

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

**Eighty-First Session  
March 11, 2021**

The Committee on Legislative Operations and Elections was called to order by Chair Brittney Miller at 4:01 p.m. on Thursday, March 11, 2021, Online. 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/81st2021](http://www.leg.state.nv.us/App/NELIS/REL/81st2021).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Brittney Miller, Chair  
Assemblywoman Sandra Jauregui, Vice Chair  
Assemblywoman Jill Dickman  
Assemblyman Jason Frierson  
Assemblywoman Cecelia González  
Assemblyman Glen Leavitt  
Assemblyman Andy Matthews  
Assemblyman Richard McArthur  
Assemblywoman Daniele Monroe-Moreno  
Assemblywoman Clara Thomas  
Assemblywoman Selena Torres

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Lesley E. Cohen, Assembly District No. 29

**STAFF MEMBERS PRESENT:**

Marsheilah D. Lyons, Committee Policy Analyst  
Bonnie Borda Hoffecker, Committee Manager  
Jordan Green, Committee Secretary



**OTHERS PRESENT:**

Mark A. Wlaschin, Deputy of Elections, Office of the Secretary of State  
Joseph P. Gloria, Registrar of Voters, Election Department, Clark County  
Santa Perez, Private Citizen, Las Vegas, Nevada  
Dora Uchel-Martinez, Private Citizen, Reno, Nevada  
Shirley Cyrus, Private Citizen, Reno, Nevada  
Katie Robbins, representing Planned Parenthood Votes Nevada  
Steven Cohen, Private Citizen, Las Vegas, Nevada  
Christi Cabrera, Policy and Advocacy Director, Nevada Conservation League  
Jeanine Mooers, Private Citizen, Reno, Nevada  
Ted Nagel, Private Citizen, Gardnerville, Nevada  
Will Pregman, Communications Director, Battle Born Progress  
Alfredo Calderon, Organizer, Mi Familia Vota  
Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada  
Cynthia Swanson, Private Citizen, Boulder City, Nevada  
Liz Davenport, representing American Civil Liberties Union of Nevada  
Emily Persaud-Zamora, Executive Director, Silver State Voices  
David Gibbs, Private Citizen, North Las Vegas, Nevada

**Chair Miller:**

[Roll was called. Committee rules and protocol were explained.] Today we have one bill that we will be hearing, which is Assembly Bill 121 sponsored by Assemblywoman Cohen. This measure requires the Secretary of State to allow an elector with a disability to register to vote and a registered voter with a disability—as well as military or overseas voters—to request and cast an absentee ballot using the system of approved electronic transmission established for the process. We have a number of speakers who will be copresenting with Assemblywoman Cohen: Ms. Dora Uchel-Martinez; Ms. Santa Perez; Mr. Mark Wlaschin, Deputy of Elections of the Office of the Secretary of State; and Mr. Joseph Gloria, Registrar of Voters of the Election Department for Clark County. I will officially open the hearing on Assembly Bill 121.

**Assembly Bill 121: Revises certain provisions relating to elections. (BDR 24-774)**

**Assemblywoman Lesley E. Cohen, Assembly District No. 29:**

I am here today to present Assembly Bill 121 for your consideration. As we all know, voting is both a right and a responsibility. I believe that every eligible voter should have the ability to participate in elections and make his or her opinions and choices known. This includes every person with a disability. According to the Centers for Disease Control and Prevention (CDC) of the U.S. Department of Health and Human Services, 26.8 percent of adults in Nevada have some type of disability ["Disability Impacts ALL of US: A Snapshot of Disability in Nevada" Fact Sheet, prepared by the National Center on Birth Defects and Developmental Disabilities, CDC]. This demographic comprises a wide variety of voters, including persons with cognitive, communicative, mobility, physical, or visual impairments.

Federal and state laws affirm the right to an accessible, independent, and private vote for people with disabilities. Assembly Bill 121 extends upon those rights and codifies a method for a person with a disability to participate in this civic process. Primarily, the measure allows a person with a disability to use the Effective Absentee System for Elections (EASE) to register and vote. This program was established to allow uniformed military and overseas Nevadans to register, request a ballot, and vote entirely online using a digital and electronic signature.

The measure before you includes a lot of conforming language, but the bill itself is quite simple. Assembly Bill 121 requires the Secretary of State to allow EASE to be used by an elector with a disability to register to vote and a registered voter with a disability to apply for and cast an absentee ballot [section 1, subsection 1]. The measure requires the system of approved electronic transmission to allow such an elector or registered voter to provide his or her digital or electronic signature on any document or other material that is necessary for the elector to register to vote or for the registered voter to apply for and cast an absentee ballot [section 1, subsection 2]. Finally, the Secretary of State is required to establish procedures to be used by local elections officials in accepting, handling, and counting absentee ballots received from a registered voter with a disability using EASE [section 1, subsection 4].

