

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

**Seventy-ninth Session  
March 29, 2017**

The Senate Committee on Legislative Operations and Elections was called to order by Chair Nicole J. Cannizzaro at 3:42 p.m. on Wednesday, March 29, 2017, in Room 2144 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4404B of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Nicole J. Cannizzaro, Chair  
Senator Tick Segerblom, Vice Chair  
Senator Kelvin Atkinson  
Senator James A. Settelmeyer  
Senator Heidi S. Gansert

**STAFF MEMBERS PRESENT:**

Michael Stewart, Policy Analyst  
Kevin Powers, Counsel  
Janae Johnson, Committee Secretary

**OTHERS PRESENT:**

Janine Hansen, State President, Nevada Families for Freedom; State Affiliate  
National Eagle Forum  
Joe P. Gloria, Registrar of Voters, Election Department, Clark County  
Sue Merriwether, Clerk-Recorder, Carson City  
Aubrey Rowlett, Chief Deputy Clerk, Carson City  
Stacey Shinn, Progressive Leadership Alliance of Nevada

VICE CHAIR SEGERBLOM:

I will open the meeting with Senate Bill (S.B.) 205.

**SENATE BILL 205:** Revises provisions governing the payment of certain expenses of Legislators during a regular legislative session. (BDR 17-533)

SENATOR KELVIN ATKINSON (Senatorial District No. 4):

I will discuss this important bill relating to the reimbursement for Legislators receiving travel expenses to and from their homes during the Legislative Session. The cost of lodging for those who live more than 50 miles from Carson City includes moving expenses and furniture rental. It is no secret that this reimbursement is woefully insufficient to cover the actual cost associated with living in and traveling to and from the Capital. Many of us quite frankly go into debt serving in the Legislature. The statute that S.B. 205 proposes to amend is *Nevada Revised Statutes* (NRS) 218A.645 which provides the allowance of \$10,000 for reimbursed expenses.

Twelve years ago, the amount was \$6,800, and former Senator Dennis Nolan fought to increase this amount by \$200. Even in 2005, Senator Nolan estimated that the average Legislator was spending \$9,200 in expenses. After the Legislature examined this further, they raised the reimbursement amount to \$10,000, which is the same today, in the hopes of providing at least a breakeven for Legislators' expenses.

Since 12 years ago, without a doubt, airfare costs have skyrocketed. I tell people all the time that Southwest Airlines understands when we are in Session. I remember 15 years ago the average cost for a round-trip ticket was \$170. Today, for a round-trip ticket there is nothing under \$400; if there is a change made on Friday or Sunday, the exact cost is \$522 for in-state travel between Las Vegas and Reno, and rental cars have increased as well. Most Legislators are not wealthy. Some Legislators use rental cars when they get back to Las Vegas on the weekends because their cars are in Carson City.

VICE CHAIR SEGERBLOM:

We actually have to pay for parking; the Reno-Tahoe Airport Authority used to comp parking, but now that is illegal.

SENATOR ATKINSON:

When I was first elected, McCarran Airport used to allow us to park for free. Both of these options are now gone. I personally pay on both ends, and this does cut into the travel expenses. Housing has become limited in northern Nevada, which causes the prices to be higher. I have a one-bedroom apartment this year that costs \$1,400 a month. It has gotten more expensive. Our housing, moving and living expenses are reimbursed. I would like to say again, the law provides for "reimbursed expenses," and it is not additional salary or

additional money. If Legislators deem themselves to not want any more reimbursement after they reach the \$10,000, they will not have to submit the blue form any more. That is the important part of this. You do not have to submit it. It is reimbursed. It is not anything that you just automatically receive.

Unfortunately, housing, moving and living expenses are reimbursed from the same pool of money as travel expenses. We are frequently dipping into our pockets to cover reimbursement expenses. I think every Legislator will now say it is becoming a common practice to come out of pocket for these expenses. The reimbursement allowance used to last until the end of May, but more often it is gone by mid-April. The Legislative Counsel Bureau accounting office would send a slip notifying the Legislators that they are close to using the \$10,000 for expenses.

