

LCB File No. E003-99

**INFORMATIONAL STATEMENT
FOR
EMERGENCY REGULATIONS
FOR THE
SECRETARY OF STATE**

The following statement is submitted for adopted amendments to Nevada Administrative Code chapters 293, 294A, 295, and 306.

1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

This is an emergency regulation, so no public comment has been solicited at this time.

2. The number of persons who:

- | | |
|--|-----|
| (a) Attended each hearing: | N/A |
| (b) Testified at each hearing: | N/A |
| (c) Submitted to the agency written comments: | N/A |

3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

N/A

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

N/A

5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long-term effects.**

(a) This regulation will have no economic effect, adverse or beneficial, on any business.

(b) The immediate and long-term effects will be to simplify the signature gathering process on petitions.

6. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost to the Secretary of State to enforce this regulation.

7. A description of any regulations of the state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

This regulation does not overlap or duplicate any other regulation.

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of those provisions.

No federal regulation regulates the same activity as this regulation.

9. If the regulation establishes a new fee or increases an existing fee, a statement indicating the total annual amount the agency expects to collect and the manner in which the money will be used.

No fees are effected by this regulation.

**EMERGENCY REGULATION OF THE
SECRETARY OF STATE**

December 13, 1999

EXPLANATION - Matter is *italics* is new; matter in brackets [] is material to be omitted.

Section 1. NAC 293.182 is hereby amended to read as follows:

1. If a petition consists of more than one document, each of those documents must, in addition to any other requirements:

(a) Contain sequentially numbered spaces for:

(1) The name of each person signing the petition ~~[, including the person signing the verification or affidavit required by paragraph (b)];~~

(2) The signature of the person;

(3) The residential address of the person;

(4) The name of the county where the person is a registered voter; and

(5) The date of the signature.

(b) Have attached to it when filed ~~[the verification of a signer required by NRS 293.128 or 306.030 or the affidavit of the person circulating the document required by NRS 293.172, 293.200 or 298.109]~~ *an affidavit of the person circulating the document in the following form:*

STATE OF NEVADA

COUNTY OF _____

I, _____, (print name), being first duly sworn under penalty of perjury, depose and say: (1) that I reside at _____(print street, city and state); (2) that I am 18 years of age or older; (3) that I personally circulated this document; (4) that all signatures were affixed in my presence; (5) that I believe them to be genuine signatures; and

(6) that each individual who signed was at the time of signing a registered voter in the county of his or her residence.

Subscribed and sworn to or affirmed before me _____

this ____ day of _____, ____.

Signature of circulator

Notary Public or other person authorized to administer an oath

2. Any document of a petition may consist of more than one sheet. If a document consists of more than one sheet:

- (a) Each sheet must be numbered sequentially;
- (b) All the sheets must be permanently attached in numerical order; and
- (c) The verification or affidavit required by subsection 1 must appear on the last sheet of the document.

3. As used in this section, “petition” means a petition containing signatures which are required to be verified pursuant to NRS 293.128, **293.165**, 293.172, 293.200, 298.109, ~~for~~ 306.035, **or 306.110**.

Sec. 2. NAC 294A.075 is hereby amended to read as follows:

The form of the report of campaign expenses required to be filed pursuant to NRS 294A.125, 294A.200, 294A.210, 294A.220, 294A.280 or 294A.360 must include:

- 1. For each expenditure of more than \$100:
 - (a) The category of the expenditure;
 - (b) The name and address of the person who received payment for the expenditure; and
 - (c) The amount and date of the payment for the expenditure.
- 2. ~~The total amount spent for each category of expenditure.~~

~~3. The total amount spent for all categories of expenditures.]~~

A report of campaign expenses filed pursuant to NRS 294A.200, 294A.210, 294A.220, or 294A.280 shall not include the name of a petition circulator or the amount paid to a petition circulator.

3. A report of campaign expenses filed pursuant to NRS 294A.200, 294A.210, 294A.220, or 294A.280 must include the total amount paid to petition circulators, if any.

Sec. 3. NAC 295.020 is hereby amended to read as follows:

1. If a petition for an initiative or referendum consists of more than one document, each document must contain the full text of the proposed measure and sequentially numbered spaces for:

(a) The name of each person who signs the petition.

(b) The signature of the person signing.

(c) The street address of the residence where the person signing actually resides, unless a street address has not been assigned. If a street address has not been assigned, the document may contain the mailing address of the person signing.

(d) The name of the county where the person who signs is a registered voter.

(e) The date of the signature.

(f) If the petition is a municipal initiative or referendum proposed pursuant to the provisions of NRS 295.195 to 295.220, inclusive, the name of the city in which the person who signs is registered to vote.

~~[2. The name of each person who circulates a document must appear on the first sequentially numbered space of the document.]~~

3. A document may consist of more than one sheet. If a document consists of more than one sheet:

- (a) Each sheet must be numbered sequentially;
- (b) All the sheets must be permanently attached together in numerical order; and
- (c) The affidavit of the circulator required by NRS 295.095 or 295.205 must appear on the last sheet of the document.

(4) Have attached to it when filed an affidavit of the person circulating the document in the following form:

STATE OF NEVADA

COUNTY OF _____

I, _____, (print name), being first duly sworn under penalty of perjury, depose and say: (1) that I reside at _____(print street, city and state); (2) that I am 18 years of age or older; (3) that I personally circulated this document; (4) that all signatures were affixed in my presence; (5) that I believe them to be genuine signatures; and (6) that each individual who signed was at the time of signing a registered voter in the county of his or her residence.

Subscribed and sworn to or affirmed before me _____

this ____ day of _____, ____.

Signature of circulator

Notary Public or other person authorized to administer an oath

2. As used in this section, “petition” means a petition referred to in article 19, section 3 of the Nevada Constitution, NRS 295.015, 295.045, 295.095, and 295.205.

Sec. 4. NAC 306.050 is hereby amended to read as follows:

A candidate for office nominated pursuant to NRS 306.110 may withdraw his candidacy by presenting his written withdrawal of candidacy in person to the officer who received the filings for candidacy for that office not later than ~~14~~ 19 days before the date of the special election.

Sec. 5. NAC 294A.065 is hereby deleted.

The Secretary of State has made a finding that an emergency arising from unforeseen circumstances affecting the proper conduct of elections exists, and that the adoption of the above Emergency Regulation is appropriate.

December 13, 1999.

DEAN HELLER
Secretary of State

I, Governor Kenny C. Guinn, endorse Secretary of State Dean Heller's statement of emergency.

December 13, 1999

KENNY C. GUINN
Governor