or sign something that says they do not have any identification. I am curious how that sort of scheme, where a person lacking identification signs an affidavit that states so, is a tremendous burden on those persons that were mentioned by PLAN and by you. I was hoping you would respond to that.

## Vanessa Spinazola:

I think the first part of the law, which requires someone who has identification to go back to the voting booth or the election official's office, puts a lot of pressure on people who are working multiple jobs and have to fight to get the time off to vote in the first place. People I know have lost their jobs because they waited in line too long for early voting or on Election Day. To put that pressure on them to go back is really burdensome. Again, I think we are talking about the most marginalized people in our society.

As to the second part of your question, signing the affidavit, I am not sure. I think part of the problem with voter identification laws is it is almost the same impression that you have with voter fraud. It gets out there that Nevada has a voter identification law. People are under the impression that they have to have voter identification when they come to the polls so it basically blocks them at the door and they do not even make it as far as the polls. Unless there is some sort of educational campaign to guarantee that people will understand that, if they do not have photo identification, they can sign an affidavit and still vote. I would worry that people would have a disincentive to show up at the polls in the first place because of a misunderstanding about the law or just a general misconception in the media that they must have voter identification.

#### **Assemblyman Duncan:**

Is there a legitimate interest for the state to prevent fraud in elections?

## Vanessa Spinazola:

I understand your question, and I cannot answer it. I am not familiar with the cases to understand fully if it is legitimate or compelling and what the arguments have been.

## **Assemblyman Duncan:**

I suppose there are levels of burden. So you do not have an opinion as to whether there is a legitimate interest for the government to prevent fraud in elections?

## Vanessa Spinazola:

I think the government has an interest in preventing fraud, but I think here we do not have sufficient documented cases to do something that would interfere with a right so substantially as a voter identification fraud would be. That is just my uncited ACLU policy response to your question.

## **Assemblyman Hickey:**

You and the previous witness both talked about undue burdens. You differentiated between needing an identification for certain things that are not a constitutional right. Would you consider education a constitutional right?

### Vanessa Spinazola:

Do I have to comment?

#### Assemblyman Hickey:

Here is the point I am making: of course we require identification for students who are signing up to be educated in our schools. There is no question there, or not one that you choose to answer. I do not think it is unreasonable to require people to have an appropriate form of identification to do something as sacred and constitutional as voting.

#### Chair Ohrenschall:

Are there any other questions for Ms. Spinazola from the ACLU? [There were none.]

## Reverend Mike Patterson, representing Religious Alliance in Nevada:

I agree with the testimony given by Ms. Spinazola from the ACLU, but there are two things I want to add. First, a Committee member asked the question if there is any voter fraud in Nevada. There was an article in the Reno Gazette-Journal a few weeks ago about an attempt in the last election

by someone to vote twice. They did it intentionally to prove that our voting system had errors in it, and that woman is now under arrest and charged with voter fraud. Obviously our system works. Second, the comment was made about fixing problems that do not exist. I think that is what this does. The system apparently works; why do we want to mess with it? It is already working well. When my board looked at this and voted to oppose this bill, it was based on a perception, and we have heard that a lot in this hearing. Our perception is that some political leaders around the country have been bragging about these voter identification laws and that they will restrict voting to the people they considered appropriately educated to vote. So for those reasons we are opposed to these bills.

#### Chair Ohrenschall:

Thank you. Do you work with many folks who are qualified electors yet do not have a photo identification, perhaps because of the issues we mentioned earlier, such as having trouble getting their birth certificates from their home states? Do many of the people you try to help have trouble getting that photo identification?

#### **Reverend Patterson:**

I have to admit that nobody comes to mind.

#### Chair Ohrenschall:

Are there any other questions for Reverend Patterson? [There were none.]

## Donald Gallimore, Sr., Private Citizen, Sparks, Nevada:

This is a subject that is very dear to the African-American and minority communities in general. Mr. Hickey asked if education was a constitutional right. That is a very good question, but the answer is probably that it is not. Voting is a constitutional right which does not appear limited by having or not having a photo identification.

I would like to mention the fact that voter fraud really does not exist. I have talked to Secretary of State Miller quite frequently about this, and the propensity of voter fraud is so insignificant that there are only, from what I understand, two cases of people intentionally trying to test the system. The system is not broken and it does not need to be fixed, modified, or anything else that you are proposing at this time. Perhaps in 2016 this issue will come up, but right now I do not believe this is the time for a bill like this.