One thing to keep in mind is that the Office of the Secretary of State has a program to allow disabled Nevadans to vote. They know it works well. Assembly Bill 121 is essentially putting the program into statute so that we know the rights of disabled Nevadans will be protected.

Additionally, we are considering a proposed amendment. We and the Legal Division of the Legislative Counsel Bureau are still trying to figure out if it is germane. Just so you are aware, I will provide it if it is germane.

One area of A.B. 121 that was brought to my attention relates to the deadlines for a person with a disability to register and vote, which align with the deadlines in the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) [*United States Code*, Title 52, Sections 20301 et seq.]. Pursuant to *Nevada Revised Statutes* (NRS) 293D.230 and 293D.310, the application to register to vote and a ballot are timely if received by the seventh day before the election. With regard to voter registration, if it is received after the seventh day before the election, it is treated as an application to register for subsequent elections.

To make sure all voters have the same access, I propose that the UOCAVA provisions in Nevada law be revised to align with the same-day voter registration deadlines provided to other voters in Nevada. In addition, the UOCAVA provisions related to deadlines for the receipt of a ballot should be conformed to allow for ballots to be received before the close of business on the day of the election. Again, we will have to make sure that this is germane, but if so, I will get you an amendment with that language in there.

Moving to our presentations, here with us today is Mark Wlaschin, Deputy of Elections of the Office of the Secretary of State. Mr. Wlaschin is available to answer technical questions you may have about EASE, the implementation of Assembly Bill 121, and the proposed amendment. Mr. Wlaschin will also take us through a demonstration of EASE. Additionally, Mr. Wlaschin is here to express the Secretary of State's support of the bill.

Here in a neutral position but available to answer any questions about how the EASE program works in Clark County is Mr. Joseph Gloria, who is the Registrar of Voters of the Election Department for Clark County.

After they speak, we will have testimony from two copresenters. Ms. Santa Perez is the President Emeritus of People First of Nevada, Chair of the Nevada Governor's Council on Developmental Disabilities, and a member of the Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities—although I believe she is not representing any of them as part of her testimony.

We also have Ms. Dora Uchel-Martinez who will testify, and we may hear from her daughter, Ms. Shirley Cyrus, who is a well-known Nevada Legislature testifier, as well. Ms. Uchel-Martinez is an advocate and was the lead presenter in 2019 for Assembly Bill 140 of the 80th Session, which prohibited discrimination against certain persons in certain proceedings relating to children and was heard in the Assembly Committee on Judiciary. Some of the members of this Committee may recall that hearing.

With that, I would like to turn it over to Mr. Wlaschin, have him go through his presentation, and then answer questions at the end of all our presentations.

**Mark A. Wlaschin, Deputy of Elections, Office of the Secretary of State:**

Chapter 293D of NRS identifies the duties of the Secretary of State and clerks as they relate to the Uniformed and Overseas Citizens Absentee Voting Act, or UOCAVA as you may have heard it [52 U.S.C. §§ 20301 et seq.]. It includes provisions that govern the distribution of ballots and balloting materials to covered voters by a variety of needs, including through a system of approved electronic transmission that is established by the Secretary of State.

The Effective Absentee System for Elections (EASE) was first created by the Office of the Secretary of State in 2014 for Nevada voters. It has been used by members of the military and overseas citizens with much success since then. Covered voters are able to register to vote, request a ballot, and receive election documents. However, it does not allow voters to technically vote online. Instead, it enables them to send a verified document back to their county clerk or registrar indicating for whom they wish to cast their ballot. Since its inception, 3,772 Nevadans have used the system successfully, with 1,273 alone using

it during the 2020 General Election. In April of 2020, the system was modified so that eligible Nevada voters with disabilities were able to use it as well, and 93 individuals with disabilities used the system successfully during the 2020 General Election.

I have reviewed and discussed Assembly Bill 121 with Assemblywoman Cohen, and the Office of the Secretary of State is in support of this bill.

Over the next few moments, I will provide a short demonstration of EASE in order to better help you understand and see this program. The EASE program is only turned on 45 days prior to the start of an election and is shut off once the polls close on Election Day, so the version I am going to show you is our internal testing version.

[Mr. Wlaschin shared his computer screen to show the EASE interface, system options, and step-by-step instructions of using EASE while providing his testimony.] This is the overview for the EASE system. As you can see, it identifies the system and provides a little bit of guidance as to how the process works. This first page is an affirmation. It lists covered voters and includes a declaration identifying who the voter is, so that the person must affirm under penalty of perjury that that information is true and correct. When you get to the voter identification page, you simply fill out your information, enter your email address, and then identify which classification you are. In this case, we have highlighted, "I am a Nevada resident with a disability." This additional information again affirms residency in Nevada. This second box explains that if an individual is assisting you, they are required by law to identify who they are and provide that information as well. Of course, in this case, John Doe is not registered to vote, so this warning comes up. Since it is the test environment, we are able to proceed past this screen.

