State of Nevada

Fiscal Year 2003-04

State Plan

As required by Public Law 107-252
***Help America Vote Act 2002*, Section 253(b)**

Nevada Secretary of State's Office
101 N. Carson Street, Suite 3
Carson City, NV 89701
June 16, 2003

STATE OF NEVADA FISCAL YEAR 2003-04 STATE PLAN

I. INTRODUCTION

On October 29, 2002, President Bush signed the Help America Vote Act (HAVA) into law. HAVA is a response to the irregularities in voting systems and processes unveiled during the 2000 Presidential Election. HAVA requires each state to develop a comprehensive plan for implementing the mandatory changes to the administration of elections that are called for in the legislation. HAVA will effect virtually every element of the voting process, including requiring a statewide voter registration system, replacing punch card voting machines, improving voter education and poll worker training, requiring provisional ballots, and requiring at least one voting machine available per polling place for voters with disabilities. HAVA will dramatically change the way future elections throughout the nation are conducted.

The following State Plan for the state of Nevada, developed in accordance with Section 254 of the Act, was created under the direction of Secretary of State Dean Heller through a State Plan Advisory Committee (Advisory Committee). Nevada's plan establishes a framework for the State to continue progress that has already been made in election reform and to achieve compliance with HAVA.

Because HAVA will have a profound impact on virtually every element of the voting process in our State, we anticipate that this plan will be updated and refined over the coming years to ensure the continued health of our democracy.

II. THE BACKDROP FOR NEVADA'S STATE PLAN

The Secretary of State is the Chief Officer of Elections for the state of Nevada, and, as such, is responsible for the execution and enforcement of state and federal laws relating to elections. Although HAVA dramatically increases the election administration responsibilities for the State, the efficient functions and cooperation of local governments continue to be critical to ensure elections are successfully conducted. Considerable time, effort and resources on the state and local level will be necessary for the State to meet HAVA's requirements.

Nevada is one of the fastest growing states in the country. Based on figures obtained from Census 2000, Nevada's population increased by 796,424 persons between 1990 and 2000. In addition, Nevada's largest county, Clark County, continues to add approximately 4,000 new citizens per month. Currently, the State has approximately 1,000,000 registered voters spread throughout its 17 counties and more than 1,500 state, county and municipal political campaigns come under the jurisdiction of local or state election officials during each election cycle.

Of the 17 counties in the State, seven (7) currently use punch card machines, nine (9) use optical scan machines, and one (1) uses direct record voting machines[1]. Due to requirements outlined in HAVA, the State will need to substantially upgrade systems,

[1] This county uses punch cards for absentee ballots.

redesign processes and provide updated and continual training for election administrators and the citizens of the State. In addition, Nevada does not currently have a statewide voter registration system in place. Based on the foregoing, meeting the requirements of HAVA and its ambitious timelines will be difficult, if not impossible, to achieve without adequate support, resources and funding from both the federal government and the Nevada Legislature.

In developing Nevada's State Plan, the Advisory Committee used as guidance the goal of developing and implementing a plan that delivers a timely, accurate and accessible voting process for all Nevadans. The strategies for achieving this goal were to: (1) obtain initial federal funding; (2) implement legislation fostering voter participation and compliance with HAVA; (3) conduct an assessment of the condition of the statewide voter registration process given these standards; and (4) develop and implement follow through accountability activities and feedback mechanisms for complaints.

Nevada's State Plan as presented herein is limited to the extent state appropriations are made available and based on the assumption that adequate federal funding will be appropriated and, while the State intends to fully comply with the Help America Vote Act, if adequate federal funding is not made available, the manner in which the funds are disbursed or dedicated may be altered from the information contained in this State Plan.

III. NEVADA'S STATE PLAN

1. Use of Requirements Payments

Section 254(a)(1) requires a description of how the State will use the requirements payment to meet the requirements of Title III, and, if applicable under section 251(a)(2)[2], to carry out other activities to improve the administration of elections. Title III requires the establishment of certain voting system standards, provisional voting, public posting of voting information, a computerized statewide voter registration list, and voter registration application modifications.

A. Voting Systems Standards

Section 301(a) establishes several voting system standards which must be met by January 1, 2006. Under this section, no waiver of the requirements is permitted.

HAVA requires each voting system in the state to: (a) permit voters to verify whom they have voted for and make changes to their vote in a private, secret and independent manner; (b) notify voters if they have overvoted, what happens in instances of an overvote, and provide the opportunity to correct the ballot; (c) ensure that any notification to the voter maintains the privacy, secrecy and independence of the voter's ballot; (d) produce a permanent paper record with manual audit capacity; (e) be accessible for the disabled through the use of at least one (1) Direct Recording Electronic (DRE) voting system placed at each polling place; (f) provide alternative language accessibility pursuant to Section 203 of the Voting Rights Act of 1965; (g) comply with error rates in effect by the Federal Elections Commission (FEC); and (h) have a definition of what constitutes a vote and what will be counted. Most of these

[2] Reference should be to Section 251(b)(2).

requirements are already addressed either in existing Nevada statute or regulation or have been requested to be included in pending state legislation.

Nevada's 17 counties currently use a combination of punch card, optical scan and (DRE) voting systems.[3] The seven (7) counties currently using punch card systems[4], contain 83,031 registered voters and have a total combined population of 175,869. The nine (9) counties using optical scan systems[5], contain 233,636 registered voters and have a total combined population of 446,626. Only one (1) county, Clark County, uses DRE, but that county uses punch cards for its absentee ballots. Clark County contains 571,215 registered voters, with a total combined population of 1,375,765.

Most of the federal funding that has been appropriated to date will be needed to upgrade voting systems throughout the State and to purchase new systems in order to meet the requirements of Title III. If adequate federal funding is available, the State's ultimate goal is to implement a uniform voting system for polling places throughout the state and a uniform system for absentee voting throughout the state. DRE touch screen voting systems are the preferred system, as such systems appear to meet all requirements of Section 301(a). Based on the current level of federal funding available, it appears more likely that the State will use requirements payments to replace all punch card voting systems in the State with touch screen DRE systems that meet the requirements of Section 301(a), and to provide at least one DRE touch screen system equipped for individuals with disabilities in each polling place in counties that continue to use optical scan voting systems. These voting system replacements will be accomplished by January 1, 2006.

To ensure proper training for election administrators and the voting citizens of Nevada, the State will use requirements payments to help educate those individuals about the proper use of the new voting systems. Requirements payments will also be used for maintaining, modifying and improving all voting systems in the State to ensure compliance with HAVA Section 301(a) standards.

B. Provisional Voting and Voting Information Requirements

Section 302 requires the establishment of provisional voting and the posting of voting information at polling places by January 1, 2004. Under this section, no waiver permitted.

HAVA requires provisional voting procedures in all states to ensure that no voter who appears at the polls and desires to vote is turned away, for any reason. The State does not currently have procedures for provisional voting in place. The Secretary of State submitted legislation, which was ultimately passed by the state Legislature and signed by the Governor (the "HAVA Legislation") to enact procedures to allow for

[3] See Appendix A for a summary of voting systems used throughout the State.
[4] Carson City, Churchill County, Douglas County, Lincoln County, Lyon County, Humboldt County, and Storey County.
[5] Elko County, Esmeralda County, Eureka County, Lander County, Mineral County, Nye County, Pershing County, Washoe County, White Pine County.

provisional voting[6] throughout the State by January 1, 2004. These procedures meet the requirements of Section 302.

