

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

**Eighty-First Session
April 1, 2021**

The Committee on Legislative Operations and Elections was called to order by Chair Brittney Miller at 3:03 p.m. on Thursday, April 1, 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.

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:

None

STAFF MEMBERS PRESENT:

Pepper Sturm, Principal Policy Analyst
Kathleen M. Norris, Committee Counsel
Bonnie Borda Hoffecker, Committee Manager
Jordan Green, Committee Secretary
Trinity Thom, Committee Assistant



OTHERS PRESENT:

Joseph P. Gloria, Registrar of Voters, Election Department, Clark County
Mark A. Wlaschin, Deputy of Elections, Office of the Secretary of State
Esmeralda Vazquez, Advocate, Mi Familia Vota
Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada
Holly Welborn, Policy Director, American Civil Liberties Union of Nevada
Ted Pappageorge, President, Local 226, Culinary Workers Union
Alyssa Gurule, Private Citizen, Las Vegas, Nevada
Emily Persaud-Zamora, Executive Director, Silver State Voices
Annette Magnus, Executive Director, Battle Born Progress
Skyylar Jordan, Social Media Coordinator, Make It Work Nevada
Ora Washington, Private Citizen, Pahrump, Nevada
Benjamin Challinor-Mendez, Policy Director, Faith in Action Nevada
Steven Cohen, Private Citizen, Las Vegas, Nevada
Anna Villatoro, Private Citizen, Las Vegas, Nevada
Leonard B. Jackson, Director, Faith Organizing Alliance
Taylor Patterson, Executive Director, Native Voters Alliance Nevada
Barry Gold, Director, Government Relations, AARP Nevada
Kerry Durmick, Nevada State Director, All Voting is Local
Christi Cabrera, Policy and Advocacy Director, Nevada Conservation League
Jennifer Fleischmann, Co-Director of Organizing, Make the Road Nevada
Priscilla Maloney, representing Retiree Chapter 4041, American Federation of State,
County and Municipal Employees
Eric Jeng, Director of Outreach, Asian Community Development Council
Matthew DeFalco, Private Citizen, Henderson, Nevada
Christopher Daly, Deputy Executive Director, Government Relations, Nevada State
Education Association
Manuel Santamaria, Private Citizen, Las Vegas, Nevada
Kent Ervin, Private Citizen, Reno, Nevada
Amber McReynolds, Chief Executive Officer, National Vote at Home Institute and
National Vote at Home Coalition
Bruce Parks, Private Citizen, Sparks, Nevada
Jim Hindle, Vice Chairman, Nevada Republican Party
Bob Russo, Private Citizen, Gardnerville, Nevada
Brittany Sheehan, Private Citizen, Las Vegas, Nevada
Bob Franklin, Private Citizen, Las Vegas, Nevada
Ed Gonzalez, Private Citizen, Henderson, Nevada
David Gibbs, Private Citizen, North Las Vegas, Nevada
Scott Hoen, Private Citizen, Carson City, Nevada
Pamela Darr, Private Citizen, Sparks, Nevada
Yolanda Knaak, Private Citizen, Incline Village, Nevada
Wayne Gordon, Private Citizen, Reno, Nevada
Bill Harenburg, Private Citizen, Henderson, Nevada
Mark Karris, Private Citizen, Las Vegas, Nevada

Tracey Thomas, Private Citizen, Sparks, Nevada
Melissa Clement, Private Citizen, Reno, Nevada
Gina St. Ores, Private Citizen, Reno, Nevada
Alida Benson, Political Director, Nevada Republican Party
Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada
Jim DeGraffenreid, National Committeeman, Nevada Republican Party
Deanna Spikula, Registrar of Voters, Washoe County
Aubrey Rowlatt, Clerk-Recorder, Carson City
Linda Buckardt, Private Citizen, Henderson, Nevada
Dora Uchel-Martinez, Private Citizen, Reno, Nevada

Chair Miller:

[Roll was called. Committee rules and protocol were explained.] Today for our bill hearing, we will take up to 45 minutes of testimony for all three of the different positions, so we will allow 45 minutes for support, 45 minutes for opposition, and 45 minutes for neutral.

I will open the hearing on Assembly Bill 321, which is sponsored by Assemblyman Frierson, and establishes procedures for the use of mail ballots in every election.

Assembly Bill 321: Revises provisions relating to elections. (BDR 24-927)

Assemblyman Jason Frierson, Assembly District No. 8:

Thank you for your time today and consideration of Assembly Bill 321, which continues what we accomplished with Assembly Bill 4 of the 32nd Special Session. We have worked with county election officials and the Office of the Secretary of State to build upon the successes of A.B. 4 of the 32nd Special Session and the primarily mail election that the Secretary of State ran to develop a system that continues to expand the freedoms for Nevadans to vote.

Briefly, A.B. 321 provides mail ballots in all elections while strengthening election processes and aligning other election-related deadlines and requirements. I realize that most of the focus today will likely be on the vote-by-mail provisions. I would like to provide the Committee with some context and background on this topic in general.

When, where, and how Americans vote has evolved over the course of the last 250 years. When the United States first came into being, voters would voice their choices on the courthouse steps out loud and very much not in secret. By the end of the nineteenth century, a paper ballot became common, and it was increasingly cast in a private, neighborhood polling place.

Times are changing again. The majority of states now permit voters to cast ballots before Election Day, either in person at designated early voting sites or via the ballot that has been mailed to the voter's home. In all states, voting now takes place not just on one day during a fixed time period but over a series of days and weeks before the election. In the last election, nearly half the nation voted by mail or absentee ballot. As you know, Nevada responded to

the coronavirus pandemic and made sure that all active eligible voters received a ballot in the mail so they did not have to choose between their health and their voice in the electoral process. Nevadans responded with record turnout, with nearly half of our voters taking advantage of the opportunity to vote by mail or dropping off their ballot.

I want to point out my perspective with respect to elections. I have been passionate about expanding access to democracy since I have been in the Legislature. Before I was ever in an elected office, I worked at the polls. I worked at the election polls for Clark County for several years, and I saw firsthand how hard all our poll workers work and how great our election officials are—every county election official all the way up to our Secretary of State. I think that we are the best in the country and that we have done a great job. I saw it firsthand, and that certainly contributed to my thought process for this bill.

Something else that contributed to my thought process for this bill was talking directly with the election officials who have to implement these. We did not pull these provisions out of thin air. We talked with election officials and asked them about their experiences on the front line. They take pride in their work. They take pride in being the face of their office and serving the community.

This bill and some conceptual amendments that I am going to discuss are a direct reflection not only of conversations we had with election officials and the Office of the Secretary of State but also across the aisle. There is a misconception that there have not been any conversations with any of my Republican colleagues, and that simply is not the case. There are going to be some proposed amendments, and even some provisions in the bill itself, that are a direct reflection of conversations that I have had across the aisle.

I would also like to highlight some of the advantages of voting by mail. First, it increases voter confidence and satisfaction. Citizens can review their ballots at home, taking all the time they need to study the issues. Voters often express enthusiasm for this option. I have heard many voters across the state, including some colleagues in this body, who expressed how much they enjoyed filling out their ballot at home and returning it by mail or at a ballot drop box. In addition, reports indicate that because of convenience, voter turnout increases. There is a 2013 report on all-mail ballot elections in Washington and a 2018 report on all-mail ballot elections in Utah, both of which reflected increased voter turnout based on that being an option [*Identifying the Effect of All-Mail Elections on Turnout: Staggered Reform in the Evergreen State*, dated June 12, 2013, published by Cambridge University Press; and *Utah 2016: Evidence for the positive turnout effects of "Vote At Home" (also known as Vote By Mail) in participating counties*, dated March 3, 2018, prepared by Pantheon Analytics].

I do understand the concerns of those who wish to engage in the civic tradition of voting with neighbors at traditional polling places. Assembly Bill 321 continues to provide that option. It does not take away your ability to vote in person. It maintains that right and option as well

as other options and freedoms that Nevadans have come to value dearly. If a voter knows that he or she wants to vote in person and he or she did not receive a ballot in the mail, the voter can simply opt out of receiving a ballot in the mail if that is what he or she wants to do. Again, these are freedoms that Nevadans have come to cherish.

I will now go through the sections of A.B. 321 and also some conceptual amendments [[Exhibit C](#)] that, again, are the reflection of conversations that I have had with the folks who have to implement this on the front line.

I would like to go over the major sections of A.B. 321 first. Sections 2 through 17 and sections 51 through 63 of the bill remove existing law concerning ballots for absentee voters, mailing precincts, and mail ballots and replace them with new provisions that require county and city clerks to send each active registered voter a mail ballot for all elections. The existing processes for preparing and distributing the ballots are essentially maintained with a few changes. In a similar manner, the processes are maintained with a few changes for voting as well as the return, verification, and counting of mail ballots.

I would like to highlight sections 3 and 51 of the bill—containing the opt-out provisions that I had mentioned—because those are new provisions that I thought were extremely important given concerns after the last election and what we had to do with Assembly Bill 4 of the 32nd Special Session. Section 3, subsection 2 and section 51, subsection 2 of A.B. 321 provide an opt-out provision for active voters who prefer to not use the mail ballot option. As I mentioned earlier, if voters do not want to receive a ballot by mail, they can simply opt out.

Sections 8 and 56 of the bill alter the deadline for city and county clerks to receive a mail ballot, reducing it from what was seven days following an election to four days. This is the epitome of compromise. Folks were concerned about delays, so we spoke with our clerks and recognized that most mail ballots were received within that time frame, and we agreed to reduce it from seven to four days.

Sections 12 and 60 of the bill require the appointment of a bipartisan counting board, and pursuant to sections 13 and 61 of the bill, the board must complete the counts of all mail ballots on or before the seventh day following the election.

Manual or electronic verification is authorized in sections 11 and 59 of the bill, and procedures are set forth for the process of using electronic verification machines. The deadline by which a voter can either provide or confirm a missing or questionable signature is reduced from the current nine days to the sixth day following the election. Again, we were finding middle ground and trying to expedite the closure of elections.

In addition, sections 17 and 65 of the bill establish standards for testing the accuracy of these signature verification devices prior to an election with daily audits—daily audits—after ballots are processed. Sections 34 and 80 of the bill require the audit reports that are produced to be collected and maintained by local election officials.

Under sections 16 and 64 of the bill, every year each county and city clerk and his or her election staff are required to complete a class on forensic signature verification—that is every year. We are trying to increase accountability while making sure that our election officials are trained and using the most recent technology and practices so that our elections continue to be safe and secure.

Our confidential information statutes originally were enacted to protect the privacy and ensure the safety of certain persons involved in our legal and judicial system at their request. Sections 46 and 87 through 89 of the bill extend those protections to county clerks, city clerks, certain registrars of voters, and any deputy in a city or county election division. These confidentiality sections apply to information that is available in the public records that are kept by city or county clerks, county recorders, county assessors, and the Secretary of State. Such information can include a person's home address or that of his or her immediate family, his or her telephone number, and even his or her email address. Upon request, this information can be kept confidential for those individuals. In addition, these individuals could request that their driver's license or state identification card contain a substitute address to use in place of their physical address.

Section 25 of the bill clarifies the "motor voter" statutes [*Nevada Revised Statutes* (NRS) 293.5727 through 293.5767] by specifying that a voter who has been registered to vote by the Department of Motor Vehicles and who produced the required documents at the time will not be required to show proof of identity or residency when voting for the first time in a federal election.

Sections 26, 28, 70, and 74 of the bill extend the deadlines for requesting polling places at Indian reservations or Indian colonies. The revised dates are April 1 for a primary election and September 1 for a general election. This is designed to give more time to provide options for those who are on Indian reservations or Indian colonies.

Finally, in order to maintain an accurate voter registration list, under section 44 of the bill the Secretary of State and the State Registrar of Vital Statistics are required to enter into a cooperative agreement to perform monthly comparisons of the statewide voter registration list with records concerning the deaths of residents. This was another important measure to increase the ability to clean voter rolls by requiring that the Secretary of State does this on a regular, monthly basis.

There are some proposed amendments. In discussing A.B. 321 with our incredible county clerks and registrars as well as the Office of the Secretary of State, I have put together a conceptual amendment [[Exhibit C](#)] for the bill that incorporates their input. This amendment should have been provided to you earlier today. I will summarize a few of the larger changes.

We added a minimum number of polling locations to make sure that we do not see lines that are hours long during early voting or on Election Day [page 1]. Of course, this is not Costco. Voting is a right, not a privilege. Waiting in line for seven hours is simply unacceptable

when it comes to such a valuable, constitutional right. We also want to make sure that ballot drop boxes are available at every early voting and Election Day polling location.

Thousands of Nevadans dropped off their ballot at a ballot drop box, myself and many of my colleagues on both sides of the aisle included. Voters can skip the lines and drop off their ballot in a convenient and secure way. I have heard from many constituents about how much they enjoyed dropping off their ballots at a ballot drop box—how easy it was and how convenient it was—and again, they were able to avoid having to wait in long lines and were simply able to drop off their ballots.

Additional language allows for online voter registration between the final Thursday of early voting and Election Day [page 1]. This was important and reflected the input from our election officials. Previously, there was a break in voter registration during this period of time; the clerks and registrars at that time deemed it necessary for them to get ready for the voting. In going through this experience last year, the clerks and registrars have deemed that break to be unnecessary. This further expands the opportunity for eligible Nevadans who want to take part in the election process to make their voices heard—even if they wait until the last minute to make a decision on whether or not they are going to participate.

We set a deadline to 60 days before Election Day for voters to opt out of automatically receiving a ballot in the mail [page 1]. Again, if a voter does not want to receive a ballot in the mail, it is no problem. The voter simply can opt out and vote in person at an early voting site or on Election Day. The 60-day time period gives our election officials adequate time to process that and make sure that they do not send a ballot in the mail to someone who does not want it.

