

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

**Seventy-Eighth Session
February 10, 2015**

The Committee on Legislative Operations and Elections was called to order by Chair Lynn D. Stewart at 4 p.m. on Tuesday, February 10, 2015, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/78th2015. In addition, copies of the audio or video of the meeting may be purchased, for personal use only, through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman Lynn D. Stewart, Chair
Assemblywoman Shelly M. Shelton, Vice Chair
Assemblyman Elliot T. Anderson
Assemblywoman Michele Fiore
Assemblyman John Moore
Assemblyman Harvey J. Munford
Assemblyman James Ohrenschall
Assemblywoman Victoria Seaman
Assemblyman Tyrone Thompson
Assemblyman Glenn E. Trowbridge

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblyman John Ellison, Assembly District No. 33
Assemblywoman Ellen B. Spiegel, Assembly District No. 20



STAFF MEMBERS PRESENT:

Carol M. Stonefield, Committee Policy Analyst
Patricia Hartman, Committee Secretary
Olivia Lloyd, Committee Assistant

OTHERS PRESENT:

John Wagner, representing the Independent American Party
Joseph P. Gloria, Registrar of Voters, Clark County
Susan Merriwether, Clerk/Recorder, Carson City
Deanna Spikula, Senior Deputy, Registrar of Voters Office,
Washoe County
Leora Olivas, State Director, Silver State Voices, Las Vegas, Nevada
Howard Watts III, Private Citizen, Las Vegas, Nevada
Kyle Davis, representing America Votes

Chair Stewart:

[Roll was taken.] We will open the hearing on Assembly Joint Resolution 1.

Assembly Joint Resolution 1: Recognizes the strategic partnership and bond of friendship with, and expresses the Nevada Legislature's support for, the State of Israel. (BDR R-525)

Assemblyman John Ellison, Assembly District No. 33:

In the 2013 Session and in this session, we introduced a joint resolution recognizing the partnership between Israel and Nevada. We showed respect for one of our closest allies. Some Holocaust survivors attended a reception at the Governor's Mansion and made a presentation that included amazing stories about their experiences in the concentration camps during World War II. In the commercial world, there are companies that cosponsor businesses with Israel and Nevada. As outlined in A.J.R. 1, the partnership and bond of friendship between Nevada and Israel were further strengthened by Governor Sandoval's trade mission to Israel, which resulted in several Israeli companies considering establishing businesses and partnerships in our state. This is a resolution requesting the State of Nevada stand in partnership with the State of Israel.

Assemblywoman Spiegel is proposing a friendly amendment to A.J.R. 1.

Assemblywoman Ellen B. Spiegel, Assembly District No. 20:

I believe showing friendship between the State of Nevada and the State of Israel

is extremely important, especially because of issues in the world today. There is a page listing two conceptual amendments ([Exhibit C](#)) on the Nevada Electronic Legislative Information System (NELIS). One amendment adds Assemblyman Ohrenschall and me as primary cosponsors, and the other would add that legislators of Jewish heritage also support the State of Israel. The history of the Jewish community in Nevada dates back to pre-statehood days. In Virginia City, there were Hebrew writings on the cornerstones of various buildings. There were 200 Jews living in Virginia City when Nevada became a state in 1864. The Jews in Nevada have a long, rich history and support the State of Israel. I and other members of the Jewish community appreciate your support of this resolution.

Chair Stewart:

I would be happy to also cosponsor this resolution.

Assemblyman Ellison:

Last session, the Assembly and Senate suspended the rules, and within two days we had every signature in both houses in support of this resolution.

Chair Stewart:

Are there any questions?

Assemblyman Ohrenschall:

Governor Sandoval's trade mission shows the importance of the State of Israel to the State of Nevada, and not just for tourism. The Governor's mission points out how vital the State of Israel is in terms of trade and commerce. I want to commend Assemblyman Ellison for bringing this bill and to thank Assemblywoman Spiegel, who is the chair of the Jewish Legislative Caucus, for being here. Have either of you visited Israel?

Assemblyman Ellison:

I have not been to Israel, but I closely follow what is going on there. When I met with the Jewish Israeli leadership last session, they said, "You are not Jewish. Why are you sponsoring this?" I answered, "My God was Jewish." So this means a lot to me.