For these reasons, I introduce S.B. 205 which moves the cost of temporary housing out of the travel expenses. Travel should be travel; housing should be for housing. I am proposing to leave the \$10,000 travel alone and move the other expenses into their own expense column. The bill provides a separate allowance for temporary housing during the Legislative Session. This is based on the fair market rent for a one-bedroom unit in Carson City as published by the U.S. Department of Housing and Urban Development (HUD), which lists the fair market rent at \$645. Other data suggests that the average rent for a one-bedroom unit is \$740 a month. The latest Census Bureau figure lists the median gross rent in Carson City as \$928 per month, although this figure takes in the entire rental housing market. Keeping the housing allowance separate from the reimbursed moving expenses, furniture and travel costs is a logical step forward. We must submit separate claims for those sources of direct expenses, rental furniture, rent and moving items, and it all comes out of the \$10,000 allowance. Trying to get home every weekend has become more of a challenge for Legislators from southern Nevada.

SENATOR GANSERT:

What happens if your rent exceeds the indexed amount? Do you still have to absorb that, is that the way this would work? You could get reimbursed up to the indexed amount?

SENATOR ATKINSON:

The way housing works is you will have to pay the difference. You only get \$645 per month for housing. On the first of each month, LCB will give you a

separate check. If you calculate \$645 times four months, it comes out of the \$10,000 allowance. If you are accepting the housing portion, it all comes out of the travel expense of \$10,000. You will have to make up the difference each month if the \$645 does not cover the total cost of rent each month.

SENATOR GANSERT:

So even after you set it aside, you still have to make up the difference between what the index is and what you are paying?

SENATOR ATKINSON:

Yes.

VICE CHAIR SEGERBLOM:

I have noticed this year that the housing market is tight, that you have to rent for five months as opposed to four months.

SENATOR ATKINSON:

I had to rent for six months since the apartments will not let you go with anything less than six months. You are not covered for the full reimbursement during the Legislative Session, but you are also paying for two extra months. I had to pay for January when I was not here and will have pay for June as well. I think a lot of the Legislators are in the same situation. There are six of us who stay in the same apartment complex. I know if I am in that situation, then they are too, and I know other Legislators who have had to sign a six-month lease.

VICE CHAIR SEGERBLOM:

I would be willing to work with you to add the amount that is closer to the total amount as opposed to receiving \$600 a month. I do not know anyone who is paying \$600 a month for rent.

JANINE HANSEN (State President, Nevada Families for Freedom; State Affiliate National Eagle Forum):

We have long supported increasing the wages, salary and the expenses for Legislators. This is fair and reasonable. We also feel that it contributes to us having people able as citizens to serve as Legislators. We have a citizen Legislature, and many people without any kind of reimbursement are unable to serve. It is important in Nevada where we have a citizen Legislature for people to be reimbursed and to have a reasonable salary. We support S.B. 205 and many other measures. I rent a place in Carson City, and I drive every weekend

back and forth 325 miles. My rent is half the price of Senator Atkinson's because I got a good deal, but it is about the size of a shoe box. I understand how difficult it is, and I have to raise the money for my travel. This bill contributes to us having a citizen Legislature and a greater pool of people able to serve.

VICE CHAIR SEGERBLOM:

I will close the hearing on S.B. 205 and open the hearing on Senate Bill 492.

**SENATE BILL 492**: Revises provisions relating to polling places. (BDR 24-450)

SENATOR NICOLE J. CANNIZZARO (Senatorial District No. 6):

This bill talks about the vote center style of voting. This method of voting has become more popular. This year, at least 15 states now permit jurisdictions to replace precincts with vote centers or authorized vote center pilot projects in elected jurisdictions. The next generation of voter machines is designed to support this type of voting. Senate Bill 492 authorizes the voter registrar in each county whose population is 100,000 or more, this would apply to Clark and Washoe Counties, to establish one or more polling places in the county where any person entitled to vote in person may do so on Election Day. The vote center style of voting works like early voting that people are accustomed to in these counties. The bill does require that locations of vote center polling places be published in a newspaper during the week before the election, and also posted on any bulletin board used for public notices. This posting must be no later than the fifth business day before the election and continue through 7:00 p.m. on the day of the election.

To avoid any surprises, no additional polling place may be established after the newspaper publication day. Under the bill, the county clerk must prepare a roster of each of these polling places that contains information about every voter in the county. This will allow voter information to be readily available at each vote center location so each voter can receive the proper ballot style based on the precinct in which the voter lives. Section 5 of S.B. 492 sets forth a procedure by which a voter shall cast a ballot at a vote center location, including signing the election roster verifying his or her signature confirming the voter has not already voted in that election, and then allowing the voter to cast a ballot. Section 5 also pulls existing language from chapter 293 of NRS for vote center-style voting as it relates to verifying a person's identity when his or her signature does not match the roster. This would operate in the same way

that it currently operates when you go to vote on Election Day. If the signature of the voter has changed in comparison to the signature on the application to register to vote, the roll will require the voter to update his or her signature on a form prescribed by the Secretary of State. This is the same process already set forth in law for election rosters used for standard polling places.

