

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

**Eighty-second Session
May 16, 2023**

The Senate Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 3:36 p.m. on Tuesday, May 16, 2023, in Room 2149 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator James Ohrenschall, Chair
Senator Skip Daly, Vice Chair
Senator Heidi Seevers Gansert
Senator Lisa Krasner

COMMITTEE MEMBERS ABSENT:

Senator Nicole J. Cannizzaro (Excused)

GUEST LEGISLATORS PRESENT:

Assemblywoman Tracy Brown-May, Assembly District No. 42
Assemblywoman Brittney Miller, Assembly District No. 5

STAFF MEMBERS PRESENT:

Nicolas Anthony, Policy Analyst
Jeff Koelemay, Counsel
Barbara Young, Committee Secretary

OTHERS PRESENT:

Emily Persaud-Zamora, Silver State Voices
Athar Haseebullah, American Civil Liberties Union
Izack Tenorio, Campaign Legal Center
Jagada Chambers, Silver State Voices
Douglas Goodman, Nevadans for Election Reform
Amy Koo, One APIA Nevada

Senate Committee on Legislative Operations and Elections
May 16, 2023
Page 2

Jennifer Willett, All Voting is Local Action
Nicholas Shepack, Fines and Fees Justice Center
Antonio Ramirez, Make the Road Nevada
Dakota Hoskins, Service Employees International Union 1107
Jovan Jackson
Aria Flores
Brian Harris, Battle Born Progress
Jessica Munger, Silver State Equality
Yesenia Moya
Cassandra Charles, Progressive Leadership Alliance of Nevada
Sarah Rojas
Jonathan Bush
Alvin Chan, Native Voters Alliance Nevada
Dora Martinez, Nevada Disability Prevention Coalition
Davis Huskon, Las Vegas Indian Center
Shanika Cooper
Quentin Savvoir, NAACP, Las Vegas Branch
A'Esha Goins, NAACP, Las Vegas Branch
Linda Stout, Sierra Club
John Piro, Clark County
Lynn Chapman, Independent American Party of Nevada
Barbara Jones
Lisa Partee
Ellen Gifford
Leslie Quinn
Cyrus Hojjaty
Jamie Rodriguez, Registrar of Voters, Washoe County
Ashley Kennedy, Clark County
Mark Wlaschin, Deputy for Elections, Office of the Secretary of State
Daela Gibson, Planned Parenthood Mar Monte
Ashlee Cooper, Opportunity Village
Mary Ramos, All Voting is Local Action
Katrin Ivanoff
Jim DeGraffenreid, Nevada Republican Party
Serena Cardenas
Stephanie Kinsley
Katherine Neilsen

Senate Committee on Legislative Operations and Elections
May 16, 2023
Page 3

CHAIR OHRENSCHALL:

Today we will be hearing two bills. We will begin with Assembly Bill (A.B.) 286.

ASSEMBLY BILL 286 (1st Reprint): Makes various changes relating to elections.
(BDR 24-530)

ASSEMBLYWOMAN BRITTNEY MILLER (Assembly District No. 5):

This measure expands access to the voting process for individuals in the custody of a county or city jail. Our democracy is strongest when every voter can participate in the electoral process. It is difficult for certain groups of voters, specifically those in the custody of a county or city jail. The distinction between jail and prison is important to note. Prison is where those convicted of a felony will serve out their sentence. That sentence can be from one year to life without parole, meaning this person may never leave prison. Jail is a temporary place where most people in custody are awaiting trial.

According to the Prison Policy Initiative, approximately two out of three people in the U.S. jails are awaiting trial and have not been convicted. Thus, they have the right to vote. Some people in jail may never be convicted of a crime because their case may be dismissed, or they can stand trial and be acquitted. Others are serving time for misdemeanor offenses which may be less than one year. In Nevada and 43 other states, this does not impact individual eligibility to vote. Nevada only prohibits persons convicted of a felony from voting unless the right to vote has been restored pursuant to *Nevada Revised Statutes* 213. Even though jail is temporary and may never result in a conviction, these individuals are in custody. They cannot leave the facility to vote at a polling place and often do not have the necessary information to register to vote nor access their mail-in ballots.