Amended language aligns signature verification requirements between mail-in ballots and in-person voting pursuant to NRS 293.285 [page 2]. This is already the practice our clerks and registrars use. Including it here simply provides more transparency into how the system already works. We would not want a situation where we start to deviate from that practice down the road, so we put it into NRS as what we and our election officials believe are best practices.

All other changes included in the conceptual amendment [[Exhibit C](#)] came from discussions with our county clerks and registrars to streamline the process and make sure that they are able to deliver an efficient election process to Nevada voters. There are some other technical aspects of it that were a reflection of our conversations with our election officials, and I have available a few folks who can answer any technical questions: Mr. Sam Olikier-Friedland, who is a former trial attorney with the Voting Section of the Civil Rights Division of the U.S. Department of Justice, and currently the chief legal counsel to the Center for Secure and Modern Elections; Mr. Joseph P. Gloria, who is the Registrar of Voters of the Election Department for Clark County; and Mr. Mark A. Wlaschin, who is the Deputy of Elections with the Office of the Secretary of State.

I would like to close on a personal note. I enjoyed the experience of sitting at my kitchen table and taking the time to mark my mail-in ballot. I have heard that I am not alone in that feeling. My kids saw me voting. Even though there are many more years until they will be old enough to vote, I know they will remember seeing my wife and me take the time to vote.

The changes made in A.B. 321 incorporate a proven system that is convenient for voters and is run by dedicated state and local election officials, who I know are the best in the country. I am excited to make these changes that will continue to allow voters the freedom to choose how they want to vote in Nevada. Again, this is not Costco—voting is a right, not a privilege. We should make it as convenient and equitable for eligible Nevadans as possible.

As I have said repeatedly, I believe as the late U.S. Representative John Lewis did—that the vote is the most powerful nonviolent tool that we have in a democracy, and we must use it. ["The vote is precious. It is the most powerful non-violent tool we have in a democratic society." October 3, 2016, South by South Lawn, White House.] I am proud that Nevada has led the way over the years to expand the ways in which people vote, and I am proud to continue expanding our freedoms with A.B. 321. This reflects an expansion in Nevada but not a new concept; several states have had seamless and very successful election processes via mail ballots, including some states that do only mail ballot elections.

That concludes my presentation of A.B. 321 itself. In addition to the provisions of the bill and the conceptual amendment [[Exhibit C](#)], I did want to address some concerns that some of my colleagues have expressed.

There was a letter that was circulated that expressed some initial issues with the language in A.B. 321. I would note that no one ever sent me this letter. No one came to me and said, "These are issues that concern us. These are things that, if addressed, we could get on board." No one ever said that. It was just put out there in the universe [Statement on status of 81st Legislative Session and comments addressing A.B. 321, released March 31, 2021, by Assemblywoman Robin L. Titus, Assembly District No. 38], but I want to address these issues because I think that they are important and worthy of discussion.

The first issue acknowledges that there was a proposal incorporated into the bill that the Secretary of State needed to coordinate with the State Registrar of Vital Statistics to note deaths monthly [section 44 of A.B. 321]. This reflects my recognizing that my colleagues across the aisle included this in one of their proposed pieces of legislation [Assembly Bill 163], and I agreed wholeheartedly, so I incorporated it into A.B. 321. The concern was over not including a mandated removal process from the voter rolls to fix the problem. Again, I will point out that the language was lifted expressly from a bill from a Republican colleague of mine who had an interest in addressing this [section 55, subsection 7 of A.B. 163]. If it was not in that language, then I struggle to see why it would be here—not to mention that the whole purpose of the Secretary of State coordinating with the State Registrar of Vital Statistics is so they could facilitate the removal process. That is the whole point of their coordinating. I was proud to take that idea and put it in A.B. 321.

The second item was the concern in section 9, subsection 1 of the bill over what we refer to as "ballot assistance"—being able to transport somebody's ballot to a ballot drop box. I will point out that even with respect to this, we made it a category E felony to violate this provision and not turn in a ballot in less than three days [subsection 2, paragraph (c), subparagraph (1); and subsection 3]. I do believe that that was addressed at least to some degree.

The concern in section 12 of the bill was about establishing a mail ballot counting board that is exclusively appointed by the clerk or registrar but does not mandate a party split or ratio and only says that they cannot be of the same political party. I think it is clear that our intention is to make sure that we have a diverse and broad array of folks who are in these positions—had someone contacted me, this would not be a problem. Certainly, I will be open to address it.

There was a concern with section 17, subsection 2 of the bill about the election board officers reviewing the electronic signatures being appointed—I am sorry, that is the same issue as before. I do not take issue with the diversity of the folks who will make up this board.

Section 8, subsection 1 [paragraph (b), subparagraph (2)] of the bill allows mail-in ballots to be counted—it says, "turned in," but it is counted—up to four days after the election. Again, I will point out the very nature of compromise is middle ground. In Assembly Bill 4 of the 32nd Special Session, it was seven days. We agreed to reduce that to four days to address the concern to some extent and to expedite the ability to get closure in the elections.

The concern with section 7 of A.B. 321 was about ballots being allowed to be completed by other persons. Now, this section is for disabled folks—folks who have difficulty with their vision or are otherwise disabled. There is a concern that, although this is to help people who cannot read or write, there is no description of how clerks and registrars must maintain these records for these assisted ballots. Again, this was never brought up to me before and is certainly something that I would be willing to take a look at and address in consultation with our election officials who may very well already do this. We did not have the benefit of having this in advance to vet or explore that issue.

In section 27, subsection 4 of the bill, if a signature does not match, the poll workers are not allowed to ask a voter for his or her birthdate—this says section 27, subsection 9, but it is actually section 27, subsection 4—and it asks, "why not?" We actually addressed that in the proposed amendment [[Exhibit C](#), page 3] in consultation with our registrars. That is returned, so they are allowed to ask that if someone is in person and the signature does not match.

Last is section 34, subsection 5 of the bill—I felt compelled to address this because I think that it is important for Nevadans to hear the truth. There is a concern that section 34, subsection 5 of the bill eliminates election contests, and the statement reflects that no one can

review voted ballots and records of machines unless a judge orders it and both parties agree. It questions, "why would the winner agree?" This has been Nevada law since 1981 [section 4 of Senate Bill 597 of the 61st Session] and was not addressed at all in A.B. 4 of the 32nd Special Session, nor in Assembly Bill 321.

As far back as 1981, the language in statute reflects that the actual ballots cannot be reviewed, and that has been the law. Again, Assembly Bill 321 does not change that and A.B. 4 of the 32nd Special Session did not change that. That has been the law in some way, shape, or form since 1981. Over the years, language has been added to take into account the machines and the paper rolls in the machines rather than it reference just ballots—because in 1981 we did not have the machines that we have now—but that was already existing Nevada policy. I think that Nevadans deserve to know the truth. Assembly Bill 321 did not have anything to do with that language whatsoever. That was already existing law.

With that, again, I have some folks who I believe could contribute to answering questions. They do not have their own presentations but can answer questions of a technical nature to the extent that Committee members have questions. I would welcome that dialogue at this time.

Chair Miller:

Committee members, please address your questions directly to Speaker Frierson. Then he will determine if it is a question that he chooses to respond to himself or to call upon some of his support to respond to those technical aspects.

I know that we have a number of questions. I always go in the order that they come to me, but I will make one exception this time because we have a member who is leaving to present a bill in another committee. We all experience that and understand what that is like, and I do not want a member to miss that opportunity. After this, we will go in the order in which they came.

Assemblywoman Dickman:

I have had countless constituents who have reached out to me since the election expressing their distrust and uneasiness with the process of the 2020 election. In fact, many have said that they are not going to vote again. Do you believe the provisions of A.B. 321 would restore the confidence that our constituents have since lost in our elections?

Assemblyman Frierson:

I really appreciate this being the first question because as much as many voters may disagree, concerns about election security are real and should be taken seriously. No one should disregard it, and I do not. The reason that I was agreeable to making the changes from A.B. 4 of the 32nd Special Session to Assembly Bill 321 was for that very reason. We were making sure that training was incorporated and required by a forensic expert. We incorporated that the machines would be audited. We incorporated shorter amounts of time.

Of course, many states are going through some exercises in what their voting experience is going to be like, but I think what is important is that we talk about the truth—that we rely on our election officials to tell the truth. When our election officials say, for example, that there was no systemic fraud and when the people on the front lines in both parties are saying there was no systemic fraud, I think that—regardless of what people say on the news and in the media—we can only continue to hear from voters to address their concerns the best we can while maintaining access to the polls and relying on our election officials, who I believe are the best in the country. They have confirmed that there was no systemic fraud.

I think that there is also a movement to recognize there is inherent danger with voting machines as well, so we have options. If you do not trust the voting machines, then you can have your old-fashioned paper ballot. You can drop it off in a mailbox, at a ballot drop box, or directly to a person. I say all of that to say I do believe these are measures that will make progress toward restoring confidence. I also think that we need to continue to educate the public to point out the facts and point out what is misleading about what is being narrated across the country.

I believe that our Office of the Secretary of State and all our election officials are interested in a top-down election system. I also agree. I am very interested and committed to finding a way to fund a top-down election system that you have heard about from our Office of the Secretary of State—so that we are unified, we have a system in place that is ideal, and we have a model that all of our election officials have advocated for. I am very committed to making sure that happens as well.

Assemblywoman Dickman:

This is a little more technical. Some of those constituents that I have heard from told me stories about having gone to the polls to vote. They were asked for their mail ballot to turn in, but they had never gotten a mail ballot, so they were only allowed to cast a provisional ballot as we know. I am wondering is there anything in A.B. 321 that would address that and make sure that the correct ballot is actually counted?

Assemblyman Frierson:

I would prefer that Mr. Gloria answer that question, but my understanding is that they would only be required to cast a provisional ballot if they were not registered previously. If you show up on Election Day and you are a registered voter, you should be able to vote. Again, to the extent that Mr. Gloria or Mr. Wlaschin can answer that question, I would welcome it.

Assemblywoman Dickman:

That actually happened to me in the primary election. I went to vote, and I did not bring my mail ballot with me. They were going to make me cast a provisional ballot. I knew better and made my case, so they let me vote a regular ballot.

Assemblyman Frierson:

Again, I would ask Mr. Gloria to address that because it sounds to me like that was an individual personnel issue and not one that was how the system is designed to work. I will defer to our election officials for that.

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

In Clark County, the only reason that somebody would have been provided a provisional ballot when showing up in person would be if they participated in same-day registration, an update to registration, or even online registration once it entered into the same-day registration period. Not surrendering a ballot or not having a ballot to surrender would not have forced you to vote a provisional ballot in Clark County and should not have anywhere in the state. Maybe Mr. Wlaschin would like to add to that.

Assemblywoman Dickman:

This was a person who was told, "You already voted."

Chair Miller:

Let us make sure that our questions stay concise and we wait for the responses. We are asking a question on a technical point, and Mr. Gloria deferred it to Mr. Wlaschin. Let us hear from Mr. Wlaschin.

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

Mr. Gloria answered the question. The only other thing I would like to add is about the technical system that we have set up and have used in the state for some time now. Even if you do have an absentee ballot provided to an individual, if you show up to the polls to vote in person like Mr. Gloria stated a minute ago, that absentee ballot—that you maybe left at home, did not have, or could not find, or maybe there was a question about your address—is automatically cancelled. The bar code on it is automatically cancelled so that nobody can vote that ballot. I think that is an important thing to be mindful of as well. Does that answer your question, Assemblywoman Dickman?

Assemblywoman Dickman:

Actually, no. This is someone who went to vote and was told, "You already voted. We have a mail ballot that you voted." Only, this person had not voted. Can you address that scenario?

Joe Gloria:

If they had come to the polls and gone through the kiosk system for us to look them up, in the system it indicates when we have read a mail ballot for the individual. In fact, if we had looked into the record and seen that we had a mail ballot for that individual, we would not have allowed him or her to vote in person. They would not have been given the opportunity to vote provisionally. At that point, they would have needed to contact our office, and we could have looked into it further based on that specific situation.

However, in the normal course of voting, had they been coming in, in person, to sign in to vote, they would not have been allowed to go through and vote—not even provisionally—if our system had indicated to us that we had already received a mail ballot. Those are part of the checks that are put into place to ensure that the integrity of the process is maintained and that we are not allowing people to vote twice in the same election.

Assemblywoman Jauregui:

I have a couple of questions. I wanted to start with the opt-out provisions. I know the bill talks about how each county clerk will set his or her own provisions when it comes to opting out, but that is for voters who are already registered. Is there going to be one for automatic voter registration (AVR)?

Assemblyman Frierson:

I will defer to Mr. Wlaschin or Mr. Gloria on the technical aspects of that. I thought about this provision in response to the voters who said, "I do not want my ballot in the mail." I asked our election officials how difficult it would be to allow an opt-out provision. Not only did our election officials indicate that they could, but that it would ultimately result in some savings because of how easy it is to opt out if you do not want it in the mail and you are not going to take advantage of that process. Again, we amended it to have a 60-day window so that there is enough time to take that into consideration. I will defer to either Mr. Wlaschin or Mr. Gloria on the technical aspects of how that would be accomplished.

Joe Gloria:

In relation to your question for opting out, the sponsor did work directly with us, and we had a lot of communication. There is no doubt that we can mark in the system any voter who chooses not to receive that ballot. We currently mark when people are looking to have a permanent absentee ballot; there is no reason we would not be able to do just the opposite of that. They worked with us in setting that deadline. The reason it is 60 days is because that is when we send our first file to the printer. If you do not want a ballot, that deadline had to coincide with when we start sending information.

I do have a question for you in relation to AVR. I am not understanding exactly what you are asking about as far as opting out of the AVR process.

