

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

**Eighty-First Session
April 6, 2021**

The Committee on Legislative Operations and Elections was called to order by Chair Brittney Miller at 4:04 p.m. on Tuesday, April 6, 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:

Assemblyman Howard Watts, Assembly District No. 15

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:

Annette Magnus, Executive Director, Battle Born Progress
Emily Persaud-Zamora, Executive Director, Silver State Voices
Tracey Thomas, Private Citizen, Sparks, Nevada
Taylor Patterson, Executive Director, Native Voters Alliance Nevada
Eric Jeng, Director of Outreach, Asian Community Development Council
Donna West, Private Citizen, Las Vegas, Nevada
Mark A. Wlaschin, Deputy of Elections, Office of the Secretary of State
Sam Olikier-Friedland, Chief Counsel, Center for Secure and Modern Elections
Matthew DeFalco, Private Citizen, Henderson, Nevada
Maria Nieto Orta, Nevada State Coordinator, Mi Familia Vota
Leonard B. Jackson, Director, Faith Organizing Alliance
Christi Cabrera, Policy and Advocacy Director, Nevada Conservation League
Kate McNabney, Nevada Campaign Manager, All Voting is Local
Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada
Anwar Green, Private Citizen, Henderson, Nevada
Jennifer Fleischmann, Co-Director of Organizing, Make the Road Nevada
Marco Rauda, Private Citizen, Las Vegas, Nevada
David Gibbs, Private Citizen, North Las Vegas
Sean Sever, Legislative Liaison, Department of Motor Vehicles
Julie Balderson, Public Information Officer, Division of Welfare and Supportive Services, Department of Health and Human Services
Joseph P. Gloria, Registrar of Voters, Election Department, Clark County
Aubrey Rowlatt, Clerk-Recorder, Carson City
Deanna Spikula, Registrar of Voters, Washoe County

Chair Miller:

[Roll was called. Committee rules and protocol were explained.] On the agenda today, we have two bills for hearings and a few bills for work sessions. The first thing I would like to do is our work sessions. I will open the work session for Assembly Bill 302.

Assembly Bill 302: Authorizes the Nevada Commission on Minority Affairs to request the drafting of not more than 2 legislative measures for each regular session of the Legislature. (BDR 17-990)

Pepper Sturm, Principal Policy Analyst, Committee and Policy Research Services, Research Division, Legislative Counsel Bureau:

As nonpartisan staff, I cannot advocate for or against any measure, but I am here to review the bills that are listed for possible action by the Committee today. Assembly Bill 302 was first heard on March 25, 2021 [[Exhibit C](#)]. The measure authorizes the Nevada Commission on Minority Affairs to request the drafting of up to two legislative measures for each regular session of the Legislature that relate to its scope of authority.

Chair Miller:

Are there any questions before I continue with a motion? [There were none.] I will entertain a motion to do pass A.B. 302.

ASSEMBLYWOMAN TORRES MADE A MOTION TO DO PASS
ASSEMBLY BILL 302.

ASSEMBLYWOMAN GONZÁLEZ SECONDED THE MOTION.

Are there any questions or discussion on the motion? [There were none.]

THE MOTION PASSED. (ASSEMBLYMAN MCARTHUR VOTED NO.)

I see Assemblywoman Summers-Armstrong has joined us in the Zoom meeting for the work session; I will assign her the floor statement.

I will close the work session on Assembly Bill 302 and open the work session on Assembly Joint Resolution 10.

Assembly Joint Resolution 10: Proposes to amend the Ordinance of the Nevada Constitution and the Nevada Constitution to remove language authorizing the use of slavery and involuntary servitude as a criminal punishment. (BDR C-496)

Pepper Sturm, Principal Policy Analyst, Committee and Policy Research Services, Research Division, Legislative Counsel Bureau:

Assembly Joint Resolution 10 was first heard by the Committee on March 23, 2021 [[Exhibit D](#)]. This measure proposes to amend both the Ordinance of the *Nevada Constitution* and the *Nevada Constitution* itself to remove language authorizing the use of slavery and involuntary servitude as a criminal punishment. The sponsor of the bill asked that Senator Spearman be added to the bill as a primary joint sponsor in the way of an amendment.

Chair Miller:

Do we have any discussion or questions from Committee members? [There were none.] I will entertain a motion to amend and do pass A.J.R. 10.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO AMEND AND
DO PASS ASSEMBLY JOINT RESOLUTION 10.

ASSEMBLYWOMAN JAUREGUI SECONDED THE MOTION.

Are there any additional comments or questions? [There were none.]

THE MOTION PASSED UNANIMOUSLY.

I see Assemblyman Watts in the Zoom meeting and will assign him the floor statement. With that, I will close the work session on A.J.R. 10.

I will now open the hearing on Assembly Bill 422. This is a bill sponsored by the Assembly Committee on Legislative Operations and Elections and will be presented by Speaker Frierson. The measure requires the Office of the Secretary of State to create a centralized database that collects and stores voter registration information.

Assembly Bill 422: Makes various changes relating to elections. (BDR 24-1040)

Assemblyman Jason Frierson, Assembly District No. 8:

I am here to present Assembly Bill 422, which will update and modernize our voter registration database.

In 2002, the U.S. Congress passed the Help America Vote Act, which, among many things, required states to create a statewide voter registration database [Help America Vote Act of 2002, *United States Code*, Title 52, Sections 20901 et seq.]. The U.S. Election Assistance Commission reports that states have developed three different systems to comply with this requirement [*Election Administration and Voting Survey: 2018 Comprehensive Report, A Report to the 116th Congress*, published June 2019]. The first is bottom-up: information is collected and stored at the local level and reported up to the statewide system. This information is usually transmitted daily or in real time. The second is top-down: information is collected and stored all in one system. The third is a hybrid model that mixes both the top-down and bottom-up systems.

Right now, Nevada is one of six states that uses a bottom-up voter registration system. County clerks and registrars maintain their county's voter registration rolls and use a database specific to their county. Voter information is collected and stored at the local level, then reported up to the statewide system on a regular basis. This level of coordination inherently makes the process slower.

Assembly Bill 422 will move us away from a bottom-up system and to a top-down system instead. Additionally, while bottom-up systems in other states share information in real time, our data sharing is only transmitted daily. This delayed information sharing is cumbersome and inefficient. With our twenty-first-century voting policies that include automatic voter registration and same-day voter registration, it is time that we modernize our systems to match that innovation.

I will now walk through the provisions of the bill. While most of A.B. 422 makes conforming changes, I want to direct your attention to a couple of sections. Section 32, subsection 1 of the bill requires the Office of the Secretary of State to establish and maintain a centralized, top-down database to collect and store the registration of electors from all the counties in the state. Additionally, each county clerk must use the database created by the Secretary of State to collect and maintain all records.

Section 32, subsection 2 of the bill requires the Secretary of State to use the voter registration information collected to create the official statewide voter registration list.

As I said earlier, much of the bill, volume-wise, makes conforming changes. Sections 1 through 31, 33 through 37, and 39 of the bill do just that.