Assemblywoman Spiegel:

I also have not been to Israel yet. I have studied a lot about Israel. I read *The Jerusalem Post* every morning. Looking at the level of entrepreneurship in Israel and the good works performed with agriculture in a desert environment, there are lessons to be learned from them. I view our relationship with Israel as a two-way street because Nevada is benefitting a lot from that relationship.

Chair Stewart:

Do we have any questions from the Committee? [There were none.] Is there anyone from Las Vegas speaking in favor of A.J.R. 1? [There was no one.] Is anyone here in favor of this joint resolution?

John Wagner, representing the Independent American Party:

I heavily favor supporting Israel. I have been there. It is a small, beautiful country surrounded on all sides by enemies. I think we need to show Israel support. I fully agree with everything Assemblyman Ellison said. My God was a Jewish carpenter.

Chair Stewart:

Is there anyone else in support of this resolution? [There was no one.] Is there anyone opposed? [There was no one.] Is there anyone neutral on this resolution? [There was no one.] Assemblyman Ellison, please make your final statement.

Assemblyman Ellison:

Thank you for allowing me to present this resolution, and I encourage others to sign on as cosponsors.

Chair Stewart:

I declare the hearing on A.J.R. 1 closed. We will address this resolution in a work session on Thursday.

Now we will have presentations from the election officials from Clark County, Carson City, and Washoe County.

Joseph P. Gloria, Registrar of Voters, Clark County:

Thank you for giving us the opportunity to be here today to give you information relating to elections and their impact on various counties in the state of Nevada. I will give a brief background of elections in Clark County and talk about the challenges we deal with in the administration of these elections and our connection with the legislative session. [Referred to PowerPoint presentation ([Exhibit D](#)).]

In Clark County, there are over 840,000 active registered voters and 4,500 touch-screen voting machines. Along with those voting machines, we have over 10,000 pieces of peripheral equipment, including activators, printers, and laptops that we use for voter hookup. We have had 352 polling locations utilized in an election cycle. In 2014, we had 274 sites. We operate out of a 125,000-square-foot facility with over \$30 million in equipment and 32 full-time staff.

Living in a high-profile county, and with Nevada being a swing state, we receive considerable attention during the even-year elections and in particular, during presidential elections. We receive national media exposure, and they are usually fairly satisfied regarding our security procedures and the processes we have developed to support voting in Clark County.

We have been utilizing electronic voting, having spearheaded that since the early 1990s, and we have been progressing from the full-face ballot to the touch-screen ballot, which is what we use today with the Direct Record Electronics (DRE). The use of technology is prevalent in Clark County. We offer as much information as possible on our website, <ClarkCountyNV.gov>. Any group in Clark County can access our website and verify information during elections, including early voter turnouts and absentee numbers. They can be easily downloaded. We try to be as transparent as possible.

Early voting and the use of mobile voting are the most successful programs in Clark County. Since 2000, we have consistently had more early voters than in any other mode, such as absentee paper ballot or through Election Day. After 1990, the construction of public and private facilities, such as schools, was not keeping up with the growth in our county. We needed to implement programs allowing us to be as mobile as possible by utilizing mobile trailers, which are stand-alone units, that we could move from site to site. We provided power and connectivity for these trailers to provide access to voting in Clark County.

Turnout totals in 2012 are the closest estimation to what we are expecting in 2016. We will be breaking records in every category regarding past processes in Clark County, and initiatives will be on the ballot, bringing large numbers of voters to the polls. There will be a presidential race without an incumbent as well as U.S. Senator Harry Reid's possible reelection campaign. In 2016, there is a possibility of over 500,000 voters using the early voting process.

Our systems are aging, and the early voting browser is running on platforms no longer supported by either Microsoft or Oracle. These are some of the challenges in setting the standard for technology, not only in Nevada, but also in the Southwest. In order to provide the same level of service to the voters, it is essential to upgrade these systems as well as the voting machines. There is technology available in the use of electronic poll books. Not only are there efficiencies to be introduced with the use of electronic poll books, but we will be able to improve the integrity on Election Day since our system would be connected in real time to our database.

Our office has been in contact with the Department of Motor Vehicles (DMV) since the implementation of the National Voter Registration Act (NVRA).

In 2012, our staff entered over 37,000 paper voter registration records into the system. We anticipate electronically integrating these processes from the DMV, as well as the change of address process. There were over 29,180 changes of address in paper form in 2014. In discussions with the Office of the Secretary of State, the technology and programmers are in place, and when the necessary resources are available to work with the DMV, these records will be transferred electronically.