Assemblywoman Jauregui:

You completely answered my question. I was trying to get clarification as to when somebody would opt out: they would opt out within that period. Every election cycle, they would just do that little opt-out option; it is not something that they can do permanently if they are just turning 18 years old and they register. I was just trying to figure out when that opt out would be. You answered my question.

I do have one more question. I want to make sure that we have this on the record. Polling locations are not going to change, right? People are still going to have their same traditional

polling locations. These mail-in provisions are not going to change anything. If people do want to go vote, they can feel comfortable knowing that their traditional polling locations are still going to exist and be there.

Assemblyman Frierson:

We put in A.B. 4 of the 32nd Special Session a minimum number of polling locations to make sure that we had adequate locations because, prior to that, folks had limited places that they could go, and they were waiting in line for hours on end. In consultation with our election officials and their request to be given flexibility, we did decrease the minimum number of polling locations per county based on input from our registrars and, quite frankly and understandably, their request to have some flexibility.

They can do more, but we wanted to give our election officials some flexibility to take into account that we do not know what the next election process is going to look like. There may very well be a lot of people who are still uncomfortable going to a polling place, and there may be folks who cannot wait to go vote now that our numbers for COVID-19 are down. We thought it was worthwhile to take that request and provide those election officials with the flexibility they needed to react to that kind of voter turnout.

The minimum numbers are significant. I am looking at it now [[Exhibit C](#), page 1]:

- Election Day
 - Clark County – 100 locations
 - Washoe County – 25 locations
 - All other counties – 1 location
- Early voting
 - Clark County – 25 locations
 - Washoe County – 15 locations
 - All other counties – 1 location

Assemblywoman Jauregui:

This is just a technical question to make sure that I am reading it right. Section 4, subsection 2 of A.B. 321, says: "In sending a mail ballot to an active registered voter, the county clerk shall use an envelope that may not be forwarded to an address of the voter that is different from the address to which the mail ballot is mailed." Again, just for clarification, that says if I set up mail forwarding to have all my mail go to my post office box, the mail ballot will skip that and will still come to my house. Am I reading that correctly?

Assemblyman Frierson:

That is my reading as well. I would defer to the election officials if I am inaccurate in that reading.

Joe Gloria:

That is exactly what would happen. The U.S. Postal Service would not forward that mail to a forwardable address. That does not happen.

Assemblywoman Jauregui:

OK, perfect. I think this is great. My household is the perfect example of how this works for everyone. During this last election, I voted from my couch and filled out my ballot, and then we drove to the polling location. I got to walk in and drop off my ballot, and my husband got to stand in line. We both got to vote exactly how we wanted, which I thought was great. Madam Chair, if there is time later, I would like to ask a couple more questions.

Assemblyman Leavitt:

I would like to thank the bill sponsor for addressing some of the concerns that constituents had with the process. My question is more in regard to the bill permanently legalizing the practice commonly known as "ballot harvesting." Provisions made that illegal in the past, and probably for a good reason. Based on your experience, what groups tend to participate in ballot harvesting? My understanding is that they tend to be people from state parties, party activists, and consultants. Is that your experience, or do you have some other insights on that?

Assemblyman Frierson:

I would again defer to our election officials with their experience, but first of all, I think "ballot harvesting" is a misnomer. When you are talking about "ballot assistance," you are talking about saying to someone, "Hey, Assemblyman Leavitt, I am going to drop off my ballot. You are busy right now. Want me to drop off yours too?" I can do that because there are signature verification procedures in place with a sealed envelope for that to happen securely. The misnomer to me is when you call it "harvesting," you are making up or growing a ballot. That is just not an accurate description of what it is.

In answering your question, it was not illegal; it did not exist. It was not addressed at all in statute before A.B. 4 of the 32nd Special Session. That is my understanding, anyway. Our election officials can correct me if I am wrong, and they can certainly answer any questions about the characteristics of the folks—if there is a generalization—who took advantage of it. I am aware that there were some political organizations that actively took advantage of ballot assistance. Quite frankly, my recollection was it was actually the Republican Party, at least in Clark County, who aggressively took advantage of it, at least on social media, in encouraging folks to participate in that regard.

For folks who think that there is some partisan motive, we had a supermajority before last election. We advanced A.B. 4 of the 32nd Special Session and lost that supermajority. It did not make it the wrong thing to do, though, because it increased participation and access to the polls—which is ultimately what the purpose and intent were, regardless of who benefitted.

Again, with respect to if there is a generalization of the kind of people who took advantage of it, I do not know if there is a way that either the Office of the Secretary of State or the Registrar of Voters for Clark County would really be able to know that. To the extent that they do, I would certainly defer to them.

Mark Wlaschin:

Specifically, in regard to the organizations that attempted ballot harvesting over this last election, there really was not a trend. Quite frankly, there were a number of organizations that reached out and were attempting to assist their fellow voters in getting ballots collected and brought to the clerks' offices appropriately. All of them that we found out about and talked to, we helped make sure that they were in compliance with the new law.

It was actually a felony previously to harvest ballots if it was outside of your individual family. I can provide some of the wording, but prior to A.B. 4 of the 32nd Special Session, it was a crime. Now, it is allowed.

Again, in regard to specific organizations on one side or the other, it was not the case. We were absolutely keeping our eyes open, looking for that sort of issue. There were a number of organizations, even some that were not politically related, that were out trying to assist other voters in that effort.

Joe Gloria:

Just to add to that, we worked closely with the Secretary of State in discussions on reports that we would get from various groups who were trying to help voters [unintelligible] ballots.

I think a lot of it has to do with voter education. As mail ballots become more prevalent with the passage of Assembly Bill 321, if it passes, it is important for voters to know—and that we communicate when speaking over the phone—that it is your ballot. Be responsible and make good decisions about who you are giving the option to turn that ballot in for you. Also remember, that although there was a lot of information out there that led to mistrust of the U.S. Postal Service, it was postage-paid returned on all of those envelopes. You can always put that in the mail for it to get back. We overserved in providing mail ballot drop boxes at all locations for early voting and on Election Day.

Again, with education to voters, once they see that it is just as easy for them to drive up and drop off their ballot as it used to be for them to stop and vote in person, I think you will see a larger increase in the number of ballots that come in through the ballot drop box. The majority of ballots that came in were through the ballot drop box.

Assemblyman Frierson:

I want to thank Mr. Wlaschin for clarifying. I believe violations of NRS Chapter 293 were all category E felonies. My point was that we did not have the mail-in process that A.B. 4 of the 32nd Special Session created and that Assembly Bill 321 continues. We did have absentee ballots. All violations of NRS Chapter 293 in the form that it existed before were a category E felony. We make sure that it is continuing in this language to be a category E felony with respect to these provisions as well.

Assemblyman Leavitt:

To follow up on what Mr. Wlaschin stated, why not continue with the practice of a family member or legal guardian being the one who handles the ballot and delivers it? Why the change?

Assemblyman Frierson:

With all due respect, I do not think that is a question for Mr. Wlaschin. He did not write A.B. 321; he is carrying out the provisions that we pass.

Again, today is the hearing, and we have been talking about these provisions since last special session. No one has raised that concern or issue before today, nor indicated that that would resolve their concerns. I am absolutely willing, as I always have been in the Legislature, to work across the aisle, hear concerns, and find middle ground where we can. In this regard, I would be just as receptive.

Assemblywoman Monroe-Moreno:

I, as I believe many—if not all—of my colleagues have been receiving a lot of calls and emails about this piece of legislation. Oftentimes when people reach out, they have received misinformation. Mr. Speaker, can I ask you some questions just to clarify things, so people get the right information?

Assemblyman Frierson:

Sure, to the extent that I can. I have an experienced task force that can back me up or clarify if I cannot.

Assemblywoman Monroe-Moreno:

The first question: Is there anything in Assembly Bill 321 that would create one, single legislative body?

Assemblyman Frierson:

Absolutely not.

Assemblywoman Monroe-Moreno:

The next question: Is there anything in this legislation as it is written and with the amendments [[Exhibit C](#)] that would allow someone who is not registered to vote in the state of Nevada to actually cast a ballot?

Assemblyman Frierson:

No, there is nothing in Assembly Bill 321 that advances that or permits that any different than the existing state of law. There are people with ill intent who violate the law. It is like the movie *Minority Report* [2002, directed by Steven Spielberg]. We cannot predict that, but A.B. 321 does absolutely nothing to advance that.

Assemblywoman Monroe-Moreno:

My final question because it has been in a number of emails that I have received: Is there anything in this legislation that would grant to someone who is not a citizen of the United States, naturalized or not, the right to vote?

Assemblyman Frierson:

There is nothing in Assembly Bill 321 that would advance a noncitizen's ability to vote any different than existing law. There are requirements for voter registration and qualifications, and A.B. 321 incorporates those processes just the same as existing law.

Assemblywoman Monroe-Moreno:

I had responded to some of them asking them to let me know exactly where in the bill that they felt this information came from. I did not receive any answers. I thank you so much for putting that on the record. It is my hope that they were listening and that their questions have been answered.

Assemblyman Frierson:

If I may, I think Mr. Gloria pointed out as well that it is all about voter education and making sure that we are providing accurate information, so folks know the truth. I take it seriously. Folks hear this from outside of Nevada or through social media or national media. It is important that we continue to work hard to educate voters on what the truth is. There is nothing about those points that you asked that are embraced or advanced by Assembly Bill 321.

Assemblywoman Monroe-Moreno:

Thank you so much for saying that. I believe, as elected officials, we have a responsibility to make sure that the information given is correct. When we are the ones carrying out misinformation, that truly is a disservice to the constituents who we are supposed to represent.

Assemblyman Matthews:

Section 17, subsection 2 of the bill says that the election board officers who review the electronic signatures are appointed by the county clerk, and they cannot "all be of the same political party." This does not mandate a party split or ratio; it simply says that they cannot be of the same party. Presumably under that, a Democrat and an Independent or a Republican and a member of the Independent American Party would satisfy the requirement.

Number one, I want to make sure that is correct. I do not see that addressed or changed specifically in the amendment [[Exhibit C](#)]. Maybe I missed it in your remarks. Did you say that you intend to further amend the bill to address that? I think the concern here would be the lack of balance, potential oversight, and transparency of the process.

Assemblyman Frierson:

I did address it in my opening remarks, and that was that no one has approached me about that before now. I think the existing practice already incorporated the ability for the clerks to

appoint folks to the board who are not of the same party. I think it is pretty clear that the intent was for it to be balanced and for there to be a representation of the actual constituency.

As I stated in the opening, had somebody provided some proposed legislation to require that it be reflective of a ratio, that would not have been a problem or concern at all. Quite frankly, I believe our election officials already do that. I do not want to speak for them or how many members they are talking about, but I do believe the practice was already to incorporate that. To the extent that needs to be stated, it would not offend me at all.

Assemblyman Matthews:

In Nevada, we have no-excuse absentee voting. I know there are a number of bills moving during the current session that would further enhance access to those opportunities [Assembly Bill 121, Assembly Bill 134, Assembly Bill 163, Senate Bill 225, Senate Bill 263, and Senate Bill 301]. I support those efforts because the absentee balloting process comes with strong measures to ensure security. My question would be: Why do we need universal mail-in voting when we have in place a strong and effective process for voting absentee ballots for those who want to do so?

Assemblyman Frierson:

I have a simple answer: a record voter turnout. Whatever we had prior to Assembly Bill 4 of the 32nd Special Session did not stand up to it and the results of the election. When we are talking about a constitutional right, clearly something happened where we had a record turnout and nearly 50 percent of that was through mail ballots and drop-off voting. We went from absentee voting turnouts of 10 percent to 48 percent. I think that that is indicative of an interest in moving in this direction and providing this additional option. I think that there are many people who—and in this last election, it was especially relevant when you had so many judicial options—were either not going to vote or did not decide exactly how they were going to vote until the last minute. I think ballot drop-off gave them an option that was reflected in the increased turnout. I would simply point to the turnout of the folks who used mail-in ballots versus absentee ballots prior as an indication of an interest in the electorate to have this as an option.

Assemblyman Matthews:

I wanted to ask you about the opt-out clause, which I know you referenced a lot. Opt-out clauses by their nature, of course, put the burden on the consumer—in this case the voter—to opt out rather than on the distributing entity. I think that is one of the reasons why so many people out in the real world have such a distaste for that approach with the opt-out clause.

That aside, the most common problem I heard in talking with voters in the last election, and I talked with very many of them, was the issue of ballots showing up at their homes intended for people who did not live there and for people whom they had never heard of. I see no reason to think that an opt-out clause for somebody to opt out of getting his or her own ballot at home would do anything at all to remedy that problem. Correct me if I am wrong, but I do not think it would.

Assemblyman Frierson:

I will start with the last question with respect to ballots coming to your home for people who are not residents of that home. Clearly that has nothing to do with opting out, and I think that is, on its face, a separate question. However, these are the reasons why we included provisions in A.B. 321 that require the Secretary of State and State Registrar of Vital Statistics to clean the rolls more frequently. I believe that as we continue to modernize our election system, we will see less and less of that.

At the end of the day, unless you are a signature expert and can figure out somebody else's signature for whom you do not even know and even if it were turned in, it would be invalidated as not matching. This is why the bill also incorporates mandatory forensic training, so our election officials are trained annually on being able to identify those and then having that election board that is bipartisan, or not composed of one party, to look at it and agree on signatures that do not match. I think that provides the security—as well as our election officials and our court system have reflected no systemic fraud.

With respect to a philosophical discussion about opting in or opting out, I think that when it comes to something as important as elections, we may have to agree to disagree on that. I do not think that the folks who had an issue with receiving a ballot that they did not request were that inconvenienced in emailing all of us to tell us that. I thought that an opt-out option would be a great option for folks who were that motivated to let their election officials know they did not ask for it and do not want it. They are simply able to opt out and not have the ballot show up at their house and, quite frankly, they save the county some money in not having it sent if they do not want it.