This bill does not authorize any person who by law is ineligible to vote or ineligible to register to vote to do so. It does not authorize a person convicted of a felony to vote in prison. Additionally, the bill does not revise any of the provisions governing the qualifications for voting or registering to vote in the State. Assembly Bill 286 expands access to the voting process to Nevadans who are legally entitled to vote or registered to vote but are detained in a county or city jail.

These individuals still have a constitutional right to participate in the electoral process, and we need to make sure they have sufficient access to exercise that

right. The bill ensures incarcerated individuals have access to voting during early vote for all primary, special and general elections, as well as Election Day. Individuals in county or city jail may register to vote through Nevada's Effective Absentee System for Elections (EASE) system. If the correctional facility does not have the capability, then absentee ballots will be provided to and utilized by the elector. This bill will codify many of the practices occurring in our county and city jails. We want the consistency of a secured voting infrastructure.

The intention is not to make county and city jails a polling place. There will not be voting booths installed in any county or city jail. Voters can use absentee ballots. Not every facility can access the EASE system. We did work extensively with corrections and law enforcement because we do appreciate security issues and know they must remain a priority for the safety of the persons in custody, officers and staff. It does provide individuals in custody of a county or city jail who are eligible to register to vote the same time frames to vote as other Nevadans registered to vote and to vote on Election Day.

Our military and overseas voters use EASE to vote, request a mail-in ballots and electronically transmit their ballots to their election offices for processing. In 2021, the use of EASE was expanded to voters with disabilities so that they could cast their votes privately and independently. Assembly Bill 286 would further expand the use of EASE for those in county and city jails. In case incarcerated people would like to register to vote, they may either request their ID be brought in from a family member or they may request that someone within the facility provide it to them if it is being held.

The bill expands access to absentee ballot voting for individuals in the county and city jails. The jail must allow the elector to complete the ballot with a reasonable amount of privacy and staff may not open the absentee ballot once it is voted and sealed by the elector. If a county clerk has established a ballot drop box at the jail, the elector may return his or her ballot in that drop box. The city or county jail will coordinate with the registrars on when and how to pick it up and have it delivered. A chain of custody will be completed to document the security of the ballots. This reassures the elector and protects staff. The bill also imposes certain reporting requirements on the jail so that the Secretary of State has information on the process used to comply with the requirements of the bill and a summary of any complaints received from individuals relating to voting or registering to vote at the facilities.

Ultimately, Assembly Bill 286 will require each county or city jail to develop a consistent infrastructure to allow those eligible to vote or register to vote the ability to do so by the system through the absentee ballot or through paper registration form. Part of this process includes coordination with county registrars and ensures this process and necessary voting information pertaining to election information on candidates and Statewide measures are provided.

It is also required that updated information on the process and procedures of the voting or registration process is provided in an inmate handbook. Assembly Bill 286 requires a relative amount of privacy as electors cast their votes, protecting them from any threat, retribution or intimidation for requesting or exercising the right to vote. There will be no electioneering or campaigning in the county or city jail. This legislation is to ensure those awaiting trial can exercise their constitutional right to vote. Nevadans preserve the sentiment of innocent until proven guilty.

Recognizing that some may not be convicted at all, we are ensuring the eligible electors can vote in the same early special, primary or general elections they would have had access to if they were not temporarily incarcerated. This bill has 22 cosponsors. This bill passed out of the Assembly with bipartisan support.

EMILY PERSAUD-ZAMORA (Silver State Voices):

Nevada should do everything in its power to help facilitate the right to vote for individuals who have not yet been convicted of any crime. My testimony ([Exhibit C](#)) is in strong support of A.B. 286.

ATHAR HASEEBULLAH (American Civil Liberties Union):

An important takeaway from this bill is we remain in a time where the difference between jails and prisons is not understood. That becomes a core component of why we wanted this policy in place. Without any sort of policies or practices in place, the civil liberties and deprivations of incarcerated people are continuing to occur because individuals still maintain their fundamental right to vote. Nothing about this bill would modify that portion. This bill would allow for a process to be put in place to ensure the parameters are structured to have the ability to move forward and guarantee the right to all voters who are eligible to vote. There were concerns this would expand the pool of potential voters. It is not true. Every county ends up in a different position. Cities end up in a different position in terms of what municipalities can do. It accounts for the

unique needs of what is occurring. All sorts of civil rights are forfeited, and it remains a challenge when giving up rights without having been adjudicated guilty of any crimes.