I want to note that in speaking with representatives from the Office of the Secretary of State, I am agreeable to amending section 41, subsection 2, paragraph (b) of the bill, as it relates to the effective date [January 1, 2022]. Understanding that overhauling an entire system is undoubtedly going to take a considerable amount of time, I will be changing the effective dates as follows: the provisions of A.B. 422 will be effective upon passage and approval to give the Office of the Secretary of State the ability to develop regulations and get started; however, the goal remains to have the full system completed by January 2024. Additionally, I would like to propose that the Office of the Secretary of State submit semiannual progress reports on the implementation of the top-down system.

I think that states across the country, especially Nevada, have noticed the effects of outdated technology and infrastructure that have hampered our state and local governments' ability to deliver services effectively and efficiently to our constituents. I believe that modernizing our voter registration database and processes is a step in the right direction to streamline our state government.

That, in a nutshell, concludes my testimony. I know that many of you have listened to presentations on election-related bills and have heard all of our election officials talk about the need for us to transition to a top-down system. I believe that this is an effort and the right time to modernize our election system to go to top-down so that we have everything centrally located and we can get results that much faster.

With that, I am happy to answer questions. I realize that some of our election officials are ready to provide testimony as well. To the extent that there are technical questions, I would certainly defer to them. I will go on a question-by-question basis at your direction, Madam Chair.

Chair Miller:

Committee members, do we have any questions? The Speaker already answered my question when he addressed the amendment that he is accepting.

Assemblyman Matthews:

It is a question regarding section 6, subsection 5 of the bill, which says: "Except as otherwise provided by subsection 6, all records maintained by the county clerk pursuant to subsection 3 must be available for public inspection."

I did not see in the bill any provisions regarding a time frame for compliance for that type of request. I did not know if that is addressed elsewhere in statute, if provisions regarding general public records requests apply, or if it is silent on that facet of it.

Assemblyman Frierson:

If I am understanding your question, section 6, subsection 5 of the bill is existing law. That is not anything that A.B. 422 is proposing to change.

Assemblyman Matthews:

Thank you. I appreciate it.

Chair Miller:

Committee members, are there any additional questions? [There were none.] We will go ahead and open for testimony in support of A.B. 422.

Annette Magnus, Executive Director, Battle Born Progress:

I am here today in full support of A.B. 422 and thank the Speaker for his leadership. Changing Nevada to a top-down system is critical. Top-down systems provide the most efficient and streamlined mechanism for the state to seamlessly transfer voter registration data to counties. Examples of data are felon data, death data, data provided by the Electronic Registration Information Center (ERIC), U.S. Postal Service change-of-address data, and registrations generated by online voter registration systems and automatic voter registration systems. These systems will provide the Chief Officer of Elections of the state with an important tool to better monitor and maintain uniformity in the way voter registration records are managed and maintained.

Another benefit is that these systems typically provide smaller and more resource-challenged counties with improved functionality and efficiency in their management of voter registration data and their management of elections.

All of these benefits will help Nevada's electoral system. We believe this change will continue to keep Nevada on the cutting edge of election systems and processes. Please support A.B. 422. Thank you for your time.

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

I am calling on behalf of the Let Nevadans Vote coalition. Today, I stand in support of A.B. 422 because a top-down voter registration system ensures that our voter rolls are accurate, efficient, and up to date.

Our current bottom-up voter registration system requires counties to maintain their own voter registration databases and election management systems. This may cause great inconveniences to the counties and to organizations like ours, who rely on county cooperation to be able to successfully engage with Nevadans across the state.

It is important to acknowledge that Nevada is a transient state, and being able to see information across the board will streamline the process for county clerks and ensure that there is a more secure way of managing the voting process at all polling locations. Assembly Bill 422 would pave the way to ensure that same-day voter registration functions securely and efficiently.

I also want to note that we support the proposed amendment changing the date that this bill would go into effect to January 2024. Thank you so much to Speaker Frierson for this piece of legislation.

Tracey Thomas, Private Citizen, Sparks, Nevada:

[The following testimony was later categorized as opposition.]

I want to thank you so much, Speaker, for providing this solution to voters and election workers. I know you mentioned that our duty was to the constituents, but I also feel that our duty is to the other states that are relying on Nevada's information for the ERIC system.

I would like to also ask and request amendments to provide thumbprint verification within this system so as not to restrict counties or voters of this option as a preferred method—especially to our disabled communities where a thumbprint verification would be much more convenient.

There should be a minimum parameter for signatures for the purpose of verifying accurate matches during automated scanning. Clark County should not have had to compromise the integrity of its elections in order to accommodate the signatures from the Department of Motor Vehicles (DMV). This needs to be resolved before any counties can rely on DMV signatures.

Also, there should be procedures for identifying same-day voter registration with daily early voting reports and Election Day reports for challengers to meet the time restrictions in *Nevada Revised Statutes* (NRS). This also needs to be provided in this bill. Those amendments need to be done because provisional ballots currently violate NRS 293.535 by denying voters the right to challenge. Thank you for your consideration.

Taylor Patterson, Executive Director, Native Voters Alliance Nevada:

I am a member of the Bishop Paiute Tribe and here in strong support of A.B. 422 because it will create a more efficient electoral process in our state.

Top-down systems enable county election officials to efficiently communicate in transferring and updating the records of voters who move across county lines. This is specifically helpful for our Native community, as we have people who move to and from counties across the state often. With bottom-up systems, it is typical that a voter's full record and other stored information will stay with the former county, and the new county must start with a new record. Top-down systems make it easier to identify and reduce duplicate registrations that in a bottom-up system can remain on the rolls for months or years.

This bill will create a more efficient system in our ever-growing state, and we urge you to support A.B. 422. Thank you for your time.

Chair Miller:

I want to interject because I was remiss to not address the person who testified just one call before. In the Committee when we accept testimony, you are either in full support or full opposition—testimony in support is not contingent upon any types of amendments. Because that caller did suggest certain amendments, please take her out of testimony in support.

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

We are in full support of A.B. 422 because a top-down system will bring benefits and improved security to our elections. These systems provide the Chief Officer of Elections with a more effective way to maintain the security for all voter registration records in the state. Small counties can be more vulnerable to security breaches because they lack in-house expertise. These systems also provide a more secure way of managing the voting process at polling places and voting centers.

Statewide data that is available to all counties provides a more effective check on possible double voting across county lines. Top-down systems provide a way for same-day voter registration to function securely and efficiently.

Statewide top-down systems are more efficient in the event of an emergency that may affect one or more counties. In the event of an emergency or disruption, election officials in one county can still access their data and information at a nearby county.

We ask that you support A.B. 422 and thank you for your time.

Donna West, Private Citizen, Las Vegas, Nevada:

I am calling to strongly support A.B. 422 and to thank the Speaker for bringing this bill forward. As the former administrator of the Division of Field Services of the DMV, I had the privilege of implementing the original motor voter law in 1993 [National Voter Registration Act of 1993, *United States Code*, Title 52, Sections 20501 et seq.]. I can tell you that the biggest challenge was coordinating across Nevada's 17 unique county systems.

I support streamlining voter registration with this top-down system to provide timely, accurate recordkeeping and improved efficiency and ability to access records. I urge you to vote yes on A.B. 422.

[There were no more callers in support.]

Chair Miller:

Please open the lines for anyone who wishes to testify in opposition to A.B. 422. [There were no callers in opposition. The testimony provided previously in the hearing by Ms. Thomas was categorized as opposition to A.B. 422.] Is there anyone wishing to testify in neutral? [There was no one.]

Speaker Frierson, would you like to make any final comments?