The State anticipates using requirements payments to create the free access system required by HAVA to provide voters who cast provisional ballots the ability to discover whether or not their ballot was counted. We may also use requirements payments to provide training and outreach concerning the ability to receive and cast a provisional ballot. Finally, if adequate federal funding is available, the State may use requirements payments to assist the local governments with funding offsets necessary to prepare and process provisional ballots.

In addition to provisional balloting requirements, Section 302 of HAVA mandates that a sample ballot and other voting information be posted at polling places on Election Day. Each registered voter currently receives a sample ballot in the mail prior to Election Day. In addition, the State requires some voting information be displayed at each polling place, but it does not require the extensive information contained in Section 302. The Secretary of State's HAVA Legislation ensures that state law requires all materials required by federal law be posted at each polling place[7]. The State, in cooperation with county clerks, will design the materials to be posted. We anticipate using requirements payments to defray the cost of developing, printing and posting this information.

C. Computerized Statewide Voter Registration List and Requirements for Voters Who Register by Mail

Section 303 requires the establishment of a computerized statewide voter registration list, first time voters who register by mail to provide identification when they cast their ballots, and changes to be made to the voter registration application by January 1, 2004. A waiver is permitted to extend compliance with Section 303(a) to January 1, 2006.

Section 303 of HAVA requires that all states establish a statewide computerized registration list of all eligible voters. This "single, uniform, official, centralized, interactive, computerized statewide voter registration list" must be administered at the State level and is considered the official list of legally registered voters in the State. The State does not currently have a statewide voter registration list and voter registration records are created and maintained separately by each local jurisdiction.

The State will be purchasing a compliant voter registration system from one vendor to be implemented statewide and administered by the Secretary of State. The State is currently in the process of creating the requirements for the system and selecting the vendor. It is our goal to have all counties on-line and trained by January 1, 2004. The chosen system will comply with Section 303(a) of HAVA and will have the ability to interface with the State Department of Motor Vehicles and other appropriate agencies, as required by HAVA.

---

[6] Senate Bill 453

[7] Assembly Bill 235 and Senate Bill 453

The State will expend a large portion of its requirements payments and Title I payments to fund the creation and maintenance of the statewide voter registration system. Specifically, in addition to the basic costs of the system, the State anticipates paying for all hardware and software necessary in connection with implementing the system as well as required training for county and city officials in the use of the system.

With respect to requirements for voters who register by mail, the State revised its voter registration form in January 2003 to meet the requirements of Section 303(b). The State may use requirements payments to defray the costs to the counties, the Department of Motor Vehicles and other agencies that are associated with printing these new forms.

The Secretary of State's HAVA Legislation modified the processes associated with voter registration and verification of identification at the time of registration, or at the polls for first-time voters who register by mail[8].

D. Other Activities to Improve the Administration of Elections (Section 251(b)(2))

The State intends to use requirements payments to fund other activities to improve the administration of elections, including, but not limited to: (a) establishing a polling place accessibility program to ensure that all polling places in the state are and continue to be ADA compliant; (b) providing necessary assistance to persons with limited proficiency in the English language; (c) engaging in a variety of voter education and outreach activities including public service announcements, voting machine demonstrations, mass mailings and other related media avenues; (d) providing election official and poll worker training initiatives; and (e) establishing poll worker recruitment programs.

The State currently does not have the personnel and technical capacity required to fully achieve HAVA compliance. Ongoing operations and maintenance of the new requirements cannot be supported with the current State and local technical infrastructure and resources. The State anticipates the need for additional technology and elections personnel in the office of the Secretary of State to ensure continued compliance with HAVA. The State may use requirements payments to fund these positions.

2. Distribution of Requirements Payments & Eligibility for Distribution

Section 254(a)(2) of the act requires a description of how the State will distribute and monitor the distribution of the requirements payment to units of local government or other entities in the State for carrying out the activities described in Section 254(a)(1), including a description of—

(A) the criteria to be used to determine the eligibility of such units or entities for receiving the payment; and

(B) the methods to be used by the State to monitor the performance of the units or entities

[8] Senate Bill 453

to whom the payment is distributed, consistent with the performance goals and measures adopted under Section 254(a)(8).

The Office of the Secretary of State will centrally manage activities funded by requirements payments. The Secretary of State will be accountable for all expenditures, funding levels, program controls and outcomes. The Secretary of State, in conjunction with local election officials, will determine the appropriate level of support for local activities.

The criteria to be used for determining eligibility include, but are not limited to: (a) the priority of the project to which the distribution is intended to be applied as it relates to complying with HAVA; (b) the extent to which the recipient is in compliance with Title III of HAVA and all other state and federal election laws; (c) the recipient must maintain its current level of funding for its elections budget outside of any HAVA funds received; (d) the recipient must cooperate with the State in maintaining the statewide voter registration list and must timely implement list purging activities and reporting as required by the Secretary of State; (e) the need for the payment to ensure continued compliance with state and federal elections laws; (f) the availability to the recipient of other funding sources, including other HAVA related grants; (g) the recipient must acknowledge that it will be required to reimburse the State for all federal funds received if it does not meet the deadlines for compliance in HAVA; and (h) the recipient must develop a comprehensive accounting plan in accordance with federal criteria for separately identifying and tracking any federal funds received. The criteria for receipt of requirements payments will be agreed to in writing in advance by the Secretary of State and the unit or entity receiving the payment.

The Secretary of State will monitor the performance of each activity funded by requirements payments on a case-by-case basis. The methods to be used by the State to monitor the performance of the payment recipients include: (a) requiring the recipient to prepare and submit comprehensive monthly reports to the Secretary of State detailing the expenditures and their relation to complying with Title III of HAVA; (b) implementing financial controls that establish financial reporting methods; and (c) developing performance indicators on a case-by-case basis for all activities funded.

3. Voter Education, Election Official and Poll Worker Training

Section 254(a)(3) of the Act requires a description of how the State will provide for programs for voter education, election official education and training, and poll worker training which will assist the State in meeting the requirements of title III.

A. Voter Education

The Secretary of State has long believed that voter education is essential to ensuring a healthy democracy. Voters that are educated on the process and the issues remain involved in the process. As voter education spreads, voter registration and voter participation increases. In order to foster civic action, it is imperative that voters be educated about the proper procedures and about their rights. Currently, organized voter outreach programs within the State are limited due to fiscal restraints, and remain primarily within the purview of the main political parties in the State.

However, by law, each registered voter in the State receives a sample ballot in the mail before each election. In addition, the Secretary of State's Elections Division publishes a monthly *Elections Update* newsletter and throughout the year creates informative brochures designed to better educate Nevada's citizens. The Secretary of State's website also contains extensive information for voters.

During an election cycle, the Secretary of State issues many media advisories and news releases in an attempt to increase voter awareness and participation. The Secretary of State also holds public forums throughout the state relating to statewide ballot questions. Some of the larger counties in the State issue public service announcements, provide system demonstrations and issue other publications.

To expand voter education efforts in the State, the Secretary of State intends to create a voter outreach and education initiative, Nevada Voter Information Project (NVIP), in conjunction with local election officials, private businesses, political groups and other interested parties. NVIP will educate voters on the process, their rights as voters, the candidates and the issues, while at the same time reaching out to everyone in the community to encourage voter participation, and ensuring that historically disenfranchised groups such as college students, the elderly, disabled and minority groups are included.