It costs money to implement these systems. We made an investment in previous years to provide these types of services to the voters and improve the integrity of the process with use of electronic equipment. If we are going to maintain the level of service we have been providing, we must find resources in order to upgrade these systems.

As far as this session is concerned, our staff are administrators and do not make policy. We are willing to implement what this Committee determines is necessary for the voters in our state. Regarding voter identification (ID), I do not land on either side of the issue, but I want to make it clear there are issues that come with voter ID that will need to be addressed. I am fairly certain the number of provisional ballots will increase if not double in Clark County. Currently, the canvass period allows six working days for us to compile all the information, canvass, and present it to our board for submission to the Secretary of State's Office. If voter ID comes to fruition, we will need to look at extending the period of time for our canvass from six working days to a minimum of nine days.

Electronic sample ballots would be a cost savings to us. The printing and postage costs in providing access to the voter to receive the sample ballot electronically would be a benefit to us.

The Secretary of State's Office is making modifications to the proposed cleanup bill, although we have yet to review the language. We are hoping there are important items in the bill to discuss with members of this Committee.

The media is profiting by broadcasting the publications our office is required to mail to the registered voters three or four times prior to an election. This information can be provided at a cost savings by logging on to our website and viewing the publications and notices posted there.

Susan Merriwether, Clerk/Recorder, Carson City:

I have over 30 years of experience in elections, beginning in the Secretary of State's Office and including 18 years with the Carson City Clerk's Office. I have experienced a significant change in the election process and was involved

in the state and federal motor-voter implementation. I have seen the transition from punch card to electronic voting. In 2014, Carson City purchased electronic poll books. Carson City is the first and only county in the state using this technology. Several of the counties use computers and laptops during the early voting process, but they are not as easy to use and as fast as the electronic poll books.

I would like to give a brief overview on how the poll books work. The electronic poll book is a tablet. The voter data is loaded directly on each tablet, backed up, and stored on a flash card. There is no more printing or binding of the paper ballots. The poll books are connected to a server that can generate various reports associated with voter turnout. This is the process used to produce the posting logs used by the poll watchers to see who has voted. We now can generate these reports and electronically send them to anyone or post them on our website.

Chair Stewart:

When you log on to the system, does it recognize you are about to vote?

Susan Merriwether:

Yes, the system posts your voting history automatically.

Because the voting history is stored on the server, the electronic poll books are perfect for vote centers. At the polling location, the voter submits her vote, and if she goes to another polling location or tablet, the system would indicate she had already voted.

If a voter has her sample ballot, voter card, or driver's license bar code, we can scan the bar code which shows the voter's identification. The election worker can manually key in the voter's first and last name by inputting a few letters of her name. The voter signs on a signature pad and the signature is compared to the original one on file. If the signature does not match, we have the voter re-sign. Our election workers tell the voters to give their best signature, not their grocery store signature. Amazingly, the signatures do match very well. The poll books connect to the card activators, which was quite challenging because we were the first county in the nation to use these two different vendors together. When you activate the voter card from the electronic poll book, it sends the valid style to the card activator and the card is handed to the voter. There are no more errors with getting the wrong ballot style.

The initial cost of each poll book is less than a laptop. We have cut back on election workers, paper, printing, staff overtime, and the cost of replacing outdated laptops. Over the next several years, we will break even on election

expenses. The poll books process voters' input in half the time. In 2014, we consolidated to one polling location on Election Day.

Voting history is simple to import. After the election, paper rosters require manual posting history in the voter registration record. Now this is uploaded to our system and done in seconds.

On other election matters, I want to add that we have some concerns with the DMV. I would like to see the Secretary of State and the DMV working closely this year to complete the electronic voter registration applications. Instead of every voter having to fill out a voter registration application, DMV started just sending us changes of address. We then realized a lot of these people were not registered to vote in Carson City. We notified all the counties, and we asked people to reregister because the law states that when you move from one county to another, you have to reregister. The clerks contacted the applicants but unfortunately many of them did not respond. I believe that by integrating the DMV and the voter registration applications into one system, and sending them electronically, it will eliminate the problems with address changes, incomplete applications, and unmatched names. I very much support having this done, and expedited.

I submitted cleanup changes to the Secretary of State's bill. On the definition of roster, I requested that it include an electronic file. Other issues in this bill were punch card language, including tally lists, and early voting. In the alphabetical listing, the posting log is to be performed electronically.

