

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

**Seventy-Eighth Session
April 7, 2015**

The Committee on Legislative Operations and Elections was called to order by Chair Lynn D. Stewart at 4:02 p.m. on Tuesday, April 7, 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 Harvey J. Munford
Assemblyman James Ohrenschall
Assemblywoman Victoria Seaman
Assemblyman Tyrone Thompson
Assemblyman Glenn E. Trowbridge

COMMITTEE MEMBERS ABSENT:

Assemblyman John Moore (excused)

GUEST LEGISLATORS PRESENT:

None



STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

Daniel Stewart, Policy Advisor, Assembly Leadership
Alex Ortiz, Assistant Director, Department of Administrative Services,
Clark County
Lynn Chapman, Washoe County Chairman, Independent American Party
Janine Hansen, State President, Nevada Families Association
Howard Watts III, Private Citizen, Las Vegas, Nevada
Leora Olivas, State Director, Silver State Voices
Stacey Shinn, representing Progressive Leadership Alliance of Nevada
Vanessa Spinazola, Legislative and Advocacy Director, American Civil
Liberties Union of Nevada
Kyle Davis, representing America Votes
Patrick Sanderson, Private Citizen, Carson City, Nevada
Terri Albertson, Administrator, Management Services and Program
Division, Department of Motor Vehicles
Scott W. Anderson, Chief Deputy, Office of the Secretary of State
Alan Glover, Special Assistant, Office of the Secretary of State
Susan Merriwether, Clerk/Recorder, Carson City, Nevada

Chair Stewart:

[Roll was taken.] We will begin the hearing with Assembly Bill 459, then have a work session, and finish with hearings on Assembly Bill 461 and Assembly Bill 462. I will be involved with presenting Assembly Bill 459 so Vice Chair Shelton will assume the Chair.

[Assemblywoman Shelton assumed the Chair.]

Assembly Bill 459: Revises provisions relating to elections. (BDR 24-1082)

Assemblyman Lynn D. Stewart, Assembly District No. 22:

I am here to present Assembly Bill 459, which deals with elections and making sure that only United States citizens can vote. We are attempting to get a connection between the Elections Division, Office of the Secretary of State (SOS) and the Department of Motor Vehicles (DMV) to make that secure. I will now turn the time over to Daniel Stewart.

Daniel Stewart, Policy Advisor, Assembly Leadership:

To the extent that the problem exists, I have not found anyone who disagrees with an effort to solve it. There seems to be a broad consensus that we can solve problems in a way that is fair and private in order to do the state a service.

I want to explain the objective of this bill. It is meant to safeguard the integrity of our elections and for maintaining the integrity of our voter rolls through a process that is efficient, fair, and private. Often in election law bills, people ask the question, what are the problems? We are going to discuss delicate matters of immigration and voting rights. This topic is not about integration nor is it about immigrants voting. There is a discussion about whether our fellow residents who share our tax burden, work in our community, and attend our schools should have a say in how things are run. There is nothing historical about including more people in the voting process, but this bill is about a specific problem.

In order to be an eligible voter, you must be a U.S. citizen. Per capita, Nevada has one of the largest noncitizen populations, including both those going through the naturalization process and those undocumented. Also, there are those who have benefitted from Deferred Action for Childhood Arrivals (DACA) and Deferred Action for Parental Accountability (DAPA). I do not want this discussion to directly refer to those groups, but they will be involved in this discussion.

There are three concerns that drove this bill. The first was empirical studies that were compiled showing that there are self-monitoring safeguards in connection with registering to vote; for example, you have to attest that you are a citizen under penalty of perjury. You commit a crime if you register to vote when you are ineligible. You need a social security or driver's license number that matches the number on the voter roll. Despite those safeguards, there appears to be empirical evidence that a potentially significant number of the adult noncitizen population has registered to vote at some time.

On Nevada Electronic Legislative Information System (NELIS) is an article from the *Journal of Elections* ([Exhibit C](#)). I do not want to talk about the title of the article which is "Do noncitizens vote in U.S. elections?" but I want to talk about registration. On page 152, based on their estimates of the empirical evidence, there could be 25 percent of the eligible voter noncitizen population who are nonfelons over the age of 18 who may be registered to vote. That number seems high to me, but I think anything greater than zero is something we need to review.

The second concern in this bill was not brought forward because the DMV was doing a poor job or because they were the source of some of these problems. Registration issues result from peer, social, or family pressure, or individuals taking advantage of some of the most vulnerable members of our population. This has unfortunate side effects with those who register to vote. In obtaining their citizenship, these people could get flagged for committing a crime after registering which would impede their citizenship process. There are a number of reasons why people register to vote, and I do not believe nefarious intent is one of them.

Initially there was information that people could register with their driver authorization number. Those numbers are checked and may come back unmatched on the daily file. What does not get flagged are legal resident noncitizens who have a valid driver's license or social security card. If they were to register again, they would be breaking the law.

The third concern is social security numbers will be issued as part of DAPA and DACA, and they may or may not be matched up with citizenship status.

Currently, we do not have a way for the SOS to run a comprehensive search to determine if there are noncitizens on the voter rolls. There are jury pools, but Nevada does not draw their jury pools solely from registered voters, and sometimes noncitizens show up for jury duty. The question is how did they get into the system? Voter registration is a possibility. I believe there are noncitizens who are registered. I do not want to talk about whether anyone votes or not. I do not have any evidence on that; this is the voter roll process.

Assembly Bill 459 has a proposed amendment ([Exhibit D](#)) expressing concerns of Mr. Joe Gloria, Registrar of Voters, Clark County, and other registrars ([Exhibit E](#)). I am open to other amendments.

Section 2 deals with driver authorization cards. When someone applies for a driver authorization card, those who are flagged in the system because they have not provided citizenship data, such as their name, address, and birthday are sent to the SOS and kept confidential. In statute, it says this information cannot be used for the purpose of immigration enforcement. This bill would not change that law. It would allow the SOS and the clerks to check the voter rolls to see if someone accidentally registered. There is no criminal enforcement. We are not asking the SOS to arrest anyone who registered improperly; it is a check. As part of that check, a certified mail letter will be sent out asking them to provide proof of citizenship. If it is received within 15 days, the registration will not be cancelled. If they receive it after 15 days, the

registration will be reinstated. If there is no response, the clerks can cancel the registration.

The Motor Voter Law allows for specific instances of removal within those 90 days, such as felony conviction or death. Currently, the registrars are doing this removal. There is a prohibition against systematic removal of anyone and if this removal process qualifies as systematic, it could not happen during those 90 days. If you have information about a felony conviction or mental incompetence, it would be a broad-based removal of inactive voters.

