

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

**Seventy-Seventh Session  
April 4, 2013**

The Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 2:40 p.m. on Thursday, April 4, 2013, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [nelis.leg.state.nv.us/77th2013](http://nelis.leg.state.nv.us/77th2013). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman James Ohrenschall, Chair  
Assemblywoman Lucy Flores, Vice Chair  
Assemblyman Elliot T. Anderson  
Assemblyman Pat Hickey  
Assemblywoman Marilyn K. Kirkpatrick  
Assemblyman Andrew Martin  
Assemblyman Harvey J. Munford  
Assemblyman James Oscarson

**COMMITTEE MEMBERS ABSENT:**

Assemblyman Wesley Duncan (excused)

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Susan Scholley, Committee Policy Analyst  
Karen Pugh, Committee Secretary  
Macy Young, Committee Assistant

Minutes ID: 761



**OTHERS PRESENT:**

Ross Miller, Secretary of State, Office of the Secretary of State  
Scott F. Gilles, Esq., Deputy for Elections, Office of the Secretary of State  
Marlene Lockard, representing the Nevada Women's Lobby  
Keith Uriarte, representing American Federation of State, County and Municipal Employees Local 4041  
Gail Tuzzolo, representing the Nevada AFL-CIO  
Harvard (Larry) Lomax, Registrar of Voters, Clark County  
Marla Turner, Private Citizen, Las Vegas, Nevada  
Howard Watts, Field Director, Progressive Leadership Alliance of Nevada  
Danny Thompson, representing the Nevada State AFL-CIO  
Lonnie Feemster, Nevada State Director, National Association for the Advancement of Colored People, National Voter Fund  
Richard Boulware, representing National Association for the Advancement of Colored People, Las Vegas Branch  
Jorge Adame, representing America Votes  
Gary Peck, Executive Director, Nevada State Education Association  
Sebring Frehner, Member, Nevada Education Coalition  
Teresa Crawford, Private Citizen, Las Vegas, Nevada  
Frank Hawkins, representing, National Association for the Advancement of Colored People, Las Vegas Branch  
John Wagner, representing the Independent American Party  
F. Steven Donahue, Budget Chairman, Nevada Republican Party  
Lynn Chapman, representing Nevada Families for Freedom  
Vanessa Spinazola, Nevada American Civil Liberties Union of Nevada  
Carolyn Howell, representing Nevada Legislative Affairs Commission  
Janine Hansen, representing the Nevada Families for Freedom  
Annette Teijeiro, Private Citizen, Las Vegas, Nevada  
A.P. Clark, Private Citizen, Las Vegas, Nevada  
Mitra Akhavan, Private Citizen, Las Vegas, Nevada  
Mark Howells, Private Citizen, Henderson, Nevada  
Mary Rooney, Private Citizen, Las Vegas, Nevada  
Victoria Dooling, Private Citizen, Las Vegas, Nevada  
Alan Glover, Clerk/Recorder, Carson City  
Tom Lahey, representing Nevada Legislative Affairs Commission

**Chair Ohrenschall:**

[Roll was taken.] We begin today with a work session on Assembly Bill 350.

**Assembly Bill 350: Revises provisions relating to the submission of reports to the Legislature. (BDR 17-794)**

**Susan Scholley, Committee Policy Analyst:**

Assembly Bill 350 relates to reports (Exhibit C) and was sponsored by Assemblywoman Benitez-Thompson and Assemblywoman Kirkpatrick, and heard in this Committee on March 26. This bill requires future legislation that includes the submittal of reports to the Legislature also contain a provision limiting the time frame for those reports to no more than five years unless the bill contains a justification for a longer time period. The bill also directs the Legislative Commission to review existing statutory requirements for reports to the Legislature starting in the 2013-2014 Interim, focusing on reports enacted in the 2007, 2009 and 2011 Sessions. With respect to upcoming and future interim reviews, the Legislative Commission will consider whether to request legislation repealing, revising, or continuing the reports. No amendments were proposed at the hearing or after and, as noted at the hearing, there is some overlap between this bill and Senate Bill 405 which is sponsored by Senator Debbie Smith.

**Chair Ohrenschall:**

Thank you, Ms. Scholley. Is there any discussion or comments on A.B. 350? I will accept a motion.

ASSEMBLYMAN ELLIOT ANDERSON MOVED TO DO PASS  
ASSEMBLY BILL 350.

ASSEMBLYMAN OSCARSON SECONDED THE MOTION.

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

I will assign the floor statement on that to Ms. Benitez-Thompson.

Next on the agenda are the hearings for Assembly Bill 440, Assembly Bill 441, and Assembly Bill 442. In the interest of time, we will hear A.B. 440 and A.B. 441 concurrently. As I am presenting these two bills, I will pass the gavel to Assemblywoman Flores.

[Assemblywoman Flores assumed the Chair.]

**Assembly Bill 440: Revises provisions relating to voter registration. (BDR 24-987)**

**Assembly Bill 441: Makes various changes relating to elections. (BDR 24-814)**

**Vice Chair Flores:**

I will open the hearing on Assembly Bill 440. Prior to starting your testimony, Mr. Ohrenschall, I will note for everyone in attendance that we have a limited amount of time today. We have three bills on the agenda, so I will be moving people along in their testimony. Please keep your comments brief.

**Assemblyman James Ohrenschall, Clark County Assembly District No. 12:**

Assembly Bill 440 and Assembly Bill 441 have the power, if enacted into law, to dramatically increase voter participation in our state. During past elections I have often run into constituents who have missed the deadline to register to vote, but are otherwise qualified electorates. They simply were disenfranchised because of an artificial deadline. Similarly, I have had the experience, and I know many other candidates have had the experience, of running into people who have gone to the wrong polling place. Their polling place has changed, perhaps due to rezoning, and it is 6:45 p.m. and it will be impossible for them to make it to the correct polling location in time to cast a ballot. Assembly Bill 441 deals with that issue.

Assembly Bill 440 will do two things. It will extend the registration deadlines through to the end of early voting both for online and in-office registration, beginning with the 2014 election cycle. In the 2016 election cycle, Assembly Bill 440 would allow for same-day voter registration for those persons who have not registered prior to Election Day.

Assembly Bill 441 allows for the creation of voting centers. The City of Henderson has had great success with the centers which basically are a polling site that allows a citizen to come in to vote regardless of what precinct they are registered in. There would not be any mix-up as it would be well publicized on where to go. Voting centers will not be mandated by A.B. 441, but will be an option which the local election staff can determine if they want to adopt. Both of these measures will help to increase voter participation, which must be one of our most important goals in this Committee.

**Vice Chair Flores:**

Thank you. To be clear for the record, A.B. 440 extends voter registration in 2014 and in 2016 allows for Election Day registration, is that correct?

**Assemblyman Ohrenschall:**

That is correct. Assembly Bill 440, in the 2014 election cycle, would extend online as well as in-office voter registration. With the in-office registration, a person eligible to vote could register and then, if they wished to, participate

in early voting on that same day. During the 2016 election cycle the bill calls for allowing each county to have at least one location where someone could register to vote and cast his or her ballot on Election Day.

**Vice Chair Flores:**

Just to keep the flow going in the right direction, we can talk about both bills, but so that it is clear for the Committee what bill does what, please refer to each bill by number.

**Assemblyman Ohrenschall:**

Absolutely. Assembly Bill 440 extends the registration deadlines in 2014 and allows for same-day voter registration in 2016. Assembly Bill 441 allows for the permissive creation of voting centers.

**Vice Chair Flores:**

Would you like to continue with introductory remarks?

**Assemblyman Ohrenschall:**

If it pleases you, I will turn it over to the Secretary of State.

**Ross Miller, Secretary of State, Office of the Secretary of State:**

Good afternoon. With me today is Scott Gilles, Deputy for Elections. I am here today in support of both bills, A.B. 440 and A.B. 441. I think there are a couple of principles that all of us can agree on, irrespective of our party. First, only eligible citizens should be casting ballots, but as many eligible citizens as possible should have the opportunity to cast the ballot. Second, the ideal voting system should continually be moving in a direction that makes it easier to vote, yet harder to cheat. These bills do that without question. In my opinion, these two bills do more to empower voters and potential voters in Nevada than anything else that is before this Legislature, any other bills that have been before the Legislature during my tenure, and probably any bills that have been before the Legislature in quite some time. That may sound like hyperbole, but these are very dramatic changes and move us absolutely to the forefront of running elections in this country.