Deanna Spikula, Senior Deputy, Registrar of Voters Office, Washoe County:

Washoe County is the second largest county in the election system in Nevada. There are currently 225,000 registered voters in Washoe County and we expect to have over 240,000 registered voters for the next presidential election. We employ six full-time staff members, including the Registrar of Voters.

We have 1,327 Edge touch-screen voting machines and 1,600 Voter Verifiable Paper Audit Trail (VVPAT) units. We used 1,147 of these machines in the 2014 election. Our concern is the age of the equipment, which began service in about 2004. The machines are operational and in good condition, but require more maintenance and repair to keep them in good working condition. This necessitates higher costs for their upkeep. One improvement on the horizon is the upgraded version of the WinEDS software, which is the vote tally software. A newer version of this software is being certified, and we welcome this upgrade especially for reporting purposes.

In the 2014 general election, we had 21 early voting locations staffed by 89 poll workers, and we had 83 Election Day locations staffed with 493 poll workers. Poll worker recruitment and training is a challenge for us, and we have instituted improvements, such as supplemental online and on-site training. We anticipate adding additional locations for the 2016 general election.

We are currently working on one of many voter maintenance projects designed to ensure our voter rolls are accurate and up to date. This includes updating the voter records, changes in address using the database from the U.S. Postal Service, and returned mail.

We have online voter registration, which is continuing to gain in popularity. We love the Nova system and would like to see it used in other applications such as voter registration drives. It is a quicker and more accurate process than a paper application. We look forward to working with the Secretary of State's Office and the DMV to enhance the transmission of voter information more seamlessly. We, too, find ourselves corresponding with a lot of people regarding the DMV changes in address and the need to reregister.

The sample ballot via email would be a step toward providing more options such as a link to allow the voters to view their sample ballots online, as opposed to our office manually sending each voter an individual sample ballot. This would require additional manpower from our office since our system could not extract the information and send it in email form. We are seeking advice from our Technology Services Department to determine if we can implement a more efficient process for the sample ballot.

Chair Stewart:

Thank you for the excellent presentations. Are there any questions from the Committee?

Assemblyman Thompson:

In each of your presentations you mentioned the DMV situation and the need to make that transfer of voter information as seamless as possible. This has been a concern for a while. You are all part of the expert team that needs to be at the table. Is there currently a working group to help make this happen?

Joe Gloria:

We had a clerk's meeting in January, and the Secretary of State briefed us. The Secretary of State has documented our issues and is aware of them. The issue is identifying the resources for their programmers to work with the various offices, since the challenge is that we do not all use the same election management system (EMS). If the information is funneled through the

Secretary of State's Office, they can coordinate the effort of integrating that data into our different system.

They can do it. It is not a matter of figuring it out. They have had the conversations and have a plan in place. The way I understand it is that the resources have not been allocated for the programmers at DMV to make it happen.

Assemblyman Thompson:

To follow up, I think that all of you should be included in discussions with the Secretary of State's Office on these issues. You shared substantial information and knowledge regarding platforms and it would be a disservice to the DMV and the Secretary of State's Office if they do not have knowledge of your issues. Another system might be created which would not be appropriate or sufficient for what is really required in the voting process without your input.

Joe Gloria:

That is a good point, Assemblyman Thompson. I can pass it on that you expressed we should have a more active role in the roll out.

Assemblyman Elliot T. Anderson:

I am addressing this question to the whole panel. I am curious about your implementation of Assembly Bill No. 175 of the 77th Session, the military one-stop absentee voting bill. Are you familiar with the bill and if so, what are the plans for its implementation?

Deanna Spikula:

We have implemented the Effective Absentee System for Elections (EASE), and I believe we received under 20 ballots through the system in the last election. I believe it will be used more frequently in the 2016 presidential election as we promote its use through email communication with voters overseas and military personnel.

Joe Gloria:

There were approximately 2,000 voters who used the EASE system in Clark County. We project using this same foundation for other ways to communicate with the voters. The concern is once the electronic ballot is received; there is a need to duplicate the ballot. Currently, the waiting period for forwarding them to our counting board is five working days prior to the election. Our suggestion is to submit language allowing us to duplicate those ballots in order to not overburden our staff. There are 2,000 ballots waiting to be duplicated because they cannot be read into our optical scan system.

We plan to do the work and have the counting board review them before submitting for counting.

Assemblyman Elliot T. Anderson:

Will you inform me when Assembly Bill No. 175 of the 77th Session comes to the forefront so I can be involved with discussions on this bill?