#### Chair Ohrenschall:

Are there any questions for Mr. Gallimore?

#### Assemblyman Duncan:

Mr. Gallimore, I would like to ask you the same question I asked Ms. Spinazola. Do you think that if a person does not have an identification card with them when they go and vote, and are required to return to the voting booth or the election official's office to show either their identification or sign an affidavit stating that they do not have identification, is that an undue burden on perhaps the African-American community or other communities at large?

#### Don Gallimore:

Yes, in terms of cost there is an undue burden to the government. There is going to be a cost for the voter registration entities to go back and check and verify the identification after ten days. If it were verifiable at the moment, that would save any expenditure over and above that time frame that it was supposed to be used.

#### **Assemblyman Duncan:**

So the burden, you think, is on the government as opposed to the individual?

#### Don Gallimore:

I think that your particular hypothetical situation of ten days after the vote would put an undue burden on the government, because of the additional expense of going back and verifying that person's identification.

#### Chair Ohrenschall:

Are there any other questions for Mr. Gallimore? [There were none.]

## Elisa Cafferata, President and Chief Executive Officer, Nevada Advocates for Planned Parenthood Affiliates:

The last time this body was dealing with the issue of voter identification, I went home and read in my AARP newsletter that senior citizens make up one of the largest portions of American voters who do not have voter identification. One of the reasons is that they often are no longer driving and have turned in their driver's license and do not get a replacement identification card.

Assemblyman Stewart shared a personal experience he had about presenting photo identification in order to board a plane. The last time I flew on a major airline with my son, who is 14 years old, we were going to the Republican National Convention in Florida, and 14-year-olds do not have to provide identification to fly. I would add that the Secretary of State in a recent presentation noted that 15 percent of Nevada voters do not have a form of DMV identification. I would imagine that a large portion of those folks are senior citizens who no longer are driving. That is one of the reasons why we

oppose these bills. I believe that we can develop policies and procedures and guidelines to conduct the business of this state without creating any problems.

#### Chair Ohrenschall:

Thank you. Are there any questions for Ms. Cafferata? [There were none.] Is there anyone else who is in opposition to these two measures? [There was no response.] Is there anyone who is neutral to these two measures who would like to testify?

## Scott F. Gilles, Esq., Deputy for Elections, Office of the Secretary of State:

The Secretary of State's Office is neutral on both A.B. 216 and A.B. 319. Both bills would result in a significant shift in policy as to how elections would be administered in this state, and that shift in policy is a decision for this body to make on behalf of the state.

If you watched any of Secretary Miller's testimony related to <u>Senate Bill 63</u>, you will know that his personal opinion is that a traditional voter identification bill, such as these two bills, is not good policy, particularly because of the significant costs and the potential pitfalls that arise with bills like these. At the heart of voter identification discussions is the very important issue of disenfranchisement. What I want to talk about is how the courts have recognized the disenfranchisement concerns in the states that have tried to push these types of measures. First and foremost, the courts have been very clear that an aggressive education campaign must take place to ensure that all voters know that they need it and where to get it well in advance so they are not cut off from participation in elections. I know Pennsylvania recently spent somewhere between \$3 million and \$4 million on an education campaign to make sure that their law passed constitutional muster as implemented.

There is also the concern about making the ability to obtain this identification accessible. The way I read these bills, they require the county clerk to provide this voter identification card if the voter does not have any of the other forms of identification. I think in some of our larger counties, one location to go get your voter identification card, if you need it, is not going to be acceptable. Georgia's initial attempt at this type of law was struck down because they did not offer enough free and accessible options to obtain the voter identification card. I believe that in Georgia they required a person to go through their motor vehicle division, but the federal courts in Georgia were very clear that additional offices and expanded office hours needed to be set up. They talked about the possibility of having mobile identification centers that would go around to areas where there might not be transportation options readily available to make sure everyone had the option of getting this free identification card.

Those are major concerns that would need to be addressed if and when these bills are implemented. A lot of case law is heading in the direction of not whether you can have a voter identification bill and require somebody to bring a particular type of identification to vote, but rather how you implement it and how accessible you make it. That is a challenge both logistically and financially for those states.