Assemblyman Frierson:

I know that Mark Wlaschin, Deputy of Elections, Office of the Secretary of State, is in the Zoom meeting on the video. I do not want to call on him if he did not intend to provide testimony in any particular position, but I do not know if he would have had the option to chime in with the phone lines. I do not know if he was planning to offer anything or if he was here just to answer technical questions.

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

I appreciate the opportunity to speak, but I was really here for technical questions. Some of the other callers speaking in support have identified many of the merits to the top-down voter registration program, which is certainly part of the reason why Secretary Cegavske [Barbara K. Cegavske, Secretary of State] has directed us to move forward on this.

We recognize that A.B. 422 codifies this action going forward. Again, we appreciate the opportunity to discuss this with you, certainly in regard to the information timeline.

Assemblyman Frierson:

I thank you all for your time and attention. I believe that in the interest of modernizing our system and expediting the ability to report results, the fact that we are one of only a handful of states that still does it bottom-up speaks to the notion that Nevadans deserve an investment to make this better. Assembly Bill 422 endeavors to do just that, and I would certainly urge your support.

Chair Miller:

With that, I will close the hearing on A.B. 422. I will open the hearing on Assembly Bill 432, which is sponsored by the Assembly Committee on Legislative Operations and Elections and will be presented by Assemblyman Watts. This measure provides that certain agencies of the Executive Department of state government are automatic voter registration agencies and sets forth the requirements to transmit certain voter registration information to the Office of the Secretary of State. Again, we will take up to 30 minutes of testimony in support, 30 minutes of testimony in opposition, and 30 minutes in neutral at the end of the bill presentation.

Assembly Bill 432: Revises provisions relating to elections. (BDR 24-1039)

Assemblyman Howard Watts, Assembly District No. 15:

I am glad to present Assembly Bill 432 for your consideration today. Joining me is Sam Oliker-Friedland with the Center for Secure and Modern Elections. I will start by providing some remarks on why I believe it is important for us to continue modernizing our voter registration and election systems. Then I will turn it over to my copresenter, Mr. Oliker-Friedland, to walk through the bill, after which we will be happy to answer any questions that the Committee may have.

The overall objective of A.B. 432 is to expand upon our proven and successful automatic voter registration, or AVR, system. By implementing this system in other state agencies, we can help eligible voters register to vote and maintain up-to-date name and address information. By codifying efficiencies in our existing process, we can create a smoother and more secure process that works for election administrators and voters alike.

The impacts of the pandemic over the last year have clearly demonstrated the importance of modern and flexible election systems. Assembly Bill 432 takes significant steps to bring Nevada to the cutting edge of all AVR systems nationwide.

Back-end automatic voter registration, as proposed in A.B. 432, will automatically register people to vote when they verify their citizenship and eligibility at the Department of Motor Vehicles (DMV) or another state agency. People who are already registered to vote will have their information updated to reflect any address or name changes that might have occurred since they last supplied that information to a state agency. New or updated registrants will then be mailed a postcard offering them the opportunity to decline their new registration or registration change. This will help to ensure that we keep things running smoothly at the DMV and other state agencies and have our election officials handle the finalizing of voting records.

Back-end AVR is the most effective policy to add eligible voters to the rolls and securely update voter lists with accurate address information. Plus, it ensures that people who are not eligible are protected from inadvertent interaction with the system.

Assembly Bill 432 also expands this automatic voter registration system to the Silver State Health Insurance Exchange and Medicaid offices, which are well-suited as sites for AVR. The people served through Medicaid are less likely to also engage with the DMV; they are more likely to rely on public transportation or the assistance of family or friends. These agencies collect information that helps identify voters and verify their eligibility. It is worth noting that these entities already have to offer registration under the National Voter Registration Act of 1993 [*United States Code*, Title 52, Sections 20501 et seq.].

Extending voter registration to Medicaid and the Silver State Health Insurance Exchange would ensure that more Nevadans can take advantage of a convenient, streamlined way to update their voter registration or register to vote for the first time. This system helps a significant number of eligible voters from all walks of life—those who may not have a car or a driver's license, those who are low-income, the elderly, people with disabilities, and more—to experience the benefits of registering to vote. I would note that civic engagement has been correlated with improved health outcomes. Finally, implementing AVR in these other agencies takes the burden off of the staff of these providers to offer registration and potentially having to collect and return voter registration forms.

Many of us have lamented the fact that, when it comes to state government, our information and interactions with one agency do not necessarily transfer to another one; we have to fill out a lot of things repeatedly. We have also had many discussions within this body about the

importance of updating our information technology systems—the policies to achieve that as well as the budgetary investments that are needed. That makes right now the perfect opportunity to expand automatic voter registration and improve the flow of data between state agencies when it makes sense.

Assembly Bill 432 presents the strongest system for Nevada to implement automatic voter registration. The back-end system it proposes has a proven track record in states from Colorado to Alaska—demonstrating clear effectiveness, whether it is in a city or in a rural community. When more eligible Nevada voters—regardless of where they live, what they look like, or what they do—can seamlessly update their voter registration information, our whole democratic process benefits. It is critically important that our electorate reflects our population, and this bill helps make that happen.

Lastly, I would just add that, as someone who has spent hours registering people to vote in schools, in the community, and in front of state agencies, I know firsthand how these improvements reduce the opportunity for human error and improve the experience both for voters and for the processing of our state agencies.

I want to make it clear that while voter registration may have been used at some points in time as a barrier to participation, it was never the reason for creating voter registration systems in the first place. The entire purpose of voter registration is to have a list of people who are eligible to vote that you can check off when people show up to the polls. The more that we can do to make the updating and upkeep of that list move into the background—while still allowing people to choose not to be on the voter rolls if they do not want to—the better it is for everyone. If you, like me, want to reduce the number of inactive voters and ensure that Nevada has efficient, accessible, and secure elections, I urge this Committee's support of Assembly Bill 432.

With that, I will turn it over to my copresenter, who can walk you through the provisions of the bill, after which we will be glad to answer any questions that you may have.

Sam Oliker-Friedland, Chief Counsel, Center for Secure and Modern Elections:

I am here to walk through the specific provisions of A.B. 432, and how they accomplish the goals that Assemblyman Watts mentioned.

Section 3 of the bill begins by establishing which agencies will be back-end automatic voter registration agencies. It establishes that these agencies will take verified client information that they are already collecting as part of their agency applications. For example, the DMV already verifies citizenship as part of the DMV licensing application process; it would use that information to automatically register clients to vote. Section 3 sets out that those agencies will be the DMV, the Department of Health and Human Services for Medicaid applications, the Silver State Health Insurance Exchange, agencies designated by the Governor pursuant to section 4 of the bill, and tribal agencies designated pursuant to

section 5 of the bill, which I will get to. It further establishes that, if in the course of its business, the agency collects sufficient client information to verify eligibility, the information of eligible voters will only be transferred and used to automatically register them to vote.

Section 4 of the bill establishes that, upon the determination that an agency not mentioned here also collects sufficient information to verify client eligibility, the Governor may designate that agency as an automatic voter registration agency. Similarly, section 5 establishes that, if an Indian tribe in this state collects sufficient information as part of a tribal agency process to verify tribal member eligibility to vote, that tribal agency may request designation as an automatic voter registration agency.