IZACK TENORIO (Campaign Legal Center):

We urge the Committee to support [A.B. 286](#) to affirm Nevada's commitment to the principle that democracy works best when all eligible voters can participate. Many voters in Nevada jails remain eligible to vote yet face incredible challenges in doing so from jail. Voters often do not know if they are eligible to vote or how to cast their ballots while incarcerated. They cannot access the Internet or any information about when the election is or who is on the ballot. It is challenging to get voter registration forms because it can take days or even a week for a single piece of mail to be processed. For these reasons, there are people in Nevada's jails who will be unable to exercise their constitutional right to vote. Each election cycle, voting gives incarcerated people a sense of power and connection to the community. It can mitigate the negative collateral consequences that stem from even short periods in jail. This bill requires jails to create policies and coordinate with local clerks. [Assembly Bill 286](#) includes provisions for eligible voters to use EASE to register, apply for and cast ballots in jails where it is available to avoid delays and reduce barriers to access.

JAGADA CHAMBERS (Silver State Voices):

My testimony ([Exhibit D](#)) is in strong support of [A.B. 286](#). This bill will aid someone's hope that society will be able to see him or her in a situation as innocent until proven guilty.

DOUGLAS GOODMAN (Nevadans for Election Reform):

The ability for an eligible voter to cast one's vote must be protected. Extending EASE to people with disabilities has worked well. There is trust in the system. I urge your support of [A.B. 286](#).

AMY KOO (One APIA Nevada):

According to the Prison Policy Institute, only a fraction of people in jail will receive a prison sentence. We know through multiple studies that people who spend more time in jail are the most vulnerable in our communities, including poor people unable to post bail. One of the core founding values of our Constitution is innocent until proven guilty. As voting rights advocates, we believe that full access to voting for all eligible voters is needed for equality and a functioning democracy. We urge your support of [A.B. 286](#).

JENNIFER WILLETT (All Voting is Local Action):

We are in strong support of A.B. 286. Through our organization, we have frequently heard instances of difficulty for people voting who are in jail on Election Day. Nevada provides multiple options to vote. Voters who are in detention centers do not have fair and equal access to voting. This bill would provide voting and voter registration access to Nevadans in detention centers by allowing detained individuals to register to vote using EASE system and allowing family members to bring mail-in ballots to those in detention centers.

NICHOLAS SHEPACK (Fines and Fees Justice Center):

Often, poor individuals across our State fall behind on payments of their court fines and fees. If he or she is behind on payments with a misdemeanor, fines are levied for an arrest. Thousands of individuals spend days, weekends and sometimes up to a week in jail for failure to pay fines and fees for misdemeanor crimes. If this happens during an election, that individual could miss an opportunity to vote simply for being unable to pay the fines and fees. We strongly believe that democracy should not stop because you have an inability to pay the government money. Nobody should be too poor to vote.

ANTONIO RAMIREZ (Make the Road Nevada):

I want to ditto what the previous speakers have said. We are in strong support of A.B. 286.

DAKOTA HOSKINS (Service Employees International Union 1107):

We are in proud support of A.B. 286. Those who have not been convicted of a crime may cast a vote and allow their voices to be heard while they await trial, or a court date. Everyone who is legally able to vote should have the ability to do so. This is another bill to improve Nevada's election system and access to the ballot box.

JOVAN JACKSON:

I am in support of this bill.

ARIA FLORES:

We are in support of A.B. 286. It will allow the use of EASE for elections to be accessible to incarcerated people to preregister to vote, register to vote and cast their ballots. These incarcerated individuals have not been convicted and have a constitutional right to vote. This is also an issue of social and economic inequalities. Many people in the county and city jails are in this position due to

their inability to afford to pay bail. Regardless of one's financial means, voters should have the right to vote and be a part of our democracy. This bill discovers a pathway for a more equitable and just democratic process.

BRIAN HARRIS (Battle Born Progress):

We submitted testimony ([Exhibit E](#)) in support of voting for all individuals to have a say in their future and a right that should never be infringed upon people who have not been convicted of a crime. They should have their constitutional rights and have a stake in policies and decisions that affect them as well. Making sure they can still access their right to vote gives them a voice in shaping their future. We urge your support of A.B. 286.