There is a list of items for proof of citizenship. We are making this as extensive as possible with a provision in section 2, subsection 6, paragraph (f), stating that any other form of identification issued by a governmental agency that requires a person to demonstrate his or her citizenship to receive such identification is acceptable. This process is also private and is between the SOS and the individual. There is no law enforcement involved. The social security numbers are held by those individuals.

Sections 3 and 8 go together; however, in the mock-up (Exhibit F) section 3 is changed significantly. Anyone who shows up for jury duty will be asked if he is a U.S. citizen. The concern is not knowing if these individuals were chosen from the voter registration rolls. If someone wants to be excused from jury duty because of being a noncitizen, he can sign his name, address, birthdate, and an affirmation that he is not a citizen. I am not comfortable with that because I do not want to create a paper record of anyone affirming under oath that he is not a citizen. The purpose of this legislation is to take the burden off of them. Maybe they are concocting reasons for being excused from jury duty. If that affirmation is there, the mock-up takes away the same mailing procedure that we had set up for the driver authorization card.

As the bill was originally drafted, the SOS or the clerk would receive the affirmation and would send the same request upon receipt of information with the driver authorization cards for proof of citizenship. They were already signing under oath that they were not citizens and would not admit they lied under oath again. This is the quickest way and would fall within the 90-day limit.

In the Legislature, we tend to burden our DMV with voter registration since they are an easy point of contact for the public. The law requires that everyone is given the opportunity to register to vote. In section 5, we want to make it clear that if you are applying for a driver authorization card and you are not a citizen, we do not want the DMV employees to be put in a position where they are facilitating a crime. If you are showing up for your driver authorization card and

fill out the papers handed to you, sometimes you may be unaware that you were filling out a voter registration form.

Regarding section 7, to the extent social security numbers are issued, the DMV will have the ability to enter into agreements to parcel out that information. The federal government has the final say. They may say no or that there may be a better state agency, but it gives our state agency the chance to ask for the information.

This body was here for the voter ID hearing. If you ask people if their concerns could be solved by voter ID, their reply would be the issue of noncitizen voters. This is a red herring because noncitizens can have ID's as well as citizens. Our hope is with bills such as this that they relieve insecurities people feel about the election system and will allow for commonsense solutions rather than programs that do not solve or even cause problems. I have asked other stakeholders if they have a better solution to this problem. I know there are privacy concerns and that we are overinclusive and involve people that we should not.

Assemblyman Elliot T. Anderson:

Mr. Stewart, I can appreciate the intent behind this bill, and I do not think noncitizens should be voting, but my concerns are more technical. People sometimes lie to get out of jury duty and recognizing it is a crime to lie, I wonder about automatically taking them off of this obligation because I think they lie just to get out of serving on jury duty. The punishment should fit the crime.

Regarding the choice of going with the driver authorization card tie-in, when I look at the cite in the bill, which is *Nevada Revised Statutes* (NRS) 483.291, I do not know how many people would do this. To get a driver's authorization card, you show a birth certificate issued by a political division of the state which means you are a citizen. Do we have any data from the DMV that shows how many citizens have driver authorization cards because I wonder if this data is being monitored.

Daniel Stewart:

The initial plan was for anyone who applies for a driver authorization card to have their information automatically go to the DMV. No one at the DMV is being asked to separate those who provide U.S. citizenship information from those who are noncitizens. In theory, U.S. citizens may prefer to obtain a driver authorization card. I think part of the genius in that system was to make it so that if the federal government asked, they would not know for certain if anyone with a driver authorization card was a noncitizen. That mystery was

intentionally created in the law. In the bill, it states those that may not be citizens as opposed to anyone who just applies are those that provide documents showing they are not U.S. citizens and they are automatically flagged. If anyone registers under that driver authorization card number, there is no match. It appears there is a flagging mechanism in place for those who apply for a driver authorization card and provide proof of U.S. citizenship and those who do not. I am hoping with this legislation that only those who do not have proof would have their information sent.

Assemblyman Elliot T. Anderson:

What regulations are you asking the SOS to follow?

Daniel Stewart:

We are asking for the delivery of voter registration forms to the DMV. There is a mandate amongst the DMVs that they are required to give voters the opportunity to register to vote, but people are illegally using that service. The proper procedure would be working with the DMV. I think the DMV already provided that opportunity, but we felt the duty properly fell within the jurisdiction of the SOS as chief elections officer or the director of the DMV.

Assemblyman Ohrenschall:

I have seen *The Washington Post* article that criticized the methodology in the study and was skeptical about the sources. What are your thoughts about those criticisms?

Daniel Stewart:

Yes, I have seen the critiques. Some of these numbers seemed high to me. I do not think that 25 percent of Nevada's eligible noncitizens are registered. The *Journal of Electoral Studies* is well-known in the field, and it mentions they had a limited response and made educated guesses. There appears to be evidence that the honor system for voter registration when people are supposed to regulate themselves may not be completely working.

Vice Chair Shelton:

Is anyone in support of A.B. 459?

Alex Ortiz, Assistant Director, Department of Administrative Service, Clark County:

We submitted an amendment to the bill (Exhibit D) which is included in proposed Amendment No. 6302 ([Exhibit F](#)). In section 8, subsection 1, it adds the words "date of birth." It is already included in the master amendment that Mr. Powers and I put together. Nothing is wrong in the amendment because it is already included so I have nothing further to say.

Lynn Chapman, Washoe County Chairman, Independent American Party:

We are in support of this bill. At the voting poll, I walked up to the table to sign in and saw a man checking in to vote who had an interpreter with him. The lady behind the table asked him if he spoke English, and he shook his head no. As I was voting, I witnessed the man's interpreter instructing him who to vote for and what issues to vote on. This does happen and probably more than we know.

Assemblyman Elliot T. Anderson:

It could be possible there is a U.S. citizen who is not proficient in speaking English. You need to have a rudimentary understanding of the English language, but not necessarily be proficient in it. Under the Voting Rights Act, there are voting forms for Spanish-speaking people. Does that make sense?

Lynn Chapman:

That could be true, but when someone is being asked if he speaks English and he shakes his head no, it makes me nervous, because how does he know who to vote for and if he is voting legally? I do not know.