Ms. Cafferata indicated that 15 percent of Nevada voters do not have a driver's license. She is close. Based on our statewide voter registration list, we know that 85 percent do have driver's licenses. The remaining 15 percent we do not know. Some may have a driver's license or one of the other forms of identification on our list. We cannot quantify for the Committee what percentage or what number of voters would not have the identification necessary under either of these bills.

#### Chair Ohrenschall:

Thank you for clarifying that. Currently in Nevada, when a person goes to vote, what factors would prompt the poll worker to ask for a photo identification?

#### **Scott Gilles:**

There may be a handful of reasons a voter is be flagged to show identification. You could be flagged if you registered but had not verified your identity yet. If you sent in a mail-in registration application that did not have a copy of your driver's license attached, you would be flagged to present identification when you go to vote or sign an affidavit. Signature examination has come up a few times in the past. What happens then is the polling place worker determines that your signature does not match and you need to provide some form of government-issued identification so we have something to verify your signature against. I do not think I have covered all possible reasons, but I think there are a number of hypotheticals or situations that occur, some legitimate and some potentially illegitimate based on the poll worker's execution of the necessary procedures.

#### Chair Ohrenschall:

One of the witnesses brought up the example of the woman in Clark County who attempted to vote twice and was prosecuted. Other than that, do you have knowledge of any instances of attempted voter fraud?

#### **Scott Gilles:**

No, we do not.

#### **Chair Ohrenschall:**

Are there any questions for Mr. Gilles? [There were none.]

## Trudy Stanford, representing Nevada Legislative Affairs Commission:

I have a constitutional right to vote and I also have a constitutional right to bear arms. I have to have identification to buy a firearm. It cost me \$100 to get a concealed weapons permit and I have to pay a \$25 background check when I buy a firearm. That is a whole lot of inconvenience and expense to me. I think there should be parity between these two things. If we are concerned about firearms, why are we not concerned about voters?

#### **Chair Ohrenschall:**

Are there any questions for Ms. Stanford? [There were none.] Is there anyone else who is neutral to these measures? [There was no response.] Mr. Stewart, Mr. Hansen, do you have any closing remarks you would like to make?

## **Assemblyman Stewart:**

We appreciate the opportunity to air our views on these bills. When you go to register to vote, as Mr. Gilles pointed out, you have to show some form of identification. All we are saying is when you go to vote, show that same identification. I do not see where that is such a problem. We talked about transportation. It would be difficult for someone to get transportation to go and get the identification card. You have to get to the polls or you have to request an absentee ballot, so there is some effort that is required to vote. And that effort is no different than getting the identification in the first place. It has been constitutionally upheld in Indiana. If I were to ask how many of you here do not have identification, how many hands do you think would go up? If I went down the street and asked the first 50 people if they had identification, I bet there would not be one who did not.

#### Chair Ohrenschall:

Mr. Stewart, thank you for presenting this measure. Are there any follow-up questions for Mr. Stewart? [There were none.]

#### Assemblyman Hansen:

I would like to address a couple of the statements that were made. First, voter fraud. There are many types of voter fraud and we have been discussing only one specific type. There are definite questions about people who were not within the boundaries of eligibility, and that is one type of voter fraud that the Secretary of State has failed to address. While I think that particular type of voter fraud is not dealt with directly in this bill, I think when you start talking about voter fraud in a broad sense, there are other examples of it that absolutely do occur.

The question of a 14-year old and photo identification was brought up. Fourteen-year-olds do not vote. Essentially we disenfranchise everybody who

is 17 and under for the same reason that we disenfranchise felons, and that is because we have determined they have given up their right because of committing a crime, or they are by our standards not quite competent enough to make these types of decisions.

All of the issues that we have touched on today in this hearing were addressed in front of the U.S. Supreme Court. Like all constitutional rights, there are reasonable checks and balances. One that the U.S. Supreme Court agreed upon is that the states can require photo identification for voting. While there may be many issues raised around these bills, the bottom line is they would both be constitutional measures.

I thought it was ironic that at the Democratic National Convention they required identification to enter the floor. Did that disenfranchise all of the Democrats? I do not think so. When we look at this from a practical standpoint, a constitutional standpoint, and a legal standpoint, there is absolutely no reason that this reasonable request should not be addressed in Nevada law.

#### **Chair Ohrenschall:**

Mr. Hansen, thank you for taking the time to make this presentation. Are there any questions or comments from the Committee?