Assemblyman Matthews:

Just to be clear, the concern that was always expressed was not the inconvenience of getting a ballot that was someone else's. It was the concerns over security. That person may say, "I am certainly not going to fill out"

Chair Miller:

I feel like the bill sponsor has responded to the question. Do you have a new specific, technical question?

Assemblyman Matthews:

I do. I have one final question if I may.

Chair Miller:

One final question, please.

Assemblyman Matthews:

It is sort of a multipart question regarding section 8, subsection 2 of the bill. I am wondering why you believe it is good policy for us to accept mail ballots where the postmark date

cannot be determined, and I am wondering if we know how often that happens where a ballot comes back without a postmark date. I do not know if there is a subject-matter expert who might speak to that. Also, are there other states that have provisions similar to this?

Assemblyman Frierson:

Again, I think voter education is important. It is simply inaccurate to reflect that there is not a postmark date. I think there are a lot of folks who objectively see a prepaid postage envelope and believe that because of that, it will not be postmarked. I believe that we maybe should have addressed that in Assembly Bill 4 of the 32nd Special Session as well as Assembly Bill 321 in consultation with the U.S. Postal Service to verify that those would be postmarked.

To the extent that there were envelopes that were not postmarked or the postmark was illegible, smudged, or otherwise damaged to where it could not be read—I think similar to the postmark requirement of three days—any of those that came in within that same period of time would be counted and anything that came in after that would not be counted. Again, with respect to the postmark issue, I would defer to our election officials.

Chair Miller:

I have one final question from Assemblywoman Monroe-Moreno.

Assemblywoman Monroe-Moreno:

It is not a question but more a comment to the makers of the bill. I represent a large constituency of seniors who oftentimes cannot get out to vote by themselves. They were very thankful. I received calls thanking us for the decisions that we made during the 32nd Special Session—not only because of COVID-19 but because they just did not have the means to get to the polls. They found this so much more convenient. I, too, as my colleagues said, mailed in my ballot, but other family members in my household filled out their mail-in ballots and took them in, and others voted in person.

I believe giving our constituents options to participate in the process that is their right to participate in is our responsibility, and it is the responsible thing of this legislative body to do. It does involve everyone who wants to be a part of the process who is registered and eligible to vote. I thank you so much for the bill. It will have a positive impact on a number of families in our community.

Chair Miller:

Seeing no additional questions, at this point we will open the lines for those wishing to testify in support of A.B. 321. I want to remind everyone that each person will have two minutes. As always, I set my timer, and I will need to have people wrap it up at two minutes. This is to ensure that we can get as many Nevadans as possible—regardless of position—who want to testify and who are calling in to have their voices and positions heard. We will hear up to 45 minutes in each position. Right now, I will start at 4:05 p.m. for 45 minutes of testimony in support of A.B. 321.

Esmeralda Vazquez, Advocate, Mi Familia Vota:

Mi Familia Vota is a nonprofit organization focused on improving political efficacy in the Latino community. We are members of the Let Nevadans Vote coalition. Today, on Mi Familia Vota's Nevada Latino Lobby Day, I am calling to support A.B. 321 because I believe it would work to improve access to the ballot for Latinos and working families throughout Nevada.

Assembly Bill 321 allows the members of your community to choose their preferred method of voting, whether it is in person, by mail, or by dropping off their ballot at a secure election drop box. By having a mail ballot sent to every active registered voter in Nevada, this bill will [unintelligible] who may not have the time outside of work to cast their ballot in person. Assembly Bill 321 makes voting more accessible and safer, not just during the pandemic but permanently. That is how voting should be—easy, accessible, safe, and secure.

Mi Familia Vota is committed to increasing access to the polls for Latino voters as well as protecting the voting rights of all Nevadans. Assembly Bill 321 would work to do just that. At a time when voting rights are being threatened in states like Arizona, Michigan, and Georgia, this body has the opportunity to do what is right for Nevadans. I urge you to support A.B. 321. Thank you.

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

If you ask any of my colleagues testifying here this evening, they will confirm that I am Nevada's biggest vote-by-mail fan. That is because, prior to moving to Nevada in 2017, I had gone a decade without ever having voted in person. I grew up in Oregon, a state that has been voting by mail since 1987, and went to graduate school in Colorado, where they have been sending ballots to all registered voters since 2013. Nevada's record voter turnout in 2020, despite a pandemic, is in line with what these states have shown time and time again: Vote by mail increases voter turnout.

This election also highlighted many of the benefits of voting by mail. First, the convenience makes voting much more accessible. Voters do not have to take time off work and find childcare just to wait in line. Prepaid postage allows the voter to turn his or her mailbox into a ballot box. Ballot drop boxes along with ballot collection increase access to the ballot for both busy urban workers as well as our rural and tribal communities where physical distance can be a challenge to participation. In Oregon, I used to get off the bus and drop off my ballot in a secure box right in the middle of downtown on my way to my college classes without having to make any change to my daily schedule.

In addition, voting by mail helps people be more informed about their decisions. As a young adult, I remember completing my ballots alongside my mother; I could ask her questions about the process, and we could even debate the issues. With the mail ballot, I always have the opportunity to do my research or even skip a question and come back to it once I feel more informed. Assembly Bill 321 will ensure that all eligible Nevadans are able to participate in our democratic system and have their voices heard at the ballot box. We urge your support. Thank you.

Holly Welborn, Policy Director, American Civil Liberties Union of Nevada:

I am here testifying in support of A.B. 321. Thank you, Speaker Frierson, for your continued efforts to protect and enhance the fundamental right to vote, especially at a time when there are disturbing and blatantly unconstitutional efforts to suppress the vote in other states, particularly among Black, Indigenous, and people of color-impoverished communities.

Our state was making the best of a bad situation when it turned to mail ballots and ballot drop boxes as a way to keep voters safe during the COVID-19 pandemic, but the record-breaking turnout we saw in November 2020 shows that Nevada voters appreciated having multiple options. Indeed, this is not Costco, and this is not a ride at a theme park. Voting is a fundamental right. The night of the 2020 Primary Election, the last voter in line cast his ballot around 2:30 a.m.—that is entirely unacceptable.

Nevada is making its democracy stronger by refining our election processes and finding ways to make it easier for eligible voters to participate in safe and secure elections. Nevada has some of the best election officials in the nation. We commend Registrars Gloria and Spikula and Secretary Cegavske for the integrity with which they administered the 2020 elections.

I know firsthand the problems voters face in accessing the polls. I run a nonpartisan voter protection program in Washoe County where I assist voters of all parties and all walks of life with understanding ID requirements, ballot drop box rules, and more. What Nevada needs is to make voting easier, and A.B. 321 does just that. Thank you so much for sponsoring this legislation. We encourage your support.

Ted Pappageorge, President, Local 226, Culinary Workers Union:

The Culinary Workers Union supports Assembly Bill 321. Nevadans should be able to exercise their right to vote, and the Culinary Workers Union believes this bill makes voting accessible and gives voters the choice of how to cast their ballot, which is especially important for the 60,000 shift workers whom the Culinary Workers Union represents and who are employed in a 24-hour economy.

Last year, the Nevada Legislature passed A.B. 4 of the 32nd Special Session, which permitted Nevadans to vote safely in the midst of the pandemic by automatically sending registered voters their mail-in ballot. As a result, 48.46 percent of Nevadan voters chose to vote by mail for the 2020 General Election.

Similar to A.B. 4 of the 32nd Special Session, Assembly Bill 321 allows the counting board to begin counting ballots 15 days prior to Election Day [subsection 1 of section 13 and subsection 1 of section 61]. This ensures transparency through the process and provides ample time for signature curing and ID verification requirements for first-time voters, ensuring all votes are counted. It is important not to undermine the significance of early voting sites and election centers because voters still need access to in-person voting. In the 2020 General Election, a Culinary Workers Union guest room attendant left to vote after her shift, and she was the last one in line to cast her ballot.

Voting is of vital importance to our democracy, and A.B. 321 expands voting rights to remove barriers to registered voters in participating in the electoral process. The Culinary Workers Union urges the Nevada Legislature to support and pass A.B. 321. Thank you.

Alyssa Gurule, Private Citizen, Las Vegas, Nevada:

I am a sophomore studying Political Science at the College of Southern Nevada. Last June, I was able to vote in my very first election here in Las Vegas, Nevada. I was able to vote by mail, as we were in the middle of the pandemic and I felt this was the safest choice for my family and me. I also voted by mail in November for the general election. Many people in other states do not hold this privilege of always being able to vote by mail, and I feel incredibly grateful to have had that option. I strongly believe this should continue to be a guaranteed option for Nevada voters since it would increase access for marginalized communities. Accessible voting should be a right, not a privilege. Seeing what has happened in Georgia this past week has drawn attention to the issue of voter suppression that is still very much present in our country. Our state cannot also fall backwards on this issue.

By passing A.B. 321 we will become a state that will lead in expanding voting rights and creating a stronger democracy. Assembly Bill 321 is a prime example of quality legislation that will actually protect and expand the right to vote, rather than limiting access to the polls. It will build on our current mail-in-ballot system and strengthen it. Voting is a right and everyone should have different choices available to them while casting their ballot. Thank you, Speaker Frierson, Majority Leader Cannizzaro, and Governor Sisolak, for your continued efforts of making voting accessible to all Nevadans and helping secure our elections. [Written testimony was also provided, [Exhibit D](#).]

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

I am calling on behalf of the Let Nevadans Vote coalition, a coalition of 22 organizations dedicated to ensuring fair and equitable elections for all Nevadans. I stand in support of A.B. 321 because it is imperative that all Nevadans are able to cast their ballot in a manner that is most convenient for them for all elections to come—whether that is in person, by mail, or by dropping their ballot off at a nearby ballot drop box.

You are going to hear many people call in saying that this is going to promote voter fraud. That is nothing but fake news. Every day our partners work with a variety of diverse constituencies, such as the Asian American and Pacific Islander, Black, Latino, Native, and labor communities. In 2020, we worked closely with these communities in our get out the vote and nonpartisan election protection programs. In these programs, we viewed our electoral process from the perspectives of your constituents. We were able to assist them throughout the whole process from the time that they registered to vote and answered their questions before and after they had cast their ballot.

In addition, we oversaw the 866-OUR-VOTE hotline. From the span of October 17 to November 4, there were 1,057 unique tickets. That is over 1,000 Nevadans who called in to ask questions or were experiencing some type of issue at the polls. Thankfully, because of the many provisions of A.B. 4 of the 32nd Special Session, we were able to accommodate those issues.

During the 2020 General Election, more than 48 percent of all Nevadans voted by mail. This conversation about passing A.B. 321 should not be about political party beliefs. It should be about [Allotted time was exceeded.]

Chair Miller:

Your time is up, but I encourage you to submit your comments in writing so that we can read the rest of them, please.

Annette Magnus, Executive Director, Battle Born Progress:

We are here in strong support of A.B. 321. Last year as the pandemic created so much uncertainty around how our election would operate, the Legislature rose to the occasion thanks to the efforts of Speaker Frierson to pass A.B. 4 of the 32nd Special Session, a bill which gave voters options for how to cast their ballot. Whether it was mailing back their ballot in its prepaid postage envelope, dropping off their ballot like I did, or voting in person at any of the numerous centers in their county, Nevadans turned out in record numbers, more than ever before, to make their voices heard.

Assembly Bill 321 would allow Nevadans to enjoy that same convenience and ease of participation in our democracy for every election going forward, with some additional improvements. During the 2020 election, our county registrars, like Clark County Registrar of Voters Joe Gloria, Republican Secretary of State Barbara Cegavske, and their staff did an incredible job tabulating each and every eligible vote accurately.

I had the privilege to formally observe this process in Clark County. We cannot thank them enough for their tireless work. Assembly Bill 321 contains provisions to increase confidence in the process while safeguarding the right to vote. It standardizes the rigorous signature verification process used for mail ballots and requires election staff to be trained annually for signature verification. It also requires that the verification process be seen by a panel of approved voters by its county clerk. The Secretary of State will also be required to compare the statewide voter registration list every month to check the deaths of state residents.

With these upgrades, state and local election officials will have the necessary tools to continue administering some of the best elections in the country. We thank Speaker Frierson again for being a champion on voting rights and look forward to this body's support on this measure. We also look forward to Nevada continuing to be a leader in this area. Thank you.

Skyylar Jordan, Social Media Coordinator, Make It Work Nevada:

I appreciate Speaker Frierson for A.B. 321 for protecting democracy in Nevada. I was not able to vote in the 2020 election despite being a strong voting rights advocate for many years now. It cannot be overstated enough how important A.B. 321 is, especially with what we are seeing happen in Georgia and multiple states around the country.

Honestly, I do not know why we have not done this already. The foundation of this bill is greater access and strength in democracy. Making voting by mail permanent makes it so that as many Nevadans as possible can participate in the process of selecting our leaders. We are in an all-hands-on-deck moment where we have to step up and take action for our communities, and the best way to do that is through voting.

Furthermore, A.B. 321 gives me comfort as an international college student. This bill will make sure that I get my ballot even though I will be several thousand miles away. Democracy is not promised to any of us, and it is legislation like this that ensures the votes of the people are heard and honored. I urge you to support A.B. 321. Thank you.

Ora Washington, Private Citizen, Pahrump, Nevada:

I want to talk to you about how important A.B. 321 is to me and other Nevadans who have no transportation. I rely on senior transportation, which is not always available. I am 79 years old, and it was with great pleasure that I was able to sit at my kitchen table and go over the mail ballot and instructions. Then I made the most important vote of my lifetime, and I was able to fulfill my duty as an American. I felt so joyful to have this ability. Every Nevadan should have this ability. I thank the state of Nevada for mail ballots and for helping me be a better citizen of Nevada and America. Thank you.