A pop-up box indicates that the registration deadline has passed. Assemblywoman Cohen referenced this earlier. If it is within seven days for an overseas citizen or a military uniformed overseas individual who is attempting to use this system, it lets the person know that the registration deadline has passed if he or she is trying to register. On this page, you simply identify your information again and enter your residential address. The intent here is so the system can verify the precinct that you are located in and make sure that it presents the correct ballot to you. If the individual is already a registered voter, this box down at the bottom would actually have a spot in it with the person's signature, so he or she can verify it or correct it if need be.

After confirming that your information is accurate, it provides a precinct-specific ballot for the individual. As you go through, you simply click on the line to identify the individuals for whom you wish to vote and, again, you have the ability to go through the ballot specific to your precinct. When you click "Review Selections," the system identifies if you have an undervote, and it prevents you from having an overvote. In this case, we will simply confirm the selections.

We are almost done with the process. At this point, you identify and click to ensure that you understand you are responsible for returning the absentee ballot to your county elections

office, and it highlights the three ways that you can do this—by mail, by email, or by fax. If you click "RETURN BY EMAIL," it creates your ballot selection packet as an encrypted pdf file that you can then email directly to your county clerk. In this case, I will select "RETURN BY MAIL," so you can see what the document looks like. This entire six-page packet is all that the individual would need to print out, and the individual would sign it. Again, I did not vote for anybody in this example, but you will notice that as it goes through, it automatically populates with the clerk's address at the bottom of the packet information. This prevents the individual from having to go online to try to identify the address for his or her county clerk, and it helps simplify the process.

At this point, I would like to turn the presentation over to Mr. Joseph Gloria, the Registrar of Voters for Clark County, who can explain from his point of view how the process works when he receives these ballots in the mail, by fax, or by email.

**Joseph P. Gloria, Registrar of Voters, Election Department, Clark County:**

The EASE system has worked very well for us here in Clark County ever since it has been put into use by the Office of the Secretary of State. Once that packet is received through the mail, by email, or by fax—the majority of them come through by email—we verify the information, verify the registration, look for the oath, and match the signature. At that point, we have confirmed registry and that the voter is eligible to vote his or her ballot. The electronic ballot is printed out, at which time we have to duplicate it onto a ballot that can be read by our optical scan system in our tabulation room. Once it is duplicated, it is prepped to send to the counting board, and the counting board sends it to tabulation for it to be read into the system. Through the years since we have used the EASE program, it has been very successful. We have not had any major issues, and we have only had positive comments related to the use of the system. In the 2020 Primary Election, we had 57 qualified disabled voters make use of the system and successfully cast their ballots, and for the 2020 General Election, we had 86 disabled voters who made use of it. Based on the fact that there is no cost to the county and we have had nothing but success in past years of its use, I would see this as a positive move to make this available permanently for all disabled voters.

**Santa Perez, Private Citizen, Las Vegas, Nevada:**

Thank you for letting me speak today on Assembly Bill 121. I am the Chair of the Nevada Governor's Council on Developmental Disabilities, but today I am speaking on my own behalf. As you can see, I cannot use my hands to use the computer. I use Morse code with two switches under my chin. This is an effective way for me to communicate and get many things done independently. During the pandemic, I have realized how useful doing many things electronically can be—paying bills to going Christmas shopping was so much easier online. I am a patriotic citizen of Nevada, and I love to vote. Having an electronic system would give me the ability to vote without having to rely on someone to take me to a polling place, help me cast my ballot, then take me home again. This new system will assist me to have a private voting experience and use the tools that are convenient to me. I can also see how this new system will assist people in congregate settings be able to vote

without dealing with transportation concerns. They will also be able to take their time to cast their vote and have the support they might need. I hope that you will consider passing A.B. 121. Thank you.

**Dora Uchel-Martinez, Private Citizen, Reno, Nevada:**

I am going to demonstrate what I use, so here we go. [Ms. Uchel-Martinez played a sample of sped-up audio.] I will do it again—just kidding. I have my daughter here. She will accommodate and read it.

**Shirley Cyrus, Private Citizen, Reno, Nevada:**

[Ms. Cyrus read a statement prepared by Ms. Uchel-Martinez.]

Good afternoon, Chairwoman Miller and the Committee. My name is Dora Uchel-Martinez. I am a joyful wife, a proud military mom, and an advocate who happens to be blind. I am here representing the Nevada Disability Peer Action Coalition. We are people with various disabilities. I am here today thanking Assemblywoman Cohen, also known as "Awesome Cohen." She heard the concerns, frustrations, and pleas to help getting our voices heard. The Nevada Effective Absentee System for Elections (EASE) will be available for Nevada residents who are disabled.