Section 6 goes on to establish a procedure by which if the automatic voter registration agency does not collect a signature image in the same way that the DMV does, there is a procedure for election officials to collect a signature from the voter to complete the registration.

Section 7 establishes that the Secretary of State shall make rules to implement A.B. 432. Sections 8 through 18 make small conforming changes to reflect the provisions that I just mentioned.

Section 19 sets out an important part of the automatic voter registration system, which is that it becomes a key part of list maintenance and keeping the voter rolls clean in this state. Thus section 19 establishes that the Secretary of State can use automatic voter registration information to identify when a voter has not moved and remains at the address at which they are already registered.

Section 20 makes conforming changes to the procedure for clients at an agency who are not covered by automatic voter registration. Sections 21 and 22 create secure electronic transmission of information from an automatic voter registration agency to election officials. Sections 23 and 24 make simplifications to statute to reflect the fact that this back-end automatic voter registration process actually simplifies agency procedure over the current automatic voter registration system.

Section 25 of the bill, which is key, sets forth the opt-out procedure and what election officials' duties are upon receipt of automatic voter registration information. As part of the confirmation of automatic voter registration, an election official must provide eligible citizens with the opportunity to opt out of voter registration entirely if they do not wish to be registered to vote or opt out of an address update through the automatic voter registration system. Through that provision, any person who visits one of these agencies who does not wish to be registered to vote, simply returns the postcard to opt out of voter registration.

Sections 26 through 32 are conforming sections to conform statute with these procedures. Sections 33 through 36 set out the operation, the statute, and the effective date.

I am available for any questions you all may have. I will turn it back over to Assemblyman Watts. Thank you for your time.

Assemblyman Watts:

We want to respect Committee members' time. That concludes our presentation, and we are glad to answer any questions that members have.

Chair Miller:

Committee members, do we have any questions?

Assemblyman Matthews:

It would seem that this would come with an unfunded mandate for these agencies at a time when we are obviously dealing with some real budget challenges. These agencies obviously have a lot of responsibilities they are dealing with already. I am just wondering if that factored into your thoughts on this bill. How would you justify this at this time given these budget challenges?

Chair Miller:

I would like to remind everyone that this is a policy committee. We do not discuss funding here. Our role in this Committee is to look directly at the policy. If there is funding necessary, the bill will then be sent over to our funding committees.

Assemblyman Matthews, can you rephrase your question if necessary? We want to stick strictly to the policy in this Committee.

Assemblyman Matthews:

I will rephrase it, thank you. Given the challenges that many of these agencies are facing across the board and this new responsibility, I am just wondering about your discussions with them and their ability to take on this new task at this time. Could you speak to that?

Assemblyman Watts:

Of course. I appreciate the question and the clarification that this is a policy committee. There are currently no fiscal notes for A.B. 432. What I will say to your question is that we are in conversations with agencies to answer questions and figure out how the implementation of this would work.

Again, I will also note that these agencies are subject to the NVRA, the National Voter Registration Act of 1993 [52 U.S.C. §§ 20501 et seq.], or "motor voter law," as it is often referred to, so they have to offer voter registration anyway. They can sometimes be subject to scrutiny and even litigation if they are not doing that properly. This would help streamline all of that process and take it off of the staff, potentially creating some efficiencies and savings there.

I would also note that we are having conversations about modernizing many of our state systems. I think there are opportunities within that to incorporate this process. Those are some of the things we are doing.

Again, we already have a system established with the DMV. We are making a few modifications, but we do not have to build anything from scratch. We can essentially take things that already exist and port them over to other agencies where it makes sense to do that.

I will turn it over to my copresenter if there is anything else he would like to add on that point.

Sam Oliker-Friedland:

I think that answer just about covers it. In case it is helpful, I can provide some context on how other states have made similar decisions, especially in regard to the cost savings and costs of these programs. While there may be some up-front costs, as Assemblyman Watts mentioned, to set up the actual electronic transfer, this ends up saving officials on both sides of the equation—both significant staff time and processing time to deal with the paper applications that they are currently transmitting.

In addition to those savings, election officials who are in the states that have enacted robust automatic voter registration systems no longer have to hire temps to type in paper voter registration applications close to an election or to process typos, et cetera. Agencies actually find, especially departments of motor vehicles, that the cost savings of limiting transaction time can be helpful.

When Colorado made a similar shift to what Nevada would be making in A.B. 432, the Division of Motor Vehicles of the Department of Revenue reported saving about 45 seconds to 1 minute of transaction time for eligible clients. I am not a department of motor vehicles expert, so I did not realize how impressive that is—but apparently to department administrators, that is like finding a pot of gold under a rainbow. Those agencies were very happy with this shift because it ended up saving them significant staff time and money.

Chair Miller:

Deputy Secretary Wlaschin, did you want to respond?

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

Yes, Chair Miller, if I may. We had our monthly clerks meeting just this morning with the staffs of all 17 clerks and registrars to talk specifically about A.B. 432. While I truly appreciate Mr. Oliker-Friedland's and Assemblyman Watts' comments and discussion, I heard a very different story from the clerks this morning.

As written, the implementation of this bill would actually create a significant workload for all of the clerks. As you are well aware, the current process for the DMV is the individual has the ability to opt out at the DMV. This would put the onus on the clerks and registrars.

For example, in Washoe County—and Registrar Spikula had submitted some comments on this [[Exhibit E](#)—she mentioned to me just this morning that Washoe County has about 2,000 AVR transactions per week. Instead of the DMV and the individual adjudicating and

identifying if the individual did not want to opt out, it would then go on her and her staff. Keep in mind that Washoe County has a significant election staff in comparison to some of our smaller, more rural counties who may only have one or two individuals. This morning, they conveyed to me that there is a collective concern about the administrative workload that this bill may present.

Again, I have to say that all of us collectively here in the election sphere in the state are very much in favor of voter registration and eager advocates to try to get folks who are eligible registered to vote—along with list maintenance and all the other positive aspects the two gentlemen talked about. However, the AVR process as it is currently in place with the DMV would also require significant modification.

I will not get into the fiscal concern, but I did just check. Our fiscal note is on its way through the fiscal process; it is not yet to the Legislative Counsel Bureau (LCB).

Chair Miller:

We will wait for the fiscal note, but that is not a concern for us here.

Mark Wlaschin:

Of course, not at all. From a policy and procedural point of view, there was some significant concerns and reservations expressed by the county clerks and registrars about A.B. 432.

Assemblyman Watts:

I appreciate Mr. Wlaschin's notes and testimony. I would just say that we are committed to continuing to engage with all election officials, state and local. To clarify, the intent here is to modify an existing process whereby voters are contacted following automatic registration and to make modifications to that process. It should not add any additional workload to the counties themselves. We are modifying the process but not looking to create anything new.

For the opt-out provision that is described, the idea is to change some of the components that are on communications that already go out from our local election officials. It is not actually adding a new communication in any way.

Again, we are glad to meet with election officials to hear about any concerns and make sure that we address them, either in explaining how we see the intent of this legislation being carried out or in clarifying as needed to make sure that it is so.

I do not know if Mr. Oliker-Friedland has anything to add.