JESSICA MUNGER (Silver State Equality):

We are in support of A.B. 286.

YESENIA MOYA:

I am in support of A.B. 286. People can vote in city and county jails, and this process will help to ensure we can use an accessible process within the city and county jails.

CASSANDRA CHARLES (Progressive Leadership Alliance of Nevada):

I am here in support of A.B. 286. Our democracy is most vibrant when more people participate. In prior elections, we have worked closely with the Mass Liberation Project and provided hundreds of absentee ballot request forms to eligible voters who are in jail and awaiting trial so their voices can be heard and their constitutional right to vote can be recognized. Nevada has made great strides in the last five years to increase access to the ballot box and encourage people to vote with voting rights, restoration, tribal polling locations and vote by mail. Passing this bill would continue to put Nevada forward as a leader in democracy.

SARAH ROJAS:

I am calling in support of A.B. 286. People being held in pretrial today have a constitutional right to vote. Nevada has the responsibility to all eligible constituents to protect that right.

JONATHAN BUSH:

I am calling on behalf of myself to support A.B. 286. My family and I are lifelong voters participating in every election, volunteering for candidates and

fighting for issues we believe in. When this bill was first introduced, I learned voters in jail still retain the right to vote. If voters are eligible to vote, they should have access to their constitutional right to do so. If voters can vote out of state or overseas, we can make sure that voters right here in Nevada can do the same.

ALVIN CHAN (Native Voters Alliance Nevada):

If you have the constitutional right to vote, you should be afforded the same opportunity as everyone to vote. For those reasons we support A.B. 286.

DORA MARTINEZ (Nevada Disability Prevention Coalition):

American Sign Language speakers who are jailed get accommodations. Some cannot read the English language and need assistance in voting. We are in strong support of A.B. 286.

DAVIS HUSKON (Las Vegas Indian Center):

For everyone in the native community, it means their vote equals their voice. We are in strong support of A.B. 286.

SHANIKA COOPER:

I am calling in support of A.B. 286 because it is our human right to vote.

QUENTIN SAVVOIR (NAACP, Las Vegas Branch):

The NAACP was founded to advance and protect civil rights including but not limited to voting rights. It is important we continue to see ongoing threats to our democracy and the rollback of our civil rights. Nevada needs to be on the forefront of expanding and protecting democracy, especially for those who commit small crimes that have nothing to do with their ability to be able to vote and articulate who runs our Country. We urge your support.

A'ESHA GOINS (NAACP, Las Vegas Branch):

I am calling in strong support of A.B. 286.

LINDA STOUT (Sierra Club):

On behalf of the Sierra Club, the world's largest environmental organization with more than 30,000 members and supporters Statewide, I am speaking in support of A.B. 286. Detained individuals who are presently awaiting sentence in jail and detention facilities are also eligible to vote.

JOHN PIRO (Clark County):

We firmly believe that how we treat people when they are in custody affects how they return when they are out of custody. Maintaining the right to vote and being an active part of our democracy is important. We strongly urge support of A.B. 286.

LYNN CHAPMAN (Independent American Party of Nevada):

Even though a person is innocent until proven guilty, once he or she has voted while awaiting a court appearance, you cannot remove the vote if the person is later convicted of a crime. If convicted of a crime, the victim's vote is canceled out. Please vote no on A.B. 286.

BARBARA JONES:

I am in opposition to A.B. 286. I agree with the previous testimony. This bill presents some potentially bad, dangerous policies. Most people in jail are lawbreakers and should not have the right to vote for leadership positions. There is so much chance to manipulate the vote of the incarcerated.

LISA PARTEE:

I agree with the previous callers. We live in a constitutional republic; and if you want to abide by that constitutional republic, do not break the laws. Simple. Please oppose A.B. 286.

ELLEN GIFFORD:

I oppose A.B. 286. It is against the Nevada Constitution because it seeks to utilize the statutes that apply to our military personnel and their families, mingling the terms covering voter military ballots and jail. Any person who is in jail waiting for trial may be convicted of a felony. Therefore, this bill violates *The Constitution of the State of Nevada*.