I think it is critical to understand a couple of the problems that we have in Nevada and some of the benefits that these bills would bring. First off, Nevada has the most onerous deadline in the country for mail-in voter registration. We are tied with two other states, but we are still the most onerous in the entire country. A 30-day mail-in registration is entirely too onerous and, in my opinion, unacceptable. Based on numbers from the Department of Motor Vehicles (DMV), we estimate that over 660,000 Nevada citizens are eligible to vote, yet are unregistered. Based on those numbers and

our registration totals, not even half of Nevada's eligible voting population cast a ballot in the 2012 presidential election. And that election saw the greatest turnout in Nevada history. A study by George Mason University had our voter turnout at 57 percent. When we report that Nevada had nearly 90 percent turnout, we are talking about the eligible registered voters and the active registered voters. When you look at the eligible yet unregistered, the numbers look quite different. Leading up to the general election, there were over 1.2 million registered voters in Nevada at the close of registration, and after the registration cut-off, over 7,300 individuals registered to vote but were not allowed to cast a ballot because of the registration deadlines imposed upon them. This is not just about people who have procrastinated. Students, members of the military, new Nevadans who have moved in are all affected by these deadlines. The most impassioned and emotional calls that we face every election cycle, and I am sure some of you have experienced this, deal with people that miss that registration cut-off. An elderly parent moved in with them, they thought that they were registered to vote, but they were not. A student submits his paperwork and it somehow was misplaced. Somebody registered with a third-party group in front of the DMV, and you heard the reports last election cycle about forms being destroyed. Those people do not have an opportunity to correct that situation. This does not affect just Democrats or just Republicans. It affects people of every party, literally every socioeconomic group that we have. These bills would address that in a meaningful and secure way. We know that in states where the registration deadlines are extended turnout rates are easily over 10 percent higher. The top five turnout states had the most empowering voter registration deadlines in the country. Assembly Bill 440 would eliminate arbitrary registration cut-off deadlines when voters are most interested and engaged. In the last election cycle, 1,694 people registered online during the walk-in period which made it too late for them to cast a ballot. In the same time period, 1,534 people registered online between close of in-person registration and Election Day and were therefore too late. If you contrast that with the numbers we saw, 40,000 people who registered online during the last 12 days of online registration and nearly 3,500 people registering per day leading up to the deadline, I think you can see the impact that this bill would have in adding an additional 27 days for people to participate in the process.

There is also a significant help in cleaning up accurate voter rolls, which makes the system more secure. We know that these kinds of measures significantly assist lower-income citizens, young voters, and voters of color.

The mechanics of A.B. 440 are relatively simple. On Election Day, those who have not registered by the end of early vote would be able to visit at least one, and potentially multiple, locations, complete a registration form, provide proof

of identity and residency, and then be able to vote a full ballot. As Assemblyman Ohrenschall indicated, it would also expand online registration and in-person registration up to the Friday before the election.

The bill has very stringent identity requirements. They are much more stringent than the current mail-in process. If you want to register on Election Day, in order to prove your identity you must bring with you a DMV-issued driver's license or identification card, a military identification card, or other government-issued identification that contains a signature and a picture or physical description. In addition, you also have to bring proof of residency. There is a laundry list of items that are long-standing in Nevada law that can be used to establish your residency.

Obviously, anytime you mention same-day voter registration, I think people have a tendency to have a knee-jerk reaction, because that label carries with it a specific connotation. And I would urge you not to think about this proposed legislation as a typical Election Day registration law. Voter registration helps you carry out the administration of the election. I believe that you will hear from the majority of the clerks and registrars today that does not appear to be a problem. Technology now exists today where we can implement these kinds of measures without causing irregularities in the administration of the election. Often you will hear that same-day voter registration could potentially lead to voter fraud.

What is important to consider when you think about this proposal, relative to other Election Day registration proposals, is that in many other jurisdictions that allow same-day voter registration they hand you a paper-based form. You fill out that form and then they give you a ballot and you cast your vote. After the election, the clerk will go through and input the information from your form into their system and complete the verifications that are required to establish whether or not you are eligible to vote. Such verifications are to establish your identity and your residency, and both happen after the election takes place. That is the system that some states use and are proud of. The argument against it is that you should verify a person's identity, residency, and eligibility to vote before they cast a ballot. That is what this bill does.

In fact, registration under this system on Election Day would be more secure than the existing system, because under our existing system, a first-time voter in Nevada can fill out a registration form, attach documents indicating his or her identity and residency, and mail it in to us. Once we verify that information, we put him or her on the voter rolls and he or she can then request a mail-in ballot. This is a more secure system because we will be using an enhanced

system of identification where we require a picture ID at the polling place, and require the individual to come in and cast his or her ballot in person.

You may have heard constituents express a concern that Election Day registration tends to benefit one party over another. I have in fact heard that from legislators from both sides of the aisle. I do not believe there is any evidence to suggest that.

Legislators also hear concerns that expansion of the registration deadlines may ultimately make it more difficult for candidates in the field to be able to connect with voters and run their campaign. At the outset, I think we would all agree that it is in the public's best interest to make sure that as many eligible citizens as possible are voting. Second, I would point out that in the states that have significantly expanded their registration deadlines, I am not aware of any requests from those legislators to move the deadlines back because of an inability to campaign effectively.

Another concern that has been lobbed at me is that voting is a sacred duty, and those who have not taken the time to register prior to established deadlines in Nevada have not shown enough of a motivation to participate in the process, and therefore should not be allowed to participate. To that I suggest that for those who believe in a limited form of government, most especially when it is applied to constitutional rights, voting is the most fundamental constitutional right. And so the idea that you would impose an artificial governmental barrier, for no legitimate reason exists for that barrier, before you are allowed to take advantage of your constitutional right, I think defies logic.

I believe these are two of the most important steps that we can take to empower voters in the state. I do not think there is any good reason to oppose these bills, and I would urge passage.

**Vice Chair Flores:**

Assemblyman Hickey has a question.

**Assemblyman Hickey:**

Thank you, Secretary Ross. My line of questioning is not going to touch upon voter fraud, as I think your office has done a great job in eliminating that, as far as we know. I am wondering if you would like to comment on Assemblyman Ohrenschall's description of it being a disenfranchisement. When I hear that word, I think of it being used to describe people who were disenfranchised because they had to be property owners, and that was one of the definitions that certainly prohibited people and disenfranchised them. I do not think our voter registration deadlines necessarily do that because there is an area



of personal responsibility, would you not agree? Campaigns, as long and vigorous as they are, certainly give people an opportunity to know that elections are going on. Specifically, did you not you say there were roughly 2,000 people that would have liked to vote but missed the deadline? Also, what was the total percentage of people that actually voted in the last election, or during the period that you referenced the 2,000 who were late or unable to vote? To me, that seems like a very small percentage of people that for whatever reasons missed the deadline. And some may have had very legitimate reasons, but rules are rules. Is that what we are doing right now by people not being able to register on the same-day, are we disenfranchising them? Would you characterize it that way?

**Assemblyman Ohrenschall:**

Mr. Hickey, those were my words, and I feel that an artificial deadline is as artificial as requiring somebody to be a property owner to be able to vote. I stand by those words.

**Assemblyman Hickey:**

I would add this, with respect to deadlines: often they are given for practical reasons. We have not yet heard about the fiscal notes, but I assume we will hear from the registrars that these bills will increase the cost of elections as a result of having the capacity for Election Day registration. In the case of a passport request, when you come in past a deadline and you want it expedited, you pay an extra fee. I am wondering if we might consider having people pay for the privilege when they somehow managed to miss a deadline. That may sound humorous, but at what point is it a personal responsibility and at what point are we possibly going further than we have to for this sacred duty, as you referred to it?

**Assemblyman Ohrenschall:**

Eleven states now allow for some variation of same-day registration. Two others, I believe, allow for very late registration. When you look at the old property ownership requirements, and you look at the lack of uniformity, is it fair to a qualified elector in Nevada who, for whatever reason, missed the deadline? It could have been procrastination, but it could have been working two jobs and trying to support a family. It could have been moving and trying to keep a roof over your kids' heads, it could be many reasons, not necessarily neglect. Is it fair to that qualified elector in Nevada who would be able to vote if he were in Wisconsin, or if she were in California?

**Assemblyman Hickey:**

Secretary Miller, could you answer that question about the number of people again? Is it a relatively small percentage that reported to you they tried but were too late in the last election? Was it 2,000 total?

**Ross Miller:**

The numbers that I quoted were after the registration cut-off. Over 7,300 individuals registered to vote but were not allowed to cast a ballot because of the registration deadlines imposed upon them. The other number I gave, 1,534, is the number of people who registered online between the close of in-person registration and Election Day and were therefore too late. What I think is important to consider about those statistics are that these are individuals that saw the warning screen which told them they would not be allowed to participate in the upcoming election. That indicates to me these could be people who moved into Nevada within that 30-day cut-off.

We get emotional phone calls from people that came in from Arkansas and have voted in every election since Roosevelt, then moved to this state and, through no fault of their own, are now shut out and not allowed to cast a ballot for president. That is significant. I think it goes back to what are the reasons for imposing a barrier. What are the policy objectives? Again, they are there to prevent fraud and to carry out the administration of the election. Obviously, voters in this country have an obligation, a responsibility to come to the polls and carry out their civic duty. But these deadlines can be enhanced in a very secure and responsible manner, and we can provide the exact same safeguards and carry out the election without adding any additional irregularities.

**Assemblyman Hickey:**

Thank you.

**Vice Chair Flores:**

Mr. Anderson, you had a question?

**Assemblyman Elliot Anderson:**

I did want to note for the record that I am very familiar with this concept. In fact, I actually did register the same day in Wisconsin the first time that I registered to vote. I missed the 2000 general election by seven days. I did not know about the small town election that we had, and so if we would have had a 30-day deadline, I did not know about it until that day. I think I had every right to cast a ballot to speak with my voice for what I thought was right. Certainly, there were no barriers in the town that I grew up in to doing that. All I had to do was bring a copy of my parents' electric bill, show my driver's license and that was that. I did want to ask a quick technical question.

On page 3, paragraph (j), I was wondering what is "any other official document?" Can you tell me what you would envision that being, Mr. Secretary?

**Ross Miller:**

The language in this bill is pulled directly from another provision existing in statute, so this is a long-standing Nevada law in terms of the official document, which the county clerk deems, in their discretion, to be a true indicator of the residential address. I think this is abundantly clear, but just to reiterate, in order to be eligible to vote in Nevada you have to establish both proof of identity and residency, so this provision is a broad catch-all and would only apply to the articles that you could bring in to establish residency.