Joe Gloria:

Yes, I will.

Chair Stewart:

Do you think there is a problem with the troops knowing about the EASE system?

Joe Gloria:

In January, I attended a conference at the Joint Election Officials Liaison Committee (JEOLC) in Washington, D.C., with the Federal Voting Assistance Program (FVAP) coordinators. They do an excellent job disseminating that information down to the level where there is a noncommissioned officer (NCO) in every company who is in charge of ensuring the information is made available. I would say there is not a problem with disseminating this information; it is just a matter of motivating them to use the process.

Chair Stewart:

Is there a sufficient number of computers for their use?

Joe Gloria:

I have family in the military, and they tell me that access to computers is provided to the front-line soldiers.

Assemblyman Moore:

It is my understanding the staff at the voting polls are not handwriting experts or trained to compare signatures, correct?

Joe Gloria:

There is no specific textbook training we provide to them. Clarification is made if they have questions on the authenticity of the signature. The voter is asked to re-sign or provide additional information to verify his or her identity.

Assemblyman Moore:

They receive no training and they are not experts in handwriting?

Joe Gloria: No, there is not textbook training. The poll voting staff makes a decision based on the visual signature and if there is a doubt, we determine the solution.

Assemblyman Ohrenschall:

I was able to tour the election room facilities last year. The National Conference of State Legislatures had a policy technology conference for all the Western states which was very informative. Are the other registrars thinking of expanding the poll book? In the last session, issues were raised regarding connectivity. Does Clark County have the ability to communicate with other systems or software? What is the time frame on the use of the aging voting machines now in place before they must be replaced and where will the monies originate for their replacement? What are the cost savings for voters to opt-in to using the email sample ballot process versus the mandatory mailing of the paper sample ballot? I believe Assemblyman Hansen has a bill on these issues. We introduced a bill last session but, unfortunately, the bill came back to us through Governor Sandoval's office.

Joe Gloria:

The cost per ballot for the sample ballot based on the last general election was \$1.67, including printing and postage. It is difficult to make an estimation on the number of people who chose to opt-in to the program. An approximation would be that for every 1,000 voters, the savings would potentially be \$1,670 in an even-year election. In municipal cycles, the cost for the sample is much lower, but there would still be a cost savings. We have investigated the implementation of the sample ballot process, and the cost is less than \$1,000 in Clark County. The cost savings would far outweigh salaries for my information technology (IT) staff, who are prepared to make that move.

Components are being assembled for our voting machines, and we have trained technicians in Clark County who can make these repairs. We have the parts available to regularly make repairs on the voting machines throughout the election cycle. Based on the importance of the election and the continued use of the aging equipment, the sensible choice would be for us to use newer, more reliable equipment. We will continue to give the system high integrity in order to perform on Election Day, but it will require more maintenance as the system continues to age.

Assemblyman Ohrenschall:

If the Sequoia Voting System machines are replaced, will the successor machines also be required to have a paper trail similar to the Sequoia System?

Joe Gloria:

There has been a change in the model for developing a machine. Most vendors are choosing a model that allows them to increase the cost of their licensing fees on an annual basis with a guarantee that whatever technology is used, they will develop the software in order to support that cost. The machines we use in Nevada are proprietary. The manufacturer has engineers who design the circuitry, vendors who create central processing units (CPUs), and all of the hardware assemblies; it is proprietary. The model now being offered allows us to use commercial off-the-shelf (COTS) equipment, such as the iPad or Samsung, Sony, or Microsoft devices. So, the counties in the jurisdictions would be making smarter decisions regarding what equipment they wanted to purchase in order to provide the touch screen as well as the printer. The vendor would ensure whatever software they produce will support that equipment. The cost of the equipment will decrease long-term, but licensing on an annual basis will rise slightly because they need to recoup those costs. We anticipate a cost savings and intend to use the shell we currently utilize with our system. A bracket will be built to support the hardware used for our equipment.

Assemblyman Ohrenschall:

What obstacles do you foresee in implementing the poll books in Clark County?

Joe Gloria:

One of the challenges is locating a wireless connectivity. Teaming up with schools and government facilities would allow us to pool our wireless resources. As far as implementation, we have a vendor who can provide us with this product. Aging systems, absentee optical scan, touch-screen voting machines, and the early voting browser are the technology tools now being utilized to look up voters in our system.