Janine Hansen, State President, Nevada Families Association:

This is a reasonable bill. Last session when the driver authorization cards were being considered, I talked to former Speaker Marilyn Kirkpatrick about my concerns that this might facilitate noncitizens to be able to vote. She replied that we are not going there, and what I believe that means is we would be protected as American citizens from the voting process being abused by allowing noncitizens to vote. I think this bill provides security in knowing there are citizens who rightfully vote.

I received an email from Stan Vaughan, who is a former Congressional candidate for the Independent American Party. He informed me that his wife's sister received a green card after 16 years and now lives with him. The papers stated his sister-in-law no longer had to be a U.S. citizen to vote in local and state elections. I asked Mr. Vaughan to supply me with the papers, but he said his sister-in-law was out of town, and he could not get them to me. When I receive those papers, I will share them with the Committee. That was alarming to me.

This would be a reasonable bill to protect our voter rolls and make sure U.S. citizens are voting. It would also protect those who might be influenced by others to register to vote when they should not vote. We do not want them to violate the law.

Assemblywoman Fiore:

In Clark County, we have a huge hospitality industry. The majority of the employees in this industry are maids and cooks, and are undocumented Nevadans. During election time, they get bused to the polls and told how to vote. Are these people citizens? Probably not.

Vice Chair Shelton:

Is anyone else in support of A.B. 459? [There was no one.] Is anyone opposed to this bill?

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

We agree something needs to be done to address the problem. My concerns are more technical than the goal of the bill.

In the DMV's fiscal note, there is already a process in place for connecting with the Social Security Administration (SSA) to verify an applicant's identity called Verification of Lawful Status application obtained through the Department of Homeland Security.

The sections of the bill requiring the DMV to implement that system are redundant and do not need to be there. If someone's name gets flagged under this system, naturalization certificates cannot be copied and obtaining a duplicate is expensive. We recommend someone give his or her naturalization or citizenship certificate number as confirmation of U.S. citizenship in lieu of providing the paper certificate. If the registration is cancelled, the system notes that the registration can be reinstated if someone later provides proof of citizenship. How would that registration information be held and not deleted so it could be reinstated? When someone says he is not a U.S. citizen, he could be under penalty of perjury. If that choice was made, the court should provide information instead of requiring additional written affirmation including the consequences of making such an affirmation. Hopefully we can address these issues in order to support this bill.

Leora Olivas, State Director, Silver State Voices:

We support the concept of removing noncitizens from the voting rolls who may have registered accidentally and appreciate that this bill was trying to improve accuracy and not punish honest mistakes. We believe that making the changes you just heard, as well as those from the American Civil Liberties Union (ACLU), would achieve the same goals without threatening the access of eligible voters. We currently oppose this bill, but if those changes are made, we will be in support.

Stacey Shinn, representing Progressive Leadership Alliance of Nevada:

As part of an organization that worked to pass the driver authorization cards last session, we are worried about the information-sharing component of this bill. The intent of that legislation was to make sure that our roads were safer by requiring all drivers to have insurance and to take a written and in-vehicle driver's test. We worked to ensure that the private information of the undocumented would be safeguarded and not shared as part of that legislation. We do not want to undo the purpose and intent of that bill by scaring away folks from coming in and getting their driver authorization card.

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

We agree that noncitizens should not be voting, but are concerned about privacy and information-sharing. Presently, the DMV has the information and it is safeguarded. Our proposal is that the voter rolls, which are public information, be sent to the DMV so they can perform a security check. It should not be transferred to the SOS and then to the SSA. There is no language in NRS to protect the transmission of that information. There are hackers and others who could have access to the information. Since people who apply for driver authorization cards know the DMV has their information, they will be comfortable with that knowledge. I am concerned that if it gets out in the public that the information would be shared with multiple agencies, such as the SOS, there will be people disincentivized for applying for the driver authorization card. The point of S.B. 303 of the 77th Session was to make our roads safer, so if we tell people who apply for their driver authorization card that their information will be shared with the SOS and we could not guarantee what will happen with the information, the result would be less participation in the program.

It is only the driver authorization card list that is suspect, but there are also noncitizens who are eligible for licenses. If we shifted this responsibility to the DMV, they could check other voter rolls. Individuals could be erroneously classified as noncitizens with the DMV. You may be a citizen, but you may have presented a different identity document to obtain your driver authorization card. We want more notice requirements about how to present the right type of documents to make sure people are not purged from the voter rolls.

More notice requirements need to be sent to people advising them of the expiration date in order for them to get their information in on time. There needs to be training for DMV personnel regarding what documents determine citizenship. The methodology of the empirical study that was cited earlier was faulted because people misrepresented the fact that they were not citizens because citizenship status changes over time. People can be naturalized or

involved in immigration courts which can be confusing. There needs to be due process protections permitting individuals to dispute an assessment by the DMV or SOS stating that they are not citizens when, in fact, they are.

Assemblywoman Seaman:

I am hearing that you are more concerned about information with the undocumented than you are about the citizens' right to integrity in our elections.

Vanessa Spinazola:

No, I do not think that is true. I think if we want the intent of the driver authorization card bill, which is to keep our roads safe, to carry through and to encourage people to comply with that program, we need to be careful about who has the information. There are cases in other states where immigration and customs enforcement has taken that information and used our federal dollars to find people who are no threat to public safety. We want to make sure that the system we have is safe for everyone.

Assemblywoman Seaman

I am just concerned about our electoral process as well.

Assemblyman Elliot T. Anderson:

Is there a way we can improve the privacy concerns that you have? I know the DMV has crafted provisions to ensure that the information could not be shared with the federal government. Can we replicate those provisions in line with our intent to tighten up those protections?

Vanessa Spinazola:

The public voter rolls should be checked by the DMV instead of the DMV sending that information to the SOS. I am not familiar with any protection process the SOS has with their computer systems. I know they share information with the counties, but it is not as secure as the DMV. I would have to look at their protection process and possibly we could write something into the legislation about what system upgrades they would need, but it would be costly.

Assemblyman Ohrenschall:

Do you have any privacy concerns with the new language on page 7 of the mock-up, on lines 43 to 45, where it states that the DMV shall enter into an agreement with the SSA requesting them to provide information regarding any person with a social security number who is not a citizen of the United States? Do you have concerns about the goal of making our roads safer by getting these

authorization cards? Do you think the language is strong enough or should there be more restrictions?

Vanessa Spinazola:

I do not know if it is necessary, but the language as worded is something we can improve on or eliminate since it is not clear.

Kyle Davis, representing America Votes:

We are in opposition to the bill as originally introduced. I know a lot of amendments have been discussed today. Our concern is that there could be a situation where someone who is rightfully able to vote and who is a citizen of the U.S. would not be able to vote. It is possible that some of these amendments might take care of our concerns? We want to work with the sponsors of the bill to ensure that happens.