**Vice Chair Flores:**

Are there any further questions from the Committee? Obviously I am very supportive of both these concepts. I would like to talk about A.B. 441, which establishes the voting centers. Is that correct?

**Assemblyman Ohrenschall:**

Yes.

**Vice Chair Flores:**

I am of the opinion, that if a single person who wants to vote does not get to vote, we have not done our job as a government, considering the sacred nature of voting in this country. People have shed blood, lost lives, and gone to war, all to protect the right to vote and to participate in a democratic and representative government. Given the importance of the vote, I feel that it does not matter if it is 0.5 percent of the population or 30 percent of the population. If a single person does not get to vote, then we have not done our job. That is my opinion.

But I do have questions in terms of mechanically how this would work. For example, in A.B. 440, in section 1, subsection 2, it says, "an elector who is not registered to vote by the close of registration may register to vote on the day of the primary election or general election at any polling place designated pursuant to subsection 1 by the county clerk in the county where the elector resides." If a person is not registered, does this mean that they would have to determine where their polling location would be and then go there? Can you explain to me how that works?

**Ross Miller:**

Legally the way that the statute operates is that the county clerk would designate one or more polling places at which that same-day voter registration

could occur. Any elector would have to go to one of those locations. As a practical matter, from an administrative standpoint, the way we envision this operating is that A.B. 440 and A.B. 441 operate much in concert and work together. And so A.B. 441 would establish vote centers which are nothing magical. In fact, we are pretty familiar with them in this state. They are the same centers that exist during the early vote where you do not have to go to your assigned precinct and can go to any of those locations and be able to vote any ballot. By going to that voting center you would be allowed to register to vote and only then be able cast your ballot. It would not allow for same-day voter registration to be at every polling location throughout the state. These would be designated locations and only they would have the strict identity requirements as we have established under the law.

**Vice Chair Flores:**

So we would have the voting centers pursuant to A.B. 441, but then A.B. 440 provides for the ability to register up until the date of the elections. So what happens if we only pass A.B. 440 and not A.B. 441? Where would they register to vote, or vice versa? What if we have a bunch of voting centers but no ability to register that day?

**Assemblyman Ohrenschall:**

If Assembly Bill 441 were to pass and Assembly Bill 440 were not to pass, then the current registration deadlines would not change. There would still be the same deadline for mail-in, online, and in-office registration that we currently have. The only thing that would change would be that each county, if it wanted to, could establish one or more vote centers that would be very similar to the ones that we have down in our part of the state during early voting at the malls and the community centers so that people can vote, no matter what part of Clark County they are from.

**Vice Chair Flores:**

I understand. The voting centers allow people to vote outside of their designated polling place. Then A.B. 440 would essentially allow them to register up until the day of the election. You envision that if they can register up to the day of the election, they can go to these voting centers and register there. Is that right?

**Chair Ohrenschall:**

That is correct. And if A.B. 440 were to pass and A.B. 441 were not to pass, then people, starting in 2016, could register to vote on Election Day and vote at a voting center designated by the county. But as I understand it, only those people would be able to vote at that voting center. The two complement each other and if they were both to pass, which I hope the Committee would

consider, then I think you really have the right and left hand working together to help people turn out to vote.

**Vice Chair Flores:**

Thank you. Mr. Hickey, did you have another question?

**Assemblyman Hickey:**

Assembly Bill 441, on page 2, section 3, lines 12 through 20, deals with how a county selects the location for a voting center. The Leland Stanford Junior University did a study following the George W. Bush/Al Gore election that was so incredibly close in Florida. They found that the influence of a polling location on voting would be more than enough to change the outcome of a close election. I would be happy to share the study later, but are there any guidelines as to where those polling centers might be placed? Is it possible that they could be placed in locations that might be more advantageous to one political party over another?

**Scott F. Gilles, Esq., Deputy for Elections, Office of the Secretary of State:**

If I understand your question correctly, under A.B. 440, the designated place for same-day registration would be designated by the county clerk and then approved by the county commission.

**Assemblyman Ohrenschall:**

I know that in Clark County, the Registrar of Voters has a committee that looks over different sites for early voting and polling places. As far as I know, there have not been any problems or questions about the places selected in regard to favoring a particular candidate or a party.

**Vice Chair Flores:**

Do I have any other questions from the Committee?

**Assemblyman Oscarson:**

As I recall from your testimony, Secretary Miller, there are 11 states that currently offer same-day registration, is that correct?

**Ross Miller:**

I believe that is correct.

**Assemblyman Oscarson:**

And it goes back to 1974, in Minnesota where it started and then moves forward from there, correct?

**Assemblyman Ohrenschall:**

I am looking at the National Conference of State Legislatures website, and I believe that information is correct.

**Assemblyman Oscarson:**

Have there been any reports of voter fraud or other such problems occurring since this system was put in place?

**Ross Miller:**

I believe incidents of reported voter fraud in those jurisdictions are relatively rare. There is a statistically insignificant percentage of voters who register to vote, cast a ballot, and thereafter are determined to have been ineligible. Any instance of that occurring may be one vote too many, but that system is, again, much different than the proposal before you today. Instead of verifying a voter's identity and residency after the election as those 11 states do, we would do it before. You would be required to provide the documentation before you were given access to the ballot.

**Vice Chair Flores:**

As a reminder for those persons testifying, please state your name for the record, and I want to remind you that we do not have a lot of time, so please keep your comments brief. If you agree with previous testimony, you may simply state so.

**Marlene Lockard, representing the Nevada Women's Lobby:**

We are strongly in support of both measures.

**Vice Chair Flores:**

Thank you. Do we have any questions for Ms. Lockard? [There were none.]

**Keith Uriarte, representing American Federation of State, County and Municipal Employees Local 4041:**

*The Constitution of the United States* allows the states to set electoral policy and procedures. Assembly Bill 440 puts Nevada in the twenty-first century by eliminating the most common barrier to voting: registration deadlines. Voting day registration, with clear safeguards as A.B. 440 provides, allows for seniors who may have recently moved and veterans who have recently returned from active duty to register to vote and vote on Election Day. We support A.B. 440 and ask the Committee to do the same.

With regard to A.B. 441, the success of early voting at any location is proof that in a mobile society the requirement that a person must vote in his or her specified precinct or district is a requirement that must be changed for election

voting as well. Nevada has the opportunity to allow its citizens the ability to conveniently exercise their responsibility to vote at a location close to their employment, near their family members, or near their place of worship. We support A.B. 441 and ask that the Committee also support this bill.

**Vice Chair Flores:**

I want to thank you for reminding us that active military are obviously included in this. Oftentimes we forget that it is not up to people in the military if they leave or not, and if they miss those deadlines it certainly is not their fault.

**Gail Tuzzolo, representing the Nevada AFL-CIO:**

I would support this legislation wholeheartedly. As someone who has been helping people register to vote for most of my adult life, I find it very compelling to work towards preventing anyone from being disenfranchised. Several times each year I have this incredible opportunity to go to Eastern Europe and train women who want to run for public office. One of the many experiences I have had doing that constantly reinforces how lucky we are, especially in Nevada, to have the protections and the election system we have.

**Vice Chair Flores:**

Thank you. Are there any questions for Ms. Tuzzolo? [There were none.] I am going to alternate between Las Vegas and Carson City to try to allow everyone in both locations an opportunity to speak. We will begin in Las Vegas.

**Harvard (Larry) Lomax, Registrar of Voters, Clark County:**

I did submit an amendment, which I believe is available on NELIS ([Exhibit D](#)).

**Vice Chair Flores:**

Mr. Lomax, have you talked to the bill's sponsor about your amendment?

**Larry Lomax:**

I sent the amendment directly to Ms. Scholley.

**Vice Chair Flores:**

I am getting a head nod from Ms. Scholley that yes, the amendment was received and reviewed by Mr. Ohrenschall.

**Larry Lomax:**

Technology has progressed far enough along that for online voter registration during the last presidential election, within the ten-day in-office period; we did not experience the crush we had in the past. Therefore, from the Clark County perspective, we can support the extension of the in-office and the online period up to the last day of early voting.

I know several of the smaller counties may feel the strain, and I can certainly understand that. On the last day of early voting in Clark County, 47,000 people voted on that day alone, which is a tremendous drain on manpower. A smaller county may not be able to deal with both the close of registration and the last day of early voting at the same time.

As for as my amendment, I will not go through line by line, but I do strongly suggest, as I have proposed, that you delete the language that the county clerk shall select, with the approval of the board of county commissioners, the sites at which the county will set up the Election Day registration vote centers. I have done this for 16 years, and I have received a good deal of political pressure to shift sites around to one party or the other's advantage. As the Nevada statutes stand now, there is no place where the political officials can force us to grant favors to one side or the other, and I would hate to see that changed. I agree that we should brief the county commission and let them know what we are doing, but they should have no say in where a polling place or voting center is placed. In Clark County, we do have set standards by which we pick our sites, and those standards are essentially to provide every citizen an equal opportunity to cast their ballot throughout the county. We do put an intense amount of effort into that, and I would not like politicians to become involved. You could potentially run into all sorts of problems where incumbents running against outsiders are getting to pick the spots.

When they passed the Help America Vote Act, they instituted provisional voting because we did not have same-day registration. If A.B. 440 passes, we will have both provisional voting and same-day voter registration. States that had same-day voter registration were exempted back in 1993 when the National Voter Registration Act was put in, so they did not have to do provisional voting. There have been some questions about whether or not we could get rid of provisional voting if we institute same-day registration. It is my fervent hope that we can, since this additional requirement of same-day registration is going to place a significant demand on our manpower.