Casting a ballot using the vote center model has proven to be popular, reliable, convenient, and a safe voting method. I would note the bill includes language in sections 5, 7, 9 and 10 that requires the county clerk to prescribe procedures as approved by the Secretary of State to verify that the voter has not already voted in the current election. These safeguards are critical to protect the integrity of the election process in Nevada. The remaining sections of the bill add conforming language as it relates to the new language set forth in sections 2 through 5. I would point out this particular language is permissive in nature; it would allow those counties to operate vote centers and begin in a manner that would allow them to move to an entire vote center-style voting.

I have had conversations with Joe Gloria from Clark County. He offered some suggestions with regard to residential housing and smaller live-in facilities which currently operate voting. A suggested amendment to this bill would be to allow those particular polling places to still operate since they are too small to operate as a vote center-style voting. Any of the polling places available for vote center-style voting would also be included on any sample ballots that are sent out.

VICE CHAIR SEGERBLOM:

Have you seen the Clark County amendment?

SENATOR CANNIZZARO:

I have seen that amendment, and I spoke with Joe Gloria about this bill. I think that his suggestions and the proposed amendment are in line with what we are doing, which is to make voting a little easier. This would be similar to what we are currently doing in early voting prior to Election Day, allowing people to go vote where it is convenient.

SENATOR SETTELMAYER:

During early voting, we do this in certain counties, and there is enough time to catch any errors that might occur if someone tries to vote twice. How would we do this in real time on Election Day, or how would this bill counter that?

SENATOR CANNIZZARO:

The way this would be set up is related to the current software programs. The voting centers that we would operate will update on a regular basis. If somebody did go to one polling location to vote and attempted to go to another polling location to vote, the data would be updated to show that person had already voted that day. That is why a lot of this language is permissive, to allow counties to operate these vote centers, when we can ensure those processes in place and that people do not vote at two different locations on the same day.

SENATOR SETTELMAYER:

I am not familiar with Clark County, but I question that some of the sites in Washoe County may not have Internet capability in order to coordinate all of their locations. If voters filed at one place, would they be able to connect with a remote precinct where they are actually from? I think that is the goal, to make sure if voters are in town getting groceries or picking up kids from school, they have the opportunity to vote at one of these locations that would be better for them, so they do not have to try to get home by 7:00 p.m. Are we going to be able to get the notifications to a remote satellite location that someone has already voted? I will try to follow up with Washoe County.

SENATOR CANNIZZARO:

I agree, we do have to address the concern you have. The language is permissive in nature so that we can eventually move in a consistent manner to allow this information to be updated in real time. It does not require Washoe County or Clark County to operate vote centers on Election Day, but it does allow them to start making that move.

SENATOR GANSERT:

I was thinking about hacking. Our voting machines are not networked. Is there a way to identify—just yes or no—whether someone has voted or not, short of his or her vote, so that the center can communicate that information within the network?

SENATOR CANNIZZARO:

I think this is an important consideration. This bill is intended to work toward alleviating that concern.

JOE P. GLORIA (Registrar of Voters, Election Department, Clark County):

Speaking to the concern related to connectivity in Clark County, we have a long process that we go through using wireless connectivity. Backup can always be a hard line connection through the network. Our information technology team goes out to all of the sites. We have three carriers that are the strongest carriers in Clark County: AT&T, Sprint and Verizon. The team will identify two of the strongest carriers. The strongest carrier will be our primary wireless connection, and the second-strongest signal will be our secondary carrier. Those sites with hard line connectivity to the County network use that connection.

SENATOR GANSERT:

I was concerned about confidentiality and when you are communicating before the machines are networked. Would they be used to communicate whether someone voted but not actually how the person voted?

MR. GLORIA:

They are two separate systems. When we sign people in to vote, that is connected to our election management system which only talks to the voter database. The actual machines will remain isolated for security reasons, so they are not connected; they are separate. There would be no transfer of any voting information through the system.

SENATOR SETTELMAYER:

With the number of rooftops in Clark County, you have three carriers. Yesterday, a semitruck hit a phone line and took down the entire network in Carson City. A problem that may not be an issue in southern Nevada may still be an issue in northern Nevada. I will follow up with Washoe County to make sure those issues are addressed.