## **Assemblyman Elliot Anderson:**

Just a quick clarification. Mr. Hansen, I was a delegate to the Democratic National Convention and only showed my credential to access the floor. I did not have to show my photo identification.

#### **Assemblyman Hansen:**

You did not just walk in either, correct? You had to have some form of identification.

## Chair Ohrenschall:

Mr. Anderson? [There was no further response from Mr. Anderson.] We will now close the hearings on A.B. 216 and A.B. 319.

I will open the hearing on <u>Assembly Bill 426</u>. This bill previously was in the Assembly Committee on Commerce and Labor. We are only concerned with a proposed study noted in the bill regarding mortgage lending. The bill will be introduced by former Assemblyman David Goldwater.

Assembly Bill 426: Revises provisions relating to mortgage lending. (BDR 54-42)

## David Goldwater, Private Citizen, Las Vegas, Nevada:

I am here as a private citizen who has a lot of experience in the area of *Nevada Revised Statutes* (NRS) Chapter 645 through Chapter 645H. The entire issue for me started in 1996, when I had a constituent approach me about a problem that she had with a mortgage. This was before the colossal failure in the mortgage system. From that we started an interim study ordered by the Legislative Commission. I chaired that study, and I can confirm that this is not a partisan issue. The study's findings were reported at the 1999 Session and included a package of proposed bills. These issues are complex, they are difficult, and there are a lot of interested parties. Many of your constituents may be impacted by this.

Section 9 of this bill provides for the study, and it is worth doing. I have always been against studies, as they are like the appendices in the body of Nevada politics. We usually do not need them, but when you do, you are glad they are there.

#### Chair Ohrenschall:

We appreciate your hard work on this issue, both when you were on our side of the aisle and now working as a legislative advocate. Are there any questions for Mr. Goldwater?

## **Assemblyman Hickey:**

Like you, I am not always in favor of studies. However, this is an important area. A case in point would be looking back at Assembly Bill No. 284 of the 76th Session, which we are now desperately trying to fix. Because of our earlier actions, we ended up with quite a number of unintended consequences. My question to you is, do you think this may help? If we study it more systematically between the sessions and we get to a point of finding remedies for certain challenges, this might serve us better to do this.

#### **David Goldwater:**

I agree with you about studies. I work in tax policy and I refer almost anyone who is truly interested in tax policy to the volume of studies dating back to the 1960s that have been sitting on shelves and are still relevant today. No one seems to care or know about what went into them. In a 120-day session it makes the practice of legislating so much easier when you come here with an issue like this that is vetted. The compromises have been made. The parties have been squeezed. When you have a bill like Assembly Bill No. 284 of the 76th Session, we waste a lot of legislative time doing that type of work, which you did not need to do had you done the harder work in the interim.

#### **Chair Ohrenschall:**

Are there any further questions for Mr. Goldwater?

## **Assemblyman Martin:**

Was there any consideration in concerns of the qualifications of the members who will conduct the study? You are dealing with pretty complex financial issues, and I wondered if there was any discussion in terms of the qualifications of these appointees?

## **David Goldwater:**

That is always the tough thing on interim studies—membership. These issues are not so complex that you cannot get help from the outside. This is not a partisan issue; it never has been. It has never been a parochial issue, and so far as the houses go, it has been equally good. Really, what you are after is the best input you can get. If you have a good chairman, he or she will get the right professionals to testify. Reasonable people can make informed decisions and come to the Legislature ready to go with a package of legislation that I think benefits all Nevadans.

## Assemblywoman Kirkpatrick:

I would like to follow up on how interim studies and committees are staffed for Mr. Martin. Typically, there are as many as 40 interim committees at the end of session. The Assembly Leadership tries to make sure that everyone sits on at least one committee, and we know some people are more flexible than others. If you were in the Senate you might see only six or seven committees. But all members have the option to pick which committee they would like to serve on. If we were to require certain qualifications for membership on a committee for every study conducted, we would end up with no one on certain committees. And that is what makes us such a great citizen legislature because we can bring different perspectives together to research and discuss an issue.

I do want to ask one question, Mr. Goldwater. I thought I read in <u>A.B. 426</u> that the interim committee would be allowed to adopt regulations. Did that get put in there by mistake or is that something that the study is going to do?

#### **David Goldwater:**

I think Commissioner Westrin of the Division of Mortgage Lending is at the Grant Sawyer State Office Building in Las Vegas. He would be the best person to answer your question.