LESLIE QUINN:

Nonfelons do not have a constitutional right to vote because many nonfelons in jail are awaiting conviction to go to prison. If a nonfelon is pending conviction as a felon, he or she would not be allowed to vote. Those in county and city jails can vote on a paper ballot via their social worker who then can hand in their votes. This bill creates a security breach for the jail staff. Keep Nevada safe and oppose A.B. 286.

CYRUS HOJJATY:

I do not see this as giving people the incentive to follow the law. This bill is not supported. This is all about changing the outcome of the election. If incarcerated people vote, it will likely increase the chance of certain people getting elected. I urge you not to support this bill.

JAMIE RODRIQUEZ (Registrar of Voters, Washoe County):

We already allow for a program working with our local sheriff for inmates in the Washoe County jail to be able to vote. This bill does have the expansion of allowing for EASE. If we do have Washoe County residents who are potentially in a jail in another county, we will be able to work and make an agreement with those other jails to allow them to vote. The provision allows for family members to bring in IDs. In the 2022 election, we had a total of 40 individuals request the right to vote in the general election. Ten were eligible and 30 were ineligible because they were not registered voters and did not have IDs. Some of them did not have Nevada IDs at all and would not have been eligible. Some were not arrested with their IDs; therefore, the IDs were not at the jail for us to be able to register them. The bill would be able to expand those eligible voters to be processed.

VICE CHAIR DALY:

If those incarcerated did not have IDs with them but had IDs, would they be able to register to vote through the electronic system?

MS. RODRIGUEZ:

That is correct. Assembly Bill 286 includes EASE. This bill does include the expansion of EASE specifically for individuals who are in local jails. There is also the ability for family members to bring IDs to those detained within the jail. They would be able to go through that process of registering and being eligible to vote whether through EASE or through online extended registration.

VICE CHAIR DALY:

Are we still using paper ballots? Would we still be able to register them, bringing their paper ballots to the jail to process them?

MS. RODRIQUEZ:

It says everybody shall establish a plan. The county will confer with the Secretary of State and provide everybody the information on that. They could include a lot of those things in that plan and the EASE program. I would defer to

Legal Counsel on the off chance that I am misspeaking, but I believe it requires that statutory outline of exactly who is eligible because it is essentially an expansion of the federal program.

ASHLEY KENNEDY (Clark County):

At the Clark County Detention Center, we have a system in place to allow people who are detained, eligible and would like to vote an opportunity to do so. We have liaisons working from the Election Department coordinate with the Detention Center to make that happen. With the addition of EASE, it is a simple system and easy to implement.

ASSEMBLYWOMAN MILLER:

This is in no way granting rights not already provided to Nevadans to be qualified electors. We are not making polling places in the jails. I spent a lot of time working with law enforcement at the State, county and local levels. They came to the table in support at the Assembly but were not available today.

VICE CHAIR DALY:

I have one document ([Exhibit F](#)) in support of A.B. 286. We will close the hearing on A.B. 286. We will open the hearing on A.B. 242.

[ASSEMBLY BILL 242 \(1st Reprint\)](#): Revises provisions relating to elections.
(BDR 24-365)

ASSEMBLYWOMAN TRACY BROWN-MAY (Assembly District No. 42):

I will give testimony ([Exhibit G](#)) and review bill language on A.B. 242. Joining me in this presentation is Mark Wlaschin from the Secretary of State's Office. He is here to provide technical information and follow-through on the bill.

SENATOR KRASNER:

Is this bill attacking the use of paper ballots?

ASSEMBLYWOMAN BROWN-MAY:

That is not the intention of the bill. It came out of the Joint Interim Standing Committee on Legislative Operations and Elections. The bill was crafted to meet accessibility and bring us further into compliance with the Americans with Disabilities Act. Unfortunately, paper ballots are a barrier for many people who have disabilities for lots of reasons. Although a paper ballot system exists, this

mechanical identification does not eliminate paper, it just eliminates the way paper is used in the balloting system.

MARK WLASCHIN (Deputy for Elections, Office of the Secretary of State):

To address your question specifically, there is not an attack on the counties in the processes by which they conducted the 2022 elections. As the Assemblywoman mentioned, this came out of the Interim Committee. The paper-marking ballot devices referenced and included in the amendment specifically relate to a type of system, a mechanical voting system used in two of our counties, Carson and Lander. Many of the counties are looking to potentially incorporate this—including Clark, Washoe and some other counties—over the next five to ten years. There is some ongoing discussion about that. It is not to prevent an existing county clerk or registrar from conducting an election. Outside of these statutes are statutes that allow them to make decisions which comply with our laws. This is specific to cleaning up the processes to make sure that votes can be cast in a manner that supports accessibility across our State. We continue to look at methods to reduce any confusion or increase the accessibility.