MR. GLORIA:

I support S.B. 492. Some of the pros involved with implementing a vote center would be for any jurisdiction. It provides more access to voters. The voter is not limited to a single polling place on Election Day. The provisional ballot improvement is a pro for us because the number of provisional voters in Clark County was over 54,000 for the 2016 general election. Voters can be in the wrong polling place. With a vote center, all ballot styles are provided at all polling sites, and that includes rural areas in Clark County. All of the rural areas would continue to have these sites that we have provided for Election Day in



the past. It is only the urban area where we would look to decrease the number of sites as a result of more access.

In the 2017 municipal election, all four of our cities, Henderson, Las Vegas, North Las Vegas and Boulder City, are utilizing vote centers. Voters in Clark County have become familiar with the access that is provided. The next year we are hoping to incorporate the use of work centers in the unincorporated Clark County areas for more access. There is greater efficiency in processing the voters at the polling place.

Many of our polling places already serve multiple precincts, and some of those precincts have a small number of voters while other precincts have anywhere from 1 to 1,500 voters. That one precinct in operation for 200 voters cannot process voters from other precincts. With the vote center, the voters will queue up similar to what is currently done in a bank. There will be one line, and laptops can process voters at the polling place and serve any voter. That will increase the efficiency in our processing of voters on Election Day and ease lines, although we do not normally have lines in Clark County thanks to the early voting program.

There are a number of administrative tools, and voter history is updated in real time. Identically to what we do with early voting, we have to be connected to the system to prevent and protect the integrity of the process. When a voter votes during early voting, it is instantly sent in real time to our database to mark that voter has voted. The voter cannot leave that polling place and go somewhere else to vote. The same system we are using for early voting will be utilized on Election Day for a vote center. We can monitor the laptops because they are connected to the system.

If we have any trouble at the polls with connectivity or if the laptops are not functioning correctly, our central hotline will be able to identify the issue. There will be rovers in the field who can address any of those situations starting at 5:30 a.m. This will improve the services that we provide. All of the canvassing will be electronic. Normally after an election, we sit down with a large staff of 15 to 20 people and manually go through the printed paper rosters to identify any issues from Election Day. The vote center will do that electronically and quickly identify any discrepancies, and the canvassing process will improve tremendously.

The criteria we have been working with in Clark County places all vote centers no further than two miles away from each other in the urban area. We printed out a map to identify those precincts where Election Day turnout is higher in the Clark County urban area. We added another site in those urban areas to handle this type of volume. I will be reaching out to the Board of Commissioners, community partners, political parties and any minority groups with our plan of providing vote centers for the 2018 election. We will be sure to address any issues that those groups have.

I will discuss the proposed amendment for S.B. 492 that allows a voting site at a residential development for the elderly. The amendment submitted ([Exhibit C](#)) modifies NRS 293.2735.

SUE MERRIWETHER (Clerk-Recorder, Carson City):

Senate Bill 492 provides an option for counties where the population is 100,000 or more to establish one or more polling places where registered voters in the county may vote in person at any location on the day of primary or general elections. As part of the rural counties of Nevada, I would like to request that the option to be available to the rural counties. Vote centers will benefit not only larger populations of Nevada, but it will also benefit the rural populations. We had several bills that do not give us the option and instead mandate vote centers. This bill does give us the option, and we are in full support of S.B. 492 that allows us to be part of the process.

SENATOR SEGERBLOM:

Some of the counties can be hundreds of miles, say from Tonopah to Pahrump or Pahrump to Goldfield. What would you do if you only have one site?

MS. MERRIWETHER:

I am not sure of the rural counties, but I know Douglas County and Carson would like to move forward with vote centers. Because of the availability with the Internet, Elko County only has one polling place, but I think the county could if it were to get electronic poll books or electronic tablets that could connect. Someone from Elko who is working in Carlin can vote in Carlin instead of rushing home to vote. Electronic poll books allow the voters more options of where they can go and vote. It is all sent to a server, a database in our office, and the Secretary of State has access to the server and can see who has voted in this countywide system.

SENATOR SETTELMAYER:

In Douglas County during the primary election process, the computer systems are pretty well interlinked. But it actually gave the ability during the primary election that you could vote anywhere. The staff can automatically look up where you are supposed to vote for that particular precinct. The staff would call, since there is a cell phone linked to each district. The process redacted the voters from the list and would not let them vote. It is pretty easy and has more value potentially in the rural areas because of the fact that you are so far between locations. If you have to go into the center part of Elko for a doctor's appointment, you will not make it back to Spring Creek in time to vote.