Patrick Sanderson, Private Citizen, Carson City, Nevada:

Does section 2 of the bill mean that someone like me who was born and raised here, who has a driver's license, and who has voted in every election is required to bring in his birth certificate, or is this for people they flag because they are suspicious of them? What protections do the citizens of Nevada have, and will this legislation keep them from voting? That is the main question. We have tried to make it easier for the residents of Nevada to vote. If we keep introducing this type of legislation, will it continue to be harder for us to vote? I am not opposed to making sure citizens vote in elections. I just want to make sure my rights are not taken away or misrepresented. I want someone to explain to me what will happen if my information ends up in the computer system. I do not want to get rid of online registration or registration at the DMV because it is convenient, but if they tell me I am too old to drive, then what will happen to me? There are questions in this legislation, and I hope there will be commonsense answers. We do not need the SOS telling the DMV and the county clerks how to run an election. We need the citizens of Nevada to do that.

Vice Chair Shelton:

Mr. Sanderson, I do not think the intent of the bill is to take away any of your rights.

Assemblywoman Fiore:

Do you want our election process secured? Would you like noncitizens of this country voting?

Patrick Sanderson:

Yes, I want our election process secured. No, I do not want noncitizens of this country voting.

Assemblywoman Fiore:

Then you are totally in support of this bill.

Patrick Sanderson:

That sounds very good until you put an "and," an "or," or a "shall," or ask Mr. Powers to read this bill, then I do not understand it. It might sound easy to you but not for the rest of us.

Vice Chair Shelton:

Is anyone neutral on A.B. 459?

Terri Albertson, Administrator, Department of Motor Vehicles :

The DMV is neutral on this bill. The proposed amendment does not indicate there would be any significant changes that would impact the DMV. As previously addressed, we have a fiscal note to build the interface that would be necessary to transmit this information to the SOS. There was testimony about social security verification. We do that on all driver's license and ID card applicants under the Verification of Lawful Status application so that would be redundant, and it would not be necessary for us to enter into any additional agreements with the SSA.

Although this bill is written specifically for DACA applicants, I believe through our discussions there are additional individuals that we need to exclude from the voter information we submit to the SOS. The American Civil Liberties Union (ACLU) is testifying that the SOS should send the information to us. On a policy basis, I do not know that we agree. The signatures we have on file that are used for voting purposes would be sent to the SOS, and one of the other provisions within this bill is that we would not only provide the information to the SOS, but also to the county clerks. We have been working for many years with the SOS and when resources become available, we will have a single interface directly with them in order to provide this information to the county clerks. This is a much more efficient and cost-effective way to provide the information. We will continue to work with the bill sponsors on the policy issues in this bill.

Assemblyman Ohrenschall:

When someone's identity has been stolen, the true John Smith who applies for a driver's license and the person who stole his identify are in the computer. The computer signals that someone is trying to commit a crime or fraudulent

act. Do you have any data that indicates the number of times there are false positives when the computer system shows there is someone impersonating John Smith but, in fact, it is actually John Smith? What concerns me is the potential for the real John Smith to renew or apply for a license or ID card and then become a victim of identity theft.

Terri Albertson:

I do not have any information on the number of cases that we handle on an annual basis for that situation, but there are internal procedures in place. A social security number is only one of several pieces of documentation that have to be provided in order to obtain a driver's license. We check for verification of birth certificates, passports, and social security numbers, and do not just rely on one piece of documentation. When the system indicates an identity theft, the process is to retain those documents. A form is completed by the technician, and the documentation is turned over to our compliance enforcement division for investigation.

Assemblyman Ohrenschall:

I would appreciate receiving that data.

Assemblyman Elliot T. Anderson:

Are you able to help with the privacy concerns that Ms. Spinazola mentioned and not risk undermining the goals of the driver authorization program? Is there a way to share the same technology with the SOS or have the DMV perform the security check in order to maintain the program?

Terri Albertson:

With that potential solution, I would need further discussions with our information technology (IT) staff to determine what type of impact your suggestion would have not only on us but also on the SOS. The way the process works today is that those individuals who submit immigration documents for the issuance of their driver authorization card are excluded from the batch file that is sent to the SOS. If an individual completed a voter application form, when the SOS verifies the information based on what we send them, they will get a "no match" warning. That individual is not going to appear on the SOS's information. If I understand this bill, they are asking us to do the opposite, which is to provide all the driver authorization information to the SOS rather than exclude it. We want to meet with the bill sponsors to determine the most efficient and effective way to do this without disenfranchising anyone because of this process when they apply for their driver authorization card.

Assemblyman Stewart:

I want to assure my friend, Mr. Sanderson, that we are not trying to take away his right to vote, but we are trying to make sure that those who do vote are actual citizens of the United States.

Daniel Stewart:

I do not see any issue with striking the redundancy in section 7. I question if it refers to just checking valid social security numbers or checking social security numbers of individuals who are or who are not citizens.

I think naturalization numbers are a sensible addition rather than requiring copies of naturalization papers.

I need to speak with the registrars about what is the process of holding the registration. I think that even inactive voter information is kept so the information would still be there.

None of the amendments seem problematic other than the amendment from the ACLU asking the DMV to carry the burden. The SOS is the chief elections enforcement officer, and this is an elections issue.

In previous testimony, we heard that we were doing the opposite of providing information rather than excluding information; I think that is partially correct. It would be those individuals who are flagged. Their information would show a "no match" and would not go to the SOS. Their personal information would already be on the driver authorization card, such as name, address, and birthdate, and would then be provided to the SOS. I want to make sure we are talking about those individuals who are flagged rather than anyone who applies for a driver authorization card.

I want to make sure that we did not single out driver authorization cards or jury service because there is no evidence that these issues have increased improper registration. We are using these situations as a data point in order to have a higher degree of reliability with regard to cleaning up our voter rolls.

Vice Chair Shelton:

We will close the presentation on A.B. 459.

[Assemblyman Stewart reassumed the Chair.]

Chair Stewart:

We will open a work session on Assembly Joint Resolution 1 and Assembly Joint Resolution 10 and turn the time over to Ms. Stonefield.

Carol M. Stonefield, Committee Policy Analyst:

Before you is the work session binder and the materials are also available on Nevada Electronic Legislative Information System (NELIS). The first resolution before the Committee is Assembly Joint Resolution 1, which expresses the Nevada Legislature's support for the State of Israel [Referred to work session document ([Exhibit G](#))].