Last year I was thrilled to inform and help fellow Nevadans who are disabled to vote independently. This was made possible by support from the Nevada Governor's Council on Developmental Disabilities. To others, this civil right and duty is not a big deal, but to most people with a disability—especially one who is blind—it is an honorable privilege. Knowing that there is an opportunity to be a part of our democratic system of change and that your vote matters is an incredible experience.

About a year ago, the disability community volunteered to check if the portal for EASE was accessible. We tested it with various technologies, such as PC with magnifier applications, braille display laptops, smart phones, et cetera. We pointed out a few minor technical issues. During this pandemic, folks who qualified to access the portal were able to vote in two consequential elections from the comfort of their home using their preferred device. It was a relief to people with disabilities who are not ambulatory, have an underlying health concern, and have limited transportation options—not to mention exposure to COVID-19.

I am here to ask and implore each one of you to pass A.B. 121. We were excited for this rare opportunity made available to people with a disability and who had a positive experience using EASE to vote. Even under post-COVID-19 circumstances, it is vital that Nevadans with a disability are given permanent access to this important voting option by law so that all

Nevadans with a disability can vote independently, securely, and conveniently—as I know that my cohort was able to do last year along with members of the military and other Americans overseas.

As a person with a disability, this was a relief due to the following facts. It is a burden to arrange transportation or find an available driver, find assistance to the polls, or apply for a paper absentee ballot, the last of which often requires the assistance of others and, therefore, is not private for a person with a visual impairment or other disabilities.

I appreciate your consideration of my message and your consideration of the benefits of EASE as a voting option for residents in Nevada with a disability. Thank you to Assemblywoman Cohen for being a champion in helping people with disabilities.

**Assemblywoman Cohen:**

I think we are ready for questions.

**Chair Miller:**

Thank you so much for this presentation and the demonstrations of your adaptive technology. It is very helpful. We have a few members lining up with questions.

**Assemblywoman Jauregui:**

Thank you so much for bringing this forward, Assemblywoman Cohen. I am excited to get to see this implemented. Do other states have this too? How long have they been using it?

**Assemblywoman Cohen:**

I am not aware of that. Mr. Wlaschin, do you know?

**Mark Wlaschin:**

I know other states have something similar in capabilities and similar functionality—not nearly as unique in name, of course—but no, not every state has this. That is for sure.

**Assemblywoman Jauregui:**

I just thought you were pioneering something this wonderful. Thank you.

**Assemblywoman Cohen:**

Mr. Gloria, do you have anything you wanted to add?

**Joe Gloria:**

Only to say that it was a tremendous program that the Secretary of State put in. We were one of the first ever in the nation to put it in, and they actually won a national award when they first made use of the EASE system for overseas voters. It is well known, and there are more states that should take advantage and follow the lead that Nevada set a precedent for.



**Assemblyman Matthews:**

Thank you for the presentation, Assemblywoman Cohen, and I also want to thank all our guests here who testified on A.B. 121 today. I had a question in terms of a definition. Assemblywoman Cohen, I think you talked a little bit about this in presenting the bill, but I am wondering if we could get a little more clarity on how the term "disabled person" would be defined for the purposes of this bill. Who would qualify? Reading the language of the bill itself, I did not see that spelled out, and I did not see anything that suggests a reference to another definition somewhere else in statute. Based on a pure reading of the bill, I am just wondering what that definition would be and who would be considered a disabled person for the purposes of A.B. 121.

**Assemblywoman Cohen:**

The definition of "disability" is in NRS 426.068, which states:

"Disability" means, with respect to a person:

1. A physical or mental impairment that substantially limits one or more of the major life activities of the person;
2. A record of such an impairment; or
3. Being regarded as having such an impairment.

I do not know if any of the other presenters would like to add anything.

**Dora Uchel-Martinez:**

Under the Americans with Disabilities Act of 1990 (ADA), it also states different types of disabilities [*United States Code*, Title 42, Sections 12101 et seq.]. It is also covered under the Vocational Rehabilitation Act [*United States Code*, Title 29, Sections 31 et seq.]. Those are federal.

**Assemblyman Leavitt:**

Thank you for bringing this bill, Assemblywoman Cohen. It is important that the disabled are able to vote. This is out of pure curiosity, but what accommodations were made previously to either the prior election or if this bill were to go through? This question may be for Ms. Uchel-Martinez: How did you vote before? I was just curious what accommodations were made for you prior to this.

**Dora Uchel-Martinez:**

In prior elections, the Secretary of State had an accessible voting machine so that a person who is print impaired—or blind, visually impaired, legally blind, or however you want to name it—would go to his or her polling place, and the person would have a headset or earbuds to plug in like at an ATM. You can hear the ballot that is in your precinct, and you vote that way. It is a big machine, and it is audible.