Assembly Bill 440 proposes that we institute this plan in two phases. First, in 2014 we would extend the in-office and online registration period to the last day of early voting. Second, in 2016 we would add same-day or Election Day voter registration. Our county would prefer to do it all in 2014. One thing we do not want is to implement Election Day voter registration during a presidential election since we do not know if we will have 500 or 50,000 people showing up to register. The ideal time to implement this would be during a nonpresidential election to give us the opportunity to work out any problems in the system.



There are statutes that must be addressed, but we did not have the time to put together proposed amendments that would cover all, such as how we are going to deal with sample ballots. Currently, the law says we will send sample ballots out to all registered voters before early voting begins, but if we are going to extend registration, we need to define how we are going to handle that.

Additionally, in A.B. 441 I believe there are a couple of minor points in the law that are going to have to be addressed because they are impacted by the change of registration. We will try to get those amendments to you just as soon as possible so that all parts of the law will interact correctly.

We do believe this can be done, and we certainly hope it does not have to be done with provisional voting continued. We have envisioned vote centers spread throughout the valley, equally accessible to all voters, and in those few remote places we have throughout the county, we would make it available so that all the people were equally served.

**Vice Chair Flores:**

Thank you. Regarding your comments about the needed amendments, I encourage you to work with the sponsor of the bill to address those. I have a question from Mr. Hickey.

**Assemblyman Hickey:**

With respect to same-day voting and the uncertainty of how many people, especially during a presidential election, might fall into this category, do you think this will have any impact on your ability to authenticate eligibility in either federal or state databases on the same day, with respect to qualifications such as felon status or legal status in some way or another?

**Larry Lomax:**

I do not want to mislead you. That is not going to take place on Election Day. We will identify the voter through the identification products that the voter brings to us, as the Secretary of State was indicating. We will then determine, based upon the address the voter provides us, assuming they are eligible to vote and it is a legitimate address, the precinct and therefore the ballot style that the voter would vote and then that voter would go vote it. They are not going to be processed into a database until after they have voted. So we are not going to know if they are a felon, for instance.

**Assemblyman Hickey:**

But will those registrants be looked at any differently, given the limits of time?

**Larry Lomax:**

Everyone who registers on Election Day will be entered into the database and checked, but it will take place after Election Day.

**Vice Chair Flores:**

Do I have any other questions for Mr. Lomax? [There were none.]

**Marla Turner, Private Citizen, Las Vegas, Nevada:**

I am here to state my support for both Assembly Bill 440 and Assembly Bill 441. I have submitted my official statement of support to you, which is available on NELIS ([Exhibit E](#)).

**Vice Chair Flores:**

Do I have any questions for Ms. Turner? [There were none.]

**Howard Watts, Field Director, Progressive Leadership Alliance of Nevada:**

We are in support of Assembly Bill 440 and Assembly Bill 441. The Progressive Leadership Alliance of Nevada (PLAN) supports the extension of voter registration deadlines for many reasons. Unlike legislators and those who expressed their opinions to them, the vast majority of voters are more disconnected from politics. They do not know about all the rules. Some people become engaged in the civic process as soon as they turn 18, but many others do not participate until a certain candidate or issue ignites their interest. They assume that they can vote when they are ready, that there is no advanced registration required. I am lucky enough to have as my job registering, educating, and mobilizing voters. I can tell you that I run into people in the field during the 20 days leading up to the election, and most tragically on Election Day, who want to vote but they are not registered. We hear stories at polling places of potential voters who entrusted a voter registration form to someone who, unlike our organization, was not diligent in turning those collected forms in. These people end up shocked on Election Day that they are now frozen out of the process. Finally, some people actually come to the wrong polling place and end up casting provisional ballots or having to trek to their former neighborhood and vote in districts that no longer represent them. The extensions in this bill would alleviate those problems. Just as Nevada has avoided scandal, despite being a swing state, by leading the way in election administration policies, this bill leads the way in how it would work with those registered on Election Day.

While we have some concerns about those without the required identification being unable to register on Election Day, this bill saves the clerks' time and taxpayers' money by allowing a significant portion of the voter identity and residency to be verified at the polls, before they vote. This is a smarter, more

secure policy that is linked to the technology that we now have available. Those shorter deadlines simply reflect the growing reality that, as we modernize our election system, we simply do not need the time windows that once justified the current laws. It is time to continue our leadership in election administration and to expand the security and accessibility of our elections. It is time to pass A.B. 440.

With regard to A.B. 441, Nevada has one of the best early voting systems in the country. We have accessible and convenient locations all over Clark and Washoe Counties where people can go and vote regardless of the precinct they are registered in, so long as it is within the county. These centers are connected, and as we saw so clearly last year, you cannot vote more than once. Sixty percent of the electorate took advantage of this more flexible method of voting in 2012, so why do we revert to a more rigid, inconvenient system on Election Day? This bill would create those same vote centers on Election Day. If people want to vote at their precinct, they still will be able to do so, but now people would have the flexibility to vote close to where they work, where they shop, where their family is, et cetera. And with the different schedules related to gaming and other industries that many of our residents face, we would no longer force people to have to be in their neighborhood between 7 a.m. and 7 p.m. to cast a ballot. The cost to run these vote centers would be offset in part by cutting down on precinct voting staff. We need an Election Day system that works for Nevada today. We need A.B. 441.

**Vice Chair Flores:**

Thank you, Mr. Watts. Are there any questions from the Committee?

**Assemblyman Hickey:**

Secretary Miller referenced that we have one of the most antiquated write-in systems. Has it been your experience, being involved with elections, that early voting in Nevada affords a whole range of opportunities for people that are not available in some states? In other words, does not early voting provide more opportunity and flexibility in terms of when people can vote, which is one of your concerns that this bill would address?

**Howard Watts:**

As I stated in my testimony, we have an amazing early voting system that is the envy of many other states in the country. The reason I believe we need these bills is because other elements, such as our voter registration deadlines and our Election Day system, are not up to the same modern and accessibility standards that the early voting system is. With the technology that we have available, it just makes sense that we bring those other aspects of our election system in line with our early vote process.

**Vice Chair Flores:**

Not seeing any further questions for Mr. Watts, I am going to move back to Carson City for anyone in support of A.B. 440 or A.B. 441.

**Danny Thompson, representing the Nevada State AFL-CIO:**

We live in a highly technological world, and there is no reason why we cannot do this. Nevada has an excellent early voting system and these voting centers and registration methods will go a long way to prevent disenfranchising a single person. Most people cannot tell you what precinct they live in. I represent over 200,000 workers in the state. Many of them, because of the economy, are not working in Nevada. We call these workers boomers, as they boom out to another state, are gone all week, and come home on the weekend. We represent the workers at the Nevada National Security Site and for those whose assignments are at the forward areas of the site, they are often there all week. Voting centers would be a great advantage and better for everyone. There is no question that we have the technology nor any question that we have the rules and system in place to protect against fraud. We support both bills.

**Vice Chair Flores:**

Are there any questions for Mr. Thompson?

**Assemblyman Hickey:**

Mr. Thompson, of those 200,000 members of your association, would you say there are many that are not aware of the various deadlines that they have in currently registering? I would imagine that they are probably very well informed.

**Danny Thompson:**

There are groups of people who are well informed and there are some who just take things for granted, and when you tell them that they have missed the deadline to register, they are shocked that there even is a deadline. When I went door to door at the time I ran for this office, I found myself explaining what a state assemblyman did to half of the people because they simply did not know. I think anything we can do to help them understand this process and make it easier is something that we need to do. As you stated, Mr. Hickey, early voting in Nevada is an awesome system. Replicating that for the general election only makes sense to me.

**Vice Chair Flores:**

I believe that the point of this bill, the spirit of this bill, is not to address whether or not we think someone is worthy of voting or what the qualifications of voting should be. The qualification of voting is that you are a U.S. citizen

and that is it. If you have been born in this county, or if you have passed the qualifications to become a naturalized citizen and therefore have acquired the rights that are bestowed upon citizenship in the United States, then that means you are qualified to vote. I just want to clarify here that these bills are not meant to address and/or express an opinion on what we think the qualifications of a voter should be. We know what those qualifications are: U.S. citizenship.

**Lonnie Feemster, Nevada State Director, National Association for the Advancement of Colored People National Voter Fund:**

We are involved in civic engagement in Las Vegas and in Reno during the election cycles. We do not do civil rights work, that is done by the Reno/Sparks Branch of the National Association for the Advancement of Colored People (NAACP) as well as the Las Vegas Branch of the NAACP. I did meet with the president of the Reno/Sparks Branch this morning and he, along with the National Voter Fund, supports these bills, A.B. 440 and A.B. 441. I did want to make a couple of points in particular about the sanctity of voting. For 18-year-olds, it took 40 years to get them the right to vote. Women had a little longer and harder struggle, and black people faced horrific opposition to their getting that right to express their responsibility as citizens. Assemblyman Hickey brought this up, and I think it is really important that we recognize the responsibility of citizens to vote. I think it is the moral thing to do to give that right to as many people as we can. It makes it easier for Nevada citizens to fulfill their responsibility as citizens and to follow the rules. Good governance, I believe, means good policy. It is easier for our citizens to express and fulfill their responsibility as a citizen, to fulfill their duty and show their loyalty as being part of a Nevada team selecting our politicians that run our government and provide laws. I think the government has the authority to set deadlines and we must follow them.