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)

This resolution was heard in this Committee on February 10 and is before the Committee as a matter previously considered. Assembly Joint Resolution 1 was amended on February 17 to add the names of Assembly members who wished to be sponsors and to add that legislators of Jewish heritage also support the State of Israel.

The sponsor of the second part of the amendment requests that the Committee reconsider the amendment previously adopted and adopt the attached amendment which adds to the resolution names of the Assembly members who wish to be listed as sponsors of the resolution.

Mr. Chair, the appropriate motion would be to reconsider the vote on the motion to amend and do pass A.J.R. 1 made on February 17.

ASSEMBLYMAN OHRENSCHALL MOVED TO RECONSIDER
ASSEMBLY JOINT RESOLUTION 1.

ASSEMBLYWOMAN SEAMAN SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMAN MOORE WAS ABSENT
FOR THE VOTE.)

Chair Stewart:

Assemblywoman Spiegel wanted to withdraw this resolution to make it more clear that those who signed the support document included those of Jewish descent.

Carol M. Stonefield:

By voting to reconsider your action, you have returned the resolution to its original state. Therefore, the second motion would be to amend and do pass with the amendment that is provided behind the bill page which shows the names of those who wish to be added as sponsors.

ASSEMBLYWOMAN SEAMAN MOVED TO AMEND AND DO PASS
ASSEMBLY JOINT RESOLUTION 1.

ASSEMBLYMAN THOMPSON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMAN MOORE WAS ABSENT
FOR THE VOTE.)

Chair Stewart:

We will proceed with Assembly Joint Resolution 10.

Carol M. Stonefield:

Assembly Joint Resolution 10 was heard in this Committee on March 31 and was presented by Assemblywoman Dooling. [Referred to work session document ([Exhibit H](#)).]

Assembly Joint Resolution 10: Proposes to amend the Nevada Constitution to revise provisions relating to the compensation of certain elected officers. (BDR C-1068)

The resolution proposes to amend the *Nevada Constitution* requiring the Legislature to establish, by law, a citizens' commission on salaries for certain elected officials. The commission shall consist of seven members appointed by the Speaker of the Assembly, the Majority Leader of the Senate, the Governor, and the Chief Justice of the Nevada Supreme Court. The commission shall set the salaries of legislators, constitutional officers, and judges. The resolution includes provisions limiting the increases and decreases of salaries the commission may determine. Salary schedules will be fixed for a biennium. The resolution also proposes to repeal the provision limiting legislators' salaries to the first 60 days of a regular session and the first 20 days of a special session. It also proposes to repeal the provision permitting the Legislature to fix salaries, by law, for legislators, constitutional officers, justices, and judges.

There is a conceptual amendment that has been approved for consideration by the Chair. The Committee may recall that the appointments were made by the Speaker of the Assembly and the Majority Leader of the Senate, and each of them were to make two appointments. The proposed amendment would revise that to indicate that each of the legislative caucus leaders would appoint one member of the commission.

Chair Stewart:

Do I hear a motion to amend and do pass Assembly Joint Resolution 10?

ASSEMBLYWOMAN FIORE MOVED TO AMEND AND DO PASS
ASSEMBLY JOINT RESOLUTION 10.

ASSEMBLYWOMAN SHELTON SECONDED THE MOTION.

Is there any discussion?

Assemblyman Elliot T. Anderson:

I think it is the right policy for the citizens to decide what we get paid. I do not think we should be in the business of determining our own salaries.

Assemblyman Thompson:

I echo Assemblyman Anderson's response, and I want to thank Assemblywoman Dooling for taking heed to the suggestion of an amendment.

THE MOTION PASSED. (ASSEMBLYMAN MOORE WAS ABSENT
FOR THE VOTE.)

Chair Stewart:

We will not take any action on Assembly Bill 320, but we will hear it on Thursday. This closes the work session, and we will now open the hearing on Assembly Bill 461.

Assembly Bill 461: Revises provisions governing elections. (BDR 24-614)

Scott W. Anderson, Chief Deputy, Office of the Secretary of State:

I am here on behalf of Secretary of State Barbara K. Cegavske. Assembly Bill 461 is a simple bill that addresses a problem that seems to occur each election cycle and was very apparent this past election cycle.

This bill is designed to address the residency qualifications of candidates for office in Nevada. It addresses any false statement knowingly and willfully offered by a candidate in his or her Declaration or Acceptance of Candidacy with respect to the residency requirements.

The bill increases the penalty from a gross misdemeanor to a category C felony on any person who knowingly and willfully files a Declaration of Candidacy or Acceptance of Candidacy containing a false statement. While this increase in penalty reflects the severity of this type of violation, it also serves as a deterrent to those who might choose to file a Declaration or Acceptance of Candidacy containing false statements and ensuring that the candidates filing for a Nevada office comply with the requirements to be a Nevada candidate.

The bill also adds language to the Declaration of Candidacy that the candidate understands that knowingly filing the Declaration of Candidacy or Acceptance of Candidacy containing a false statement is punishable as a category C felony. The addition of this language to the declaration which must be signed by the candidate gives him further notice that filing a false statement in the declaration is punishable as a category C felony. The bill further adds the requirement that a candidate provide a valid driver's license or governmentally-issued ID and a utility bill, bank statement, or other allowed document when filing for candidacy. Current law requires either an ID or one of those other documents to be presented at the time of filing. This provision will allow the filing officer to ensure that the candidates meet their minimum eligibility requirements for filing.

Lastly, the bill provides that if a court determines that a person fails to meet the qualifications for residency and the person knowingly and willfully filed a Declaration or Acceptance of Candidacy which contained a false statement in this respect, that the person is responsible for the costs, expenses, and attorney fees incurred by the Attorney General or district attorney. These provisions require the violating party to cover the costs associated with their violation.

In conclusion, Assembly Bill 461 is a simple solution to a problem affecting the integrity of Nevada's election process.

Assemblyman Elliot T. Anderson:

Have you compared this category C felony with the existing category C felonies? Is this going too far? Why not choose a category D or category E felony since it is a nonviolent offense?

Scott Anderson:

We want to ensure this a deterrent so there are not candidates filing frivolous Declarations of Candidacy, and we need to have a significant punishment for those who do. We would be agreeable to looking at some of the other felony classifications, but category C is where this ended up.

Assemblyman Elliot T. Anderson:

The reason I bring it up is because there is more flexibility for the courts in category D felonies. In category C felonies, there are possible long-term consequences that we do not need in order to deter people from committing this crime. It is not a violent crime and should still be punished, but we need to think about the collateral consequences of a category C felony.