Benjamin Challinor-Mendez, Policy Director, Faith in Action Nevada:

We are here in strong support of Assembly Bill 321 and thank Speaker Frierson for his dedication to removing barriers from voting. While we are in support of the whole bill itself, I wanted to speak in particular about the provisions expanding voting options.

The provisions of sending a mail ballot to all active voters is a great way to allow all Nevadans who are eligible to cast their vote. Once a voter has received his or her ballot, it is as simple as filling out the ballot, signing it, and mailing it back. If the voter does not want to mail it back, he or she can always just drop it off at any of the ballot drop boxes provided by the county elections department. In some instances, voters can even drop it off as they are shopping for groceries.

Ultimately, if a voter wanted to actually vote in person, he or she also has that option. By surrendering his or her ballot, a voter could vote in person early or on Election Day. In a time where Georgia, Texas, and other states are looking to make it harder for voters to cast their ballot, it is very encouraging to see our state expanding its options.

With A.B. 321, even more Nevadan voters will have their choice in how they can vote, where they can vote, and when they can vote. We urge your support and passage of this great piece of legislation. Thank you.

Steven Cohen, Private Citizen, Las Vegas, Nevada:

I am in full support of the bill. We should be making it easier for people with disabilities to integrate similar to their peers without disabilities, and that includes voting. With that, I thank you and I yield.

Anna Villatoro, Private Citizen, Las Vegas, Nevada:

I am calling in support of A.B. 321. I recently became a first-time voter. Voting this past election was incredibly less intimidating, as I had several options to vote: ballot drop off, mail in, and in-person voting. These options were critical for me to cast my vote as a first-time voter, as I also have limited transportation. Fortunately, my roommate and I created a plan to drop off our ballots together at a nearby drop-off location.

Assembly Bill 321 would allow all active registered voters to receive a mail ballot with prepaid postage, and each of those voters will be able to choose how they want to vote in the way that is most convenient and optimal for them. Again, as a recent first-time voter and a Nevadan with limited transportation, A.B. 321 will be critical for me to vote next time and let my voice be heard. Thank you.

Leonard B. Jackson, Director, Faith Organizing Alliance:

I am a proud partner of the Let Nevadans Vote coalition and stand in support of A.B. 321. It is important to ensure this body keeps the door open and levels the playing field for our underserved and underprivileged communities. We stand in strong support of A.B. 321 because it would continue to enfranchise the communities we work with every day.

Throughout this past year, we have seen our communities struggle, and we have disproportionately seen communities of color, especially the Black community, impacted by the COVID-19 pandemic. The pandemic also impacted the way that we vote, and that is why we supported A.B. 4 of the 32nd Special Session.

The history of disenfranchisement did not start with this pandemic. We have seen over the course of history that the people whom I work with—people of color—have been disproportionately served and have found it harder to access the ballot box. We look at history as a way of telling a story, but the stage had already been set as states continued to disenfranchise communities over this past century. An example of this is the voter suppression that is taking place, as we speak, in Georgia right now.

The question that I leave you with today is, Where will Nevada stand? Assembly Bill 321 seeks to change all of that, and while we watch many states across the country go backwards on the issue of voting rights, Nevada can be the shining example once again. This is our opportunity to make things right for all Nevadans—to make sure that voting rights are accessible, and we have our God-given [Allotted time was exceeded.]

Taylor Patterson, Executive Director, Native Voters Alliance Nevada:

I am a member of the Bishop Paiute Tribe. The Native Voters Alliance Nevada is in support of A.B. 321 because it strengthens voting access for Native Americans across the state while still respecting tribal sovereignty.

Indigenous people had to fight tooth and nail for the right to vote and then again to have the same access as every other citizen in this country. This bill will help right the wrongs of past voter suppression and move us in the right direction. Giving tribes an extended deadline to request a polling location relieves some of the burdens placed upon tribes each election year. The needs of every tribal community are different, and this bill not only recognizes that but empowers each tribal nation to make decisions that are appropriate for its communities.

Thank you, Speaker Frierson, for bringing forth this bill. Please vote to support the increase of voting rights for our Native people. Thank you, Committee.

Barry Gold, Director, Government Relations, AARP Nevada:

It sounds like Assemblywoman Monroe-Moreno may have a few AARP members in her district. I want to say that AARP has been working on what we call "voter engagement," not voter education but voter engagement, for quite a long time. This last election, we worked to make sure people knew how they could vote safely and securely however they chose to vote, whether that be by mail or in person.

What we all want to do is cast our ballots freely, safely, and equally, and this bill puts in place transparent processes that we can all trust. I would like to quote an op-ed that was written by Steve Sebelius in the *Las Vegas Review-Journal* on March 20, 2021 [titled "There should be no roadblocks to voting"]. The last sentence of the article says: "... elections should be run with the idea that we should make it as easy as possible for every single eligible voter to participate." That is simple, is it not? That is really simple.

On behalf of our 345,000 members across the state—and we all know that older adults are the most trusted voters because they vote every time—AARP strongly, strongly supports this bill because this bill will create the freedom to vote however you choose. Thank you.

Kerry Durmick, Nevada State Director, All Voting is Local:

We are a voting rights project housed at The Leadership Conference on Civil and Human Rights. We are also a proud member of the Let Nevadans Vote coalition. All Voting is Local fights to remove discriminatory barriers to voting before the next election—empowering communities of color, young people, low-income Americans, and voters with disabilities so that all voices can be heard.

We are in full support of A.B. 321. Nevadan voters need multiple mechanisms to participate in their right to vote while ensuring the process is safe and secure. That is exactly what A.B. 321 does. In 2020, voting by mail was the most popular method of casting a ballot. According to the Office of the Secretary of State, around 48 percent of Nevada voters cast their ballot by mail, up from roughly 7 percent in 2016.

The provisions of A.B. 321 ensure that every active registered voter will receive a mail ballot with prepaid postage and give Nevada's voters something that they are already familiar with. Nevada needs to ensure that it is protecting everyone's right and freedom to vote. This bill would give Nevadans a variety of options to make their voices heard and cast their ballots in a safe way. When voters have options to vote in a way that they are most comfortable with, our democracy is stronger and better. All Voting is Local asks this Committee to support A.B. 321. Thank you so much for your time.

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

We are in strong support of A.B. 321. We believe that the long-term health of our planet is linked to the health of our democracy. Passing strong laws to protect our environment depends on open, fair, and secure elections. Assembly Bill 321 ensures that every Nevadan's voice is heard on Election Day.

It is time for our state to embrace vote by mail as an option for Nevadans who want to cast their vote from home. This legislation requires county clerks to prepare and send mail ballots with prepaid postage to every UOCAVA and active voter [Uniformed and Overseas Citizens Absentee Voting Act, *United States Code*, Title 52, Sections 20301 et seq.]. It also ensures security, as mail ballots cannot be forwarded.

Last year's unprecedented vote shows that this system not only works but results in more participation among voters. Assembly Bill 321 would improve our elections by making them more secure, more resilient, and more accessible to Nevadans. Every vote counts, and we are grateful for voting rights champions like Speaker Frierson for ensuring Nevada's thorough and secure process for tabulating ballots will be codified into law. Thank you for your time.

Jennifer Fleischmann, Co-Director of Organizing, Make the Road Nevada:

I am here in support of A.B. 321. This bill would ensure that our election officials are properly trained, that they are taking the appropriate steps to make sure that every vote is cast by an eligible voter, and that every vote cast by an eligible voter in Nevada is counted.

As is the case with many new experiences, there is a natural learning curve with the expansion of mail-in voting. That goes for both our community members as well as our elected officials. Assembly Bill 321 would ensure that a county clerk or registrar and his or her office must complete a forensic signature verification training approved by the Secretary of State.

In 2020, Make the Road Nevada spoke to thousands of voters in Clark County, many of whom expressed confusion around how to ensure that their mail-in vote was counted. Assembly Bill 321 would address these concerns by requiring that the election officials reach out to a voter via phone, email, or mail in the case that a voter sends in a ballot with a missing or mismatched signature. This would also improve the security and veracity of our elections here in Nevada.

As a state, we should be working to ensure that all eligible voters are able to feel secure and confident that their vote is being counted. Passing this bill is a step in the right direction. I strongly urge you to support A.B. 321. Thank you for your time and your commitment.

Priscilla Maloney, representing Retiree Chapter 4041, American Federation of State, County and Municipal Employees:

We are in strong support of A.B. 321 and thank Speaker Frierson and Assemblywoman Benitez-Thompson for bringing it forward. The American Federation of State, County and Municipal Employees retirees' third-highest legislative priority this session, right behind their retirements and their health care, is preserving, protecting, and facilitating their right to vote.

The things contained in A.B. 321, such as expanding polling places, voting by mail, and ballot drop box sites, greatly help vulnerable populations such as the elderly and the disabled. The 2020 Nevada election had historically high turnout from all methods of voting despite the global pandemic and the challenges it posed for vulnerable citizens, such as seniors. This bill expands on the good work done in A.B. 4 of the 32nd Special Session over last summer and makes permanent those provisions that enhance and facilitate the most vulnerable in our state.

Again, we thank the sponsors for bringing this forward and their work in this mission to see that everyone who is eligible and wants to vote in Nevada can do so by any method they choose. We thank them for their time and efforts in this regard.

Eric Jeng, Director of Outreach, Asian Community Development Council:

Right now in Nevada, we have more than 330,000 Asian Americans and Pacific Islanders (AAPIs) comprising around 10 percent of the total population and around 10 percent of the voting bloc ["2018 State Factsheet: Nevada," published by AAPI Data]. We amplify diverse stories and voices of our community and focus on issues that affect our livelihood, especially voting rights. Including language access, we do nonpartisan voter registration, nonpartisan voter education, and nonpartisan voter outreach.

As the fastest-growing community in Nevada, we are aware [unintelligible] about the infrastructure that is supporting the community and the need to catch up, including the way we vote. We would like to thank Speaker Frierson for bringing this bill to ensure our communities' voices are heard.

We are here because in 2020 we saw unprecedented voter turnout for our communities in Nevada and nationwide. From 2010 to 2016, the number of eligible AAPI voters grew by 35 percent, compared to 13 percent statewide ["2018 State Factsheet: Nevada"]. Providing more options for Nevadans to access the polls—removing obstacles to voter registration, including spelling out the exact documents needed and not needed for same-day voter registration and automatic voter registration—is a huge step for our communities.

During the 2020 election, we sent English-language-learning, nonpartisan mailers to households telling people how to vote, and we saw so many first-time voters. Even our staff have reported their parents, and even grandparents, voting for the first time.

In the end, by continuing to make voting safe and accessible to all Nevadans, we are able to allow more Nevadans to participate and make their voices heard in this election. It is critical that A.B. 321 passes, and we protect access to democracy for everyone. Thank you. We ask for your support for A.B. 321.

Matthew DeFalco, Private Citizen, Henderson, Nevada:

I am here in strong support of Assembly Bill 321. First of all, I am here testifying as a veteran and not on behalf of the Office of the State Treasurer, although I do know that the State Treasurer is in support of this legislation.

Nevadans want choices when voting, and we proved that in November 2020 with record turnout. While states around the country are moving backwards on the issue of voting rights, A.B. 321 and other voting measures show that Nevada is a proud leader on this issue.

As somebody who served in the military, I am especially happy about how current members of the military will benefit from these options to vote. By allowing for expanded mail-in voting, same-day voter registration, and more, our military families will be able to participate in our elections no matter their circumstances.

On behalf of military veterans like me, we applaud and thank Speaker Frierson for making voting more accessible in our state. Thank you for your time, and please support A.B. 321.

Christopher Daly, Deputy Executive Director, Government Relations, Nevada State Education Association:

The Nevada State Education Association has been the voice of Nevada educators for over 120 years. Nevada State Education Association supports A.B. 321, critical voting rights legislation for Nevada, adopting the best practices of vote-by-mail, ensuring in-person voting options, and addressing concerns about election integrity and security.

Educators ask students to use their voices and build their own agency. We believe our politics and electoral system should strive for greater enfranchisement, because every person and every vote is important.

The National Education Association (NEA) has a long and rich history supporting greater democracy and enfranchisement. From past NEA President Charl Ormond Williams' efforts to get Tennessee to ratify the 19th Amendment in 1920 to students affiliated with the California Teachers Association who started the campaign to extend the vote to 18-year old's back in 1967.

With voting reforms passed during the special session, the 2020 Nevada General Election was one of our smoothest with very high turnout, even during a global pandemic.

Assembly Bill 321 is the logical next step from these reforms and fits well in the historic effort for greater democracy and participation. [Written testimony was also provided, [Exhibit E](#).]

Manuel Santamaria, Private Citizen, Las Vegas, Nevada:

I am a veteran of the United States. I would like to speak in favor of A.B. 321. The preservation and perseverance of American values and our way of life were [unintelligible] for answering the call to service after 9/11. Our nation as a whole has been under attack for daring to exist free and for allowing these people liberty, expression, and a voice. It pains me to see what we gave to have free and fair elections in other countries.

As a member, I received my overseas absentee ballot in Germany, Iraq, and Afghanistan. I recall for the 2004 election, we were provided with voting assistance officers to hold our hands through the process. In 2008, I filled out my ballot over dinner with all the convenience of time and information at my disposal. Voting was my right, and my country's democratic values will not forget its responsibility to allow me that right.

Nevadans deserve to be able to vote freely and ably right here with as many avenues available to them as I had to me overseas. The impediment of their voices by obstacles in the name of partisanship and politics is a betrayal of those American values. This bill enshrines and protects the voices of Nevadan voters. The ease of access and expanding options to cast a vote does more than just help repressed communities. It allows all Nevadans to participate and perpetuate American values with a free and fair election. Please pass Assembly Bill 321. Thank you.