Assemblyman Thompson:

Has there been an increase in ex-felons petitioning to vote? This would be an indicator to my colleagues and me for the need to reach out to these people. My district is predominantly in North Las Vegas, and there are ex-offenders who want to vote.

Joe Gloria:

We will be happy to look into that. Cathy Smith in my office is our expert on felon laws. The felon laws are complicated and based on the state in which the felon was convicted. I can provide the requested statistics.

Assemblyman Elliot T. Anderson:

Would it be simpler to teach someone to compare signatures or to identify a fake identification?

Susan Merriwether:

You can distinguish the similarities in the signatures when posting the voter history. If the voting staff have questions concerning the validity of the signature, they will ask for a second opinion. We are not experts, but if there is a doubt, we ask the person for identification.

Joe Gloria:

We get that data in large part from DMV. Those signatures come from the data that is stored when people sign in at DMV for their driver's license. We offer the person an opportunity to re-sign because we do not want to disenfranchise anybody. We are not looking for a reason to turn them away from the polls. It is exactly the opposite. We are giving them an opportunity to prove who they are and get through the process to vote. When they register to vote, the information goes up to the state's database. It will be verified against the DMV records and also Social Security Administration records. If it does not match, we send a notice to the voter at the address provided to us, asking them to give us more information. If they fail to do so, we ask for ID at the polls.

Assemblyman Moore:

So your goal is to have an individual prove who he is in order to vote, correct?

Joe Gloria:

Our goal is to enfranchise as many people as have applied to participate in the process.

Assemblyman Moore:

Correct, but I believe your statement was to prove their identity.

Joe Gloria:

Again, I would state our goal is to enfranchise every individual who has applied to participate in the process.

Assemblyman Moore:

Thank you.

Chair Stewart:

We have talked about the declining effectiveness of the voting machines because of their age. Are you concerned about voting machine failures in 2016 and beyond? What would it cost to replace these machines?

Joe Gloria:

My estimate is approximately \$2,500 a machine. That is ballpark. Concerning the reliability of the present system, we are still receiving parts from the

manufacturer to keep the machines in service. As the system ages, we are seeing increased numbers of failures, such as those involving touch-screen sensitivity and calibration issues. We have processes in place to mitigate these issues. Our team leaders are instructed, particularly during high volume periods, to recalibrate their screens two or three times a day. If a machine has been identified more than once at the polling location to have had a calibration issue, we remove the machine from service and have it evaluated by a staff technician to ensure the machine is working properly. As long as they make parts for the machines, we can fix them.

Assemblywoman Seaman:

Mr. Gloria just answered my questions on voting machines failing and issues with touch-screen sensitivity, so thank you.

Assemblyman Munford:

If an organization like the Black Democratic Caucus or the Association of Community Organizations for Reform Now (ACORN) wants to organize a voter registration drive, how much training do their people need in order to validate the eligibility of 18-year-olds to register to vote? I assume they have to send someone who is qualified to conduct the entire procedure.

Joe Gloria:

Anyone who wants to participate in our field registration training can contact our office and look at our training calendar. Several organizations in Clark County, such as Mi Familia Vota, the Progressive Leadership Alliance of Nevada (PLAN), and the League of Women Voters, have taken advantage of the training. In our office, Brenda Miller is the individual who takes care of the training. With mass registrations, we strongly encourage those groups to send as many people to the training as they can.

Assemblyman Munford:

Are there programs being offered in high schools for kids between the ages of 17 and 18, who will soon have voting rights, outlining their voting requirement qualifications? Do you send people into the schools who have to be trained?

Joe Gloria:

We do not have any particular programs targeting schools. There are field registrars on staff who are actively working with high schools and the Clark County School District. Social studies teachers in various schools are actively involved in providing training and necessary forms. Sandra Cosgrove with the League of Women Voters is involved with the College of Southern Nevada as well as high schools. There is no shortage of these groups active in the community.

Assemblyman Munford:

Is there a procedure in place to determine the authenticity of signatures?

Deanna Spikula:

We follow the same process that we would with a voter registration received in the mail from a voter. We have the same verification process as with those applications. They are still verified through our voter system. If there is an existing application on file, we match the voter signature for authenticity. Our staff performs voter registration training for organizations and high schools. We also encourage the voter registration drive groups to contact our office for training.

Assemblywoman Fiore:

Through your voter registration process, how do you verify citizenship on the voting application?

Deanna Spikula:

We do not verify citizenship per se. We verify the eligibility of the voter based on the person's Nevada driver's license status and social security number.