Scott Anderson:

We will consider your suggestion.

Chair Stewart:

Is anyone in favor of this bill?

Janine Hansen, State President, Nevada Families Association:

We support making sure that the candidates who are in their own district file for candidacy. Several years ago, a gentleman filed for State Senate. He filed with the SOS and later it was determined that he did not file in the same district as he had originally filed. The two districts intersected making it difficult to determine the correct district, so he had to refile.

I appreciate that this bill states knowingly and willfully because he did not know and worked to determine the correct district. There are significant penalties in this bill, including attorney fees incurred by the Attorney General for the guilty parties; certainly the person would have to pay for his own defense. I have concerns about charging someone with a category C felony for an election crime. It is too extreme and I am concerned about the long-term consequences. After the person is incarcerated, he would lose his right to keep and bear arms. I do support the concept.

I do not oppose the requirement of showing two forms of ID. I have my Nevada driver's license and my concealed carry permit. My driver's license does not have my address listed on it because there are no street addresses in Elko. People who file for office and drive to the SOS need to be made aware that they are required to have other forms of ID.

Assemblyman Ohrenschall:

The current penalty of a gross misdemeanor carries up to 12 months at the county jail. I think 12 months at the county jail would be enough of a deterrent for most people as opposed to serving a term of one year up to five years in a state prison under the felony C proposal. I am not sure that the enhanced penalty is the issue versus prosecutors not taking this crime seriously. Are you aware of any of these types of cases being prosecuted and convicted?

Janine Hansen:

No, I am not aware of any cases and perhaps the step up in prosecution would be a good idea. I am concerned about felonies for these election violations, not that I do not think they are serious, because they affect all of us. I am concerned about the category C felony penalty. I do not think it benefits our community to fill our jails with nonviolent offenders. I think there are better ways people can pay for their crime while supporting themselves rather than we citizens paying for them.

Chair Stewart:

Is anyone else in favor of the bill? [There was no one.] Is anyone opposed to the bill?

Patrick Sanderson, Private Citizen, Carson City, Nevada:

The only thing that I am against is the category C felony. We have good judges in this state who have the ability to know the type of penalty to justify the punishment for the crime. If it was a mistaken gross misdemeanor, they would have the common sense to drop the charge. If it was on purpose, they could put the offender in jail for 12 months but let that decision be the responsibility of the judges.

Chair Stewart:

Is anyone neutral on this bill? [There was no one.] Mr. Anderson, please come forward for your final statement.

Scott W. Anderson:

I understand the concerns regarding the severity of a category C felony versus a gross misdemeanor, and we will check to see if there is some leeway between the two that would make it more palatable to those who are opposed. We believe this is serious because we are dealing with the integrity of Nevada's elections, and we want to ensure that if nothing else, it is a significant deterrent to those who would file falsely for candidacy with our office in trying to be a candidate when they are not eligible. I will discuss these comments with the SOS and get back to you.

Assemblyman Trowbridge:

This appears to address only half the problem. If someone comes forward and accuses me of not living in the district I represent, it provides a belief. If I was wrongly accused, my attorney fee is repaid and my name could be stricken from the ballot. What happens if I do live in the district? This only addresses one side. If the person does live in the proper district, he still has to prove that he lives there. Does he have to go to court to prove he lives there and if that is the case, are there expenses incurred?

Scott Anderson:

This only addresses the person who does not live in the district. It does not address if you live in a district, are taken to court, and if you are able to get your attorney fees refunded. It is addressing whether or not a candidate is eligible and if he resides in the district he serves.

Assemblyman Trowbridge:

These things seem to be occurring more frequently, and I am wondering if it is going to become a strategy to degrade your opponent by saying he does not live in his district. It is totally bogus that a person who is accused of not living in the district and who does has to defend himself.

Chair Stewart:

The hearing is closed on Assembly Bill 461 and we will open the hearing on Assembly Bill 462.

Assembly Bill 462: Makes various changes relating to elections. (BDR 24-615)

Scott W. Anderson, Deputy Chief, Office of the Secretary of State:

This is a bill we put together to address some concerns of the clerks. We worked with them to add provisions that would aid them in their administration of Nevada's elections. With me today is Alan Glover, who is a former Carson City clerk, who is working with us in the SOS and who will go through the provisions of the bill.

Alan Glover, Special Assistant, Office of the Secretary of State:

I have brought Sue Merriwether with me who is the Clerk/Recorder of Carson City to fill in any information that I may have forgotten in the bill.

Traditionally the county clerks were allowed a bill draft which they now have lost. Secretary of State Barbara K. Cegavske was generous in offering them one of her bills to address some of the problems that have come up in elections over the last few years. I think they were pleased at the spirit of this Committee, particularly Assemblyman Thompson, with some of his ideas. This bill helps address the issues of moving forward to modern elections, such as moving to super polling places and electronic poll books.

In section 1 of the bill, we are inserting the words "polling places." You will see this throughout the entire bill, not only in a precinct or a district but now in a polling place. A lot of these statutes go back to the punch card days and even before then when we were still doing paper ballots. The idea and mindset was one precinct, one polling place. That no longer occurs. We need to move away from that and by inserting language like "polling place" into the statute, it broadens and allows a more efficient administration of an election.

Section 2 of the bill deals with rosters. There is some confusion about the definition of roster. It is a form or file furnished to an election board which contains a list of eligible voters and is used to obtain signatures. I believe

Ms. Merriwether has submitted a technical amendment ([Exhibit I](#)) to a technical bill. The term includes a paper form and an electronic file that may be signed electronically. I think that may be redundant.

Section 3 of the bill refers to a sample ballot's distribution by mail or electronic means. Section 4 refers to tally lists and cleans up that section for electronically-generated reports of the number of votes cast for each candidate and question on the ballot.

Some of these proposed amendments will repeat again through various sections of the bill as a cleanup.

One of the most important sections of this bill for the clerks and registrars, and particularly in Clark County, is section 6. This allows the maximum number of registered voters in a precinct to go from 1,500 to 3,000. A precinct is not the number of people but the number of registered voters in that district. When you get close to 1,500 voters, the precinct has to be split and a new one created. It is expensive and causes confusion. The other point is minor and not expensive. Clark County does their own, but when Dominion Voting Systems program elections for the other 16 counties, they charge by the precinct, not by the number of registered voters. It is based on the number of precincts, so if precincts have to be created, the fees are increased. I was asked by Joe Gloria, from Clark County, to mention this as it is extremely important to Clark County.