I also believe the more people that vote, the better our government will be. I think the expression of liberty is critical to maintaining a participatory democracy. I was cooped up for a week in a villa in a foreign country with a group of 18- to 34-year-olds who constantly got on me about why I do not throw away all my books, my thousands of books in the library and my hundreds of boxes and reams of paper. They all said, "You do not need them anymore. You need to modernize, everything is available." What I am seeing is that age group has now broken the trend of less participation and since 2000 is voting at a higher rate. So I have come to see why it is so important that we need to modernize our system and use the tools that are available. It is hard for me when I still have an 8-track tape player, but you guys can Google that.

**Vice Chair Flores:**

Seeing no questions, we are going to move back down to Las Vegas. I want to remind folks that we are short on time, so please keep your comments brief.

**Richard Boulware, representing the National Association for the Advancement of Colored People, Las Vegas Branch:**

We obviously support A.B. 440 and A.B. 441. I will not repeat all of the arguments made previously, but I did want to address some of the questions that Assemblyman Hickey had. Some of this information relates, for example, to a suit that had to be brought by the Las Vegas Branch of the NAACP, the National Council of La Raza, and the Reno/Sparks Branch of the NAACP, because the officials in this state were not actually providing to low-income people on public assistance the proper paperwork for registering to vote. As a result of that, and this is something these bills can address, approximately 20,000 people per year, over the past two or three years, were not able to register to vote at the sites they were required to go to daily for public assistance. That was in violation of law, which is the subject of the lawsuit. What I want to focus on is there continue to be barriers to registration for the low-income, elderly, minority, or physically challenged voters who are eligible to vote. As far as the NAACP is concerned, anyone who is eligible to vote should be able to vote. The question we should ask ourselves is what rational reason do we have for maintaining barriers at this point? The Secretary of State, the highest official with respect to elections, has clearly demonstrated the fact that we do not have levels of fraud, and if there are no rational reasons for these barriers, the continuation of these barriers only leads to, as Assemblyman Ohrenschall stated, disenfranchisement. The disenfranchisement occurs as a result of unnecessary and complicated procedures. For those of us who have means, we do not realize how difficult it can be to get to places where you would have to actually register to vote.

The last point that I would make would be with respect to felons. Sadly, more felons who are eligible to vote but do not vote is the trend in this state. It is not the case that you have large numbers, or any significant numbers of felons who are voting who are not eligible. That is something that we also want to remedy. I will end my comments there, and we support A.B. 440 and A.B. 441.

**Vice Chair Flores:**

We do have one question from Assemblyman Oscarson.

**Assemblyman Oscarson:**

Mr. Boulware, thank you for your testimony. You stated a figure in your testimony of 20,000 disenfranchised voters. Were you suggesting that there was an intentional breach of their right to vote?

**Richard Boulware:**

No, I was not suggesting that at all. I do not have the exact numbers, but I can send you a copy of the complaint that was filed and the federal lawsuit. What I was suggesting, and what we actually said in the lawsuit, was that this state had an obligation under federal law to provide an opportunity to register to vote to those individuals, and that it, in fact, had not complied with its federal obligation. As an example, even when we have laws and we have supposed opportunities, those opportunities do not always get to the most needy and most vulnerable in our population. But I was not suggesting that there was any intentional or conscious deliberate effort, because as far as I know, we have not received evidence of that, just the fact that still people are disenfranchised as a result of not following procedures.

**Assemblyman Oscarson:**

Were they not following procedures based on the fact that they were not provided the correct information, or following procedures based on they did not know how to do that? I am talking about any disenfranchised voter, and I assume that there is an ongoing lawsuit that you may or may not be able to comment on.

**Richard Boulware:**

No, I can comment on it. What I am saying is that the federal law requires state agencies, public aid agencies, to provide people an opportunity to vote, in part because their onus requirements placed upon them in terms of their daily schedule to receive the aid. The state had an obligation under the federal law to provide those opportunities specifically because of those requirements, and it had not done so, in our opinion. That was the subject of the lawsuit. The individuals who, in fact, were going to these sites were told that they would have the opportunity to be able to register to vote. When they arrived, they were not provided with the registration documents that they were to have been given as a result of them showing up at the aid agencies which they were required to do. That was the subject of the lawsuit, if that helps to clarify it. I am happy to submit to you individually more about the lawsuit.

**Vice Chair Flores:**

I am going close this line of conversation and if you want to continue discussing that lawsuit, you certainly may do so directly with Mr. Oscarson. I know that he does have another question concerning it, but I think that conversation is more appropriate off line.

**Jorge Adame, representing America Votes:**

America Votes is a nonpartisan organization that seeks to engage the public on issues important to our coalition and to increase access to the ballot.

With campaigning at its most intense during the final weeks of an election, A.B. 440 would allow Nevadans greater opportunity to access the ballot and participate in an election, thereby increasing voter participation and enfranchising Nevadans who are disproportionately affected by voter registration deadlines. A recent analysis shows that of all Nevadans that registered to vote online, and there were over 43,000 of them in 2002, 78.4 percent of them registered during the last month. Of those online registrants, 46.25 percent were under the age of 34, and I might add that 85.73 percent of online registrants actually voted in the general election. Additionally, a Massachusetts Institute of Technology and California Institute of Technology study shows some of the main reasons that people do not vote are because they did not meet the registration deadline or they did not know where or how to register. In 2009, 18.1 percent of African Americans and 16 percent of Hispanics cited missing the voter registration deadline for not registering and voting in the 2008 election. Assembly Bill 440 would eliminate any confusing or outdated deadlines associated with the registration process. I would urge your support.

**Vice Chair Flores:**

Seeing no questions from the Committee, I will ask the next person in Las Vegas in support of either A.B. 440 or A.B. 441 to come forward.

**Gary Peck, Executive Director, Nevada State Education Association:**

In the interest of brevity, and without wanting to repeat what others have stated, I will simply note that the Vice Chair stated eloquently and succinctly that if you are a citizen and you are of legal age, you are eligible to vote. Anything that removes impediments without increasing the likelihood of fraud is something that we all ought to embrace and support enthusiastically. That is certainly consistent with what our educators, 24,000 of them across the state, teach our kids when they teach them about the principles of democracy, how it is supposed to work, and the sanctity and responsibility of voting. We strongly support these bills, and we certainly do encourage this Committee to support the bills as well.

**Vice Chair Flores:**

Seeing no questions, I will ask if there is anyone else in Carson City who would like to testify in support of A.B. 440 or A.B. 441? I do not see anyone here in Carson City so I am going to go back to Las Vegas. Please note that I will allow seven minutes for supporting testimony.

**Sebring Frehner, Member, Nevada Education Coalition:**

My election experience has centered on getting voting booths set up on college campuses throughout Nevada during the last election. I worked with the county commissioners here in Clark County as well as with Mr. Lomax, and I would like



to support his comment that we should not give the commissioners too much power over the registrar of voters, nor the registrar of voters too much power over the placement of voting booths. I personally believe that the system they have worked out in the past was highly functional. There seems to be checks and balances in place right now that allowed for things to work the way they needed to. I also agree with Gary Peck's comments that if you are a citizen, we should not be placing impediments on your ability to vote.

**Vice Chair Flores:**

Thank you for your comments.

**Teresa Crawford, Private Citizen, Las Vegas, Nevada:**

I am a community activist in Clark County with a passion for citizen participation and the electoral process. Mr. Peck used a word I have in my comments, that it is incumbent upon our state government to identify and remove impediments to the right to vote while safeguarding election integrity. I have assisted hundreds of people in registering to vote and what I have noticed is that interest in voting increases about 30 days before an election, just when an opportunity to send a mail registration is cut off. While canvassing during Get Out the Vote, I have encountered dozens of people, if not hundreds, who would vote if they only could. And like Secretary Miller, I have encountered people who are emotional, even crying, coming up to me on the street asking how they can vote because they did not realize that we had that 30-day cut-off. It is a fact that is not widely known. Online registration is already popular and, as with early voting, it will gain in popularity year upon year. Now is the time to incentivize that online registration system by extending online registration until the Friday before the election. It is accurate, popular, and usable even by people with limited computer skills. Additionally, it will save time and money for data input within a county election department and will aid in cleaning up the rolls. I strongly support A.B. 440.

On A.B. 441, people are pretty much divorced from knowing where their precinct-based polling place is at this point. The City of Henderson uses vote centers for the municipal elections and has for years. They are very popular and you see them along the main thoroughfares. Everyone in Henderson is within a few minutes of a vote center. I strongly support establishing vote centers to help more people vote, whether or not they are near their home by 7 p.m. on Election Day.

**Vice Chair Flores:**

I do want to acknowledge that you also submitted a written statement ([Exhibit F](#)), which is available on the Nevada Electronic Legislative Information System (NELIS).

**Frank Hawkins, representing National Association for the Advancement of Colored People, Las Vegas Branch:**

We have six other people from the NAACP here in support of these bills, but due to your limited time, we will not have them come up and speak. We do support the comments of Mr. Boulware on [A.B. 440](#) and [A.B. 441](#).

**Vice Chair Flores:**

I do want to let people know that we have the sign-in sheets from Carson City and Las Vegas which note your names and whether you are in support, opposition, or neutral to these bills. These sign-in sheets will be part of the official record.

We have received written comments in support of [A.B. 440](#) and [A.B. 441](#) from Yvanna Cancela ([Exhibit G](#)) and the NAACP Reno/Sparks Branch on behalf of President Jeffrey Blanck ([Exhibit H](#)), those also have been submitted and are available on NELIS.