B. Election Official and Poll Worker Training

Adequate training for election officials and poll workers is critical to any election being conducted successfully. It becomes even more crucial when election reform occurs. Currently, training programs in the State are predominantly localized and, in some cases, informal. The State does not have personnel available to take on the sole responsibility for providing training. Nevertheless, the Secretary of State will work with local election officials to produce training standards to be implemented statewide for training election officials and poll workers. All poll workers will be required to be trained against these standards.

4. Voting System Guidelines and Processes

Section 254(a)(4) requires a description of how the State will adopt voting system guidelines and processes which are consistent with the requirements of section 301.

As stated above, Section 301 requires each voting system in the state to: (a) permit voters to verify whom they have voted for and make changes to their vote in a private, secret and independent manner; (b) notify voters if they have overvoted, what happens in instances of an overvote, and provide the opportunity to correct the ballot; (c) ensure that any notification to the voter maintains the privacy, secrecy and independence of the voter's ballot; (d) produce a permanent paper record with manual audit capacity; (e) be accessible for the disabled through the use of at least one (1) DRE voting system placed at each polling place; (f) provide alternative language accessibility pursuant to Section 203 of the Voting Rights Act of 1965; (g) comply with error rates in effect by the FEC; and (h) have a definition of what constitutes a vote and what will be counted.

Existing Nevada law already provides for many of the voting system guidelines and processes set forth in HAVA. Legislation has been approved which modifies state law to

adopt all voting system guidelines and processes to be consistent with the requirements of Section 301, where such changes are needed.

In addition, the Secretary of State is responsible for certifying voting systems for use in the State. The Secretary of State, in accordance with state law, cannot certify any voting system in the State unless is meets or exceeds the standards for voting systems established in 2002 by the FEC. The Secretary of State will create new guidelines and processes as necessary to ensure all voting systems in the State are in compliance with Section 301.

5. Establishment of Election Fund

Section 254(a)(5) requires a description of how the State will establish a fund described in Section 254(b) for purposes of administering the State's activities under this part, including information on fund management.

(b) Requirements for Election Fund—

(1) Election Fund Described.—For purposes of subsection (a)(5), a fund described in this subsection with respect to a State is a fund which is established in the treasury of the State government, which is used in accordance with paragraph (2), and which consists of the following amounts:

(A) Amounts appropriated or otherwise made available by the State for carrying out the activities for which the requirements payment is made to the State under this part.

(B) The requirements payment made to the State under this part.

(C) Such other amounts as may be appropriated under law.

(D) Interest earned on deposits of the fund.

The Governor authorized the State Budget Office to submit legislation on behalf of the Secretary of State in order to create a special election fund in the state treasury that provides the Secretary of State with the authority to receive into this fund all federal HAVA dollars and any state matching funds appropriated[9]. On April 25, 2003, the Governor signed the legislation into law. The Secretary of State is working with the State Budget Office and the State Controller's office to follow and enforce all fiscal controls and policies required by both state and federal law.

6. Nevada's Proposed HAVA Budget

Section 254(a)(6) requires a description of the State's proposed budget for activities under this part, based on the State's best estimates of the costs of such activities and the amount of funds to be made available, including specific information on-

(A) the costs of the activities required to be carried out to meet the requirements of Title III

(B) the portion of the requirements payment which will be used to carry out activities to meet such requirements; and

(C) the portion of the requirements payment which will be used to carry out other activities.

To assist states with meeting the new mandates imposed by HAVA, Congress authorized a total of $650 million in Title I payments and $3 billion in Title II requirements payments to be distributed over the next three years. More than half of the funding was to be distributed in FY

[9] Senate Bill 417

2003. Unfortunately, less than one-third of that sum was actually appropriated for FY 2003. In addition, as for FY 2004, the President's budget only calls for $490 million for requirements payments, rather than the $1 billion authorized in HAVA. To date, FY 2005 funding is unknown. Based on the foregoing, the State has created its HAVA budget assuming the following levels of funding:

Federal Fiscal Year	Appropriations	State's Share	5% Match
Title I Early Payments	$650 Million	$5 Million	n/a
2003	$833 Million	$5.7 Million	$300,000
2004	$490 Million	$3.3 Million	$180,000
2005	$600 Million	$4.0 Million	$210,000
Total	$2.573 Billion	$18 Million	$690,000

Because the actual level of funding that will be authorized through fiscal year 2005 is currently unknown, the State's proposed HAVA budget will be revised over time as actual federal funding becomes known. Following is the State's budget through FY 2005, based on our best estimates of the costs of such activities and the amount of funding as discussed herein:

Title III Requirements:

Voting System Purchases/Upgrades:
--$6.5 million to replace all punch card and optical scan voting systems in the State with new DRE touch screen systems, and to provide for optical scan absentee systems and tabulation compatibility.
--$2 million to provide additional touch screen systems for Clark County.
-- To be funded with Title I early payments, Title II requirements payments and state matching funds.

Establishing and Maintaining a Statewide Voter Registration List:
--$3 to $4 million base cost, plus ongoing maintenance costs of approximately $100,000 per year.
--To be funded with Title I early payments, Title II requirements payments and state matching funds.

Provisional Voting and Voting Information Requirements:
--$150,000 to create the free access system, provide necessary training and outreach, and develop voting information.
--To be funded with Title II requirements payments and state matching funds.

Voter Registration Form Revisions:
--$60,000 to reimburse counties, and other agencies for revisions to voter registration form.
--To be funded with Title II requirements payments.

Other Activities:

Ongoing assessment of polling place accessibility and ADA compliance
--$$ To be determined based upon adequate funding.

Voter education and outreach activities
--$$ To be determined based upon adequate funding.

Election official and poll worker training initiatives
--$$ To be determined based upon adequate funding.

Additional technology and elections personnel in the office of the Secretary of State
--$ To be determined based upon adequate funding.

7. Maintenance of Effort

Section 254(a)(7) requires a description of how the State, in using the requirements payment, will maintain the expenditures of the State for activities funded by the payment at a level that is not less than the level of such expenditures maintained by the state for the fiscal year ending prior to November 2000.

Consistent with the maintenance of effort requirement contained in HAVA, in using any requirements payments, the State will maintain expenditures of the State for activities funded by the payment at a level equal to or greater than the level of such expenditures maintained by the State for its fiscal year that ended prior to November 2000. The fiscal year that ended prior to November 2000 was fiscal year 2000, which began July 1, 1999 and ended on June 30, 2000. The total expenditures attributable to the Secretary of State's Elections Division for FY 2000 were $151,207. The total expenditures attributable to the Division increased in FY 2001, 2002 and are anticipated to increase in FY 2003.

To maintain the level of funding required by HAVA, the Secretary of State's proposed budget for fiscal years 2004 and 2005 requests funding for the Elections Division of approximately $280,000 in FY 2004 and $294,000 in FY 2005. This request includes additional funding for the Division in excess of FY 2003 levels. The State Legislature has the ultimate power to approve these funding levels, and has been apprised of the maintenance of effort requirements contained in HAVA. In the event the additional funding request is denied, the projected state funded expenses for fiscal years 2004 and 2005 will still exceed $250,000.