In sections 5, 9 and 15 of A.B. 242, voting in any election regulated by this title must be by mechanical voting system by mail ballots or by any other system approved by the Secretary of State or specifically authorized by law except as otherwise provided in section 3, subsection 4. All votes cast in person at a polling place in any election must be cast using a mechanical voting system, not by marking a paper ballot by hand.

SENATOR KRASNER:

Can you explain that to me?

ASSEMBLYWOMAN BROWN-MAY:

There is a system whereby you can mark a paper ballot that is fed into a machine and read mechanically. That is a mechanical system as opposed to a piece of paper used as your only ballot.

SENATOR KRASNER:

Would this bill stop counties from using paper ballots if they chose to use them?

MR. WLASCHIN:

Types of paper ballots would be outlawed beyond the ones that the Assemblywoman mentioned specific to be used in a ballot-marking device. That system is where the paper installed allows it to be read. The bill does not prevent the use of mail ballots. If there is a stack of mail ballots at a polling location, those paper ballots could also be used. There could be types of paper ballots prevented from use by the passage of this bill.

SENATOR KRASNER:

Would the ballots used in the 2022 election be the type allowed in some counties in Nevada?

MR. WLASCHIN:

Nye County used what was covered in subsection 5 of section 5. They used mail ballots printed out at the polling location for use, not a unique additional style. I can confirm that for you.

SENATOR KRASNER:

I am ensuring those counties that prefer to use paper ballots are still able to do so. I certainly do not want to impede the right of anyone to vote who has a disability.

VICE CHAIR DALY:

That was the concern in emails I received. I had similar questions. I understand a mechanical reading device of an otherwise marked ballot, but it states they cannot mark the ballot by hand. How are they marking it if not by hand?

MR. WLASCHIN:

It does allow a mail ballot to be filled out by hand. Outside of that process, the paper ballots use the ballot-marking devices. It is called the ballot-marking device because when the paper is put in, the screen displays the options. That enables voters to select, and it eliminates the risk of a pen marking or scratching multiple circles. If the ballot-marking device is used, the system is marking and prints it back out so the voter can see it. The alternative would be mail ballots.

VICE CHAIR DALY:

It is not my business what Nye County or any other counties want to do with its ballots. Everyone is still getting ballots mailed to them. If someone wants to

vote using paper ballots and have ballots marked for them by hand not using a machine, would this be prohibited?

ASSEMBLYWOMAN TRACY BROWN-MAY:

Mail ballots are already being sent to people. Ballot-marking devices decrease duplicative efforts. It would utilize the electronic systems that exist. The mechanical systems that exist throughout the State are utilized to ensure accessibility for people with disabilities.

VICE CHAIR DALY:

Nye County is still required to have at least one electronic voting machine for people with disabilities. In Washoe County, poll workers assist people with disabilities. Regardless of what some counties may want to do regarding paper ballots, do they have to have at least one electronic voting at each polling place for people with disabilities?

ASSEMBLYWOMAN TRACY BROWN-MAY:

That is correct. It is essential that as we have an increasing population of people with disabilities in our State and across our Country, we ensure equity and access for people with disabilities.

If we do not experience a physical barrier to whatever life throws at us, we do not realize how many barriers exist in everything we do, such as the one step it takes to get into someone's home to the one step it takes to get out. Consider entry to our buildings and automatic doors that do not work, water fountains that do not dispense water and batteries that need to be recharged for electronic wheelchairs. People who are nonambulatory must find mobility to access their community. Unfortunately, the barriers we face in our society are enormous. To enable folks with disabilities access voting and ensure they have an equitable opportunity in every county in our State is the goal for A.B. 242. There are a lot of counties in Nevada, and we must create equity and a sustainable system uniform across our State. Mechanical options must exist for people with disabilities to have access to vote, and poll workers need to be trained in how to utilize those. This ensures privacy in voting and true access. We want to make sure that happens.