We are going to move to those who are in opposition to the measures.

**John Wagner, representing the Independent American Party:**

On [A.B. 440](#), if you have a driver's license in Nevada and you go in to renew it or get a new one, the DMV will ask you if you would like to register to vote. I personally have participated in many registration drives and I believe the penalty for not turning in the forms is a felony. When I work on a voter registration drive, I always take the completed form and give the person a receipt. I let them know that they should get a postcard from the registrar of voters saying that you are registered, and if they do not receive that card they are to call the clerk's office and give them the number and find out where that registration card is. I would like to see a photo ID required for all voters.

As far as [A.B. 441](#) is concerned, a registered voter will receive their sample ballot in the mail, and it is clearly noted on that ballot where your polling place is. Additionally, if you are not going to be here on Election Day you can ask for an absentee ballot. Personally I believe it would be an inconvenience to have voting centers, and where would they be placed if we had them? For instance, if you have one in Lyon County, where exactly in the county would you put it?

**Vice Chair Flores:**

I do not see any questions, Mr. Wagner. Thank you for your testimony.

**F. Steven Donahue, Budget Chairman, Nevada Republican Party:**

I wanted to point out to you that the Nevada Republican Party platform specifically addresses the issue of voter eligibility. We first of all advocate proof

of U.S. citizenship and residency. There was a comment made earlier that you only had to be a U.S. citizen to be eligible, but you must also be a citizen of Nevada to vote in this state.

We also believe that we should have voter identification at the time that you register, a picture ID. We also believe that we live in a constitutional republic, not a democracy and therefore the rules of law protecting both the majority and the minority should always be in effect. We have seen evidence of voter fraud and in fact in the most recent presidential election, I remember the news reporting that 111 percent of the registered voters in a district in Cleveland, Ohio had voted. So there is a risk of voter fraud involved in this. We urge you to leave the laws the way they are. A person can register up to three weeks before the election, which will give the county registrars the chance to determine whether the voter is a felon before they vote, and if they are eligible to vote.

**Vice Chair Flores:**

I want to note for the record that we use the term evidence rather loosely, and there actually has been testimony from the Secretary of State and many others, not just in this session but in prior sessions as well, that there is no evidence of voter fraud in Nevada. I do not know about the news reports from other states or other jurisdictions, but it is my understanding that across the country there is no evidence of rampant voter fraud, which is actually a very rare occurrence. Those are the facts that I have come upon in my research. I just want to be very clear about that because if you do have real evidence of voter fraud occurring in Nevada, we would certainly like to see it. Not just news reports from some place in the country.

**F. Steven Donahue:**

Fair enough. The other point is that there was a good deal of what I would call bleeding-heart testimony that a person missed the deadline. I want to confess to you, Vice Chair Flores, that the other day I forgot to mail in my car registration renewal and it cost me an extra 25 percent because there is a penalty for not living up to your obligations as a citizen in Nevada.

**Vice Chair Flores:**

Interesting comparison. Mr. Anderson do you have a question?

**Assemblyman Elliot Anderson:**

In Nevada we do have a good turnout of the people who are registered, but when you look at the percentage of eligible voters and U.S. citizens that are not voting, that number seems small. I realize we do live in a democratic constitutional republic, but how do we know what the majority or minority

is if we have such a low percentage of our citizens who are eligible to vote actually voting because of restrictions that we put in.

**F. Steven Donahue:**

I cannot address that specifically, but I can say that is why the state has set up penalties for not doing certain things on time and the federal government has the same thing. If a person is really interested, they are going to register to vote and three weeks is plenty of time. Otherwise we have no way of checking who is voting. I guess that does not bother some of you, but it bothers me.

**Assemblyman Elliot Anderson:**

I registered the same day in Wisconsin, so you are basically telling me that I should not have been able to vote.

**Vice Chair Flores:**

I do not want a back and forth about this. Thank you Mr. Donahue and Mr. Anderson.

**Lynn Chapman, representing Nevada Families for Freedom:**

Speaking of Wisconsin, they do have same-day voter registration, and in the 2008 election there were 62,000 voters who registered on Election Day alone in the City of Milwaukee. How many of those registrations were actually legitimate, we do not know, but all of their votes were counted. I would like to say that we have 365 days in a year, and not every year is an election year. Seems like that is a lot of time to figure out whether you want to register to vote or not. If you need to find out if you are registered, you can pick up the phone or you go online. There are plenty of ways to register to vote. You can register to vote online, in person at fair or trade shows, and at senior centers. If you are low income there are plenty of places you can go. Senior centers are usually centered in areas that people can actually walk to.

I did want to bring up something about A.B. 440. On page 2, line 35, it talks about bringing documents to establish residency and it mentions utility bills. In 2008, my daughter worked for a grocery store helping people who came in to pay their utility bills. One month, I did not receive my utility bill and I called NV Energy and they told me that I had called in and changed my address. I said no I did not. When my daughter got home from work I told her about it and she told me at least 50 people had come in to the grocery store in the last two weeks and their addresses had been changed as well. I brought this information to 2009 Legislature, and I remember Senator Raggio was writing furiously as I was speaking. It turned out there were several people, not just at this one store, but many places, that were having the same problem.

It is possible there is a problem with people stealing addresses. On A.B. 441, I remember hearing in 2008 how in Las Vegas there were polling places set up in the casino areas, and I am concerned about that as I believe that is the wrong environment for a polling place. We are against these bills.

**Vice Chair Flores:**

I do not see any questions for Ms. Chapman. Will the next person please come forward?

**Vanessa Spinazola, representing the American Civil Liberties Union of Nevada:**

Usually we are in support of this type of bill but, under the rules, we have a couple of areas of concern. We had a substantial amount of internal dialogue about these bills at the American Civil Liberties Union (ACLU) of Nevada offices so that is why we are a little late coming to the table.

In reference to A.B. 440, our only concern is with the photo identification. Current Nevada law, *Nevada Revised Statutes* (NRS) 293.2725 requires that you can use photo identification or a utility bill. Our suggestion, in contrast to the other persons in opposition today, would be to combine sections 4 and 5 of the new language and to have the "or" like we see in the current statutory language. This has to do again with the disenfranchisement that most of the testifiers were talking about today in support. That is our main concern with A.B. 440.

In regard to A.B. 441, because this basically establishes new procedures for Election Day, and it is only for one or more vote centers, we want to make sure that all the American with Disabilities Act guidelines are in the statute. We would not want to leave it up for regulation. I believe this would be in response to Assemblyman Hickey's comments about county commissioners and even some of Mr. Lomax's concerns as well. We would also like to ensure that polling places are located on accessible public transit routes.

**Vice Chair Flores:**

Are there any questions for Ms. Spinazola? [There were none.] I encourage you to continue working with the bill's sponsor on your suggested amendments.

**Carolyn Howell, representing Nevada Legislative Affairs Committee:**

I have been very active in the registration and election process here in Carson City for several years. I have worked very hard in turning out our voters, working voter registration drives, and I know that we have done an excellent job in giving people the opportunity to vote. I am in favor of part of A.B. 440. I do not have a problem with the technology that has been developed for

registering voters online. I think the voting centers, as noted in A.B. 441, would work, as we in Carson City have two centers for people to go to. I do not have a problem with that. However, in the last session, you had Assembly Bill No. 108 of the 76th Session, which was essentially the same thing, same-day voter registration. There was a major drive against that bill and it never saw the light of day. I provided for this Committee a set of documents that showed it was not difficult to forge utility bills and to take a driver's license and walk in to seven different counties and vote on the same-day. In fact the materials I provided the Committee showed that I even had an hour for lunch, and I believe we would have had time for dinner. My fear with A.B. 441 and same-day voter registration is that we would be opening it up to potential fraud because it is accessible and it can be done. I think I showed that with the package that I handed out in last session. I love the fact that we get people out to vote and the more that we can do to get them registered and out to vote, the better. But there has to be a point where our county clerks can take the documentation that they have received and be able to verify the county the person lived in three days ago or a week ago, and know if that person received an absentee ballot or if they went to vote early so we can prevent them from coming over here and voting a second time. You cannot do that all in one day.

My only other point is that Senate Bill 303 is now before this Legislature and would establish a driver's privilege card for illegals. It is going to have a picture and it is going to have a signature. Is that going to be enough documentation for them to register to vote? That is my main concern.

**Vice Chair Flores:**

Thank you for your comments. I do not see any questions.

**Janine Hansen, representing the Nevada Families for Freedom:**

My concerns have almost all been addressed. I would address one thing that the ACLU stated. I would oppose any amendment to remove the photo identification requirement from the bill, should it be passed. I believe that the Secretary of State stated during his testimony that the photo identification would help to prevent voter fraud. In Assembly Bill 440, on page 2, line 27, it states, "Any other form of identification issued by a governmental agency which contains the signature and physical description or picture of the elector." We know that S.B. 303 for a driver's privilege card will probably be going through, and I just want to make sure that there is some allowance that would not be acceptable.

**Vice Chair Flores:**

Thank you. I have a comment from Assemblywoman Kirkpatrick.

**Assemblywoman Kirkpatrick:**

I want to squash all thoughts that the driver's privilege card may be used for identification. I personally met with the people from Utah where it is currently being used very successfully. It was made quite clear, and you will see pictures when this bill is heard, that the card delineates it is not to be used for any type of identification. I believe the bill is being heard this week and you will be able to see the images or mock-up of the card. I just want to make sure the record does not get muddied.

**Vice Chair Flores:**

Thank you, Assemblywoman Kirkpatrick.