Assemblywoman Fiore:

Are you basically saying that we have people voting in Nevada elections about whom you do not know if they are U.S. citizens?

Deanna Spikula:

No.

Assemblywoman Fiore:

How is their citizenship verified?

Deanna Spikula:

They provide us their identification information, which we crosscheck with the DMV, the Secretary of State's list, vital statistics, and their social security number. They also sign a statement under penalty of perjury that they are a citizen of the U.S., and they could be prosecuted for knowingly signing a false statement on the voter registration application.

Assemblyman Elliot T. Anderson:

Could you check someone's citizenship through a voter ID?

Joe Gloria:

No.

Assemblyman Ohrenschall:

The Secretary of State's Office has an Election Integrity Division ensuring that someone who votes twice, or who is not a qualified elector and tries to vote, is prosecuted and referred to the Office of the Attorney General. Is that correct?

Deanna Spikula:

Yes, that is correct.

Joe Gloria:

We have a local district attorney who would also get involved. Any of these types of charges are serious charges. When information is brought to our attention, we investigate. The Secretary of State has put together a task force linking federal, state, and local law enforcement officials. They have identified people who have broken election laws, investigated, and prosecuted those individuals. Any knowledge of someone breaking an election law should be brought to the attention of the local officials so we can pursue it, and we will take it up the chain.

Assemblyman Moore:

So, we do not verify U.S. citizenship for a person registering to vote? Is that correct?

Deanna Spikula:

We do not have a system in place.

Assemblyman Moore:

As Mr. Gloria stated, there is a system in place to investigate and prosecute individuals for violating voting rules. But that is after the election, and the vote is not taken out of the system, so the results are not adjusted. Is that correct?

Joe Gloria:

During the canvass period, if we identify any type of activity that would change the outcome of the election, we would definitely investigate the situation. If it was much later after the election, there would be nothing we could do.

Assemblyman Moore:

What would "much later" be?

Joe Gloria:

You would have to provide that information to us during the canvass period and the contest period.

Assemblyman Moore:

Say the election is on a Tuesday and someone fraudulently voted, and it was discovered that day or the next, when would that vote be taken out of the system?

Joe Gloria:

You cannot take the vote out of the system. When we canvass the results, we determine whether there are discrepancies that would change the outcome of the election as it has been reported. If the information is given to us and we take it up the chain, we would not be able to pull the vote, but we would follow up to the fullest extent of the law.

Assemblyman Moore:

Do we know how many non-U.S. citizens participate in elections?

Joe Gloria:

We do not know that non-U.S. citizens are voting.

Assemblyman Moore:

We do not know either way, correct?

Chair Stewart:

Someone would have to have a false social security number, correct? You do check it through the social security records, do you not?

Joe Gloria:

Yes, with DMV and social security.

Susan Merriwether:

If a voter has a Nevada driver's license, that record is run through the DMV.

Assemblyman Moore:

That does not guarantee citizenship.

Chair Stewart:

Thank you to the panel. We appreciate your hard work. Next we have public comment from Las Vegas.

Leora Olivas, State Director, Silver State Voices, Las Vegas, Nevada:

Silver State Voices is a network of nonprofit, nonpartisan groups working to increase civic participation and ensure the voices of all Nevadans are heard. Our organization participates with community groups to conduct voter

registration, educate voters on the election process, and seek ways to improve the election system.

We have had conversations with stakeholders, including legislators, county election officials, the Secretary of State's Office, and other agencies, to gather feedback on the strengths, challenges, and opportunities for improvement in our election system.

We have a strong election system, rated by the Pew Charitable Trusts as the fifth best in the country in 2012. As we just heard, there are a lot of things we can do to improve it. With everybody we talked to, one issue kept coming to the surface, that we need to invest in modernizing our aging technology. Upgrading our election system is the key to a smooth and uncomplicated process for the voter. Online registration is already providing returns, such as fewer printed forms and a reduction in time for the counties to enter the registrations manually.

I encourage the members of this Committee to focus on key investments such as updating our voting machines, incorporating electronic poll books on Election Day, and digitizing the transmission of voter registration from the DMV. These create long-term savings, increase the accuracy of voter rolls, maintain security of elections, and open up opportunity to expand future access.

Chair Stewart:

Is there any other public comment from Las Vegas?