Kent Ervin, Private Citizen, Reno, Nevada:

I have voted in every election since 1976 no matter where I have lived, even abroad. I have to say that last November was the most pleasant and easiest voting experience. I got the automatic ballot in the mail, I was able to fill it out at my leisure, and then I chose to drop it off at a ballot drop box so that I knew it got there. It was so easy and secure; it was no wonder we had great turnout from both parties. If strong voter turnout is not every legislator's goal, that is a problem. Thank you.

Amber McReynolds, Chief Executive Officer, National Vote at Home Institute and National Vote at Home Coalition:

A special thanks to the Speaker for bringing this bill forward and also to Nevada's incredible election officials for their unwavering dedication to serving voters in 2020, especially during the global pandemic. The National Vote at Home Institute and National Vote at Home Coalition is a nonpartisan and nonprofit group of technical experts dedicated to increasing access to voting options for every voter, especially with regard to mail ballots. We stand in support of this bill.

Assembly Bill 321 is a commonsense bill that makes permanent many of the policies Nevada implemented during the 2020 election cycle. It benefited all voters regardless of party affiliation. By codifying these changes, Nevada supports and upholds its citizens' rights to vote and puts voters first, all while ensuring that election officials can best plan and allocate resources to support elections.

I can personally speak to how impactful this bill will be for all voters. As the former Director of Elections in Denver, Colorado, I helped to design and oversee the implementation of Colorado's election law over eight years ago. Not only did we execute safe and secure elections and become a national model, but we also saw engagement increase and the experience of voters improve just as you have heard today.

Nevada saw turnout increase from 2016 to 2020 in a substantial way. Voting by mail is not just convenient for voters, but it provides benefits for election officials too. There are cost-saving components in processing absentee ballot requests and also systematic and operational improvements that will happen over time. Additionally, it lessens the voters who vote on a singular day and allows for a smoother Election Day during the busiest time.

Voting is a right afforded every American. We applaud the thought and consideration put into this bill to protect the right of all Nevadans [Allotted time was exceeded.]

Chair Miller:

Thank you so much for your comments. If you have additional comments, please submit them in writing.

That was our last call in support because our 45 minutes is up. I do not know if there are still people waiting on the line. If you did not have an opportunity to speak—again, we are trying to be concise and fair—please submit your comments in writing. They will be read and considered.

[[Exhibit F](#), [Exhibit G](#), [Exhibit H](#), and [Exhibit I](#) were submitted in support of A.B. 321 but not discussed.]

We will open testimony in opposition to A.B. 321. We will also allow 45 minutes and 2 minutes per speaker.

Bruce Parks, Private Citizen, Sparks, Nevada:

I would just like for you to know that in 2020 my vote did not count. I know that because there were over 122,000 incidents of voter fraud that were delivered to the Office of the Secretary of State [press release dated March 16, 2021, titled "SOS Elections Division Announces Status of Election Complaints"], which she refused to investigate.

This bill does nothing to provide more opportunity. What it in fact does is provides more opportunity for voter fraud. When A.B. 4 of the 32nd Special Session was being considered, there were over 5,000 people who wrote in on the Nevada Electronic Legislative Information

System (NELIS) website against that bill. There were 76 people who wrote in in favor—76 to 5,000 and A.B. 4 of the 32nd Special Session was passed. This Legislature does not care what the people of Nevada think, and they clearly demonstrated it when they voted for A.B. 4 of the 32nd Special Session.

If you want to secure the votes of the voters of Nevada, then establish voter ID or thumbprint ID, and when people go to vote on Election Day—the only day that you get to vote—you are presented with a paper ballot and a No. 2 pencil. You do away with the counting machines. Then I know that my vote counts.

We already have established procedures for people who receive a ballot by mail. It is called absentee ballot. It is real simple. It is real easy. It is secure. All the other mail-in voting just facilitates fraud. There are four states that currently have all mail-in voting, and in every one of those states, there is a predominate party that dictates what happens in those states. For instance, in the state of Washington, a heavily Democrat state, no Republicans win in that state. It is the same in Utah, a heavily Republican state; no Democrats win. Mail-in voting is a failed system. I am totally opposed to it . . . [Allotted time was exceeded.]

Chair Miller:

Thank you for your comments, sir. If you have additional comments, you may submit them in writing, please.

Jim Hindle, Vice Chairman, Nevada Republican Party:

The Nevada Republican Party (GOP) strongly opposes Assembly Bill 321. Yesterday, both the Nevada GOP Chairman Michael McDonald and Assembly Minority Leader Robin Titus went on record in their opposition to A.B. 321.

This bill would ensure voting irregularities and all the issues with the 2020 election that the GOP in Nevada has documented and submitted to the Secretary of State for investigation. It is gratifying that in the public statement confirming the receipt of our complaints, the Office of the Secretary of State acknowledged that it was already investigating many of the irregularities that we highlighted [press release dated March 16, 2021, titled "SOS Elections Division Announces Status of Election Complaints"].

Mailing ballots to all registered voters, including tens of thousands with known bad addresses, is a waste of taxpayer money and puts ballots out in circulation for bad actors to steal and submit as documented to have happened in 2020. The opt-out provision of this bill does nothing to address the cleanup of voter registration rolls and the elimination of ballots floating in the wind.

It is a prudent code of quality management practice to complete an analysis of past performance to identify areas for process correction and improvement before implementing changes in practice. Clearly, it is premature to adopt the provisions of A.B. 321 without first completing the investigation of acknowledged irregularities from the last cycle.

There are numerous issues with this proposed bill. I encourage the members to refer to the letter from Nevada GOP Chairman McDonald that was submitted to the Committee earlier today [[Exhibit J](#)] with specific concerns of how A.B. 321 compromises the electoral rights of Nevadans. Protect the electoral rights of all Nevadans and oppose [Allotted time was exceeded.]

[[Exhibit K](#) and [Exhibit L](#) were submitted as supplemental materials to [Exhibit J](#) but were not discussed.]

Chair Miller:

Thank you, sir. Please submit any additional comments in writing.

Bob Russo, Private Citizen, Gardnerville, Nevada:

I strongly oppose A.B. 321. One of the most devastating effects of the November election is it left a considerable portion of the electorate distrusting the election process and a huge scar on our nation, including the state of Nevada.

This is not a Democrat versus Republican issue. It is an election integrity issue. Unfortunately, this bill does absolutely nothing to restore election integrity. It would ensure that the voting irregularities we observed in the last election under Assembly Bill 4 of the 32nd Special Session continue indefinitely. Mail-in ballots would stand with no changes to clean up the voter rolls.

It establishes mail ballot counting boards that are exclusively appointed by the clerks and registrars, raising questions of transparency. It allows ballots to be completed by another person, including for those who cannot read or write. It does not require someone to appear in person with a valid ID the first time they vote.

These are just a few issues of concern with this bill. Mail-in ballots are a waste of money and ripe for abuse, especially when the option to request an absentee ballot is so easily available. It should be in the interest of both parties to initiate practical election reform that includes cleaning up the voter rolls, so we are assured that our votes will count and not be cancelled by someone trying to cheat the system. I still prefer paper ballots accompanied by voter ID. Simple and straightforward.

Again, the measures in this bill will not restore integrity and trust in our election process. They will open the door to potential election fraud and further weaken and divide our state in the process. This bill should be thrown out before more damage is done to our state. Please oppose A.B. 321. Thank you very much.

Brittany Sheehan, Private Citizen, Las Vegas, Nevada:

I would like to start by making a correction for the record. Someone from the American Civil Liberties Union of Nevada had testified saying that in the primary, the last voter had cast his ballot at 2 a.m. I would like to remind everybody that during the primary, we did have mail-in voting. I know that because I spent 12 hours on June 9, 2020, at one of the only

three voting centers in Clark County. I spent the day spraying sunblock on voters and burnt my own eyeballs to do so. The issue in the primary was that there were only three voting centers, and that was actually an upgrade because they initially wanted to offer only one.

As far as the mail-in ballots go, I currently have seven in my possession and those have been reported to the Secretary of State. I have a concern that we do not understand volunteerism in Nevada. Currently, we are trying to convince our legislators that an opt-out system is not a good system for organ donation. I feel as though a better idea would be a plain "yes or no" checkbox when the voter registers the same way we choose our party preference. This would also be cost-effective since printing unrequested ballots does cost taxpayers money. Thank you.

Bob Franklin, Private Citizen, Las Vegas, Nevada:

I would like to give my opinion as far as asking you to please oppose A.B. 321. I am a disenfranchised voter. I saw how my state handled voting, particularly Joe Gloria here in Clark County. Over 42,000 people voted more than once; at least 1,500 dead people are recorded as voting; more than 19,000 people voted even though they did not live in Nevada; and the list goes on and on and on [written statement dated December 16, 2020, of Jesse Binall to the U.S. Senate Committee on Homeland Security and Governmental Affairs].

I am a Culinary Workers Union member—by the way, Ted Pappageorge does not speak for me. I do not agree at all with his policy on this and some other issues. This is a right, but we should not have ballots just hanging out there. Ballots were thrown away. They were left lying there. Anybody could do anything they wanted to do with it.

Joe Gloria turned down the resolution, so anything with an invalid signature could not be determined to be invalid. That is known because people put in fake names like Donald Duck or something, and they were found to be valid. This is in the *Las Vegas Review-Journal* ["County lowers 'confidence level' for ballot signatures," October 20, 2020, written by Victor Joecks].

This is not anything new. Citizens, if they can leave the house, they can go ahead and vote. At Costco, the last row of cars was filled. There is no social distancing in there. Everybody is in there; everybody was shopping and doing all of these things. If that can happen, then everybody can get out to vote. There is no reason why they cannot.

Also, I have heard some military people say that they now have a way to vote. They have always had absentee ballots. I do not know what they are talking about with that. That has always been the case.

Also, it is very easy to vote. You do not have to have it laying around your house and think, "I am going to vote this way on this issue. Well, let me take a week and vote." No, you have a sample ballot. You go over the issues, you become an informed voter, and then you go. It does not need to be this long, drawn-out issue . . . [Allotted time was exceeded.]

Ed Gonzalez, Private Citizen, Henderson, Nevada:

I am a person of color. I am a Latino, and I am proud of the fact that my vote has never been suppressed in this state. I am opposed to A.B. 321. My concern lays out in a couple of areas.

With the mail ballots, I live in an apartment complex, and I have seen both in the primary and general election, many ballots just lying around. To me, that gives the opportunity for mischief that we can easily prevent.

Number two, when it comes to a ballot being mailed to your home—I agree with the earlier caller. I think a better process if we are going to do something like that is to give the voter a true choice and let the voter opt in to an absentee ballot—even if that is included as a box on the voter registration in the same way I pick a political party and choose which language I want my ballot in, if I want a larger-sized font, or if I want a sample ballot. I think that would be a good process.

My concern as well is I have been a member of the City of Henderson Charter Committee, and we have looked at mail ballots multiple times for city elections. One of the things that I have noticed is the fact that counties do not have the proper equipment to ensure a safe and secure election because they do not have the ability to process so many mail ballots.

There are going to be additional costs that Washoe County has mentioned and Clark County as well. We have also seen increases in adjudicated ballots, which are ballots that cannot be read by the machines, and duplicate ballots, which are ballots that are recreated by election officials for one reason or another. Those are some instances that need to be corrected in this bill and in the process.

Also, we have heard from places where this will help veterans and the disabled to vote. There is already a process for that with electronic ballots, and this Committee has already heard a bill to expand that to disabled voters, so they have that opportunity [Assembly Bill 121]. Since 2016, we have had fewer voter locations, and if we want to create access to the vote, we can increase and have more voting locations in areas of color if that is what this body sees fit. Thank you.

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

I am a proud veteran and resident of Clark County. I voted absentee in every election I have voted in from the time I was 18 years old until I was in my 40s because I was not living in my home state. I have some major issues with the bill. If you think that they are not going to wind up with mail ballots sitting around trash dumpsters or being delivered to multiple addresses or multiple people at the same address, I think you are highly mistaken.

Number two, I think the whole opt-out thing—if somebody can opt out to getting a mail-in ballot, they can just as easily opt in to getting a mail-in ballot. That is the process that has always been in place, and I do not see why it needs to change.

Number three, I think all ballots need to be received by the close of the polls on Election Day. Opening up the opportunity of ballots being received for multiple days after the election just diminishes the confidence that people have in the outcome and in the reception and validity of the ballots.

These are all issues that I have a problem with in this bill. The biggest issue I have is what you are euphemistically calling "ballot assistance," which is basically ballot harvesting. We have already had a process in place that exists for people to have their ballots turned in for them. It has been limited to family members. I do not see why that needs to change. That process exists, the process has existed, and it has been used successfully. Those are my issues with this bill.

You are changing things that do not need to be changed. We had elections from 2018 into the past that happened with the processes in place that existed, and people voted just fine, so there is no need to do this. Thank you.

Scott Hoen, Private Citizen, Carson City, Nevada:

Thank you for allowing me to voice my opinion that is shared by many of my friends, neighbors, and family members. Please vote no on A.B. 321. I agree that you want to make it easier to vote, but do not make it easier to cheat at voting. I believe you are making it too easy to cheat with this bill for a variety of reasons already mentioned.

You are going too far in allowing elections to always be questioned with possible fraud. Voting is a right and a responsibility. There are rules to comply with when you go to vote in person or drop off your ballot at a secure ballot drop box. Most comply with the rules, but others cheat. You are keeping those options open for those who cheat. Do not allow ballots to be mailed to voters on rolls that have not been cleaned up for deceased voters, undeliverable addresses, or inactive voters.

As a poll worker in the past election, too many voters brought in ballots to the polls that were not theirs and that they had received in the mail at their house. Mandate that the voter rolls be cleaned up more than the vital records match that you have talked about.