Before that happens, you need to have some skill set. You need to know what the buttons are for. The buttons have different functions whether you want to skip or go back and all those types of things, so there needed to be some training. We had those trainings at the

Northern Nevada Center for Independent Living here in Sparks, Nevada. The Secretary of State's Office—I am not sure if they were staff or volunteers—but they came to one of our visually impaired user groups out of the Nevada Center for Excellence in Disabilities up here at the University of Nevada, Reno. We had a lot of blind—I am sorry, I say "blind" because I am blind, but I do not know if that offends people. We had visually impaired citizens come to the meeting, and we would demonstrate how to use the accessible voting machine. That took place before, and it would be helpful if they would do the early voting phase, so that way they are not standing in line. I am really grateful for the Secretary of State's staff and volunteers, but sometimes—because of lack of adequate and appropriate training for those staff to help people who are disabled to go and vote effectively and with dignity—they did not know how to assist, so they offended some people with disabilities. Some of us worked to teach them how to help people with disabilities, so it was a learning curve and a lot of talking and back and forth to help.

Here my phone is talking. [Ms. Uchel-Martinez held up her phone.] It is the same as the machine when you go vote as a blind person. It is dark—I think it is dark.

**Shirley Cyrus:**

Yes, it is.

**Dora Uchel-Martinez:**

Now it is light. [Ms. Uchel-Martinez stopped showing her phone.] I can vote and, with the audible machine, you can make the screen dark. Anybody can walk behind you or whatever, and they will not be able to see for whom you are voting or hear because you have the headset. Before, they used to put the machine in a corner or had a wall or a curtain so you had your private area to vote. I hope that answers your question.

**Assemblyman Leavitt:**

Thank you so much. You did not see, but I was nodding along with what you were saying. I did not want to interrupt you by repeatedly saying, "Yes." I appreciate your walking us through that.

**Joe Gloria:**

Madam Chair, if you do not mind, I have a short comment just to follow up on that.

**Chair Miller:**

Please, Mr. Gloria.

**Joe Gloria:**

I would say that the most important factor here that we need to keep in mind is that through the EASE program, they can do it through the comfort of their home, in their living room, or in their computer room. The main difference here is that they have to find transportation to get out to the polls. I believe in Ms. Uchel-Martinez's testimony, she makes a good point in that oftentimes when they do it for the first time, there is a training piece there,

and although we do outreach and try to get out into the community and give the disabled folks an opportunity to train on that, it is much easier for them to do that at home. That is a really important aspect of what this will do for those voters.

**Assemblywoman Dickman:**

Thank you for this bill, Assemblywoman Cohen, because we certainly want every eligible voter in Nevada to be able to vote as easily as possible. I have a quick question. What safeguards are currently in place to protect these electronic systems from hacking? I may also have a little follow-up.

**Chair Miller:**

Mr. Gloria or Mr. Wlaschin, if you could respond to that.

**Mark Wlaschin:**

Yes, I have some answers for the electronic safeguards as it relates to EASE. First and foremost, as you saw in the program when you get to the end of it, you have the three methods of delivery. If it is an email that you are going to send—I did not show this part of it—it actually turns your ballot into an encrypted pdf. The only people who have the password to that pdf are the clerks and registrars so that when you email it directly to the clerk's office, it is a very limited number of personnel who have the ability to even open it in the first place. The secrecy is maintained very strictly. In regards to fax, again, it is a direct number to the clerk's office—I know that is something that Mr. Gloria might be able to comment on as well—so it is not something that just hangs out on the fax machine for days at a time. When these applications go through, the staff are very quick and efficient to make sure that the information is transmitted to the clerks and it is able to be transcribed onto the ballot in a very safe and secure manner. Otherwise, that is all I have. Mr. Gloria, do you have any comments to add?

**Joe Gloria:**

Mr. Wlaschin hit right on it. There is encryption involved with the electronic ballot that is coming over, and only the staff in the Election Department has the ability to decrypt it so that we can take a look at it. On the fax machines that we provide the phone number to—the fax machine that we receive those ballots on—is in a secured room behind card-key and alarm access. It is a very limited-access area where only permanent Election Department staff are receiving those ballots and getting them processed to be read into the system.

**Assemblywoman Dickman:**

That is really good to know. Along those lines, is it possible to create a digital signature for someone else? How do you verify that the person who submitted the ballot using only a digital signature is the actual voter?

**Joe Gloria:**

We verify it in much the same way that we do with any mail ballot that comes in.

That signature is verified against what we have in the database to be sure that there is a match, and there is the oath as well that comes in that they have to sign with every ballot that comes in before it is processed to be tabulated.

**Assemblywoman Dickman:**

They send in an actual signature that you have on file, as opposed to just a digital one?

**Joe Gloria:**

That is correct.

**Assemblywoman Dickman:**

OK, thank you very much.

**Chair Miller:**

I have a question, and this may be more for the bill sponsor, Assemblywoman Cohen. Has there been consideration—maybe I do not necessarily see it—for some type of informative piece? We have individuals who are in hospitals, rehabilitation centers, and long-term care facilities, so is there any type of informational piece to let these facilities know that this is available for people as well?