8. Performance Goals and Measures

Section 254(a)(8) requires a description of how the State will adopt performance goals and measures that will be used by the State to determine its success and the success of units of local government in the State in carrying out the plan, including timetables for meeting each of the elements of the plan, descriptions of the criteria the State will use to measure performance and the process used to develop such criteria, and a description of which official is to be held responsible for ensuring that each performance goal is met.

The Secretary of State, in collaboration with local election officials, will establish performance goals and will institute a process to measure progress toward the achievement of these goals. This process will provide local election officials with structure and continued measurable targets for accomplishment. In addition, each local election official will be required to report the progress of such local jurisdiction in meeting the performance goals and measures to the Secretary of State within 60 days after every general election held in the State.

Performance Goals

The State's primary goal is to achieve election reform and compliance with HAVA through the successful implementation of the programs outlined in the State Plan. Following is a description of the timetable for meeting each element of the Plan and the title of the official responsible for ensuring each such element is met:

Element	State/County Official	Timetable
Voting Systems	State Elections Deputy County Election Official	By January 1, 2006
Voter Registration	State Elections Deputy County Election Official	By January 1, 2004*
Provisional Voting	State Elections Deputy County Election Official	By January 1, 2004
Additional Personnel	State Elections Deputy	By January 1, 2004
Polling Place Accessibility	State Elections Deputy County Election Official	By January 1, 2004
Voter Education/Outreach	State Elections Deputy County Election Official	Ongoing
Poll Worker Training	State Elections Deputy County Election Official	Ongoing
Complaint Procedures	Deputy Attorney General	By Certification of State Plan

*if the State certifies good cause for waiver, then by January 1, 2006

Performance Measures

The State will use the following criteria to measure performance:

--voter turnout
--functionality of voting systems
--accuracy of the date contained in the statewide voter registration list
--voter satisfaction with equipment (accomplished through surveys)

--complaints against poll workers
--complaints versus complaints resolved
--ADA compliance issues

These criteria were developed through the State Planning Process.

9. State-Based Administrative Complaint Procedure

Section 254(a)(9) requires a description of the uniform, nondiscriminatory State-based administrative complaint procedures in effect under section 402. This state-based administrative complaint procedure must be in effect prior to certification of the State Plan, but no later than January 1, 2004; no waiver of the procedure is permitted.

The Advisory Committee has developed and adopted a procedure for complaints that meets HAVA requirements[10]. The Secretary of State intends on adopting emergency regulations to place these procedures into the State Administrative Code prior to certification of the State Plan.

In summary, the procedure provides a uniform, nondiscriminatory procedure for the resolution of any complaint alleging a violation of any provision of Title III of HAVA, including a violation that has occurred, is occurring, or is about to occur. Any person who believes a violation of any provision of Title II has occurred may file a complaint with the Secretary of State. The complaint must be written, signed, sworn to and notarized. At the request of the complainant, the Secretary of State will conduct a hearing on the record that will be conducted in accordance with HAVA requirements. The Secretary of State will provide the appropriate remedy and will provide a final determination within the timeframes specified in HAVA. The procedure provides for alternate dispute resolution if the Secretary of State does not make a timely final determination. Finally, the procedure requires the Secretary of State to make reasonable accommodations to assist persons in need of special assistance for utilizing the complaint procedure.

10. Effect of Title I Payments

If the State received payment under Title I, Section 254(a)(10) requires a description of how such payment will affect the activities proposed by the State to be carried out under the plan, including the amount of funds available for such activities.

On April 30, 2003, the State received $5,000,000 in Title I payments. The affect this funding will have on the activities proposed by the State in this plan has been previously discussed throughout this plan. Section 6 of this Plan specifically sets forth the State's intended use for these funds.

11. Ongoing Management of the State Plan

Section 254(a)(11) requires a description of how the State will conduct ongoing management of the plan, except that the State may not make any material change in the administration of the plan unless the change—

(A) is developed and published in the Federal Register in accordance with section 255 in the same manner as the State plan;

[10] See Appendix B for copy of Administrative Complaint Procedure.

(B) is subject to public notice and comment in accordance with section 256 in the same manner as the State plan;
(C) takes effect only after the expiration of the 30-day period which begins on the date the change is published in the Federal Register in accordance with subparagraph (A).

The State intends to use the State Plan as the foundation for its goals in achieving election reform and compliance with HAVA. To achieve these goals, the Secretary of State will appoint an internal committee in his office to be overseen by the Deputy Secretary for Elections. This committee will be responsible for conducting ongoing management of the State Plan. To carry-out this function, the committee will be required to hold monthly meetings and to hold at least three (3) meetings each fiscal year with local election officials. The Deputy Secretary for Elections will be required to report to the State Advisory Committee the activities involved with the ongoing management of the Plan. The Secretary of State will hold an annual meeting of the State Advisory Committee to review and update the State Plan, as necessary. The Secretary of State may also convene the State Advisory Committee at other times during the year as deemed necessary.

12. Changes to the State Plan from the Previous FY

In the case of a State with a State plan in effect under this subtitle during the previous fiscal year, Section 254(a)(12) requires a description of how the plan reflects changes from the State plan for the previous fiscal year and of how the State succeeded in carrying out the State plan for such previous fiscal year.

The State Plan contained herein is the first State Plan for the state of Nevada under HAVA.

13. Committee Description and Development of State Plan

Section 254(a)(13) requires a description of the committee which participated in the development of the State plan in accordance with section 255 and the procedures followed by the committee under such section and section 256.

The State's Advisory Committee consists of fourteen (14) members including the Secretary of State, local election officials from the two largest counties in the State and a variety of other election stakeholders[11]. The Secretary of State selected the committee membership and acted as Chairman for each meeting held.

Members of the State Advisory Committee and their qualifications are as follows:

Jonathan Andrews, Special Assistant Attorney General (Appointee of Attorney General, Brian Sandoval)
LaVonne Brooks, Executive Director, High Sierra Industries
Dan Burk, Washoe County Registrar of Voters
Joseph Catania, Political Director, State Republican Party (Appointee of Senate Majority Leader, William Raggio)
Jan Gilbert, Northern Nevada Coordinator for Progressive Leadership Alliance of Nevada (PLAN)
Dean Heller, Secretary of State

[11] See Appendix C for Advisory Committee biographies and party affiliation.

Brian Kagele, Director of Technology, Office of the Secretary of State
Larry Lomax, Clark County Registrar of Voters
Barbara Reed, Douglas County Clerk
Tony F. Sanchez, III, President, Latin Chamber of Commerce; Partner, Jones Vargas Law Firm
Dr. Richard Siegel, President, ACLU of Nevada
Monica Simmons, City Clerk, City of Henderson
Vicky Thimmesch Oldenburg, Senior Legal & Policy Analyst to the Governor (appointee of Governor Kenny Guinn)
Scott Wasserman, Chief Deputy Legislative Counsel (appointee of Assembly Speaker Richard Perkins)

Advisory Committee Staff and their qualifications are as follows:

Renee L. Parker, Esq., Chief Deputy Secretary of State
Ronda L. Moore, Esq., Deputy Secretary of State for Elections
Patricia Blasius, Committee Secretary, Administrative Assistant in the office of the Secretary of State

To develop the State Plan, the State Advisory Committee met two to three times each month beginning in February 2003[12]. Initially, the Advisory Committee discussed the requirements of HAVA and the various methods for achieving compliance. During the month of March, the Committee began working from a draft plan that incorporated requirements they had already approved and allowed for discussion and analysis of the remaining items. Committee meetings were publicly held and noticed in accordance with the State's Open Meeting Law[13].