Again, mailing ballots without their being requested opens the door to cheating. Let voters opt in, rather than opt out. Please do not let ballots come in days after and be counted after Election Day. A ballot should be dropped off prior to or on Election Day by the voter—not allowing harvesting by others. A ballot should be cast in person during voting hours, and an absentee ballot should be postmarked no later than Election Day and be counted no more than a couple of days after the election. Be strict on the postmark rules. Do not allow voters to harvest or turn in ballots that are not their own. It was a felony before the pandemic and A.B. 4 of the 32nd Special Session, and it worked to discourage cheating.

Do not let others fill out and sign a ballot if it is not theirs. You are opening the door to cheating. Thank you for listening. Fair and secure elections are a must for one hundred percent of our voters to believe in the election results. Do not make it easy for people to cheat [Allotted time was exceeded.]

Pamela Darr, Private Citizen, Sparks, Nevada:

Thank you for listening to me. I am just a regular person and not with any organization. I am calling because I do not want to see this passed. I have been here since 1987. I worked a lot of hours in my career, and I always found time to vote. People who could not make it to the polls had family members and limited mail-in that was used when necessary to guard our elections.

I have listened closely to this meeting, and there were a few things that stood out. As for noncitizens, is there anything that loopholes to allow them to vote? I did not hear that answered. Many countries got rid of mail-in voting because of fraud, including Mexico because of these issues and limited mail-in ballots.

As for ballot harvesters, they were pushy. When they would text me, I researched them. They came from Washington, D.C., and stated they were nonpartisan, but they were progressive. They also showed up in my mom's group home, and they really were persistent when trying to go in. It had to be explained to them that most of the residents could not vote because they were not at that point where they could, and the ones who could, their families were helping.

Another thing is when you find fake addresses and names, there is no remedy. It was videotaped as proof of fake addresses, dirt lots, underpasses, and lawns in front of casinos where people registered to vote. Votes should count, not get cancelled.

I did submit in writing, and I will leave it at this; I did help my mom. She passed away last month and that is why I guess I am emotional. That was her last vote. It was erased because of all the questionable, noncitizen voting, underage people voting, out-of-state voting [Allotted time was exceeded.]

[Ms. Darr did not submit further testimony for the record.]

Yolanda Knaak, Private Citizen, Incline Village, Nevada:

Please vote no on A.B. 321. In the last election, I was making phone calls for a political candidate. I got a voter on the phone and asked him if he had received his ballot. He said, "Yes, I received two ballots, and I do not even live in Nevada." Voters should not be receiving more than one ballot, obviously, and ballots were sent out of state, unfortunately.

Ballots should only be sent to those who requested them. My mother who passed away last month was handicapped, and she never had any trouble getting a ballot mailed to her. She filled it out, and then I was able to take it in for her.

I just want you to know that California is well known for voter fraud because of ballot harvesting, and we do not want that here. Also, A.B. 4 of the 32nd Special Session from last summer—you make it sound great but, unfortunately, you did not even investigate reported fraud and how everyone was saying, "There was no fraud." There was no investigation of the 2020 election, so how do you even know whether or not there was fraud? There was no investigation.

Voter confidence is at an all-time low in our state. Please, please, please oppose A.B. 321. Thank you so much.

Wayne Gordon, Private Citizen, Reno, Nevada:

I would like to start with a question. Is there anybody really in the chamber? We cannot tell because we are not allowed to be there. Yes? No? Maybe?

Chair Miller:

Sir, this is for you to testify in opposition of the bill, please. We are here, and we are listening. Please continue.

Wayne Gordon:

There is a lot that needs to be done to improve our election procedures, but this is hardly the correct bill. First of all, if I recall correctly, when you had special session last year, you did not allow any Republicans to have any input on A.B. 4 of the 32nd Special Session. It was basically what you are using to start with.

Two, it has been mentioned a lot that you have the right to vote. I would certainly agree with that. I have been exercising my right for a long time. With any and all rights come responsibilities. The responsibility you have is to make sure that you register to make sure that you are a correct voter—like I cannot go to California anymore and vote, and they cannot come from over there—so I have to be eligible to vote. I have a responsibility to register to give the state and the county registrar a respectful time to verify that I am eligible to vote. When we do not do that, we are disrespecting the whole procedure because we need to be eligible to vote.

Additionally, the voter has responsibility to know who they are voting for and what their positions are. Not just . . . [Allotted time was exceeded.]

Chair Miller:

Sir, thank you so much. Your time is up. You may submit the rest of your comments in writing.

Bill Harenburg, Private Citizen, Henderson, Nevada:

I stand in opposition to A.B. 321. David Gibbs really did a great job summarizing all the problems with this. I am a disenfranchised voter. I have zero confidence in your being able to count my ballot. I just feel very emotional about this. I feel very disturbed that Nevada

cannot provide a good election for us. I know everyone worked hard. I know all the election people worked hard, but there is just so much room for fraud.

We need voter ID instead of signature verification. We should not do same-day registration. There is no opportunity to really verify who that person is. We should not wait four days after—even though it is a negotiated four days, and I appreciate your hard work in negotiating—it should be zero days. You should count the ballots on the day, and that is it. I stand in opposition to A.B. 321 and thank you for the opportunity to speak.

Mark Karris, Private Citizen, Las Vegas, Nevada:

I am a Nevada licensed attorney, licensed both in the state of Nevada and the U.S. District Court for the District of Nevada. I stand in opposition to A.B. 321 for the following reasons.

Assembly Bill 321 arose from A.B. 4 of the 32nd Special Session passed by the Legislature this past summer during an emergency session, primarily because of the COVID-19 pandemic. Were it not for the COVID-19 pandemic, the Legislature would not be seeking to make mail-in voting permanent here in Nevada.

I find it interesting that during all of the commentary period and the presentation by Speaker Frierson as well as the comments of other Committee members, there was no discussion about the expense for mailing ballots to every member of the citizenry here in Nevada.

I also find it interesting that during his presentation, Speaker Frierson noted that sitting at his kitchen table, he like everyone else who voted by mail last election, finally had the opportunity to, from the comfort of their own home, review the ballots. However, as another caller has already indicated, we receive sample ballots all the time in which you are able to educate yourself not only on the candidates but the issues.

I also find that many of the callers who called in support of A.B. 321 acted as if there were no options whatsoever for voting. Clearly in Nevada, we have had for quite some time in the more than 20 years that I have lived here, early voting and absentee voting upon request, as well as Election Day voting. Alexander Hamilton once said that voting is the most important right that we have [" . . . voting at elections is one of the most important rights of the subject" April 1784]. Samuel Adams went on to say [Allotted time was exceeded.]

Chair Miller:

Thank you, sir. Your time is up. You can submit the remainder of your remarks, please.

Tracey Thomas, Private Citizen, Sparks, Nevada:

It is abundantly clear that the authors of this bill have never had to search for "John Smith" in a database. Birthdates are absolutely necessary for locating voters who have not brought their sample ballot, cannot remember their last address, and who have common names.

As a polling place manager for 20 years, I personally observed three couples managing polling places in Washoe County, and 50 percent of the teams collecting ballots from drop boxes were married couples. I also personally flagged three voters who succeeded in casting a digital ballot after the registrar had already received their paper ballot. This was not party specific: one was Democrat, one was Republican, and one was Independent.

Many of the arguments for this bill have been for the ability to vote a paper ballot by mail, like this is a new concept. News flash—this is a lie. Voting by mail has already been available for Nevada voters for decades. Absentee ballots provide for every exact argument in favor of this bill. Sample ballots are already mailed to every voter to help prepare choices. There is no need to re-create this wheel. There is nothing currently preventing anyone from voting by mail. If voters wish to vote by mail, they merely have to request that online. It is already provided for in *Nevada Revised Statutes*.

Voting is not mandatory for U.S. citizens. This bill essentially mandates every registered voter as an absentee voter. The increase in ballots cast by mail was due to the lockdown—not a new concept. It is very unlikely that these numbers will be seen again any time soon.

It is disgusting how this legislation is deceiving these voters for political agendas and trying to take credit for a concept that has been used for decades. In addition to the tremendous waste of resources on undelivered ballots, current registrars and clerks do not have the manpower to administer it. Thank you.

[[Exhibit M](#) was submitted by Ms. Thomas to supplement her testimony but not discussed.]

Melissa Clement, Private Citizen, Reno, Nevada:

Voting is a family affair for my family and always has been. Sample ballots arrive early and we meet as a multi-generational group from babies to elderly to discuss each race and each question. We then go together to vote, followed by a family meal. This is a tradition in our family that started when I was a child, and one I hope my children continue with their own.

The November election was hard. My father died in June of this past year. It was painful and jarring to receive his ballot in the mail for the General Election. It was painful for the weeks after the election as my brother and I checked regularly to make sure that his vote was not stolen. Both of us wondered why he would receive a ballot, given the office from which we picked up his death certificate is across the courtyard from the Registrar of voters.

Assembly Bill 321 attempts to fix this in section 44, subsection 7, but has weaknesses. The State Registrar of Vital Statistics will only have a partial list of dead Nevada voters. In such a highly transient state like Nevada, registered voters often die in other states. What mechanism allows these dead voters to be identified and removed from the rolls? I encourage you to change this section to include Social Security death records to make sure that dead people are removed from the rolls. Also, in reading the section it does not mandate that the dead are removed, just identified.

A few more questions I have, for those who opt out of the mail ballot, will there still be a sample ballot sent? Your job, committee, is to extend the vote to all legal voters while protecting their vote by making sure it is not diluted by illegal votes.

Additionally, the amended language requires a minimum number of early voting and Election Day voting locations, but for a county like Nye County, a minimum of one location is particularly challenging given the geographical distance between [Allotted time was exceeded. Written testimony was also provided, [Exhibit N](#).]

Gina St. Ores, Private Citizen, Reno, Nevada:

I oppose A.B. 321. I want to just begin by mentioning that I was listening to those who have approved of it. Maybe for [unintelligible] hard to understand were just independent people; the rest are special interest groups. So far, most of us people against it are your regular voters—the people who are seeing what is going on.

I am just amazed at the ignoring of all the fraud accusations, investigations, and lack of pursuit to deal with it—and this pushing through of basically Assembly Bill 4 of the 32nd Special Session package when there has been a lot of controversy not yet being addressed.

Another thing, you guys want to utilize the U.S. Postal Service and put a huge burden on it. If you read things like the Nextdoor app, there are constant complaints of misdelivered mail by the U.S. Postal Service—not Amazon, not the United Parcel Service, but the U.S. Postal Service. There are missing packages and missing mail, and they are going through some changes right now, but you want to utilize them as a trustworthy service for mail-in voting when we have absentee voting. I am not following why you think this is a better thing to do. In fact, I am really questioning why you think this is a better thing to do when the security of our vote—the security of our nation—was paved by the lives of many people. My husband served overseas [Allotted time was exceeded.]

Chair Miller:

Thank you. You can submit the rest of your comments.

Alida Benson, Political Director, Nevada Republican Party:

I am calling in opposition to A.B. 321. Every member of this Committee has doubtless set foot in a 7-Eleven at some point in their lives. I bring this up because a 7-Eleven has better security than our elections in Nevada. A 7-Eleven has cameras and inventory management. Our casinos in Nevada have cameras every few feet with sophisticated security for guarding casino chips. If only our elections had the same standards as the casino cashier cage for ballot chain of custody.

The Nevada Republican Party offered to pay for ballot counting in Clark County to be livestreamed to the public to ensure any voter could be part of ensuring a transparent election in our biggest county in a COVID-19-safe manner. Washoe County's election department did this for free.

In Clark County, Joe Gloria refused to have cameras in ballot counting facilities. He refused to allow meaningful observation. When whistleblowers came forward to testify under penalty of perjury about the lack of ballot custody, the ballots processed with a shape instead of a signature, and how they were directed to process ballots without a state ID, all of this could have been visible to the public, and it was hidden.

Our police officers wear body cameras. Voting is a right. Why should election workers not have the same standard to ensure transparency? Should our most essential right not have the highest protections? This bill does nothing to ensure transparent elections and everything to hide from observers and the media how our elections work.

I ask every member of this Committee to give the same standard of care to our ballot that our biggest industry gives to its gambling chips. This is not an unreasonable standard. Voters deserve to have a clear chain of custody for ballots and the right to meaningfully observe at every step of the electoral process.

We have submitted a number of supporting documents [\[Exhibit K\]](#) from election whistleblowers to this Committee. We hope you review them and . . . [Allotted time was exceeded.]

Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:

I used mail-in vote. My ballot was counted on the 7th. I think that was a little bit too late. I think there were a lot of fishy signs when the counting was going to be slowed two days after the elections. This really raised a lot of red flags. I also think it is kind of disgusting how many states are still trying to change laws after the election. Not just here, but also in Georgia. I think it is pretty obvious the fact that you are trying to create an outcome that is based on your favoritism, and the same thing with Georgia because they have a certain agenda as well.

Local news media KLAS Channel 8 did a lot of reports about how dead people voted and even a DACA [Deferred Action for Childhood Arrivals] recipient voted ["Trump lawyers claim 1,500+ dead voters cast ballots, 40,000 voted twice in Nevada election," December 3, 2020, by David Charns]. Of course, it is pretty obvious why these caravans are coming across. We do not even know because it has not been told whether they are going to be able to vote or not.

By the way, election fraud is not just something against one side. I believe that in the 2016 Democratic Party presidential primaries, Bernie Sanders was cheated. It can happen on either side.

I think it is pretty obvious why you guys are doing this. It is because, as you know, the Culinary Workers Union is a main driving force in elections. We know the hospitality industry has not come back, and it is not going to come back to where it was, so what do you guys have to do in order to fill the deficit? You have to change the election laws which will encourage the outcome that you want.

Certainly, there were a lot of fishy things that happened. Honestly, I have not received a lot of good evidence to prove that this is going to be a truthful election. Please do so.

By the way, why do we not have thumbprints? Why can we not make it a sure way where people will print their thumbs, make sure it was the actual real person, and check to make sure that the vote was counted? At least this mail-in system can have some compromises—no counting the day after election, and there is a thumbprint. There is not even some flexible consideration.