#### Assemblywoman Kirkpatrick:

It says in section 4, "The Commissioner shall adopt regulations for the licensing of . . . ." but when I went to section 4 I could not figure out what they were adopting regulations for. I thought we were going to study the issue first and then it would come back to us at the next legislative session. I just want to understand, is this before we have the study?

#### David Goldwater:

I believe the Commissioner can probably answer that. I do know this bill does provide for licensing residential loan servicers.

#### **Chair Ohrenschall:**

Thank you, Mr. Goldwater. Commissioner Westrin, can you answer the question for us?

## James Westrin, Commissioner, Division of Mortgage Lending, Department of Business and Industry:

The bill also sets up a licensing and regulatory scheme for current mortgage servicers. During the interim, there would be a licensing program for servicers, and the bill requires us to promulgate regulations to license and examine those servicers who are currently not licensed and regulated in the state.

#### Chair Ohrenschall:

That would be before the anticipated study in section 9 of the bill?

#### James Westrin:

Yes. The study would be a comprehensive review of the overall mortgage regulatory scheme.

## Assemblywoman Kirkpatrick:

I would like to follow up on one issue. We know that there is a limit to how many studies we can do based on our budget. At some point at the end of session, when we determine what studies to fund, if we could not get this study done, would the definition in this bill help you to move forward until the next legislative session?

#### James Westrin:

Are you referring to the definition of "residential mortgage loan servicer"?

## Assemblywoman Kirkpatrick:

Yes. I am trying to weigh some options here. Would this definition, which appears not to be previously in statute, be helpful and allow you to adopt

regulations if we had to take the study out and pass the bill at the end of session?

#### Chair Ohrenschall:

I would like to have our legal counsel address that.

#### **Kevin Powers, Committee Counsel:**

That is correct, Assemblywoman Kirkpatrick. If the body wanted to go forward with the substantive provisions of the bill and not the study, you would then remove the study from bill and enact the bill without the study provision, which is in section 9.

## **Assemblywoman Kirkpatrick:**

If I could clarify with Mr. Westrin, is section 1 the correct language that would be beneficial to that definition of "residential mortgage loan servicer"? Is there anything that you would change?

#### James Westrin:

I believe the definition is sufficient.

#### Chair Ohrenschall:

Mr. Westrin, how important do you believe the study is to this bill? Is it something that you would like to see happen during the interim?

### James Westrin:

Since joining the division I have had conversations with many industry stakeholders and other individuals as well as the members of the Advisory Council on Mortgage Investments and Mortgage Lending. One of the common themes that developed from those conversations was that, as a result of changes to federal and Nevada law, which were intended to address various issues that have been occurring in the mortgage industry, the laws have become convoluted and difficult to understand or comply with. If this study were to be passed and go forward, the Division of Mortgage Lending would conduct this comprehensive review of its own statutes to look at all of its regulations for the purposes of identifying ways to modernize, organize, clarify, and simplify our mortgage regulatory scheme so that we could more effectively and efficiently encourage compliance, impose enforcement, and protect consumers. Then we would bring any ideas forward as we found necessary.

## **Assemblywoman Kirkpatrick:**

I want to clarify this because I am a little perplexed. I am not comfortable saying we will pay for a study when we do not know what our budget will be.

Mr. Powers, is this bill available for exemption, or do we have to move the bill this week?

#### **Kevin Powers:**

This bill is not exempt because it includes substantive provisions that amend the mortgage lending chapters. If it had just included the study provision then it would be an exempt bill under the standard that it relates only to legislative business. As far as being exempt for fiscal matters, right now the Fiscal Analysis Division has not determined that it is eligible for exemption. So the end result is that the Committee will have to move the bill this week in order to meet the deadline.

#### Chair Ohrenschall:

I see there is a fiscal note on the bill of just under \$1 million.

## Assemblywoman Kirkpatrick:

Yes, but unless it is clear that the bill is going to receive an exemption, it could die. Regardless, if I am correct, it still has to move out of this Committee in order for the Assembly Committee on Ways and Means to hear it.

#### **Chair Ohrenschall:**

As I do not see any other questions, I will move on to hear from anyone else in support of A.B. 426.