Chair Stewart:

By creating a new precinct, it sometimes results in a sparsely populated precinct, is that correct?

Alan Glover:

It does. Creating precincts is like making cookies. You start cutting them out and you always have leftover dough. So you end up with very small precincts. They have to be created by ballot style, which is indicating who is going to be on the ballot within that precinct. Sometimes it is unavoidable when that happens.

Sections 7, 8, and 9 of the bill refer to polling places instead of precincts.

Chair Stewart:

I understand from the election officials that it is difficult to acquire polling places. Supermarkets and other establishments are reluctant to turn their places of business into a polling place. Is that correct?

Alan Glover:

That is correct. One of the problems clerks and registrars face is finding polling places that are available. Not only is it the physical size needed to accommodate the voting machines but also the issue of adequate parking. And in the case of a supermarket, there are other people shopping which makes for added confusion and lack of space. In our courthouse, Tuesday was a law-in-motion day so the parking lot was full because of people being in justice and district courts.

Section 10 of the bill states that the "county clerk shall cause a copy of the full text of any such constitution," added "or amendment" in place of "measure," and "its condensation, explanation, arguments, rebuttals," and so forth be published in the county. In section 10, subsection 5, it states how to cause a copy of the condensation to be handled and printed.

As stated in section 11, when people qualify for the ballot as an independent candidate, we put the term "independent" after their name, the way we do with Republican, Democrat, or Green Party. There is confusion in that statement. After consultation, we came up with the idea that "no political party" would be a better term to use. It makes it clear to the voters that this candidate does not belong to a political party and provides that the SOS may use the abbreviation "NPP" because of voters at the polling place questioning the term "independent."

Sections 12 and 13 refer to polling place changes. Section 14 of the bill deals with deleting the term "election board roster" and using the term "roster."

Section 15 states that a registered voter applying to vote shall state his or her name to the election board office in charge of the "roster" instead of "election board register" and the officer shall immediately announce the name and in the new language instruct the voter to sign the roster. The signature of the voter is verified and if it does not match, then the voter is asked for proof of identification per *Nevada Revised Statutes* (NRS) 293.277 and then asked to complete a form prescribed by the SOS to update his or her signature. The rural counties have used a form to update signatures which was not an official form, but it was practical.

Section 17 requires an election board officer to post an alphabetical list. This is interesting and important. Under present law, the county clerk prints out a list of every voter. Their name is checked off and the list is duplicated. The lists are switched so that the parties can review them and call people who have voted. When we updated to electronic poll books, there was no need to do this anymore because we email them the information. This is one of the provisions

in the bill directed toward the future if we are going to allow poll books and subsequent modernization. When Ms. Merriwether was in the Carson City office, it took all day on Saturday to print out the voter lists. This is a simple way to solve a major problem and it saves money.

Chair Stewart:

Do you have an estimation of how much money will be saved?

Alan Glover:

It takes reams of paper and we pay time and one-half on Saturday because it has to be ready by Monday morning.

Section 18 refers to roster wording. In section 19 on page 12, there is a cleanup that indicates the "appropriate" election board to handle these issues instead of the chairman. This section designates that the appropriate person returns the cartridges back to the courthouse or counting center. In other sections, two people of different parties return those cartridges back for counting. We do not have chairmen anymore.

Early voting provisions are addressed in section 24 which mirrors the other sections regarding regular voting.

In section 25, some of the things required for early voting you cannot or do not do. You do not count the early voting votes every night. It is done on Election Day. Some of these things cannot be reported. What is needed is the number of ballots that people use. The machine keeps track of the ballots, and the numbers are written down in the morning and again at night. The two numbers are subtracted giving the total number of people who voted. This is compared to the number of signatures obtained during the day to come up with a balance. Storage devices are used and the containers are transported back to the central counting place.

When all of the votes have been counted, the county board officer produces a tally list organized by precinct ballot type indicating the number of votes that each candidate received. That information is what you want that night. This is addressed in section 28.

Section 30 of the bill states the "appropriate" election officer will handle any issues that may come up.

In section 32, if a registrar of voters' register or "roster" is kept by computer, the register "or roster" must include the name, address, precinct, political

affiliation, and signature or facsimile thereof of each voter and any additional information required by the county clerk.

Section 39 deletes old language that goes back predating punch cards to true paper ballots such as binders. This is very old language.

If we go to electronic sample ballots, section 40 contains the needed language to accommodate people who choose electronic sample ballots. It deletes the terms "printed" and "mailed" and uses "distributed" and "prepared."

Section 43 refers to NRS Chapter 293C which is the city section and mirrors the other part of the bill.

Section 44 deals with trainees if those who are being used are assigned to a polling place and not a precinct.

Assemblyman Elliot T. Anderson:

The precinct number is a concern. While trying to avoid confusion when splitting precincts, it could create confusion if we now start changing it, correct?

Alan Glover:

No. It is the opposite. When the precincts hit the 1,500 number, that is when they are split and the previous information is no longer available. It allows precincts to expand to 3,000 instead of being split. The data collected from the parties includes voter history. When someone plans a campaign and wants to know how successful he was in a certain area, the voter history can provide a lot more information than by just looking at a precinct for that information. Precincts totally changed after redistricting. They are totally different in every county than they once were. There is no historic data by precinct. There are more sophisticated ways to get that kind of data and the parties use it.

Assemblyman Elliot T. Anderson:

Can our polling places handle that number of people in them?

Alan Glover:

Precincts mean nothing to a clerk. It is super polling places. It is similar to early voting where anyone can go anywhere in the county and vote in the polling place. Precincts are now irrelevant when it comes to counting the number of people who vote.

Assemblyman Elliot T. Anderson:

I appreciate the requirement process for signatures that do not match. What does the phrase "does not match" mean?

Alan Glover:

I think poll workers do a good job in this regard because when elderly people come to vote, their signatures change, but it is obvious why they have changed. Most of the letters match and it is not a problem. But younger people's signatures often do not match at all. They state it is their signature, but we ask them to provide identification. Signatures change a lot and from what I have read, the largest group of people whose signatures have changed are young females. To remedy this, we need to have them sign a form with their new signature, which we would scan and attach to their name. People need to pay attention to their signature because if they sign a petition and it does not match the signature on file, it will not count on that petition. It is important to keep signatures current.

Assemblyman Thompson:

In section 11, subsection 3, paragraph (a), even though it is not my affiliation, we need to be as fair as possible. I am concerned about changing the word "independent" to "no political party." People from the Independent American Party consider themselves a party. That could be a demeaning term. I want us to look at it with caution and see if we get any opposition.