A preliminary version of the State Plan was made available for public inspection and comment for a 30-day period prior to submission of the plan. The Secretary of State published notice of such availability in his offices and on his website and in the Nevada State Library, all main County Libraries throughout the State, all City and County Clerk's offices throughout the State, and at various other agencies throughout the State. The Secretary of State also announced that he would take public comment in the form of e-mails, letters, faxes, etc. No public comments were received.

[12] See Appendix D for schedule of meeting dates and corresponding meeting agenda.
[13] Chapter 241 of the Nevada Revised Statutes.

APPENDIX A – VOTING SYSTEMS/STATE OF NEVADA

CARSON				ES&S
CHURCHILL		DOCUMENTATION CARD READER Year Purchased: Last Modified:		**NONE**
	DIRECT RECORDING EQUIPMENT 2186 UNITS SEQUOIA PACIFIC AVC ADVANTAGE Year Purchased: 1994 Last Modified: 2000	SEQUOIA PACIFIC TEAMWORK MODEL 25/ WINEDS Year Purchased: Last Modified:	VOTEC ELECTION MANAGEMENT & COMPLIANCE SYSTEM	VOTEC ELECTION MANAGEMENT & COMPLIANCE SYSTEM
			COUNTY MAINFRAME AS-400	ADS

		TABULATION SYSTEM	VOTER REGISTRATION SYSTEM	SIGNATURE VERIFICATION PROGRAM / SYSTEM
		AIS 15 Series Model 150 Year Purchased: 1996 (No Modifications)	COUNTY MAINFRAME AS-400	NONE
	PUNCH CARD 69 Units SEQUOIA PACIFIC DATA VOTE Year Purchased: 1986 Last Modified: 1996	SEQUOIA PACIFIC TEAMWORK MODEL 25 Year Purchased: Last Modified:		DIS ROSETTA 1
LANDER		AIS 15 Series Model 150 Year Purchased: 1996 (No Modifications):	IBM AS400 with ADS software	NONE
LINCOLN		BRC PRECINCT BALLOT COUNTER (PBC) MODEL 4 Year Purchased: Last Modified:	IBM AS400 with ADS software	NONE
LYON		**BRC** **PERSONAL COMPUTER BALLOT TABULATION 600 (PC/BT)** Year Purchased: Last Modified:	IBM AS400 with ADS software	ADS
MINERAL		AIS Series Model 150 Year Purchased: 1993 Last Modified: 1995	IBM AS400 with ADS software	NONE

		TABULATION SYSTEM	VOTER REGISTRATION SYSTEM	SIGNATURE VERIFICATION PROGRAM / SYSTEM
NYE		AIS Series Model 150 Year Purchased: 1996 (No Modifications)	IBM AS400 with ADS software	ADS
PERSHING		AIS Series Model 150 Year Purchased: 1995 (No Modifications)	IBM AS400 with ADS software	NONE
STOREY	PUNCH CARD 16 Units 228 VOTOMATIC BRC / ES&S Year Purchased: 1997 (No Modifications)	SEQUOIA PACIFIC TEAMWORK MODEL 25 Year Purchased: Last Modified:		NONE
WASHOE	OPTICAL SCAN GES ACCU-VOTE ES 2000 Year Purchased: 1995 Last Modified: 2000		DIMS	DIMS
WHITE PINE	OPTICAL SCAN AIS Series Model 150 Year Purchased: 1995 (No Modifications)		IBM AS400 with ADS software	NONE

Appendix B

STATE OF NEVADA

SECRETARY OF STATE

Help America Vote Act Administrative Complaint Procedure

(Provisions in italics are those required by Title III of the Help America Vote Act of 2002)

.01 Scope.

This chapter provides a uniform, nondiscriminatory procedure for the resolution of any complaint alleging a violation of any provision of Title III of the Help America Vote Act of 2002, including a violation that has occurred, is occurring, or is about to occur.

.02 Definitions.

In this chapter, the following terms have the meanings indicated, unless the context otherwise requires:

(1) "Complainant" means the person who files a complaint with the Secretary of State under this chapter.

(2) "Respondent" means any State or local election official whose actions are asserted, in a complaint under this subtitle, to be in violation of Title III.

(3) "Title III" means Title III of the Help America Vote Act of 2002, Public Law 107-252, 116 Stat. 1666 (2002), codified at 42 United States Code §§15481-15485.

.03 Who May File.

Any person who believes that there is a violation of any provision of Title III may file a complaint.

.04 Form of Complaint.

A. Writing and Notarization. A complaint shall be in writing and notarized, signed and sworn by the Complainant.

B. The Secretary of State may prescribe a form to be used in filing a complaint.

.05 Filing of Complaint

A. Place for Filing. A complaint shall be filed with the Secretary of State's Office in Carson City.

B. Time for Filing. A complaint shall be filed within 60 days after the occurrence of the actions or events that form the basis for the complaint, including the actions or events that form the basis for the Complainant's belief that a violation is about to occur, or, if later, within 60 days after the Complainant knew or, with the exercise of reasonable diligence, should have known of those actions or events.

C. Copy for Respondent. The Complainant shall mail or deliver a copy of the complaint to each Respondent.

D. Screening of Complaint. The Secretary of State or his designee shall screen all complaints to determine if they state a violation of Title III. If a complaint clearly on its face does not state a violation of Title III, it shall be dismissed without further action, with notice to the Complainant. A Complainant whose complaint has been dismissed for failure to state a violation may refile a complaint one time in order to state a violation.

.06 Processing of Complaint.

A. Consolidation. *The Secretary of State may consolidate complaints if they relate to the same actions or events, or if they raise common questions of law or fact.*

B. Record. The Secretary of State shall compile and maintain an official record in connection with each complaint under this subtitle.

C. Hearing.

(1) *At the request of the Complainant, made at the time of filing the complaint, the Secretary of State shall conduct a hearing on the record.* This hearing is not intended to be a "contested case" within the meaning of the Nevada Administrative Procedure Act, Chapter 233B of Nevada Revised Statutes.

(2) The hearing shall be conducted no sooner than 10 days and no later than 30 days after the Secretary of State receives the complaint. The Secretary of State shall give at least 5 business days' advance notice of the date, time, and place of the hearing:

(a) By mail, to the Complainant, each named Respondent, and any other interested person who has asked in writing to be advised of the hearing;

(b) On the Secretary of State website; and

(c) By posting in a prominent place, available to the general public, at the office of the Secretary of State.

(3) The Secretary of State or his designee shall act as hearing officer.

(4) The Complainant, any Respondent, or any other interested member of the public may appear at the hearing, in person or by teleconference, and testify or present tangible evidence in connection with the complaint. Each witness shall be sworn. The hearing officer may limit the testimony, if necessary, to ensure that all interested participants are able to present their views. The hearing officer may recess the hearing and reconvene at a later date, time, and place announced publicly at the hearing.

(5) A Complainant, Respondent, or other person who testifies or presents evidence at the hearing may, but need not, be represented by an attorney.

(6) There shall be no right of cross-examination, but a person may testify or present evidence to contradict any other testimony or evidence. If a person has already testified or presented evidence at the hearing and wishes to contradict testimony or evidence subsequently presented, that person is not entitled to be heard again, but may make a written presentation to the hearing officer.