Howard Watts III, Private Citizen, Las Vegas, Nevada:

I have been working in southern Nevada to engage community members in the election process. I have volunteered as a poll worker, assisted with voter registration in high schools, and have been trained in connection with county offices. Making investments in our election infrastructure is a necessity. Some of today's questions stem from the lack of resources and where to obtain them. It is important the state provides the investments to improve our systems and make them more secure.

A program coordinated out of the Secretary of State's Office is the Electronic Registration Information Center (ERIC), which allows states to share information. Being connected to different databases allows us to eliminate incorrect entries, such as voters who have moved or passed away, thereby ensuring voter rolls are clean and secure. This connection also provides the extra benefit of allowing us election accessibility. There will be legislation brought before the Committee outlining the above issues, and I encourage you to not only support this legislation but include the necessary budget allocations.

Chair Stewart:

Is there any other public comment? [There was none.] Assemblywoman Seaman, do you have a question?

Assemblywoman Seaman:

When we as candidates or elected officials send out mailers as elected candidates to our district, we get thousands of them returned to us, saying the recipients are deceased or have relocated. I sent the Clark County Republican Party staff to the Elections Department to bring those returned mailers to you, and I was told your office does not accept those. Is that correct?

Joe Gloria:

You brought the mailers that were returned to you for us to use to inactivate voters?

Assemblywoman Seaman:

I had hundreds and hundreds of them, and I wondered what we should do to let you know these people are no longer living there.

Joe Gloria:

Was this for the 2014 election cycle? Where did the lists that you were provided for the mailers originate?

Assemblywoman Seaman:

Yes, it was 2014. When the group contacted the Clark County Voter Registration offices asking what could we do to help you clean up your list, we were advised we could not present any of that to you because it would be infringing on voters' rights and I could be investigated by the Federal Bureau of Investigation.

Joe Gloria:

We provide those lists at no charge, and they include active registered voters.

Assemblywoman Seaman:

We did receive those lists from your office, but we got the mailers back from the U.S. Postal Service saying the people are no longer residing at those addresses. I am curious why you do not accept these if they come from the U.S. Postal Service, and also what a person like me can do when we get these mailers back.

Joe Gloria:

Let me describe the process we go through leading into the election. The gentleman in Las Vegas mentioned ERIC, which the Secretary of State instituted. As a first step, we have begun running reports at ERIC. Their office instigates the report, and that scrubs our rolls with the 12 states participating in ERIC. If we find duplicates and identify deceased records, the most recent record remains active. We send a notice to the others, advising them that we have information to indicate there is a duplicate record and they should update their records with our office or we will take them off the rolls.

In the second step, we start the National Change of Address (NCOA) process by which we work with the U.S. Postal Service to identify, through our voter list, those people who have moved and registered with the post office. Once we have that listing, we send those people a notice. Now we have what we consider a good voter registration list.

Next, we mail our voter registration card to all actively registered voters in Clark County. From that mailing, some cards will be returned undeliverable. Once we receive a piece of mail that we have sent to the voter, and it comes back undeliverable, that allows us to put them in inactive status. We send them a forwarded post office card asking them to update their address, to let us know they are no longer living there and they do not need to be registered, and they are required to send that back to us. That is what initiates the inactive status. As far as the records you wanted to bring to us, that was not a mailing from our office, and we cannot act on it.

Assemblywoman Seaman:

I understand. It seems the system is a little antiquated because we use the active voter list and hundreds of mailers are returned to us. I just wanted to bring that to your attention.

Joe Gloria:

Thank you.

Chair Stewart:

Is there any public comment in Carson City?

Kyle Davis, representing America Votes:

We have a good election system in Nevada, due partly to being proactive about investing in technology and creating a more efficient voting system, so that we can make sure that every citizen has the ability to vote. Today we have heard about our future technology needs, such as the electronic poll book, which

I think is a good step forward. I encourage the Committee to keep those issues in mind as this session progresses.

Chair Stewart:

Is there any further comment? [There was none]. The meeting is adjourned [at 5:30 p.m.].

RESPECTFULLY SUBMITTED:

Patricia Hartman
Committee Secretary

APPROVED BY:

Assemblyman Lynn D. Stewart, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Legislative Operations and Elections

Date: February 10, 2015

Time of Meeting: 4 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.J.R. 1	C	Assemblywoman Spiegel	Conceptual Amendment to A.J.R. 1
	D	Joseph P. Gloria, Registrar of Voters, Clark County	Clark County Elections PowerPoint