Alan Glover:

There is some confusion because people may think "independent" refers to the Independent American Party and we want to avoid that.

Assemblyman Ohrenschall:

Section 4 of the bill refers to "tally list," "paper form," "or an electronically generated report." Is there a possibility that minor parties or grass roots candidates who do not have a lot of means are going to prefer the paper report and not the electronic form? They may not have computer tablets or be high-tech.

Alan Glover:

That is the list the election board uses. If a party or candidate wants to list a registered voter, the information can be put on a compact disc (CD), emailed, or printed out. This is the electronic poll book portion of it. It is an electronic signature and is not a paper form.

Assemblyman Ohrenschall:

On Election Day, it is the old list that people look at and cross off names to see who voted, correct?

Alan Glover:

That is correct.

Susan Merriwether, Clerk/Recorder, Carson City:

The tally list was something that the election board used to mark down votes when they were tallied. This is old language. Now, after we receive those cartridges, the counting board runs them in the program and that becomes the tally list. My amendment to this part of the statute was to include the electronic portion. In my amendment that I submitted to the SOS ([Exhibit I](#)), I deleted section 2 referring to the paper form because I do not believe anyone uses it anymore. It is all electronic now, which is the printout that comes out from the cartridges.

Assemblyman Trowbridge:

I want to make a comment along the lines of Assemblyman Thompson. In my Assembly District, 18 percent of my voters are with the Independent American Party and they would object to being called an incidental group or something similar.

Assemblyman Ohrenschall:

I am comparing sections 15 and 24 referring to the signature that does not match up with the signature on file. Section 15 requires proof of identification and submitting a new signature that day. Section 24 requires the proof of an ID card, submitting a new signature on a form, and verifying that the voter has not voted in the election. Why is there a difference in the two sections in terms of adding there is verification that the voter has not voted in section 24 and not adding it in section 15? What if the voter does not want to change his signature that day for whatever reason?

Alan Glover:

Section 24 deals with early voting to make sure the voter has not voted somewhere else.

Assemblyman Ohrenschall:

Section 15 deals only with Election Day, correct?

Alan Glover:

Correct.

Assemblyman Ohrenschall:

The voting list is already clean, so there is no concern that the person's vote would be counted twice, correct?

Alan Glover:

Correct.

Chair Stewart:

I am turning the time over to Ms. Merriwether to make sure the election officials are okay with this proposed legislation. Ms. Merriwether, are you speaking for Washoe and Clark County representatives?

Sue Merriwether:

Are you talking about the differences in early voting?

Chair Stewart:

I want to make sure that all of the items suggested by the SOS are compatible with the counties.

Sue Merriwether:

Yes, I have gone through the bill and came up with amendments to clarify some of the information in the bill. All of the items in the amendments will help not only the processing with electronic poll books, but will also change the election board register to roster because now there are several places in NRS that indicate the voter signs in the election board register and they do not. By definition, the roster is where the voter signs in when they come to the polling place to vote. That is the reason for the cleanup. I think the ease for poll watchers to log in to the Internet and verify who voted is a big step in improving that process. On Election Day, Washoe County checks in voters at the polling place using computers and posts it on the website, but to comply with existing statute, they need to print out all of the copies of those who voted, which is expensive.

Chair Stewart:

You will get with Mr. Glover and Mr. Anderson if there are additional changes so we can have this resolved by Thursday when we have our final session, correct?

Sue Merriwether:

Yes, and I believe you have a copy of my amendments.

Alan Glover:

We are in support of those amendments and appreciate them being included in the bill.

Chair Stewart:

Mr. Powers, do you have time to incorporate the amendments into the bill by Thursday?

Kevin Powers, Committee Counsel:

The Committee will have time to act on Ms. Merriwether's proposed amendments on Thursday. They do not need to be in mock-up form. The Committee just needs to act on her document. In addition, I would recommend that if the Committee goes forward with the bill that the provisions of the bill that deal with sample ballots by electronic means be matched up to the ones that the Committee approved for Assembly Bill 94.

Scott Anderson:

To answer Assemblymen Trowbridge and Thompson's questions about striking the word "independent" and inserting "nonpartisan or no political party or NPP," that was done because candidates were confused with the terms "independent" and "Independent American" meaning the same thing. This takes care of that problem because on the ballot, Independent American will still come up as a political party just as Republican and Democrat will. This states that if you have no political affiliation, it will denote "NPP" or "no political party".

Sue Merriwether:

That designation is if you are running for a partisan office and not affiliated with a political party.

Chair Stewart:

Have you completed your presentation?

Scott Anderson:

Thank you, Mr. Chair, we appreciate your time and the indulgence of the Committee for us to go through these provisions.

Chair Stewart:

Is anyone in favor of this bill?

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

I am in support of this bill. There are issues where we can come together and agree. Section 15 states to provide proof of identification described in NRS 293.277, but the referenced identification requires a signature. So if the

issue is the signature not matching up, it might create problems. My suggestion is requiring identification that has the residence and a photo or physical description of the person voting.

Leora Olivas, State Director, Silver State Voices:

We support this bill. These are commonsense improvements to modernize our election system.

Chair Stewart:

Is anyone else in favor of this bill? [There was no one.] Is anyone opposed to the bill? [There was no one.] Is anyone neutral on the bill?

Janine Hansen, State President, Nevada Families Association:

We have no problem with the bill and appreciate your concerns, but they do not pertain to us but to nonpartisans. We believe the clerks should get what they need.

Scott Anderson:

This bill goes a long way in cleaning up the provisions relating to the county clerks to ensure we make their lives easier in the administration of these elections. We appreciate your time and their time working with us in getting these provisions together and moving forward.

Alan Glover:

Ditto.

Chair Stewart:

The hearing is closed on Assembly Bill 462. Is there any public comment? [There was none.] The meeting is adjourned [at 6:05 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: April 7, 2015

Time of Meeting: 4:02 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 459	C	Daniel Stewart, Policy Advisor, Assembly Leadership	Electoral Studies
A.B. 459	D	Daniel Stewart	Clark County Amendment
A.B. 459	E	Daniel Stewart	Clark County Bill Review Statements
A.B. 459	F	Alex Ortiz, Clark County	Proposed Amendment
A.J.R. 1	G	Carol M. Stonefield, Policy Analyst	Work Session Document
A.J.R. 10	H	Carol M. Stonefield, Policy Analyst	Work Session Document
A.B. 462	I	Susan Merriwether, Carson City Clerk/Recorder	Proposed Amendment