(7) The proceedings shall be tape-recorded by and at the expense of the Secretary of State. The recording shall not be transcribed as a matter of course, but the Secretary of State, a local board of elections, or any party may obtain a transcript at its own expense. If a board or party obtains a transcript, the board or party shall file a copy as part of the record, and any other interested person may examine the record copy.

(8) Any party to the proceedings may file a written brief or memorandum within 5 business days after the conclusion of the hearing. No responsive or reply memoranda will be accepted, except with the specific authorization of the hearing officer.

D. Final Determination.

(1) If there has been no hearing under §C of this regulation, the Secretary of State or his designee shall review the record and determine whether, under a preponderance of the evidence standard, a violation of Title III has been established.

(2) At the conclusion of any hearing under §C of this regulation, the hearing officer shall determine, under a preponderance of the evidence standard, whether a violation of Title III has been established.

(3) Form of Determination.

(a) *If the Secretary of State or his designee, whether acting as hearing officer or otherwise, determines that a violation has occurred, the Secretary of State shall provide the appropriate remedy.* The remedy so provided may include an order to any Respondent, commanding the Respondent to take specified action, or prohibiting the Respondent from taking specified action, with respect to a past or future election; however, the remedy may not include an award of money damages or attorney's fees.

(b) If the complaint is not timely or not in proper form, or if the Secretary of State or his designee whether acting as hearing officer or otherwise, determines that a violation has not occurred or that there is insufficient evidence to establish a violation, the Secretary of State shall dismiss the complaint.

(4) The Secretary of State or his designee shall explain in a written decision the reasons for the determination and for any remedy selected.

(5) *Except as specified in subsection 6 of this section, the final determination of the Secretary of State shall be issued within 90 days after the complaint was filed, unless the Complainant consents in writing to an extension.* The final determination shall be mailed to the Complainant, each Respondent, and any other interested person who has asked in writing to be advised of the final determination. *It shall also be published on the Secretary of State website and made available on request to any interested person.*

(6) *If the Secretary of State cannot make a final determination within 90 days after the complaint was filed, or within any extension to which the Complainant consents, the complaint shall be referred for final resolution under §E of this regulation.* The record compiled under §B of this regulation shall be made available for use under §E.

E. Alternate Dispute Resolution.

(1) If, for any reason, the Secretary of State or his designee does not render a final determination within 90 days after the complaint was filed, or within any extension to which the Complainant consents, the complaint shall be resolved under this section.

(2) On or before the 5th business day after a final Secretary of State determination was due, the Secretary of State shall designate in writing to the Complainant the name of an arbitrator to serve on a panel to resolve the complaint. Within 3 business days after the Complainant receives this designation, the Complainant shall designate in writing to the Secretary of state the name of a second arbitrator. Within 3 business days after the Complainant's designation, the two arbitrators so designated shall select a third arbitrator to complete the panel.

(3) The arbitration panel may review the record compiled in connection with the complaint, including the tape recording or any transcript of a hearing and any briefs or memoranda, but shall not receive additional testimony or evidence. In exceptional cases, the panel may request that the parties present additional briefs or memoranda.

(4) The arbitrators shall determine the appropriate resolution of the complaint by a majority vote.

(5) The arbitration panel must issue a written resolution within 60 days after the final Secretary of State determination was due under §D of this regulation. This 60-day period may not be extended. The final resolution of the panel shall be transmitted to the Secretary of State and shall be the final resolution of the complaint. The final resolution shall be mailed to the Complainant, each Respondent, and any other interested person who has asked in writing to be advised of the final resolution. It shall also be published on the Secretary of State website and made available on request to any interested person.

.07 Appeal. The final determination of the Secretary of State under Regulation .06D, or the final resolution of an arbitration panel under Regulation .06E of this chapter, shall not be subject to appeal in any State or federal court.

.08 Accommodation. The Secretary of State shall make reasonable accommodations to assist persons in utilizing this complaint procedure.

APPENDIX C

ADVISORY COMMITTEE BIOGRAPHIES AND PARTY AFFILIATIONS

			BIOGRAPHY
Brooks, LaVonne	Executive Director, High Sierra Industries (HSI)	Democrat	*Bachelors and Masters in Organizational Management and Development. First Hispanic female appointed to serve as a City of Reno Planning Commissioner and appointed to serve as Vice Chair on the Governor's Task Force for Provider Rates in 2001 & 2002. Prior to joining HIS, LaVonne worked for an international consulting firm for 2 years and spent 14 years with a computer manufacturing company. She then owned her own training & development company specializing in improving performance through computer upgrades.*
Burk, Dan	Registrar of Voters, Washoe County	Nonpartisan	*B.A. in Public Administration, U of Northern Texas (1970). M.A. in History, U of Northern Colorado (1977). Worked over 20 years in all aspects of election procedures in Oregon, from Director of Records and Elections, Liaison Officer in the Archive Division to membership on the committee for the implementation of the ADA (American Disabilities Act) regarding Oregon's standards for handicapped access to polling locations.*
Gilbert, Jan	Northern Nevada Coordinator PLAN	Democrat	*B.A. Economics from UCLA. She co-founded the Progressive Leadership Alliance of Nevada (PLAN) and the Nevada Empowered Women's Project, a non-profit organization. Representing low-income women. Prior to working on economic and environmental justice issues at the state legislature for 19 years, she began advocacy work for the League of Women Voters. She has received several Humanitarian Awards including the Women's role Model Award from the Attorney General and the Hannah Humanitarian Award from the Committee to Aid Abused Women. She also served on the Department of Human Resources Block Grant Commission for 7 years and was Chairman for two of those years.*
Guinn, Kenny C.	Governor	Republican	*Undergraduate degree in Physical Education from Fresno State University, doctorate in Education from Utah State University. In 1964 he began working for the Clark County School District and shortly was named Superintendent of Schools for Clark County. He served as Superintendent until 1978 and then began applying his management skills in business for Nevada Savings and Loan in Las Vegas, which later became PriMerit Bank. He soon was appointed Chairman of the Board of Directors of the Las Vegas-based bank and was also recruited to the energy business as the President of Southwest Gas Corporation becoming the Chairman of the Board of Directors of that utility in 1993. In 1994, Guinn was recruited by the University of Nevada Board of Regents to serve as interim president of the University of Nevada-Las Vegas. He was elected Governor of Nevada in 1998.*