## Charles Mohler, Member, Advisory Council on Mortgage Investments and Mortgage Lending:

I am representing the Advisory Council on Mortgage Investments and Mortgage Lending and have been actively working with Commissioner Westrin. We support the intent of A.B. 426, especially section 9 regarding the study. We believe that it is time to restructure the statutes and the regulations within the mortgage industry. There are a lot of pieces and parts that have been put together over time. It is very difficult and I believe a more in-depth study would provide the knowledge needed to restructure the statutes in a better manner, potentially even breaking down the commercial lenders, residential lenders, and the private money lenders as three distinct, separate parts.

#### Chair Ohrenschall:

Are there any questions from the Committee? [There were none.]

## Assemblywoman Kirkpatrick:

Mr. Chairman, we should move on this bill. If it is going to have a fiscal note, I am not willing to commit to any study at this point because there are about 15 studies out there and we need to really evaluate which ones we want to do.

#### Chair Ohrenschall:

I would be interested in a motion to pass with no recommendation out of our Committee, and then we can let the Assembly Committee on Ways and Means take it.

## Assemblywoman Kirkpatrick:

I do not like to send things to the floor without a recommendation because I believe that sets bad precedent. I am prepared to make a motion as do pass, because it did come out of the Assembly Committee on Commerce and Labor.

#### Chair Ohrenschall:

I am prepared to accept that motion. We will finish testimony and close the hearing. Mr. Goldwater, is there anything else you would like to say?

#### **David Goldwater:**

I would not get in the way of a successful motion.

#### Chair Ohrenschall:

Are there any other questions or comments on this measure from the Committee? Is there anyone opposed to <u>A.B. 426</u> who would like to be heard? [There was no response.] Anyone who is neutral on <u>A.B. 426</u>? [There was no response.] I will close the hearing on <u>A.B. 426</u>, and our rules are suspended so I would be open to that motion, Assemblywoman Kirkpatrick.

ASSEMBLYWOMAN KIRKPATRICK MOTIONED TO DO PASS ASSEMBLY BILL 426.

ASSEMBLYMAN ELLIOT ANDERSON SECONDED THE MOTION.

Are there any questions from the Committee on <u>Assembly Bill 426</u>? [There were none.]

THE MOTION PASSED UNANIMOUSLY.

I am going to pass the Chair over to Assemblywoman Flores so that I may present Assembly Bill 438.

[Assemblywoman Flores assumed the Chair.]

Assembly Bill 438: Requires a cooling-off period before former public officers who served on certain public bodies may serve as paid lobbyists on matters under consideration by those public bodies. (BDR 23-815)

#### **Vice Chair Flores:**

I will open the hearing on Assembly Bill 438.

## Assemblyman Ohrenschall:

Assembly Bill 438 was inspired by a bill that my colleague Assemblyman Hickey introduced, Assembly Bill 77, which had to do with a cooling-off period for ex-legislators who want to become legislative advocates in our forum here at the Legislature. Basically the impetus behind this bill is what is sauce for the goose is sauce for the gander, and if a rule like that is a good idea for state legislators, then it is probably also a good idea at the local government level. We had discussions during that hearing of possibly amending Mr. Hickey's bill, but there was some concern about doing that. We had a committee bill draft available and were able to put the idea into the bill that is A.B. 438. Even though they are related, this keeps the two issues separate as each bill focuses on a different level of government. I believe a lot of the testimony presented at the last hearing is relevant for this bill as well.

Just as in administrative law, I see a concern when you have someone from the inside who has relationships with the people on a board, or committee, who decides to become a lobbyist. Martin Dean Dupalo from the Nevada Center for Public Ethics is here to testify in favor of the bill.

#### **Vice Chair Flores:**

Are any questions for Assemblyman Ohrenschall?

## Assemblyman Hickey:

Imitation is the greatest form of flattery. Could you confirm the time period an individual would be prohibited from lobbying after their retirement from an office or a particular position?

#### Assemblyman Ohrenschall:

The bill in section 1, subsections 1 and 2 calls for a two-year period when the public officer or the university regent would not be able to lobby that respective body.

#### **Vice Chair Flores:**

Are there any further questions for Mr. Ohrenschall? [There were none.]

## Martin Dean Dupalo, representing the Nevada Center for Public Ethics:

The Nevada Center for Public Ethics supports A.B. 438. It is sound policy. I believe this will, along with other measures that are being considered in this legislative session, go very far in the public's mind and reassure them that this Legislature is very serious about addressing ethics and specifically the revolving

door. I believe that the two-year period is a substantial amount of time and is warranted.