Sam Oliker-Friedland:

No, I do not think I have anything else to add except to reemphasize that the intention—and how this has worked in other states—is that the total workload on the local election officials is relatively minimal by collapsing, for example, the opt-out opportunity with the

confirmation of voter registration. In fact, in other states like Oregon, Colorado, and Alaska that have seen this same system, the rate of work to deal with the opt-out postcards is relatively low because the opt-out rates are relatively low under this system. I am only providing that additional context.

Assemblywoman Dickman:

Several of these agencies that we are talking about that would now do automatic voter registration offer services to noncitizens; for example, there is WIC [Special Supplemental Nutrition Program for Women, Infants, and Children], SNAP [Supplemental Nutrition Assistance Program], and I understand some Medicaid services. What checks would be in place to verify citizenship for those people who would be registered? I know it is referenced in section 3, subsection 2 of the bill, but what is the process to verify that someone is eligible to vote?

Assemblyman Watts:

This is a great question and one of the things that I am excited about. Compared with the DMV, these agencies are actually better suited to do this verification. Not only are they collecting age information from all of their clients—which is the number one box to check when it comes to eligibility—but as you noted, many programs do have citizenship requirements or implications to them. These agencies are more likely to collect that information as well, so they are a little better equipped to handle some of that up front before transmitting information on.

Again, Mr. Oliker-Friedland, if you want to add anything.

Sam Oliker-Friedland:

I can provide some context on how we have seen this in other states. The SNAP and WIC agencies are good examples and, to my understanding, would not be included because they do not meet the terms of the bill in providing sufficient citizenship verification.

Medicaid is an example of an agency that would provide sufficient citizenship verification. I can speak to how they do it. They take each applicant for services, the social security number, and match it against a federal database for verification, which is called the Federal Data Services Hub. They do this already to verify eligibility for the Medicaid benefits. The automatic voter registration transaction would be based on whether that Federal Data Services Hub pings back certification of citizenship or not. If the Federal Data Services Hub does not say that the applicant is a citizen, he or she would not be included in the automatic voter registration.

Assemblywoman Dickman:

It almost sounds like this would be more efficient than the DMV.

Assemblyman Watts:

We have worked with the DMV to make sure that we have those checks in place, but I think it is fair to say that these agencies are well-suited to have automatic voter registration in place.

Chair Miller:

Committee members, are there any additional questions? [There were none.] We will open the lines for anyone wishing to testify in support of A.B. 432 and take up to 30 minutes of testimony in support.

Matthew DeFalco, Private Citizen, Henderson, Nevada:

I am calling in support of A.B. 432 because it will continue to help people like me, who served our country, have better access to vote. I served on active duty with the U.S. Army from 2008 to 2011 and in the Individual Ready Reserve from 2011 through 2016 as a Patriot system missile operator and maintainer under the XVIII Airborne Corps in Fort Bragg, North Carolina. I spent ten months deployed overseas in support of Operation Enduring Freedom in Afghanistan.

I have registered voters here in southern Nevada; I know the challenges that exist, specifically for our active duty military personnel and veterans. Members of the military have barriers not faced by most Americans. They are required to move frequently while on duty and, consequently, must register to vote or update their voter registration status each time.

Automatic voter registration helps these families, and expanding AVR will help even more, especially because many military families interact with Medicaid as supplemental coverage to what TRICARE does not cover. Expanding automatic voter registration to the Department of Health and Human Services, Medicaid, and other agencies will help get more military families to make their voices heard. Thank you for your time.

Maria Nieto Orta, Nevada State Coordinator, Mi Familia Vota:

I am calling in support of A.B. 432 because I believe that the expansion of automatic voter registration will work to enfranchise large groups of potential voters in Nevada. Mi Familia Vota believes that every eligible Nevadan should have readily available access to register to vote as well as be able to participate in our electoral process.

We also believe that there should be certain safety measures in place to protect our ineligible Nevadans from becoming inadvertently registered to vote under this AVR expansion. This bill would do just that. Assembly Bill 432 would maintain the back-end AVR system currently used by the DMV that detects unregistered Nevadans who are not able to provide proof of U.S. citizenship during their time at the DMV. This back-end AVR system would ensure that the voter rolls reflect the same citizenry.

I urge you all to support A.B. 432 and thank you for your time.

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

We are in support of A.B. 432. In 2018, we remember helping our communities learn what AVR means and having English language learning translations and education materials in five different languages and Asian languages to help our community understand the ballot measure. It passed overwhelmingly because Nevadans overwhelmingly support ease of access and convenience for voter registration.

Assembly Bill 432 aims to ensure that the people's will is respected and expands on the implementation with added security for election integrity and protecting undocumented residents so they will not errantly be opted in to the system.

In all the elections in the past, we are seeing steady, increasing, and unprecedented voter turnout for the Asian-American and Pacific Islander (AAPI) communities. We do nonpartisan voter education, nonpartisan voter engagement, and nonpartisan voter turnout. We believe that automatic voter registration will really help our community to make sure their voices are heard.

Currently, Nevada residents have the opportunity to register to vote while applying for a driver's license. The DMV records then help update the voter rolls while providing more accurate records. The back-end AVR system ensures accurate records for existing registrants and also are the backbone of the election system. That means more opportunities to update mailing addresses and party affiliation and means more accurate voter data for election materials.

To protect noncitizens, the back-end AVR system filters out DMV customers who provide documents establishing other data such as foreign citizenship or a green card. These are the main concerns that we have had because we represent a lot of immigrant communities, but this bill addresses those concerns. This is a step in the right direction. We ask for your full support of A.B. 432. Thank you.

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

I stand in support of A.B. 432 because AVR increases access to the polls by registering eligible Nevadans to vote and improves the quality of our voter rolls. By expanding the list of agencies, we are able to capture a larger constituency, such as lower income and working-class communities that might not do business with the DMV.

During the 2020 General Election, we saw that many folks were unable to have their voices heard because they did not have access to a Nevada ID issued from the DMV. However, with A.B. 432, we are making sure that more eligible Nevadans have the opportunity to become civically engaged while also maintaining a clean voter roll, as applicants must update their information with Medicaid every year.

This bill will further ensure that we are taking the proper steps to guarantee that more Nevadans have a seat at the table. This expansion would include programs such as Medicaid, which covers over 600,000 Nevadans.

In addition, it would also bring more Native voters into the political process, considering these voters have a statewide registration rate of only 4 percent—the lowest in our state. By allowing the Indian health programs to conduct AVR, we would make huge strides in helping to enfranchise a community that has historically been disenfranchised. This will grant Native voters the opportunity to register to vote with an agency that they are comfortable with and interact with on a regular basis.

Our deepest gratitude to Assemblyman Watts for bringing this legislation forward and for ensuring that we properly maintain Nevada's voter rolls. Thank you.

Leonard B. Jackson, Director, Faith Organizing Alliance:

Faith Organizing Alliance is a local, nonprofit organization with a mission to increase civic participation through faith-based and civic organizations within the Las Vegas Valley. We are so proud to be partners of the Let Nevadans Vote coalition and thank them for their partnership.

Faith Organizing Alliance stands in support of A.B. 432 because it will work to bring in more Black, Indigenous, and people of color into our political process. Assembly Bill 432 will allow the Governor to designate state executive agencies to function as automatic voter registration agencies. This would include agencies such as Medicaid. Here in the state of Nevada, there are over 600,000 residents who are covered by Medicaid—more than half of those Medicaid beneficiaries are from our Black and Brown communities. Out of those 600,000-plus Medicaid beneficiaries, 35 percent are Latino, 18 percent are Black and other, and 11 percent are nonwhite Nevadans categorized as "other" [Medicaid enrollment by race/ethnicity data for fiscal year 2013, provided by Kaiser Family Foundation], and this would include our Native and AAPI brothers and sisters.