**Assemblywoman Cohen:**

I know this is not a money committee, but there is a small fiscal note with the bill. My understanding from the Office of the Secretary of State is that the fiscal note is related to getting the word out and making sure that people know this is available to them. I do not know if Mr. Wlaschin wants to add anything to that.

**Mark Wlaschin:**

Assemblywoman Cohen is exactly right. The intent is that while there would be no modification requirements to the system—of course, we make sure that it is ADA compliant already—but if this bill were to pass, the fiscal impact to the agency would be one of outreach to make sure that the individuals who are eligible to use this are able to hear and find out about it, so they can take advantage of it in the next election.

**Chair Miller:**

OK, great. Thank you.

**Assemblyman Matthews:**

I wanted to make a brief comment that one of the things I like about A.B. 121, at least in terms of its intent, is that it takes what I think is one of the real strengths of our elections system—the existence of that effective and working process for voting by absentee ballot—and it actually enhances and expands that with the safeguards that come with it. I just wanted to note that and thank you.

**Assemblywoman Monroe-Moreno:**

The question I was going to ask has been asked, but I did want to make a comment to the sponsor of the bill and the presenters. As I am sure all of my colleagues on this Committee have done, I have walked neighborhoods, knocked on doors, and heard stories from various constituents of the difficulty getting to the polls if they were of different abilities and not able to drive themselves to the polls. I truly, truly appreciate Assemblywoman Cohen for bringing this bill forward. It gives a sense of independence to so many of the constituents in my district so that they do not have to rely on someone else to help them exercise their right to vote.

To the Secretary of State's Office and Mr. Gloria, my question was about the accountability and the integrity of the security of the system, and I so appreciate you for answering that question.

**Chair Miller:**

I do not see any additional questions at this time, so we will move into accepting testimony in support of A.B. 121. Is there anyone in the queue to testify in support? Again, for those providing testimony, we ask that you keep it as close to two minutes as possible. We are waiting a few extra moments because we may have people dialing in with adaptive technology, and we want to make sure that we give enough time for everyone.

**Katie Robbins, representing Planned Parenthood Votes Nevada:**

Planned Parenthood Votes Nevada is supportive of A.B. 121 because we should make participating in elections easier and more accessible to those who may not otherwise be able to participate. Assembly Bill 121 will make voting easier and more secure for disabled Nevadans by tapping into a system already in use for military voters and Nevadans living overseas. We believe that increased participation in elections is always a good thing, and A.B. 121 will help to achieve that goal.

**Steven Cohen, Private Citizen, Las Vegas, Nevada:**

Ditto. As I have been sitting and waiting, I have been trying not to devour a box of Jack's Popcorn which showed up as a surprise in the mail today. People with disabilities are people first. Nothing about us without us, and all means all. With that, Madam Chair, I thank you, and I yield.

**Christi Cabrera, Policy and Advocacy Director, Nevada Conservation League:**

The Nevada Conservation League envisions a future where all Nevadans can thrive because they have access to a healthy climate, clean air, clean water, and outdoor spaces, as well as a safe, healthy, and sustainable community. We understand that this vision is not possible without a fair and inclusive democracy in which all voters can participate. For us, passing strong laws to protect our environment depends upon open and fair elections because we believe that the long-term health of our planet is linked with the health of our democracy. For many voters with disabilities, absentee voting has been the safest and most accessible

way to cast a ballot. This bill will make voting more accessible to all Nevadans by allowing voters with disabilities to use EASE. Improving voting rights and access is fundamental to making our elections more responsive to Nevadans living with disabilities. We urge the Committee's support on A.B. 121.

**Jeanine Mooers, Private Citizen, Reno, Nevada:**

I am speaking to you today to share how important the EASE online voting system has been to me, especially during the COVID-19 pandemic as a Nevada resident with a disability. I am totally blind, and I have been voting completely independently since 2004 using the audio ballot capability included in the electronic voting machines at my voting precinct. I have done so with great pride and joy.

The access to EASE for Nevada residents with disabilities due to the pandemic this past year has allowed me to vote in two consequential elections from home using my iPhone and my refreshable braille display, two pieces of technology I use daily, without having to worry about transportation to a reduced number of polling places—not to mention possible exposure to COVID-19. I was able to successfully fill out and submit my ballot without any sighted assistance and with relatively few technical issues and was, again, proud and excited to do so. Having had such a positive experience using EASE to vote, I feel that even under post-COVID-19 circumstances, it is vital that Nevadans with disabilities be given permanent access to this important voting option by law, so that all Nevadans with disabilities can vote independently, securely, and conveniently—as I have been able to do this past year—along with members of the military and other Americans overseas without having to find assistance, worry about transportation to the polls, or apply for a paper absentee ballot. The last of which often requires the assistance of others and, therefore, is not private for a person with a visual impairment or other disability.