#### Vice Chair Flores:

Are there any questions from the Committee for Mr. Dupalo? [There were none.]

#### **Assemblyman Munford:**

If someone was serving in this session and he was termed out or resigned, two years would be the next session, correct?

## **Assemblyman Ohrenschall:**

In contrast to <u>Assembly Bill 77</u>, sponsored by Assemblyman Hickey, which applies to state legislators, this applies to local governmental officials such as the city council, county commission, and the Board of Regents. So if a city councilperson lost an election, or decided not to run again, there would be a two-year period where they could work as a lobbyist but could not lobby the board that they sat on. So if a Las Vegas City Council member retired, he could work as a lobbyist—we would not prohibit him from that—but he simply could not lobby the Las Vegas City Council for two years.

#### Vice Chair Flores:

Are there any further questions from the Committee? [There were none.] I will ask for those in support of <u>A.B. 438</u> to come up. [There was no response.] I will move to opposition of A.B. 438.

## Cadence Matijevich, Assistant City Manager, Office of the City Manager, City of Reno:

The Reno City Council has adopted a position of opposition to this bill. They feel the existing one-year cooling-off period that already exists within statute is adequate.

#### **Vice Chair Flores:**

Do we have any questions for Ms. Matijevich? [There were none.] Is there anyone else in opposition to <u>A.B. 438</u>? [There were none.] We will move to hear from those in the neutral position. [There were none.] Mr. Ohrenschall, do you have any closing remarks?

#### **Assemblyman Ohrenschall:**

I think that the lobbyist for the City of Reno brought up some important points. The current law is not as broad as this bill would make it, and I think that is an important point. This bill provides for a blanket two-year prohibition

on lobbying whatever board you served on, whereas the current law deals with specific issues that the local board dealt with.

#### **Vice Chair Flores:**

I will close the hearing on A.B. 438.

[Assemblyman Ohrenschall resumed the Chair.]

#### Chair Ohrenschall:

I will open the hearing on Assembly Bill 445.

Assembly Bill 445: Revises provisions relating to the posting of notices for public meetings. (BDR 19-1121)

## Assemblywoman Marilyn Kirkpatrick, Clark County Assembly District No. 1:

I would like to explain the issues behind why I want to try to create this website. Currently, during the interim periods there are a lot of workshops that are held to review regulation. Many of the committee meetings are not announced or broadcast to the public. An example would be a local government finance board. You can read about the committee and meetings after the fact at the library, but if you want to participate you really have to make plans to be there at the meetings. What I learned this last interim is it is getting harder to find out what is going on and where. Everyone has these great websites; however, if you are not technology friendly, it can take you a while to navigate through them to find the information you need. What I am hoping to do is similar to what the State of Oregon has done. They created one centralized website where the public can find all the information on any committee or meeting they want. All a person would have to do is click on an icon and see everything that is on the calendar for that day. If he wanted to, he could pull up the committee he is interested in and follow it.

This became an issue for me when I asked a question as to why no one ever showed up for the regulatory workshops. I asked if there was not a database of interested persons that we sent agendas and minutes to. I was told that it was not the agencies' job to babysit these people and make sure that the information is distributed. I tried to find those meetings on my own, but not being technology savvy, I could not find them and was frustrated. I started looking at different avenues where we could have better access to those workshops and know what is going on.

I have posted on the Nevada Electronic Legislative Information System (NELIS) a link to the State of Oregon website (<u>Exhibit F</u>). On the left side, about halfway down, you will see an icon for public meetings. Click on it and you will

see a definition of what a public meeting is, which I thought was important for the public so they understand what we are doing and what public means. Scrolling down, you will see start times and dates, agency boards and commissions, meeting titles and agenda items. I personally like the calendar they created. If you scroll to the bottom of the page, it has a calendar where you can see what is coming up and can plan accordingly. I think that in today's environment, we have no excuse but to have the very best website. As you know, the Assembly has a new website this session, and we have received a lot of wonderful compliments on it. I think that the state should work in this direction.

This bill provides for three things. One, it amends the open meeting law to allow the posting of minutes on a central website. Two, it requires the Department of Administration to create a central website for posting all of the notices for meetings. Third, it requires the website to be operable for all state agencies by January 1, 2014, and for local governments by July 1, 2014. When local governments in the state work together and upload their information to the website, you will have a great view of what is going on within the state. Many times there are local and state issues of importance to our constituents, or sometimes agencies are working across the aisle to accomplish more. I wanted to put that out there as food for thought.