**Janine Hansen:**

Assemblywoman Kirkpatrick, I very much appreciate your sharing that information. I was in another hearing when S.B. 303 was presented and was not able to go to that hearing. So I appreciate your clearing that up for me very much. But I still have problems with this bill on the same-day voter registration and everyone else has mentioned my concerns.

**Vice Chair Flores:**

Thank you, Ms. Hansen. We will go to Las Vegas next.

**Annette Teijeiro, Private Citizen, Las Vegas, Nevada:**

I do have some concerns with A.B. 440. I want to encourage the use of technology to enhance our voting system, but I am concerned about maintaining voter integrity. I am concerned that if people have a language, cultural, or financial barrier that prevents them from properly registering to vote, then these same people may be easily manipulated to vote in a way that will hurt them because of their difficulties.

Nevadans are entitled to timely results for their elections and having people register and vote on the same day creates logistical problems such as how to verify their eligibility and when that verification will occur. Such constraints could lead to reporting incorrect numbers to the media which Secretary of State Ross Miller would have to correct because post-election verification found that X number of people were not eligible electorates. And that would be a shame for us to have to do that.

Personally, I am offended that we do not give the poor and elderly their due and credit. I know many poor individuals who are registered to vote. I also know many elderly voters who are very familiar with absentee and mail-in ballots. To think that these people are somehow disenfranchised and using them as a statement to change to same day is not representing them with respect.

**Vice Chair Flores:**

Are there any questions? [There were none.]

**A.P. Clark, Private Citizen, Las Vegas, Nevada:**

I oppose A.B. 440 because I believe it causes more complications than we already have in regards to voter fraud, citizenship, and residency. I have heard statements that there is no evidence of voter fraud. I would like you to know I do not trust the people that say there is no evidence of voter fraud. I do not see any serious survey that is bipartisan to show both sides agree there is no evidence of voter fraud. I also want to say that Minnesota was cited. Please do not cite Minnesota, my home state, for good news on same-day voting because there is plenty of fraud in Minnesota.

**Vice Chair Flores:**

Thank you.

**Mitra Akhavan, Private Citizen, Las Vegas, Nevada:**

I am opposed to A.B. 440. Please consider this. If people can do same-day voter registration and the validity of their votes will not be assessed until after the election, consider the situation if the number of invalid votes sways an election one way or the other. Depending on their biases, the people verifying these same-day registration votes may decide to look the other way or possibly be threatened by candidates, campaigns, or special interest groups to either validate or invalidate those votes. As you know, elections can get dirty. You may try to solve one problem with this bill and end up creating another one by endangering the integrity of the results.

**Vice Chair Flores:**

Thank you, Ms. Akhavan. I do not see any questions.

**Mark Howells, Private Citizen, Henderson, Nevada:**

I appreciate the Legislature's desire to further enfranchise people, but I am a little concerned there does not seem to be the same gusto to ensure voter integrity. Denying the possibility of voter fraud is the equivalent of condoning it. As long as people commit crimes against each other, or husbands or wives cheat on each other, fraud will be a possibility. [Read from prepared text ([Exhibit I](#)).] I have to disagree with Mr. Lomax in that if you do not have the opportunity to check these registrations and see that they are valid before the votes are cast or counted then you are asking for fraud. I ran a polling place in California for ten years and we had provisional ballots, which I think is the solution to the problem. If someone wants to register three weeks prior to an election or less, have him cast a provisional ballot that it is only counted when the registration is deemed valid.



**Vice Chair Flores:**

Thank you.

**Mary Rooney, Private Citizen, Las Vegas, Nevada:**

I am opposed to these bills for the reasons that have already been stated so I will not repeat them, but I will bring up one situation that I think is possibly quite common here in Nevada. When my husband and I bought our home here, we also had a home in Chicago. It would have been easy for us to use a utility bill here to register to vote and then to vote in Illinois. We have since sold our property in Chicago and we never did exercise that option, but I do know of people who have. There are many snowbirds in the United States, but particularly in Las Vegas, and some people have said to me that they were actually told it was okay to register in both places.

**Vice Chair Flores:**

Thank you. Is there anyone else in Las Vegas in opposition to A.B. 440 or A.B. 441?

**Victoria Dooling, Private Citizen, Las Vegas, Nevada:**

I just want to say I agree with all that has been said by persons in opposition to these bills. I have been involved in voter fraud issues and there is voter fraud here in our state. I oppose same-day voter registration because it will allow people from nearby states to cross over state lines and come here and register with fictitious paperwork and be able to vote.

**Vice Chair Flores:**

Thank you. I do not see anyone else in opposition to A.B. 440 or A.B. 441. We will move on to neutral testimony. Do we have anyone neutral to these two measures?

**Alan Glover, Clerk/Recorder, Carson City:**

I wanted Mr. Lomax to present his amendments to A.B. 440 before I spoke because we are in support of those and two items in particular. First, we believe it would make for a very political situation to have the county commissioners have a say as to where those polling sites are. Second, if we are going to do this, I think, as clerks, we would just as soon do it all at once. Let us do it all in 2014 and see how it works.

On Assembly Bill 441, I had an amendment drafted but did not send it in. I truly believe you are overcomplicating the issue. My suggestion is to take out the language in section 2, that says, "the county clerk may establish one or more polling places in the county where a person entitled to vote in the county by personal appearance may do so." Then just say all the provisions

of Title 24 shall apply and the Secretary of State will adopt regulations. These voting centers, which I am very much in favor of, are no different than any other polling place. All the publication requirements are still there, the notices, the sample ballots, poll watching, closing/opening, everything is already there, why reinvent the wheel? I think you could have a lot cleaner bill.

I also believe that the two bills, A.B. 440 and A.B. 441, definitely need to go together. My only other comment is there has been discussion about the only requirement that you have to vote in this state is that you are a U.S. citizen. That is not correct. One of the issues we have is that the *Nevada Constitution* requires you to live in your district 30 days before the election. I do not think anyone should be lulled into the idea that if they come in on Election Day to register and vote and bring in an out-of-state driver's license, they are automatically able to do so. The law does not say a Nevada driver's license is required, it simply says a driver's license. So if you come in with an out-of-state driver's license and a receipt from the Motel 6 and say you just checked in a couple of hours ago, you may not be entitled to vote in our state. And I do not want people to get the idea that just because it is same-day registration that you are entitled to vote in any jurisdiction. Those provisions are in there for pretty important reasons so that you do not have people flooding in like they did in Oregon with Bhagwan Shree Rajneesh and taking over a whole county and bankrupting it.

I would very much like work with the Chairman, the Committee, Mr. Lomax, and the other clerks to put together some technical amendments to the bills.

**Vice Chair Flores:**

Just to be clear, you are testifying in a neutral position, correct?

**Alan Glover:**

We are in a neutral position, yes.

**Assemblyman Hickey:**

If someone comes with a license from outside of the state, and he may legitimately be living in Nevada but just has not had time to get his Nevada license, what is your criteria in terms of the other identifying documents that he needs to prove to you that he has been here 30 days or more?

**Alan Glover:**

As it has been pointed out, you must prove who you are and where you live. To us, where you live is more important because we are finding a lot of people are registering to vote here in Carson City but they do not live here. I believe they are doing it for tax purposes. They are trying to escape California taxes for

whatever reason, so they establish a fictitious address or identity here in the state. These individuals bring in a utility bill or a rent receipt to establish their residency. It is not so bad if you get a rent receipt on a house, but we get several of them from recreational vehicle (RV) parks. In fact, we are looking into one right now where they registered online using the RV park as their home address. We sent them their voter registration card, and it came back as undeliverable. Our office called the RV park and that person never lived there. That is the kind of issue that we are trying to solve. We want to make sure that they are qualified voters and encourage those people to get registered.

**Assemblyman Hickey:**

Then proof of residence may be the red flag that could allow a subjective decision, not necessarily their driver's license. In other words, you could not discount him because he has a California license since he may not have gotten around to getting the Nevada driver's license but he has been living here. So that is a higher form of identification than Nevada-issued license or identification card.

**Alan Glover:**

Government issued identification is always preferred, but we have registrants who do not clear through the DMV database, usually because of their address. When that occurs, we send them a questionnaire and ask for additional proof of residency. In those instances we do not want to see their driver's license, because the driver's license has the bad address on it. They may or may not live there, but the address used meets the DMV's criteria as a legitimate address, but it could be a commercial building or a fictitious address which the DMV is not equipped to check. In those cases, we want them to prove to us where they live and a utility bill works well.

**Vice Chair Flores:**

Thank you.

**Tom Lahey, representing Nevada Legislative Affairs Commission:**

I am a little bit confused about the text on page 3, lines 20 to 32 of A.B. 440. It appears you are striking out an entire paragraph. Is there any explanation for that at all?

**Vice Chair Flores:**

I cannot give you any clarification as to the language in the bill, you will have to speak to the bill's sponsor.

**Tom Lahey:**

On page 3, line 1 of A.B. 440, it uses the term "paycheck". I do not understand how a paycheck can be used as proof of identity.

**Vice Chair Flores:**

Again, I would direct you to the bill's sponsor for clarification.

**Tom Lahey:**

I would object to that line.

**Vice Chair Flores:**

Then you are in opposition to this bill.

**Tom Lahey:**

To that one line. I think the intent of the bill is very good but there is some cleaning up that needs to be done.

**Vice Chair Flores:**

We appreciate your comments and I would encourage you to speak to Mr. Ohrenschall about the specific language in the bill.