MS. MERRIWETHER:

The advantage would be for these areas where the jurisdictions are all spread out. The issues for and reasons why the rural counties did not support vote centers was because there are certain jurisdictions that do not have accessibility to the network. Allowing them to move forward to do this is a good idea.

AUBREY ROWLATT (Chief Deputy Clerk, Carson City):

I am here today at the request of the Washoe County Registrar of Voters Luanne Cutler and have submitted her testimony ([Exhibit D](#)).

SENATOR SETTELMAYER:

Would this potentially even help while we are updating and buying new machines? Will we need more machines?

MS. MERRIWETHER:

In Carson City, we only have two polling places, so I think we might be able to eliminate some machines.

SENATOR SETTELMAYER:

Would you be able to use these vote centers for municipal elections?

MR. GLORIA:

Yes, we are currently using the old system. The new system will also provide vote center ability. The voting machine is the ballot definition laid into the machine so that any ballot style is available for any voter who shows up to the polling site. The actual functionality of the machine is a different set of programming. The new machines will also provide this service. We calculated the number of machines that are used to support Clark County based on an

80 throughput and the number of Election Day voters we can predict. The number of machines would not be reduced in Clark County.

STACEY SHINN (Progressive Leadership Alliance of Nevada):

We support S.B. 492 and vote centers. We have worked a long time to get this policy implemented. If we can reduce provisional ballots, it gives greater access to our democracy.

CHAIR CANNIZZARO:

We did not include rural counties on this bill with these sorts of mandates, and their limited resources can be daunting. But I am happy to have this conversation. There is another bill coming to this Committee that deals with updating voting machines. It could help us get new voting machines in the rural counties so they could implement this option. This would apply to any municipal elections if they want to use it in that fashion. I am certainly willing to work on any issues to help get more access to voting.

We will close the hearing on S.B. 492 and move to the work session on S.B. 117.

**SENATE BILL 117**: Revises provisions relating to election accessibility.  
(BDR 24-547)

MICHAEL STEWART (Policy Analyst):

Senate Bill 117 was brought to us from Senator Settlemeyer. It requires each polling place to have a separate line for voters with disabilities or those who are not physically able to wait in line to vote. I have submitted the work session document ([Exhibit E](#)).

CHAIR CANNIZZARO:

Senator Settlemeyer has agreed to add names to the bill, and I think this is a great bill.

SENATOR SETTELMAYER:

I have no problem with everyone signing off on the bill.

SENATOR GANSERT MOVED TO DO PASS S.B. 117.

SENATOR SEGERBLOM SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR CANNIZZARO:

We will move to the second item in the work session on Senate Joint Resolution (S.J.R.) 10.

**SENATE JOINT RESOLUTION 10**: Rescinds all previous resolutions of the Nevada Legislature which requested Congress to convene a convention to propose amendments to the United States Constitution. (BDR R-940)

MR. STEWART:

Senate Joint Resolution 10 was presented by Senator Segerblom and Janine Hansen. I have submitted the work session document ([Exhibit F](#)).

SENATOR SETTELMAYER MOVED TO DO PASS S.J.R. 10.

SENATOR SEGERBLOM SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Cannizzaro:

Seeing no further business, this meeting is adjourned at 4:38 p.m.

RESPECTFULLY SUBMITTED:

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Janae Johnson,  
Committee Secretary

APPROVED BY:

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Senator Nicole J. Cannizzaro, Chair

DATE: \_\_\_\_\_

| <b>EXHIBIT SUMMARY</b> |                                 |   |                           |                         |
|------------------------|---------------------------------|---|---------------------------|-------------------------|
| <b>Bill</b>            | <b>Exhibit /<br/># of pages</b> |   | <b>Witness / Entity</b>   | <b>Description</b>      |
|                        | A                               | 1 |                           | Agenda                  |
|                        | B                               | 3 |                           | Attendance Roster       |
| S.B. 492               | C                               | 2 | Joe Gloria / Clark County | Proposed Amendment      |
| S.B. 492               | D                               | 1 | Aubrey Rowlett            | Washoe County Testimony |
| S.B. 117               | E                               | 1 | Michael Stewart           | Work Session Document   |
| S.J.R. 10              | F                               | 1 | Michael Stewart           | Work Session Document   |