I would like to thank Assemblywoman Cohen for sponsoring A.B. 121, which if passed, will make access to the EASE online voting system for Nevada residents with disabilities a permanent voting option, and I urge the Nevada Legislature to pass A.B. 121.

**Ted Nagel, Private Citizen, Gardnerville, Nevada:**

I have been living in Nevada for over 25 years. I am a quadriplegic, and I am very much in support of this bill because not just myself, but many other people that I know have a hard time getting to polling places. This will open the opportunity for more citizens to be more citizen-like.

There are a couple of suggestions I have in considering it. Number one, there are people who are maybe not considered disabled but are homebound for one reason or another that this bill could include and could be assisted by someone who would go out. I think that we could put together mobile hotspots for people who live in certain areas, cannot afford Internet connection, or just are not tech savvy. People, or teams—as I would recommend one from each party—to go out and assist those types of people to present their ballot and use the system to place their vote.

Also, I wanted to know if a printed copy is given when you send your ballot in by email. Do you also get a printed copy that you can keep for your own records to be able to guarantee that we can [unintelligible] them? If there is any question, we can prove that we voted in that way.

For the digital signature for people who are not doing it the first time digitally, like myself, I sign my name, but I do not have a digital signature per se. I wanted to find out how those peoples' signatures would be verified. They said they would be verified from past ballots, but if this is the first time they are doing it electronically, will the person be able to get electronic signatures for the first time?

I would also like to thank you, Ms. Dora Uchel-Martinez, for your comments. I am a comember of the Nevada Disability Peer Action Coalition helping to progress the disabled population.

**Will Pregman, Communications Director, Battle Born Progress:**

We rise in support of A.B. 121. At a time when coordinated attacks on the right to vote are occurring in states around the country, Nevada has made incredible strides the past few years to secure access to voting for every eligible voter. Assembly Bill 121 is one measure to further that goal for voters with disabilities. The UOCAVA ballots through EASE will help the voters with disabilities for whom regular absentee ballots are not accessible to cast their votes. Further, having technology available to have audio and visual assistance available for in-person voting will help ensure that the right to vote remains protected. Our democracy is stronger when everyone who is eligible to vote has a means to participate. Assembly Bill 121 extends that to Nevadans with disabilities and makes the process of expressing their voice and their vote a simpler one. Thank you, Assemblywoman Cohen, for bringing forward this bill. Thank you to the state and county election officials who testified for working on this to increase access, and thank you to the Committee for hearing this bill. We recommend that you consider passing A.B. 121.

**Alfredo Calderon, Organizer, Mi Familia Vota:**

[Mr. Calderon read from his prepared written testimony, [Exhibit C](#).]

Mi Familia Vota Education Fund is a national civic engagement organization that unites Latino, immigrant, and allied communities to promote social and economic justice. And a proud member of the Let Nevadans Vote Coalition.

Mi Familia Vota in support of AB121 and we thank Assemblywoman Lesley Cohen for sponsoring this important piece of legislation. All citizens with the right to vote have a right to proper accommodations, and it should be extended to the ability to utilize Nevada's EASE system to register to vote and request and cast an UOCAVA ballot as it provides voters with as much time as they need to vote in advance of an election as well as the opportunity to vote from the comfort of their home and allows voters with physical disabilities to avoid the stressful process of trying to navigate a complex voting process.

Our vote is our voice and Nevada must put options in place that allow voters with disabilities to have a say in every election. We need to ensure we are protecting people's right to vote.

This bill will protect the right to vote of people with disabilities. We ask this committee to support AB 121

Thank You for listening

**Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada:**

I am here in support of A.B. 121. At Progressive Leadership Alliance of Nevada, we believe our democracy is most vibrant when more people are participating. Assembly Bill 121 is an important piece of legislation to ensure that Nevada voters with disabilities are always able to have their voices heard at the ballot box. We urge your support.

**Cynthia Swanson, Private Citizen, Boulder City, Nevada:**

I am a new resident to southern Nevada in Clark County. I am blind, but so many of our blind colleagues have spoken in favor of this, that I am going to move on to another disability. I work for advocacy cross-categorically. My husband and I have three sons, and my middle son has Down syndrome. He has been a dedicated voter since he turned 18 in the great state of Illinois, and he would like to continue to vote. This opportunity with A.B. 121 will give him that opportunity without fear or anxiety of standing in line and being worried about cross-contamination. I applaud the members of this Committee for doing this work, and I thank you so much for your good service.

**Liz Davenport, representing American Civil Liberties Union of Nevada:**

We are in support of A.B. 121. Thank you, Assemblywoman Cohen, for bringing this legislation. We echo the sentiments previously expressed by all our partners in support. This process of voting has already proven to be easy to implement and has allowed people with disabilities easy access to vote. For many people with a disability, the process of physically filling out a ballot and appearing at a polling place is extremely difficult. Many times, this requires formidable transportation needs, such as requiring specialized equipment in order to get to the polling place. This is then followed by difficulty navigating the polling place itself, which often involves challenging accessibility concerns. Assembly Bill 121, by providing persons with a disability the ability to use the already existing absentee EASE system, would alleviate the above significant difficulties experienced in voting and provide greater access to voting for all Nevadans. We support this bill. Thank you, and that concludes my testimony.