			BIOGRAPHY
Appointment of Governor: *Vicky Thimmesch Oldenburg, Esq.*	Senior Legal & Policy Analyst to Governor Guinn	Appointee: Nonpartisan	*Vicky joined the Governor's Office in April 2001. She earned her J.D. degree and Certificate in Environmental and Natural Resources Law, Lewis and Clark college, in 1992. Vicky is a member of the Cornelius Honor Society, and received the American Jurisprudence award for her achievement in the 1991-1992 Environmental Law Natural Resources Attorney for the City of Reno. She subsequently became an associate at the Nevada law firm of McDonald, Carano, Wilson, McCune, Bergin, Frankovich & Hicks, focusing on issues relative to the proposed high-level nuclear waste repository at Yucca Mountain and is the Governor's liaison to the Nevada Department of Conservation and Natural Resources, and the Nevada Department of Business & Industry.*
Heller, Dean	Secretary of State	Republican	*B.A. in Business Administration, specializing in finance and securities analysis from USC in 1985. Assemblyman in the Nevada Legislature from 1990-1994. First elected Secretary of State in 1994 and re-elected in 1998 and 2002. He serves on several boards including the Board of Examiners, State Prison Board, and the Tahoe Regional Planning Agency. Additionally, he holds the position of Western Region Vice President on the National Association of Secretaries of State (NASS) and is the Chair of NASS' Securities Committee.*
Kagele, Brian	Director of Technology, Secretary Of State	Republican	*B.S. in Business from Chadwick University. Over 25 years of IT (Information Technology) Experience including operations, programming, internal auditing, and project management. Prior to his current position as Director of Information Technology for the Secretary of State, Brian worked as the Quality Assurance Manager for the Department of Information Technology (DOIT) for two years.*
Lomax, Larry	Registrar of Voters, Clark County	Nonpartisan	*B.A. in English Literature, Stanford University (1967) and Master of Business Administration from University of North Dakota (1977). He was a Distinguished Graduate From the Air Force's Officer Training School and as a pilot flew over 4,000 hours in a 30 year career. He served on the Joint Staff in Washington D.C. and had the opportunity to work with legislators and staff members on a wide range of issues. He began his career as Assistant Registrar for Registrations in January of 1998 overseeing the training of 7,000 election board officers, processing of petitions, and election night logistics and was appointed Registrar of Voters with full responsibility for the County's Election Department in March of 1999.*
Perkins, Richard	Assembly Speaker	Democrat	*University of Nevada, Las Vegas, B.A., Criminal Justice, B.A., Political Science. Deputy Police Chief. Speaker of the House. Nevada Assembly 1993-2003.*
Appointment by Speaker:: Scott Wasserman	Chief Deputy Legislative Counsel	Appointee: Nonpartisan	*B.A. University of Connecticut (1981) and J.D. University of Pacific, McGeorge School of Law (1985). Chief Deputy Legislative Counsel for the Nevada Legislature. Counsel to the Senate Committee on Government Affairs having jurisdiction over election laws in the Nevada Senate. Past two sessions served as the Committee counsel to the Assembly Committee on Elections, Procedures and Ethics, and Legal Adviser to the Committee on Reapportionment matters since 1987.*

			BIOGRAPHY
Raggio, William	Senator	Republican	*Louisiana Tech: University of Oklahoma: University of Nevada, Reno, B.A.; University of California, Berkeley, Boalt Hall School of Law. Senator. Attorney at Law.*
Appointment by Senator: *Joseph Catania*	Political Director, Nevada State Republican Party	Appointee: Republican	*B.A. History, University of Nevada Las Vegas (2001). Interned with the Venetian Hotel Casino government relations office for one year. He was M.I.S. Director in charge of providing database and I.T. services to Governor Guinn's re-election along with other state and local election races. He is currently Political Director for the Nevada State Republican Party.*
Reed, Barbara	County Clerk, Douglas County	Republican	*Barbara was first elected Clerk-Treasurer in 1986 but has worked in the Douglas County Clerk-Treasurer's office since November of 1973. Her key interest and commitment is the election process and the advancements currently being taken to allow voters easy accessibility to vote.*
Sanchez, Tony F. III	Attorney, Jones Vargas President, Latin Chamber of Commerce	Democrat	*B.A. UNLV (1988), Arizona State University College of Law (J.D. 1991). Served as Assistant Legislative Counsel to U.S. Senator Richard H. Bryan (1992-1995), Assistant General Counsel for the NV Public Utilities Commission (1995-1998) and Executive Assistant to Governor Bob Miller (1998-1999). President, Latin Chamber of Commerce 2002 and 2003; Trustee, Las Vegas Chamber of Commerce (2001-Present); Clark County Early Advisory Board 2001 and Vice President, Latino Bar Association 2000-01. Partner, Jones Vargas Law Firm with emphasis in Legislative and Government Relations, Utility And Transportation Law, Administrative Law, Planning and Zoning and Civil Litigation.*
Sandoval, Brian	Attorney General	Republican	*Graduated from the University of Nevada and the Ohio State University College of Law. He served two terms in the Nevada Legislature before receiving an appointment to the Nevada Gaming Commission in 1998. One year later, he was named by Governor Guinn as Chairman of the Commission. Sandoval also spent three years as the Nevada at-large member of the Tahoe Regional Planning Agency Governing Board. He is a member of the Nevada State Board of Pardons, Prisons, Examiners, Transportation, Domestic Violence and Private Investigators and on the Boards of Trustees for Children's Cabinet of Reno, KNBP Channel 5, St. Jude's Ranch and the Washoe County, Nevada Law Library. He was sworn in as Nevada's Attorney General on January 6, 2003.*
Appointment: by Attorney General: *Jonathan Andrews*	Special Assistant Attorney General	Appointee: Democrat	*B.A. English Literature, University of Nevada-Reno; J.D., McGeorge School of Law. One year private law practice. (1981-2000) Nevada Attorney General's Office; (1990-2000 Chief, Civil Division), (2000-2003 Nev. Dept. of Human Resources, Deputy Director) and (2003-Present), Special Assistant Attorney General.*

Siegel, Dr. Richard	President, ACLU of Nevada	*Political Scientist at the University of Nevada, Reno since 1965. His academic specialties are foreign policy and international human rights. He served on the National Board of Directors of the American civil Liberties Union from 1975-1988 and currently is President of the ACLU of Nevada. He is also active with the Nevada Faculty Alliance, the Nevada Committee on Foreign Relations, and the Progressive Leadership Alliance of Nevada.*	
Simmons, Monica	City Clerk, City of Henderson	*Appointed City Clerk for the City of Henderson in 1998, her responsibilities include Administration of municipal elections. Monica began her tenure with the City of Henderson City Attorney's Office in 1979 serving through her appointment as City Clerk. Having completed Seattle University's Northwest Academy in 2002, she was accepted into the post-certification Master Municipal Clerk Academy. She received her business accreditation from Southern Utah University in 1977 and is currently completing a degree in Public Administration. She serves as a member of the Clark County Election Department Accuracy & Certification Board and Early Voting Board. She chairs the City of Henderson Latino Advisory Board and remains active in the Election Center, IIMC, Nevada Municipal Clerks Association, and League of Cities. She maintains her legal administrator accreditation and associate membership with the American Bar Association.*	

APPENDIX D

ADVISORY COMMITTEE

SCHEDULE OF MEETINGS

Meeting Locations	Videoconferencing Locations
Department of Education (DOE) (DOE) 700 East Fifth Street Carson City, NV State Board Conference Room 101	Department of Education 1820 East Sahara Las Vegas, NV Suite 205
Public Utilities Commission (PUC) Commission (PUC) 1150 East William Street Drive Suite 250 Carson City, NV Hearing Room A	Public Utilities 101 Convention Center Las Vegas, NV Room A
Legislative Counsel Bureau (LCB) Bureau (LCB) 401 South Carson Street Building Carson City, NV Room 2144 & LCB INTERNET INTERNET	Legislative Counsel Grant Sawyer Office 555 East Washington Las Vegas, NV Room 4406 & LCB

CALENDAR of MEETINGS

(ALL MEETING TIMES ARE SCHEDULED 9 A.M. – NOON)

FEBRUARY

	LOCATION
Tuesday, February 4, 2003	*Old Supreme Court Chamber Room*

(Formation of Advisory Committee)