Understand this: Black and Brown low-income communities have historically been the most politically disenfranchised communities in this country. We stand in support of A.B. 432 because this bill would help to further enfranchise whole communities that have been left in the dark.

We, as a state, must do everything possible to ensure that we include every eligible Nevadan into our political system where the light can shine on us all. Thank you for your work and your due diligence.

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

The Nevada Conservation League envisions a future where all Nevadans can thrive because they have access to a healthy climate, clean air, clean water, and outdoor spaces, as well as safe, healthy, and sustainable communities. We understand that this vision is not possible without fair and inclusive democracy in which all voters can participate.

We support A.B. 432 because it improves, modernizes, and secures Nevada's election system. By building upon the automatic voter registration system, we can increase voter registration and lower voter disenfranchisement. Assembly Bill 432 will allow voters to more easily update their registration and vote for the candidates who represent the communities they live in.

Passing strong laws to protect our environment depends on open and fair elections. Assembly Bill 432 will help ensure that every Nevadan's voice is heard on Election Day. We urge the Committee's support. Thank you for your time.

Kate McNabney, Nevada Campaign Manager, All Voting is Local:

We are a voting rights project housed at The Leadership Conference on Civil and Human Rights. All Voting is Local is also a proud member of the Let Nevadans Vote coalition. We fight 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 are heard.

All Voting is Local is in full support of A.B. 432. Everyone who is eligible should have the freedom to vote. By expanding automatic voter registration to include agencies like Medicaid and tribal offices, registering to vote becomes more convenient and fair for those who might struggle to keep their information up to date. This may include people who move frequently or live in rural areas.

Expanding back-end automatic voter registration also reduces election administration costs. By processing more registrations through Medicaid, the Department of Health and Human Services, and tribal agencies, back-end AVR replaces thousands of paper voter registration forms that voters would otherwise mail or submit. Processing paper forms are labor intensive and expensive, requiring data entry and follow-up on missing information or errors. By working with agencies who already collect this data, there will be no need to reenter information from paper forms. Similarly, by updating address information more efficiently, back-end AVR also reduces undeliverable mail and provisional ballots, saving election officials additional money.

Nevada needs to ensure that we are protecting everyone's right and freedom to vote. This bill would ensure that Nevadans are able to register to vote in a variety of convenient and fair ways. All Voting is Local asks this Committee to support A.B. 432. Thank you for your time.

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

Progressive Leadership Alliance of Nevada (PLAN) is here in support of Assembly Bill 432 to ensure that every eligible Nevadan has access to the ballot box. At PLAN, we believe that our democracy is most vibrant when more people are participating in it. Automatic voter registration removes barriers to voter registration for eligible Nevadans by connecting the process to an already existing, necessary activity and ensuring that their data is kept up to date.

Assembly Bill 432 will expand this even further by changing our system to a back-end opt-out system rather than a front-end opt-out system, and including additional programs like Medicaid that reach many residents and their entire household. Today, in fact, one in four Nevadans is now enrolled in a public health insurance program ["Medicaid reaches record enrollment in Nevada," dated February 23, 2021, *Nevada Current*, written by April Corbin Girnus].

Back-end models are more efficient and effective than the front-end models that we use today. For example, in Oregon, which uses the back-end model, 94 percent of eligible individuals who interact with the state department of motor vehicles [Driver and Motor Vehicle Services Division, Oregon Department of Transportation] have been registered to vote through AVR. By comparison, in California, which relies on a front-end opt-out model, only 60 percent of eligible people who interact with the California Department of Motor Vehicles have been registered to vote through AVR ["The Case for Back-End Opt-Out Automatic Voter Registration," dated May 28, 2019, written by Danielle Root, Center for American Progress].

While states around the country are moving backwards on the issues of voting rights, expanding our already existing automatic voter registration system shows that Nevada is a proud leader on this issue and at the forefront of voting rights. We urge your support of this legislation. Thank you.

Anwar Green, Private Citizen, Henderson, Nevada:

I am a veteran of the United States Air Force. As someone who served our country in the military, I do believe that we should all have access to our right to vote. As such, I am in full support of A.B. 432.

I want to thank Speaker Frierson for being a champion on voting rights. The original legislation around automatic voter registration [Assembly Bill 345 of the 80th Session] was a win for us in the military and veteran communities. This continues to build on that. Expanding AVR to the Department of Health and Human Services and other agencies allows more access to register to vote for military members and the families who are accessing these services.

At the end of the day, it should not be harder to vote than it is to get a gun. Because of that, I ask you all to support A.B. 432, and I thank you for your time.

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

I am here in full support of A.B. 432. On behalf of our members, many of whom are in the process of becoming citizens, are undocumented themselves, or are a mixed set of families, I support A.B. 432 because it will protect noncitizens by having the back-end AVR system filter out DMV customers who provide documents establishing foreign citizenship—for instance, a green card or application for the driver authorization card, which is usually sought by undocumented immigrants. These DMV customers are not offered the chance to register and do not have any information passed on to election officials.

As an added fail-safe, if an ineligible person does somehow become erroneously registered, the person is not subject to penalties unless he or she knowingly tried to register illegally. This is extremely important for our community because, while DMV forms can be confusing for anyone, for a noncitizen, the potential consequences for wrongly being on the voter registration list could keep him or her from ever becoming a citizen and, in the worst-case scenario, could result in deportation. I have personally seen the fear in the face of one of our members who made this mistake. While it can be fixed, it is a complicated, long, and often expensive process.

We have an opportunity to not only increase voter registration among the eligible, but to protect those who are ineligible from this fear. That is why I and Make the Road Nevada members strongly support A.B. 432. I am asking you to join us in that support. Thank you for your time and your commitment to our state.

Marco Rauda, Private Citizen, Las Vegas, Nevada:

I am calling to voice my support for A.B. 432 and also want to thank the sponsors of this bill for bringing it up. Thank you.

Annette Magnus, Executive Director, Battle Born Progress:

We rise in strong support of A.B. 432. When a majority of Nevada voters supported the measure to enact an automatic voter registration system previously [Automatic Voter Registration Initiative, Ballot Question No. 5, 2018 General Election], Nevadans demonstrated that they value making our democracy as accessible as possible to every eligible voter. This bill expands that system to include Medicaid, the Silver State Health Insurance Exchange, and other state agencies that collect the necessary information to register voters.

However, this system is not new. While there have been unfounded and baseless claims and rumors about election fraud in 2020, ensuring security and integrity of our voting systems is a legitimate policy issue. This bill will actually increase election security in two key ways: First, expanding the system streamlines updates to existing voter registrations. Each time an existing registrant provides new name or address information to an agency listed in this bill, his or her voter registration will also be updated to reflect the change—with the opportunity to decline or opt out provided. That means the voter registration system will obtain the most accurate, up-to-date voter information as possible, ensuring clean voter rolls. That means a far higher likelihood of election mail, including ballots, reaching the proper address.