#### Chair Ohrenschall:

This website would only have the meetings for state government and not those of the county commissions, town boards, et cetera?

#### Assemblywoman Kirkpatrick:

It does require the local government to upload information to the website beginning July 1, 2014.

#### Chair Ohrenschall:

And it would be on the nv.gov website?

## **Assemblywoman Kirkpatrick:**

Yes. The thought process is that we are trying to have a central place to go to. The State of Oregon has had nothing but compliments on their website.

## **Chair Ohrenschall:**

Are there any questions from the Committee?

## **Assemblywoman Flores:**

I believe this is a great idea. Electronic notices are becoming the norm and not just for the technically savvy few of years past.

#### **Assemblyman Elliot Anderson:**

I would like to echo Ms. Flores' compliments. I am definitely of the Internet generation and I love this.

#### Chair Ohrenschall:

Are there any other questions for Assemblywoman Kirkpatrick? [There were none.] Is there anyone else in support of A.B. 445 who would like to speak?

## Brian Reeder, representing the Northern Nevada Chapter of Associated General Contractors:

We support this bill. It is a great way to make information available for the public and promote openness in the process.

#### Chair Ohrenschall:

Are there any questions for Mr. Reeder? [There were none.] Is there anyone else in support of A.B. 445 who wishes to testify?

## Paul J. Moradkhan, Director, Government Affairs, Las Vegas Metro Chamber of Commerce:

The Metro Chamber is here to strongly support A.B. 445. We believe the provisions of the bill would create good public policy because it provides the opportunity for the public to access and find the information they need to understand the affairs of their state and local governments. Access to this type of information is how local governments are able to share with all concerned parties what is occurring and open doors to discussion and public policy on the state level. We believe that easily being able to access meeting agendas, exhibits, and related materials is key for public understanding. We strongly support this bill.

#### **Chair Ohrenschall:**

In your experience do you have many chamber members who have trouble finding out when governmental hearings are? Have they complained they cannot find notices or information about where and when a meeting will be held?

#### Paul Moradkhan:

We periodically get phone calls asking where people can access agendas or minutes for a state agency hearing, et cetera.

## **Chair Ohrenschall:**

Are there any other questions for Mr. Moradkhan? [There were none.] Is there anyone else in support of <u>A.B. 445</u>? [There was no response.] Is there anyone in opposition to A.B. 445 who would like to speak? [There was no response.]

Is there anyone who is neutral on <u>Assembly Bill 445</u>? [There was no response.] I will close the hearing on Assembly Bill 445. I will open this to a motion.

ASSEMBLYMAN ELLIOT ANDERSON MOTIONED TO DO PASS ASSEMBLY BILL 445.

ASSEMBLYWOMAN FLORES SECONDED THE MOTION.

Is there any comment or question on the measure from the Committee? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will open the meeting to public comment. [There was no response.] Having no further business I will close today's meeting of the Assembly Committee on Legislative Operations and Elections. Meeting adjourned [at 5:58 p.m.].

| [at 5:58 p.m.].                      | <b>3</b> 11 <b>3</b>    |
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|                                      | RESPECTFULLY SUBMITTED: |
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|                                      |                         |
|                                      | Karen Pugh              |
|                                      | Committee Secretary     |
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| APPROVED BY:                         |                         |
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| Assemblyman James Ohrenschall, Chair |                         |
| DATE                                 |                         |
| DATE:                                |                         |

## **EXHIBITS**

Committee Name: <u>Committee on Legislative Operations and Elections</u>

Date: April 9, 2013 Time of Meeting: 4:13 p.m.

| Bill        | Exhibit | Witness / Agency                     | Description  |
|-------------|---------|--------------------------------------|--|
|             | Α       |                                      | Agenda   |
|             | В       |                                      | Attendance Roster  |
| A.B.<br>216 | С       | Assemblyman Ira Hansen               | Presentation for A.B. 216  |
| A.B.<br>216 | D       | Assemblyman Ira Hansen               | Examples of mandatory photographic identification                    |
| A.B.<br>216 | E       | Maddi Eckert                         | Statement in opposition  |
| A.B.<br>445 | F       | Assemblywoman Marilyn<br>Kirkpatrick | Link to State of Oregon's<br>Get to Know State<br>Government website |