Thursday, February 20, 2003	*DOE*

MARCH

Thursday, March 6, 2003	*DOE*

APRIL

Tuesday, April 1, 2003	*DOE*
Tuesday, April 15, 2003	
Tuesday, April 29, 2003	*DOE*

JUNE

Monday, June 16, 2003	*PUC*

HELP AMERICA VOTE ACT OF 2002
(HAVA)

Formation of Advisory Committee

February 4, 2003 9 a.m.
Old Supreme Court
3rd Floor – Chamber Room

I. Welcome
Dean Heller, Secretary of State

II. Formation of Advisory Committee Membership
Dean Heller, Secretary of State

III. Informational Presentation on HAVA
A. Renee Parker, Chief Deputy Secretary of State
B. Susan Bilyeu, Deputy Secretary for Elections

IV. Review of HAVA Material
Susan Bilyeu, Deputy Secretary for Elections

V. Establishment of Meeting Schedule
Dean Heller, Secretary of State

This notice of meeting has been posted at the following locations:
The Capitol Building, 101 North Carson Street, Carson City, NV
Grant Sawyer State Office Building, 555 East Washington Street, Las Vegas, NV
The State Legislative Building, 401 South Carson Street, Carson City, NV

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. Please notify the Election's Division at the Secretary of State's office by calling (775) 684-5705.

HELP AMERICA VOTE ACT
Advisory Committee

Thursday, February 20, 9:00 a.m.
Department of Education
700 East Fifth Street
Carson City, NV
State Board Conference Room 101

I. Introduction and Welcome
Dean Heller, Secretary of State

II. Overview of State Plan Requirements
Dean Heller, Secretary of State
Renee Parker, Chief Deputy Secretary of State

III. Establishing Committee Procedure
a. Public Notification of Meetings
b. Public Comment Period During Meetings
c. Public Notice of State Plan
d. Public Comment on State Plan
e. Publication of State Plan in Federal Register

IV. Approval of Committee Description

V. The State-based Administrative Complaint Procedure
a. Current Process
b. Alternatives
c. Committee Recommendation

VI. Public Comment

VII. Adjournment

This notice of meeting has been posted at the following locations:
The Capitol Building, 101 North Carson Street, Carson City, NV
Grant Sawyer State Office Building, 555 East Washington Street, Las Vegas, NV
The State Legislative Building, 401 South Carson Street, Carson City, NV

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. Please notify the Election's Division at the Secretary of State's office by calling (775) 684-5705.

HELP AMERICA VOTE ACT
Advisory Committee

Thursday, March 6, 2003 9:00 a.m.
Department of Education
700 East Fifth Street
Carson City, NV
State Board Conference Room 101

I. Introduction and Welcome
Dean Heller, Secretary of State

II. Approval of Minutes from February 20, 2003 Meeting
Dean Heller, Secretary of State
- **Action to be taken.**

III. Final Approval of Committee Description
(Item returned from February 20, 2003 Advisory Meeting)
- **Action to be taken.**

IV. The State-based Administrative Complaint Procedure
a. Proposed Procedure – *Jonathan Andrews*
Special Assistant Attorney General
b. Committee Recommendations
- **Action to be taken.**

V. Report on Establishment of State Fund - - §254(a)(5)
Renee Parker, Chief Deputy Secretary of State

VI. **Maintenance of Expenditures Report -** §254(a)(7)
Renee Parker, Chief Deputy Secretary of State
Peter Harrington, Accounting Secretary of State's Office

VII. Public Comment

VIII. **Adjournment**

This notice of hearing has been posted at the following locations:
The Capitol Building, 101 North Carson Street, Carson City, NV
Grant Sawyer State Office Building, 555 East Washington Street, Las Vegas, NV
The State Legislative Building, 401 South Carson Street, Carson City, NV

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. Please notify the Election's Division at the Secretary of State's office by calling (775) 684-5705.

HELP AMERICA VOTE ACT
Advisory Committee

Tuesday, April 1, 2003 9:00 a.m.
Department of Education
700 East Fifth Street
Carson City, NV
State Board Conference Room 101

I. Introduction and Welcome
Dean Heller, Secretary of State

II. Approval of Minutes from March 6, 2003 Meeting
Dean Heller, Secretary of State
- **Action to be taken.**

III. Election Day Registration
A. Committee Discussion
B. Committee Recommendation
- **Action to be taken.**

IV. Review Proposed State Plan
A. Committee Discussion
B. Committee Recommendation
- **Action to be taken.**

V. Committee Members' Comments

VI. Public Comment

VII. Adjournment

Notice of this meeting has been posted at the following locations:
The Capitol Building, 101 North Carson Street, Carson City, NV
Grant Sawyer State Office Building, 555 East Washington Street, Las Vegas, NV
The State Legislative Building, 401 South Carson Street, Carson City, NV
The State Library and Archives, 100 North Stewart Street, Carson City, NV

Notice of this meeting was posted on the following website: http://sos.state.nv.us

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. Please notify the Election's Division at the Secretary of State's office by calling (775) 684-5705.

HELP AMERICA VOTE ACT
Advisory Committee

Tuesday, April 15, 2003 9:00 a.m.
Public Utilities Commission (PUC)
1150 East William Street
Carson City, NV
Hearing Room A

I. Introduction and Welcome
Dean Heller, Secretary of State

VI. Approval of Minutes from April 1, 2003 Meeting
Dean Heller, Secretary of State
- **Action to be taken.**

VII. Update on Status of HAVA Legislation
A. Committee Discussion
B. Committee Recommendation
- **Action to be taken.**

VIII. Review and Approve Proposed State Plan
A. Committee Discussion/Proposed Amendments
B. Committee Recommendation
- **Action to be taken.**

V. Comments of Committee Members

VII. Public Comment

VII. Adjournment

Notice of this meeting has been posted at the following locations:
The Capitol Building, 101 North Carson Street, Carson City, NV
Grant Sawyer State Office Building, 555 East Washington Street, Las Vegas, NV
The State Legislative Building, 401 South Carson Street, Carson City, NV
The State Library and Archives, 100 North Stewart Street, Carson City, NV

Notice of this meeting was posted on the following website: http://sos.state.nv.us

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. Please notify the Election's Division at the Secretary of State's office by calling (775) 684-5705.

HELP AMERICA VOTE ACT

Advisory Committee

Tuesday, April 29, 2003 9:00 a.m.
Department of Education (DOE)
700 East Fifth Street
Carson City, NV
State Board Conference Room 101

I. Introduction and Welcome
Dean Heller, Secretary of State

V. Approval of Minutes from April 15, 2003 Meeting
Dean Heller, Secretary of State
- **Action to be taken.**

VI. Update on Status of HAVA Legislation
A. Committee Discussion
B. Committee Recommendation
- **Action to be taken.**

VII. Review and Approve Proposed State Plan
A. Committee Discussion/Proposed Amendments
B. Committee Recommendation
- **Action to be taken.**

V. Comments of Committee Members

VIII. Public Comment

VII. Adjournment

Notice of this meeting has been posted at the following locations:
The Capitol Building, 101 North Carson Street, Carson City, NV
Grant Sawyer State Office Building, 555 East Washington Street, Las Vegas, NV
The State Legislative Building, 401 South Carson Street, Carson City, NV
The State Library and Archives, 100 North Stewart Street, Carson City, NV

Notice of this meeting was posted on the following website: http://sos.state.nv.us

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. Please notify the Election's Division at the Secretary of State's office by calling (775) 684-5705.