I am going to close the hearing on A.B. 440 and A.B. 441. We actually have one more bill, Assembly Bill 442. Mr. Ohrenschall, I will remind you that we have approximately 20 to 25 minutes for your presentation on this bill.

**Assembly Bill 442: Revises provisions relating to campaign practices.  
(BDR 24-816)**

**Assemblyman James Ohrenschall, Clark County Assembly District No. 12:**

Assembly Bill 442 stems from an earlier hearing that we had at the beginning of the session on Assembly Bill 35, when we discussed candidates being able to wrap up a campaign. Specifically we talked about the first-time candidate who decided that politics was not for him, or he lost the primary. It could even be a candidate who had to leave the state and failed to file their contributions and expense (C&E) report with the Secretary of State's Office. There was testimony here in Carson City and several emails that I received about persons trying to apply for a waiver for those very late reports because they did not realize they were even required to file the report. I spent some time researching the statute and looking at the *Nevada Administrative Code* and that was the genesis of Assembly Bill 442. It suggests some alternatives that the Secretary of State might consider in terms of waving a civil penalty that would be assigned pursuant to subsection 3 of *Nevada Revised Statutes* (NRS) 294A.420. Currently, there are regulations and NAC 294A.097 which govern

this; however, it requires an extreme hardship in order for someone to qualify. This bill does not mandate that the Secretary of State would grant any waivers, it simply provides some options that the Secretary of State could consider.

**Vice Chair Flores:**

Do I have any questions for Mr. Ohrenschall?

**Assemblywoman Kirkpatrick:**

This bill would not go into effect until the next election cycle? If it is effective as of July 1, 2013, what about the people from this last election who have not filed? What about those in the recent municipal elections? I do not think we should change the rules for them.

**Assemblyman Ohrenschall:**

I believe that municipal candidates file their reports with the city clerk and that would not be subject to the Secretary's potential fine, but I might be incorrect on that.

**Vice Chair Flores:**

It is good to clarify that because this bill does only apply to the Secretary of State and the candidates who have to register with the Secretary of State's Office.

**Assemblyman Ohrenschall:**

My goal was not to touch city elections. If I am incorrect, hopefully I will be corrected by one of the speakers that come up later on.

**Vice Chair Flores:**

Are there any further questions? [There were none.] Is there anyone in support of the measure who would like to speak?

**Janine Hansen, representing the Nevada Families for Freedom:**

I wanted to let Assemblyman Ohrenschall know how much we appreciate his bringing this bill. It was our testimony that prompted him to investigate and eventually draft the bill. Back in 2002 when Dean Heller was the Secretary of State, we had people who were confused about the law because it did not make it clear if they had to file if they spent less than \$100. Some of those people received fines as large as \$65,000. One of them still owes that amount plus has almost \$80,000 in attorney fees. This is completely unreasonable for someone who did not even spend \$100. They were first-time candidates. There are a lot of mitigating factors and inadvertent circumstances that arise, especially for new candidates, and the Secretary of State is completely unable to have any leeway to make any reasonable decision.

So we currently support this bill and appreciate Assemblyman Ohrenschall for bringing it forward. We think it will bring an element of reason to the whole process without penalizing people who have done nothing to harm anyone.

**Vice Chair Flores:**

I tend to agree. Thank you, Ms. Hansen.

**Lynn Chapman, representing the Nevada Families for Freedom:**

I am really very glad that this is being brought forward. One of my friends did run for the first time in 2002. She did not raise \$100. She did not spend \$100. She did not do the paperwork because she believed she did not have to and she ended up having a \$15,000 fine and a few years later she was assessed another \$11,000 in penalties. She has been devastated by this.

**Vice Chair Flores:**

I have a comment from Assemblyman Anderson.

**Assemblyman Elliot Anderson:**

I wanted to say that I like this bill. It is a fundamental right to run for office, to petition your government. For those average persons that maybe do not know about all the various campaign reporting requirements because they are just starting out and are not professional campaign operatives, I believe we should do whatever we can to make it easier for people to exercise that fundamental right.

**Vice Chair Flores:**

Thank you. Is there anyone else who would like to testify in support of A.B. 442?

**John Wagner, representing the Independent American Party:**

Many of our candidates have been hit with fines for not reporting as required, and so I am obviously in favor of this bill. I liked what Mr. Anderson had to say, and I appreciate Mr. Ohrenschall for bringing this up.

**Vice Chair Flores:**

Is there anyone else who would like to speak in support of the measure? [There was no response.] I will move to hear from those in opposition to A.B. 442. [There was no response.] Is there anyone who is neutral that would like to speak?

**Scott F. Gilles, Esq., Deputy for Elections, Office of the Secretary of State:**

We are officially neutral on this bill. As you have heard me state in previous hearings, this is a policy decision for the Legislature to make as to how we are to enforce these penalties that are laid out in respect to the C&Es. I have heard the stories on many occasions in these hearings, so I will not try to rebut some of the, what I would say are, mischaracterizations as to what has happened in the past with some of the individuals and the anecdotes you have heard about penalties. If you have any questions, I can show you our correspondence files as well as the legal files from the Attorney General's Office and the courts detailing what had actually transpired. With respect to this bill, it will definitely give us more flexibility on how we handle these penalties. To clarify, this bill would only apply to the penalties that are applied to a candidate or public officer based on the specific penalty schedule for filing C&Es late. It would not apply to more general and potentially larger infractions of NRS Chapter 294A, such as receiving a contribution in excess of \$10,000. It only applies to the penalty schedule that applies to the C&E report, which stipulates that for each report that is past due there is a daily penalty schedule that can reach a maximum of \$5,000 per report. That is why you heard testimony from candidates in previous election cycles that had a \$15,000 penalty. They either did not file any C&E reports or they filed all three well past the deadlines which created the \$5,000 penalty each.

This bill would afford the Secretary of State's Office certain flexibility or discretion when handling these instances in the future. Discretion is not always a good thing. This will make it very difficult for us to treat everyone uniformly. The bill potentially creates a situation where a future Secretary of State, not Ross Miller, could potentially use this to his or her advantage to treat one party differently than another party. There is still a regulation in place which clearly defines what must be established for good cause, and I have that regulation in front of me. There are essentially six different ways that someone can establish good cause for the waiver, such as financial hardship, sickness in the family, military obligations, and similar items. Currently, we simply require documentation to prove one of the six reasons before we grant a waiver. We do exercise our right to discount penalties that come our way. Typically those are with people that do not require us to send their file to the Attorney General's Office or can work with us and agree in writing to some sort of payment plan that works for them. I just wanted to provide you with some background on how we handle these cases. Again, it is your decision but with flexibility comes difficulties.

**Vice Chair Flores:**

I just want to warn everyone that we have to leave this room in three minutes in order to make the mandatory floor session at 5 p.m. Let me ask: what

makes better sense—having your office make these decisions based on regulations, or our defining "good cause" within statute as opposed to adding this new section?

**Scott Gilles:**

Which one makes more sense? I think anytime you put something in the statutes it is obviously a little more permanent. I think the examples of what constitutes good cause are a bit more black and white in the regulations than the factors we would be able to consider for waiving a penalty that is proposed in this bill.

**Vice Chair Flores:**

Thank you, Mr. Gilles. I have a question from Mr. Anderson.

**Assemblyman Elliot Anderson:**

I understand you are worried about potentially arbitrary or capricious decisions in the future. If we established guidelines or parameters regarding candidates that raised \$100,000 versus one that raised only \$200. Would that help you? I think it would cover more of the situations that Ms. Hansen and Ms. Chapman were talking about.

**Scott Gilles:**

I think that is one way of handling this, to deal with some of these inequities that we are talking about with candidates that do not have a lot of experience. I believe what you are suggesting is some type of sliding scale based on the amount of money raised and/or spent. I think that is something that can be examined down the road. Again, I believe it would be up to this body to determine what those appropriate scales are. Our office would then be able to point and say, "you fall into this category because you spent X amount of dollars, here is your penalty." That would make it much easier to enforce.

**Vice Chair Flores:**

Are there any questions for Mr. Gilles or Mr. Ohrenschall? [There were none.] I am going to close the hearing on A.B. 442 and invite Mr. Ohrenschall to join us back on the dais. I will open the meeting to public comment if we have any.

[Chair Ohrenschall resumed the Chair.]

**John Wagner:**

Former Assemblyman John Marvel recently passed away and I wanted to let you know that there will be a memorial service on April 19 at Capital Christian Center at 1 p.m.



**Chair Ohrenschall:**

Thank you, Mr. Wagner, for sharing that information with us. Is there any other public comment? [There was none.] I will adjourn today's hearing of the Assembly Committee on Legislative Operations and Elections [at 4:51p.m.].

RESPECTFULLY SUBMITTED:

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Karen Pugh  
Committee Secretary

APPROVED BY:

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Assemblyman James Ohrenschall, Chair

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

**EXHIBITS**

**Committee Name:** Committee on Legislative Operations and Elections

**Date:** April 4, 2013

**Time of Meeting:** 2:40 p.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
A.B. 350	C	Susan Scholley	Work session document
A.B. 440	D	Harvard (Larry) Lomax	Proposed amendment
A.B. 440 and A.B. 441	E	Marla Tuner	Statement in support
A.B. 440 and A.B. 441	F	Teresa Crawford	Statement in support
A.B. 440 and A.B. 441	G	Yvanna Cancela	Statement in support
A.B. 440 and A.B. 441	H	Jeffrey Blanck	Statement in support
A.B. 440 and A.B. 441	I	Mark Howells	Statement in opposition