MR. GOODMAN:

Elections must be administered in the most efficient manner possible to ensure Statewide efficiency, standardization of process and procedures. The

importance of standardization has been upheld by this Body with the funding for implementation of top-down voter registration. This bill in no way impacts voters choosing to use the mail ballot to vote. Those who do not trust the voting machines can use the mail ballot, which is a paper ballot, and drop off at the polling location to be sure their vote is collected. If the ballot is counted mechanically, there are those who will say that A.B. 242 violates county autonomy. This would be true if Nevada was a home rule state. Nevada is a Dillon's Rule State. Cities and county governments only have as much power as the State Legislature is willing to see them changing. Efficiency and election administration are paramount to further standardizing the voting process in Nevada. The Legislature will be taking a major step in ensuring Nevada maintains its leading role in election administration.

DAELA GIBSON (Planned Parenthood Mar Monte):
I am speaking in support of A.B. 242.

Ms. FLORES:

I am here in support of A.B. 242. This bill prioritizes accessibility, efficiency and sustainability in our electoral process. Embracing technology allows us to streamline voting, resulting in faster and more accurate results unlike paper ballot counting which is prone to human error and causes significant delays. Having at least a minimum of two voting booths specifically designed for elderly and disabled voters is necessary. During my time as an observer at the Centennial Hills polling location in Las Vegas, I witnessed a significant amount of utilization of these accessible voting machines with six to seven voters using them within a given hour. This bill reflects our State commitment to inclusivity and equitable representation by supporting this bill. We demonstrate our dedication as a State to fair, efficient and inclusive elections.

Ms. PERSAUD-ZAMORA:

Silver State Voices expresses support in a letter ([Exhibit H](#)) to A.B. 242. It expands access to the electoral process, especially for any community that does not feel heard or seen in the electoral process.

ASHLEE COOPER (Opportunity Village):

We are a nonprofit that employs, empowers and serves people with disabilities. We support accessibility and universal design at all levels of public life and are in support of A.B. 242.

MARY RAMOS (All Voting is Local Action):

Freedom is making voting fair and accessible for all. We are here in strong support of A.B. 242. Voting is a fundamental right and the cornerstone of our democracy. Voters with disabilities must be ensured they have an equal opportunity to exercise this right and can vote independently and in a confidential manner, whether it is in-person voting or using the mail-in ballot. We must protect and promote voting rights for individuals with disabilities. This not only upholds the principles of equality and inclusion but also the overall integrity and legitimacy of our democratic process.

MR. HARRIS:

This voting system is a great tool that will allow the growth of democracy. Democracy relies on everyone being able to freely express his or her right to vote. It can also tackle the barriers that have held back marginalized communities from participating in elections and is designed to be user-friendly and inclusive, breaking down resource steps that keep some people from engaging in the voting process. It provides easy access to information, promotes transparency and encourages this system. Please vote yes on A.B. 242 to make our democracy stronger.

MR. CHAN:

Native Voters Alliance Nevada works to build political power for Nevada's 28 federally recognized tribes as well as the urban natives living in Washoe and Clark Counties. Today, we are testifying in support of A.B. 242. We are proud of Nevada's stance as a leader in voting rights across the Country. We heard several complaints and issues about accessibility in the 2022 voting cycle, particularly for those voters with disabilities who were not in major population centers. This bill ensures accessible booths are available in every polling location and poll workers are properly trained.

MS. CHAPMAN:

The Independent American Party is opposed to A.B. 242. A good part to this bill is the addition of voting machines for the disabled and elderly who need them. We are concerned that paper ballots will be prohibited in this bill. The use of paper ballots may sound old-fashioned, but election security experts note that paper ballots provide transparency, security and reliability. Paper ballots can be safely recounted in cases of contested results, and counting paper ballots in public provides transparency. Paper ballots cannot be hacked, rigged, preprogrammed, breakdown or malfunction. Every county is different. This bill

eliminates local government decisions in their elections, and trust in our voting systems have dropped dramatically. Most people do not like the machines.

KATRIN IVANOFF:

I hope your intention is not to get rid of paper ballots. Using accessibility for people with disabilities is a Trojan horse to get rid of paper. I was part of the hand count in Nye County. It was proven the machines counted wrong and the hand count was correct. It was a good process. Please vote no on A.B. 242.