Second, the agencies included under this bill provide a second check on the validity of identifying information. Medicaid, for example, verifies U.S. citizenship as a part of its application process. Having information transmitted from Medicaid to the voter registration system can give everyone confidence that only eligible voters are being registered.

The enhancements under A.B. 432 increase the opportunity for eligible Nevadans to be enfranchised and registered to vote, saving election officials and voters time, effort, and money, while also improving election security. This is an essential bill for improving our already stellar election system in Nevada. We thank Assemblyman Watts for bringing this bill forward and urge its passage by the Committee. Thank you.

Taylor Patterson, Executive Director, Native Voters Alliance Nevada:

I am a member of the Bishop Paiute Tribe. Native Voters Alliance Nevada is in support of A.B. 432 because it allows for tribal governments to participate in the automatic voter registration process while respecting tribal sovereignty.

Voting is a right, not a privilege, and for too long Native Americans have not been included in programs making it easier to vote. Nationally, two out of five eligible Native voters are not registered to vote ["Overcoming Barriers for Native American Voters," dated June 25, 2020, by Risa Johnson, WGBH Educational Foundation, Public Broadcasting Services]. This bill would allow for expanded opportunities for tribal members to register to vote without trampling on tribal governments' rights. Thank you, Assemblyman Watts, for being inclusive to tribal communities in this bill and your continued support of our community. Thank you for your consideration. Please vote to support this bill.

[There were no more callers in support.]

[[Exhibit F](#) and [Exhibit G](#) were submitted in support of A.B. 432 but not discussed and are included as part of the record.]

Chair Miller:

Is there anyone who would like to testify in opposition? We will also take up to 30 minutes for opposition.

Tracey Thomas, Private Citizen, Sparks, Nevada:

I am in opposition. This bill is counterproductive to the centralized database that was just discussed in Assembly Bill 422.

Assembly Bill 432 increases costs, it is un-uniform, it is not smoother, it increases the liability because there is increased human error. Similar to too many cooks in the kitchen, excessive manipulation of voter records will lead to inferior, inaccurate, and conflicting records.

Voter registrations are available to update online. It negates any need for abundant physical resources. The DMV requires licenses to be updated anytime a citizen has moved; therefore, the voter records will be updated consequently.

I think we should concentrate on getting the centralized database first and then maybe try to expand it after we reevaluate the situation.

The Governor should never have powers to usurp the powers of our legislators. This bill does not provide for the option of any thumbprint verification. It also does not have anything to address the minimum resolution for signature requirements so that they can be used in automated scanning devices. It also does not address any same-day registrations, which currently violate *Nevada Revised Statutes* 293.535 by denying voters the right to challenge voters, should this option be used to register same-day voters.

There is no evidence that any voter was unable to vote who wanted to vote in Nevada. I do not think there is any use for this bill at this time. It places a significant burden on the DMV and our registrars of voters and clerks. Thank you.

David Gibbs, Private Citizen, North Las Vegas:

I am opposed to this bill for two major reasons. Number one, as we saw in 2020, signature verification was a significant issue, especially here in Clark County. This bill muddies that water and does not clarify from the aspect of the fact that if you do not have a valid signature, the clerks still need to work through this and still allow the person to register to vote—relying on that person to register or to verify his or her signature when the person casts the ballot. I think that puts a lot more of the onus on the county clerks.

The other thing is the fact that if somebody registered to vote, it puts the emphasis on the county clerks to determine someone's eligibility. The clerks send the person a postcard, and if that person does not send it back, the person is automatically registered to vote even if the person is not eligible to vote. Therefore, you could wind up with a whole bunch of people on the voter list who are not eligible to vote, but they are still there because they did not return a postcard to opt out.

If somebody has a question about a person's eligibility to vote potentially due to citizenship, then the person may not want to send the postcard back to highlight the fact that he or she filled out a form to register to vote. They are not going to increase their visibility to the clerks who realize, "Hey, these folks are not citizens." Then there is a question about not just their eligibility, but now a question about their being in the county.

I think this bill creates a lot of problems for the county clerks and registrars. It puts the onus on them to solve problems that they should not have to solve but should be solved by the voter or by the person who is trying to register to vote. Thank you for your time.

[There were no more callers in opposition. The testimony provided later in the hearing by Deputy Secretary Wlaschin was categorized as opposition to A.B. 432.]

Chair Miller:

We will open the lines for anyone wishing to testify in neutral.

Sean Sever, Legislative Liaison, Department of Motor Vehicles:

The DMV is neutral on this bill, and we appreciate the bill sponsors working with us on it. The bill as introduced would actually result in significant transaction processing time and cost savings to the DMV. Thank you for your time.

Julie Balderson, Public Information Officer, Division of Welfare and Supportive Services, Department of Health and Human Services:

I am speaking today on behalf of the Division of Welfare and Supportive Services of the Department of Health and Human Services, which is the agency in Nevada that receives Medicaid applications and ultimately determines whether an applicant is eligible for Medicaid.

We certainly appreciate that this is a policy and procedure conversation and that there can be a lag in submitting fiscal notes through the Office of Finance in the Office of the Governor and the LCB. I want to clarify that we did submit a fiscal note. In addition to significant costs to implement, we do anticipate some ongoing administrative overhead to maintain the interfaces that are proposed in the bill.

I want to provide a little context around Medicaid applications since not all states do it the way we do it here in Nevada. Our Medicaid application here is actually a combined application for three major public assistance programs: Medicaid; the Supplemental Nutrition Assistance Program, or SNAP; and the Temporary Assistance for Needy Families Program, or TANF. When we see an application come through, we are evaluating that applicant not only for Medicaid eligibility but also for SNAP and TANF.

We have recently reached out to the bill sponsors for some further discussion. We just really wanted to provide that context today regarding the integrated Medicaid application in Nevada, and we certainly look forward to any discussion around some of the other more technical details with the sponsor later on. Thank you.

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

I only want to make sure that it is clear that the clerks and registrars have concerns. I would encourage the bill sponsor to take a look at the notes that were submitted by the Nevada Association of County Clerks and Election Officials [[Exhibit H](#)].

Keep in mind that in a lot of the conversation, when we talk about any new program—and they often mention states who have had these things in place—it is often lost that these states took many years to implement all of these processes. Anything related to improving voter registration is something that the clerks and registrars would definitely support. It is important to keep in mind, especially the way we read the bill, that when you increase our administrative need for resources and our staff—with everything else that is going on in implementation and redistricting coming up—we are concerned about the ability to support these new programs.

We are strongly encouraging the bill sponsor to reach out to us. We have concerns that we feel need to be addressed, and we look forward to hearing from you. Thank you.

[[Exhibit I](#) was submitted but not discussed and is included as part of the record.]

Aubrey Rowlett, Clerk-Recorder, Carson City:

I have submitted written testimony on Nevada Electronic Legislative Information System [[Exhibit J](#)]. I wanted to thank Mark Wlaschin with the Office of the Secretary of State as well as Joe Gloria, who just spoke, for bringing up the concerns of the clerks and registrars.

Section 5 of the bill, in particular, does shift a huge burden over to the clerks and registrars. It is a significant, additional administrative undertaking. I just want to reiterate that complete applications should be transmitted securely and electronically to make this the most efficient process for voters and election officials. Clerks and registrars should not have to chase that information down by sending additional notifications that may or may not be returned.

With that, we are always happy to work with the bill sponsors upon their request. Thank you for your time.