Anyway, until there are some huge changes made, I urge . . . [Allotted time was exceeded.]

Chair Miller:

Thank you, sir. Your time is up.

Jim DeGraffenreid, National Committeeman, Nevada Republican Party:

The Nevada Republican Party stands in strong opposition to this bill. As was mentioned earlier today, this bill was presented to extend the provisions of Assembly Bill 4 of the 32nd Special Session, a bill that was rushed through under the cover of darkness 90 days prior to the election. Proponents pretended this was done to improve safety due to the pandemic, but that was certainly not the case because we already had universal absentee balloting in Nevada, which has allowed any voter without the need to give a reason to be able to vote at home if he or she wants.

This bill does precisely nothing to make legitimate voting any easier or more accessible. Many states do offer universal mail-in voting, but these are states with clean voter rolls. By contrast, Nevada voter rolls are among the most poorly maintained in the nation, in large part due to our transient population and cumbersome procedures that make it hard for clerks to maintain clean rolls. In some cases, voter rolls are poorly maintained by choice.

Earlier this session, the Clark County Registrar of Voters admitted on record that he had mailed tens of thousands of general election ballots to known bad addresses. Through an FOIA request [Freedom of Information Act, *United States Code*, Title 5, Section 552], we obtained a list of 81,971 Clark County voters who were mailed ballots even though their primary election ballot had been returned as undeliverable. Astonishingly, 8,529 of these ballots were returned and counted.

This bill is presented as a way to increase voter turnout, but the facts show that A.B. 4 of the 32nd Special Session did not increase turnout. At 77.26 percent, 2020 statewide turnout was only about one-half of 1 percent higher than the 2016 General Election. Far from being record turnout, 2020 turnout was down more than 3.5 percent from the 80.77 percent in the 2012 General Election.

We cannot have fair elections when ballots are mailed out to everyone on poorly maintained voter rolls, particularly when signatures are only randomly spot-checked when the ballots

come back, and there is no meaningful observation of ballot counting allowed, as we experienced in 2020.

We know of more than 15,000 ballots that should have been undeliverable for various reasons, yet they were sent out, returned, and counted. Many of these ballots were sent to vacant lots, empty buildings, nonexistent addresses, or to addresses . . . [Allotted time was exceeded.]

Chair Miller:

Thank you, sir, that is your time. You can submit the rest of your comments to us. That was 45 minutes, so we have given equal time to both support and opposition. The same offer and procedure are open to those testifying in opposition if there is anyone still on the phone lines: please feel free to submit your comments to us in writing.

[[Exhibit O](#), [Exhibit P](#), [Exhibit Q](#), [Exhibit R](#), and [Exhibit S](#) were submitted in opposition to [A.B. 321](#) but not discussed.]

With that, we will close testimony in opposition and open for anyone who is interested in testifying as neutral to [A.B. 321](#).

Deanna Spikula, Registrar of Voters, Washoe County:

I want to thank Speaker Frierson for meeting with local election administrators on this bill earlier this week. I have prepared a written statement, which I submitted [[Exhibit T](#)], so I will be brief here.

In this state, we have been providing no fault mail-in ballots securely and accurately for some time. Expanding this program area is a matter of making sure that it is done mindfully and that county election officials, facilities, and staffing levels are expanded as well so that we can successfully implement this expansion of all mail-in elections for future elections.

Again, I just want to thank the Speaker and, of course, everyone who is involved in working on this bill and making sure that we come up with something that can work for all of the election officials and for our citizens who vote in the state of Nevada. Thank you.

Aubrey Rowlett, Clerk-Recorder, Carson City:

I wanted to take this opportunity to also say thank you to Speaker Frierson for meeting with the rural counties and Washoe County yesterday. I, too, have submitted comments on NELIS [[Exhibit U](#)] and will be brief.

[Assembly Bill 321](#) makes a significant change; thus, our offices need to be staffed and configured in order to facilitate an all-mail election. This is a significant ask for counties to do and have ready to go for the 2022 election.

With that said, Nevada county clerks and registrars, as well as all their staff, will always go above and beyond to successfully implement legislation that has passed.

Again, thank you, Speaker Frierson, for working through this bill with us, and I thank you for your time.

Linda Buckardt, Private Citizen, Henderson, Nevada:

I have been taking a lot of notes that I have heard throughout the testimonies. I would like to say, please [unintelligible] our constitution. We need to clean up our rolls and offer an opt in. It will save us thousands of dollars.

There were dozens of people, friends of mine, who tried to verify that their ballot had been counted. I had to send many of them to the Secretary of State's website to inform them that their vote had not been counted. There were lines at the polling place because they had to sanitize the plastic, the chairs, the pens, and everything

Chair Miller:

The line is open for testimony in neutral. This sounds as if you are in opposition.

Linda Buckardt:

I am stating some things that I heard.

I attended the Clark County training sessions. I guess I never learned any signature verification. At polling places, we were

Chair Miller:

This is for those who are testifying in neutral, meaning that they do not favor or dislike the bill in either way. They are just stating facts about the bill, the policy, and the operation of it.

Linda Buckardt:

Governor Sisolak seemed to take over some responsibility of the Secretary of State, and I believe the signature verification was set at just 40 percent. I do not believe that was right. Thank you.

Chair Miller:

I believe I see Mr. Gloria's hand up in the Zoom meeting. Were you wishing to testify in neutral?

Joe Gloria:

I am here to testify neutrally for Clark County, Nevada. Along with the other clerks and registrars, I want to thank the Speaker for always reaching out, appreciating that we have good input to provide, and taking that input and implementing it into the bill through his amendments.

I only want to make clear as I have also submitted my statements that there is a substantial fiscal note. We are prepared to serve according to whatever is passed in the Legislature, but it is a big leap for us to go all mail in this short period of time. I just want to make it clear that we cannot possibly support this without the financial help that we have outlined in all of

our fiscal notes throughout the counties. I know that I am not alone there. There are several other officials who also have submitted.

However, we have done the due diligence, we have run the numbers, and we have submitted good fiscal notes. As long as somebody can provide the help with that financing, we should be able to provide. Thank you for the opportunity to testify. [Mr. Gloria did not submit testimony.]

[There were no more callers in neutral.]

Chair Miller:

With that, we will close the testimony for neutral.

[[Exhibit V](#) was submitted but not discussed.]

Speaker Frierson, do you want to make any final remarks?

Assemblyman Frierson:

I want to thank you all for your attention and questions. These are important matters that none of us should or do take lightly. I certainly appreciate the dialogue.

The issue that Mr. Gloria and [unintelligible] brought up, I would be remiss if I did not acknowledge. This is a conversation that I have had with Mr. Gloria as well as with the other clerks. We have discussed this, and we recognize that, of course, there is a fiscal impact of running elections. I am very committed to making sure that I continue to work with the counties and my colleagues here in the Legislature to ensure that the counties have the resources they need to carry out their responsibilities to increase access to voting options.

For the handful of folks who raised that issue in testimony, of course, there is a fiscal impact. That is something that we do not address in the policy committees. For the public's edification, that is not something that is being swept under the rug. That is something for which we have been working diligently with our county clerks to assess and make sure we provide them with the resources they need to do the wonderful job that they do. We will continue to be committed to looking at that and making sure that—whatever this body ultimately puts in the laps of our hardworking and great county clerks and registrars—they have the tools they need to do that job and continue to be the best of the best.

It is not lost on me that they are the face of elections in their counties. That is why I reach out to them and make sure that we get their input. We will continue to do so and be responsible with making sure that we do not task them with something that they do not have the tools to be able to accomplish.

Again, I thank the Committee members for their attention and look forward to continuing to work on the conceptual amendments that we discussed today. I would welcome any

proposals that would give some of my colleagues who have concerns less concern to the extent that it moves them—let us talk. I look forward to that conversation.

Chair Miller:

Thank you, Mr. Speaker. With that, I will close the bill hearing on A.B. 321.

Last on our agenda, we have public comment. Everyone will have up to two minutes, and we ask that you keep it to a topic or issue that is within the purview of this Committee.

Brittany Sheehan, Private Citizen, Las Vegas, Nevada:

My public comment is a request of Chair Brittany Miller that she might consider to hear a bill in this Committee on the Governor's powers and if we can have a discussion about these circumstances that we have been put under. If we could actually have that for the public, I think that is very helpful because we do want to see our legislators involved at some point.

We are sort of wondering when this emergency ends and who gets to say when it ends and what the balance of powers are. Very much in the idea of our constitution and the balance of powers, we want to engage the Legislature at least to have the discussion. I implore you to please hear that bill [Assembly Concurrent Resolution 2]. Thank you.

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

I just want to say thank you to Chair Miller, the Committee, and the Speaker for sitting, being patient, and hearing all of the comments. For the record, I tried to get on in support of Assembly Bill 321, and I am still in support. People who are blind and who cannot legally drive really welcome this mail-in ballot process because some of the paratransit are limited now due to the Americans with Disabilities Act of 1990 [*United States Code*, Title 42, Sections 12101 et seq.] and cutouts of transportation. This is welcome and thank you so very much. Take care and have a good evening.

[There were no more callers for public comment.]

Chair Miller:

First, I would just like to thank all the Committee members for your diligence and attention to what has been our longest hearing so far this session. It is pretty much what we can look forward to as we move further into session.

Our next meeting will be Tuesday, April 6, at 4 p.m. We have nothing left on our agenda, so with that, this meeting is adjourned [at 5:54 p.m.].

RESPECTFULLY SUBMITTED:

Jordan Green
Committee Secretary

APPROVED BY:

Assemblywoman Brittney Miller, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a copy of proposed conceptual amendments to Assembly Bill 321, submitted and presented by Assemblyman Jason Frierson, Assembly District No. 8.

[Exhibit D](#) is written testimony dated April 1, 2021, submitted by Alyssa Gurule, Private Citizen, Las Vegas, Nevada, in support of Assembly Bill 321.

[Exhibit E](#) is a letter to the Assembly Committee on Legislative Operations and Elections, dated April 1, 2021, submitted by Christopher Daly, Deputy Executive Director, Government Relations, Nevada State Education Association, in support of Assembly Bill 321.

[Exhibit F](#) is a letter to Chair Brittney Miller and the Assembly Committee on Legislative Operations and Elections, dated March 30, 2021, submitted by Laura Hale, Member, Leadership Team, Indivisible Northern Nevada, in support of Assembly Bill 321.

[Exhibit G](#) is a letter to Chair Brittney Miller, dated March 31, 2021, submitted by Quentin M. Savvoir, Deputy Director, Make It Work Nevada, in support of Assembly Bill 321.

[Exhibit H](#) is written testimony dated March 2021, submitted by Megan Van Ens, Senior Policy and Advocacy Lead, National Vote at Home Coalition, in support of Assembly Bill 321.

[Exhibit I](#) is written testimony submitted by Bianca Balderas, Political Organizer, Make the Road Nevada, in support of Assembly Bill 321.

[Exhibit J](#) is a letter to the members of the Assembly Committee on Legislative Operations and Elections, dated March 31, 2021, submitted by Alida Benson, Political Director, Nevada Republican Party, signed by Michael J. McDonald, Chairman, Nevada Republican Party, and presented by Jim Hindle, Vice Chairman, Nevada Republican Party, in opposition to Assembly Bill 321.

[Exhibit K](#) is a collection of supplemental documents submitted by Alida Benson, Political Director, Nevada Republican Party, in opposition to Assembly Bill 321, consisting of the following:

1. Affidavits, declarations, letters, and acknowledgment forms.
2. Election-related training materials.
3. Excerpts of *United States Code*.
4. Copies of social media posts, photographs, websites, hyperlinks, and videos.
5. Additional information regarding South Dakota, Arizona, Wisconsin, Washington, Michigan, Idaho, Minnesota, Texas, and Utah.

[Exhibit L](#) is a video presentation titled "Washoe Cash for Votes," submitted by Alida Benson, Political Director, Nevada Republican Party, in opposition to [Assembly Bill 321](#).

[Exhibit M](#) is a letter dated April 1, 2021, submitted by Tracey Thomas, Private Citizen, Sparks, Nevada, in opposition to [Assembly Bill 321](#).

[Exhibit N](#) is written testimony submitted by Melissa Clement, Private Citizen, Reno, Nevada, in opposition to [Assembly Bill 321](#).

[Exhibit O](#) is written testimony dated April 1, 2021, submitted by Janine Hansen, State Chairman, Independent American Party of Nevada, in opposition to [Assembly Bill 321](#).

[Exhibit P](#) is a letter submitted by Leah Lamborn, Private Citizen, Carson City, Nevada, in opposition to [Assembly Bill 321](#).

[Exhibit Q](#) is a letter submitted by Michael Lamborn, Private Citizen, Carson City, Nevada, in opposition to [Assembly Bill 321](#).

[Exhibit R](#) is a letter submitted by Sharon Stutsman, Private Citizen, Carson City, Nevada, in opposition to [Assembly Bill 321](#).

[Exhibit S](#) is a letter to Chair Brittney Miller and members of the Assembly Committee on Legislative Operations and Elections, submitted by Susan McMurray, Private Citizen, Reno, Nevada, in opposition to [Assembly Bill 321](#).

[Exhibit T](#) is a document titled "AB 321 Bill Review and Comments," submitted and prepared by Deanna Spikula, Registrar of Voters, Washoe County, regarding [Assembly Bill 321](#).

[Exhibit U](#) is a letter to Chair Brittney Miller and members of the Assembly Committee on Legislative Operations and Elections, dated March 31, 2021, submitted and signed by Aubrey Rowlatt, Clerk-Recorder, Carson City, regarding [Assembly Bill 321](#).

[Exhibit V](#) is a document titled "Nevada Rural Counties and Washoe County Bill Review Comments AB 321," submitted by Nevada rural counties and Washoe County, regarding [Assembly Bill 321](#).