Ms. JONES:

I really like the disability portion of the bill. Please do not get rid of paper. Vote no on A.B. 242.

MR. HOJJATY:

I am opposed to this bill because it is likely to discourage the use of paper ballots. Ditto to previous and future callers in opposition to A.B. 242.

JIM DEGRAFFENREID (Nevada Republican Party):

The importance of local control is regularly invoked when defending irregular election practices in Clark County, such as excluding observers, not following publicly posted schedules or refusing to allow cameras in the ballot counting process as other counties do. The importance of local control over elections was used as a reason to not address each of these issues. Assembly Bill 242 infringes on the right of voters to determine the kind of election system they find trustworthy. Counties and residents are diverse. The system for Esmeralda County of 617 registered voters should be radically different from Clark County where there are over 1.3 million active voters. That is not for this Body to decide. It is for the voters in that county to decide. Assembly Bill 242 attempts to disenfranchise rural voters by preventing them from directing their local county representatives to implement a voting system they find most fair and responsive to their needs. Vote no on A.B. 242.

SERENA CARDENAS:

Paper ballots can be safely recounted in case of a contested result. It provides a paper trail. Counting paper ballots in public provides 100 percent oversight and transparency. We should not eliminate this. Please vote no on A.B. 242.

STEPHANIE KINSLEY:

I am urging every person listening to this to take a stand for their Country, take a stand for America, and take a stand for Nevada. Do what is right, oppose this bill and oppose anybody who supports it.

MS. GIFFORD:

What stands out to me is that A.B. 242 mandates mechanical voting systems be used for all elections in all counties, districts, precincts and cities across the State. It abolishes the use of paper ballots including provisional ballots for all elections. I strongly oppose this bill.

MS. PARTEE:

I was a poll worker and watcher. I did not witness any issues during the elections at the polls. There was plenty of assistance for anyone with any disability during voting. I second all of those in opposition of A.B. 242.

KATHERINE NIELSEN:

I am in support of A.B. 242. In the 2020 election, poll workers often forgot how to set up and how to instruct someone with a disability on how to use the machines. Some poll workers have not been trained on how to use the machines at all. Wait times to use these machines can be extensive. This leads many people with disabilities not to vote at all. Voting for all Nevadans should be accessible and equitable.

MS. MARTINEZ:

Most of the members of Nevada Disability Prevention Coalition are blind, hard of hearing, use walkers and wheelchairs. I want to let people understand that throughout the history of America, people with disabilities have been forgotten. This bill simply puts equity in the works. Please let us put our differences aside and make this bill accessible and equitable for all because we are people. You cannot have inclusion or equity without including disability. We are here and we want our voices to be heard. Vote yes on A.B. 242.

MR. WLASCHIN:

I want to address a couple of comments made during the opposition testimony. To be clear, the passage of this bill would not prevent the use of paper ballots at a polling location for voters to use by hand to cast their ballots. I also encourage anybody who has concerns about what ballot-marking devices are to reach out to the Office of Secretary of State. We would take time to explain

Senate Committee on Legislative Operations and Elections
May 16, 2023
Page 20

ballot-marking devices, and you would see there is a paper ballot that goes into the machine.

ASSEMBLYWOMAN BROWN-MAY:

The goal is about equity for all our voters to have access to the ballot and to the mail-in process in the election. We must utilize all the available resources we can until we have equity in our society.

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Senate Committee on Legislative Operations and Elections
May 16, 2023
Page 21

VICE CHAIR DALY:
There is no public comment. We are adjourned at 5:36 p.m.

RESPECTFULLY SUBMITTED:

Barbara Young,
Committee Secretary

APPROVED BY:

Senator James Ohrenschall, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
A.B. 286	C	5	Emily Persaud-Zamora / Silver State Voices	Support Testimony
A.B. 286	D	6	Jagada Chambers / Silver State Voices	Support Testimony
A.B. 286	E	8	Brian Harris / Battle Born Progress	Support Testimony
A.B. 286	F	12	Senator Skip Daly	1 Document in Support
A.B. 242	G	12	Assemblywoman Tracy Brown-May	Support Testimony
A.B. 242	H	16	Emily Persaud-Zamora / Silver State Voices	Support Testimony