[There were no more callers in neutral.]

Chair Miller:

Deputy Secretary Wlaschin, do you have a two-minute testimony in neutral?

Mark Wlaschin:

Yes, Chair Miller. I do have one point for clarification, if I may.

Chair Miller:

Is it a clarification in response to someone who testified?

Mark Wlaschin:

You had mentioned earlier that if there is any single aspect of the bill that you do not agree with, you cannot be neutral; it has to be in opposition then. Is that correct?

Chair Miller:

Correct, so are you changing your position?

Mark Wlaschin:

Yes, ma'am, based on that alone. I apologize for doing this out of sequence. May I take my two minutes to speak in opposition?

Chair Miller:

Certainly.

Mark Wlaschin:

[The following testimony was categorized as opposition.]

As discussed and was echoed earlier, first and foremost, the Office of the Secretary of State is wholeheartedly involved with and eager to enable every eligible voter to register—full stop. There is absolutely no question about that. The one aspect about this bill that I have to speak against ties directly to my comments earlier and to what you just heard Ms. Rowlett and Mr. Gloria speak to earlier.

The AVR process, as many of you may remember, was not an overnight thing. It was not an easy button or a sticker that you put on. Our work as an agency with the Department of Motor Vehicles was time-intensive, exhaustive, and it went on for a significant amount of time. The effective date of this bill is January 1, 2022. This short period of time will not allow effective, safe, and secure ability for the state and all of these agencies to establish an AVR system with 15 elements of health and human services, with all of the branches of government, and up to 32 potential tribal locations across the state. That by itself creates significant concern. It may be an obstacle too great to overcome between now and January 1, 2022, and to do so in a manner that it supports exactly what 1.8 million Nevadans need and deserve—a safe and secure AVR system.

That being said, again, we are eager to work with the sponsor along with the clerks and registrars to help out in any way we can moving forward.

Chair Miller:

That is an interesting position. Thank you so much for sharing. With that, we will close the line for testimony. Assemblyman Watts, do you have any closing remarks?

Assemblyman Watts:

I will try to keep this very brief. I would like to respond to a few quick things. One, online voter registration was brought up. I just want to note that our online voter registration system does require a driver's license. One of the reasons that we are looking to establish the expansion of automatic voter registration in these agencies is to catch some people who would not be eligible to simply hop online—and may not have access to the Internet, as we have all learned there still remains a digital divide in our communities.

Another piece was around eligibility. The intent of this is to ensure that the eligibility information is determined and then submitted from the agency to our election officials. The eligibility is not being determined based on the returning of the postcard by the voter. I just wanted to clarify that.

From a bigger picture, I just want to let the agencies and the election officials know that I hear you. I have worked with some of them previously. I am committed to engaging to address these concerns, including the timeline to figure out what makes sense; to clarify

some of the issues so that everyone knows how it would work and how it would be implemented; and to make some technical adjustments if they are needed to make sure that we can do this in a way that is smooth.

As we work out those issues, I want to acknowledge one other thing. Regarding the speed at which things take, as we meet via Zoom today, I think it is clear how much of a role technology plays in our lives and how quickly it can transform the way that our lives work day to day. If we look at the changes in our election system over just the last few years, we have made amazing strides. We moved from printing out massive paper lists and forcing people to go to one location only on Election Day to vote. We are now using secure databases that transmit information and allow people to vote at the location that is most convenient for them, the same way that we have established for early voting.

I worked with my constituent and friend, Reverend Jackson, whom you heard testifying earlier, and others to provide folks with rides to the polls a couple of election cycles back. One of the most common reasons to give people rides was because they went to a polling location based on an address that they put in, but they had not updated their registration and needed to be driven from one polling location to another. Thankfully, we have modernized our system so that is no longer an issue.

We moved from only registering people on paper forms within the span of a decade to now offering online voter registration and further digitizing the way that our voter registration is conducted—again, reducing errors, streamlining the process, and making it more convenient for everyone. We have moved from bogging down our citizens in interactions with state agencies to an automatic process that is meant to keep our eligible voter list up to date in a streamlined and efficient way.

The purpose of A.B. 432 is to build on that progress. I think we have a lot of the pieces already in place. I look forward to working with all of the stakeholders to make sure that we can continue to build upon that, expand upon that, and deliver a better experience for everybody in our state. I urge this Committee to vote yes for a more modern voter registration system and to support A.B. 432. Thank you for your time.

Chair Miller:

With that, I will close the hearing on Assembly Bill 432. The next item on our agenda is public comment. Is there anyone wishing to make public comment? We will take up to 30 minutes.

Deanna Spikula, Registrar of Voters, Washoe County:

I apologize for being a little late getting on. Apparently, I hit the pound key instead of the star key during testimony for Assembly Bill 432.

I just wanted to quickly say that the cornerstone of what we do as election officials is voter registration, and I am always an advocate for expanding voter registration opportunities to every eligible citizen. However, I am with Joe Gloria and Aubrey Rowlett, who spoke earlier, and I have concerns. First of all, that not all the required information that we need to collect . . .

Chair Miller:

We are not taking testimony on specific bills. This is public comment.

Deanna Spikula:

Just to reiterate, please let the bill sponsor know that we are willing to work with him. That is all I have to say. Thank you.

[There were no more callers for public comment.]

Chair Miller:

We can give it another minute just in case anyone is trying to dial in right now. Does it seem like anyone is attempting to call in? [There was no one.] I will close public comment.

This leads us to the end of our agenda items for the day. Our next meeting is Thursday, April 8, at 4 o'clock. Everyone did an outstanding job today making it through the agenda. Thank you so much for your engagement and participation.

One final reminder: there may be an agenda going up for Friday, April 9, at the call of the Chair. That is just so everyone is prepared; it would be so that we can make our deadline.

With that, this meeting is adjourned [at 5:39 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 the Work Session Document for [Assembly Bill 302](#), submitted and presented by Pepper Sturm, Principal Policy Analyst, Committee and Policy Research Services, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Assembly Joint Resolution 10](#), submitted and presented by Pepper Sturm, Principal Policy Analyst, Committee and Policy Research Services, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is a document titled "AB 432 Bill Review and Comments," submitted and prepared by Deanna Spikula, Registrar of Voters, Washoe County, neutral to [Assembly Bill 432](#).

[Exhibit F](#) is a letter dated April 4, 2021, submitted by Quentin M. Savvoir, Deputy Director, Make It Work Nevada, in support of [Assembly Bill 432](#).

[Exhibit G](#) is a letter dated April 5, 2021, submitted by Tammi Tiger, Civic Engagement Program Administrator, Las Vegas Indian Center, in support of [Assembly Bill 432](#).

[Exhibit H](#) is a proposed conceptual amendment to [Assembly Bill 432](#), submitted by Dena Dawson, Assistant Clerk and Election Administrator, Office of the Clerk-Treasurer, Douglas County, on behalf of Lacey Donaldson, President, Nevada Association of County Clerks and Election Officials.

[Exhibit I](#) is a proposed amendment to [Assembly Bill 432](#), dated April 6, 2021, submitted by Alex Ortiz, Assistant Director, Department of Administrative Services, Clark County.

[Exhibit J](#) is a letter dated April 5, 2021, submitted by Aubrey Rowlett, Clerk-Recorder, Carson City, neutral to [Assembly Bill 432](#).