[There were no more callers in support.]

[[Exhibit D](#) and [Exhibit E](#) were submitted in support of A.B. 121 but not discussed.]

**Chair Miller:**

Is there anyone in the queue to testify in opposition to A.B. 121?



**Emily Persaud-Zamora, Executive Director, Silver State Voices:**

I am actually calling in support of the bill. I was in the queue, and it kicked me out for some reason.

**Chair Miller:**

Please proceed.

**Emily Persaud-Zamora:**

I am calling on behalf of the Let Nevadans Vote coalition, a coalition of 21 national and local organizations dedicated to ensuring fair and equitable elections for all Nevadans. I am calling in support of A.B. 121 because every single Nevadan should have the opportunity to decide what is the safest and most accessible manner to cast his or her ballot—whether that is in person, by mail, or with a UOCAVA ballot.

Under A.B. 121, voters with disabilities may register to vote as well as request and receive a UOCAVA ballot under the Nevada EASE system that has been used by members of the armed services and Nevadans residing overseas since 1986. The EASE system is a system based on proven and secure technology. This bill would extend a decades-long program to a voting bloc that would greatly benefit from it. By providing voters with disabilities access to this tool, this bill will ensure that this body is taking the proper steps that we are making voting more accessible for all Nevada voters.

It is important to acknowledge that components of vote-by-mail may not necessarily be accessible for all voters with disabilities. Some folks within this community experience barriers when attempting to independently handle, read, or mark their mail ballot. The UOCAVA ballot, however, would eliminate those accessibility issues should they decide to use it. For example, someone who is quadriplegic and has no movement from the neck down can control a computer cursor with either a sip-and-puff device, an assistive technology that resembles a straw, or with eye movement. The onset of this technology has made daily functions more accessible, and voting should be one of those.

There goes a saying that persons with disabilities have to fight for rights and privileges that able-bodied folks do not. Voting is not a privilege. It is a right for all U.S. citizens. With that includes the 374,000 Nevadans living with disabilities. We urge this body to support A.B. 121 and thank Assemblywoman Cohen for sponsoring this bill.

**Chair Miller:**

We understand that sometimes there are glitches with calling in, and we want to be considerate of that. We will now return to testimony in opposition to A.B. 121.

**David Gibbs, Private Citizen, North Las Vegas, Nevada:**

Having voted overseas using the email system back in 2009, I think it is a great way to do it. I am not opposed to the concept of the bill, and I actually am a lot more at ease having seen the demonstration to make sure that we are verifying that the individuals are who they are. I raise the same question that Assemblywoman Dickman made regarding making sure that

we are good on the digital signature. I think my concerns lie for after this process has been received at the voting office, not necessarily the process itself, so I think my questions in opposition have been answered. I thank the Committee and I thank the folks who presented for putting my mind much more at ease on this legislation.

**Chair Miller:**

We will keep that testimony in opposition. Do we have anyone else in opposition? [There was no one.] Do we have anyone waiting to testify as neutral to A.B. 121? [There was no one.]

I would really like to thank Ms. Uchel-Martinez and Ms. Perez for joining us today, sharing your experiences with us, and copresenting this bill. Also, of course, thank you to Mr. Wlaschin and Mr. Gloria for the great input that you always have with our voting and elections systems, and thank you, Assemblywoman Cohen, for bringing forth this legislation. With that, I will close the hearing on Assembly Bill 121.

We will move to the next agenda item, which is public comment. Please remember that public comment should pertain to issues that are under the purview of this Committee, and you will have two minutes per person. [There was no one.] Let us pause for a moment to make sure that we are providing enough time for anyone who may be calling in right now. Do we have anyone at this time? [There was no one.]

Our next meeting will be Tuesday, March 16, at 4 p.m. This concludes our meeting, and we are adjourned [at 5:12 p.m.].

RESPECTFULLY SUBMITTED:

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Jordan Green  
Committee Secretary

APPROVED BY:

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Assemblywoman Brittney Miller, Chair

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

## EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is written testimony dated March 10, 2021, submitted by Alfredo Calderon, Organizer, Mi Familia Vota, in support of Assembly Bill 121.

[Exhibit D](#) is a letter to the Assembly Committee on Legislative Operations and Elections, dated March 11, 2021, submitted by Kari Horn, Executive Director, Nevada Governor's Council on Developmental Disabilities, in support of Assembly Bill 121.

[Exhibit E](#) is written testimony dated March 11, 2021, submitted by Kate McNabney, Nevada Campaign Manager, All Voting is Local, in support of Assembly Bill 121.