

SENATE JUDICIARY HEARING
 Election Bills
 February 11, 1969

Chairman Monroe called the hearing to order at 10:05 a. m.
 on February 11, 1969.

Committee members present: Chairman Monroe
 Senator Jug
 Senator Dodge
 Senator Christensen
 Senator Young
 Senator Bunker
 Senator Swobe (came in at 10:40)

Guests: Wm. Goni, Ormsby County Clerk
 John Koontz, Secretary of State
 Russ McDonald, Legislative Counsel.

The first bill to be considered was SB 67 - (provides flexibility for designating candidates, by party or otherwise, on ballot labels.)

Mr. Goni: This was requested by the County Clerk from Las Vegas. When the ballots were printed there was not enough space when the name of the candidate's party was written out and this was prepared to eliminate any problem of that nature.

Mr. Koontz: The ballots are now narrower due to the use of voting machines and there is not enough space on the ballot for the name of the candidate and his party affiliation. This sometimes ran over into the box used by the voter. I gave the Clark County Clerk the authority to abbreviate the name of the party on the ballot and this amendment would just give the authority to do so.

Senator Christensen moved this be passed.
 Senator Young seconded the motion.
 Motion carried.

Chairman Monroe; SB 68 - Provides for posting of voting results.

Mr. Goni: This is merely to clarify the present law. Now that electronic equipment and computers are used to count the ballots in a central place this would permit posting the results at one place, usually the Court House, instead of at each precinct.

Senator Dodge moved this be passed.
 Senator Christensen seconded the motion.
 Motion carried.

Chairman Monroe: SB 68 - Changes the date of primary election.

Mr. Goni: This would set the date of the primary election ahead one week to the latter part of August instead of the first week of September. Schools are usually used as voting places and they usually open on the same day as the primary elections are held, causing a lot of confusion. Also, the police officers have just finished a three day holiday and some were reluctant to give much help to the election boards. There are a lot of people who take advantage of the three day holiday and leave town for a vacation and sometimes do not return soon enough to vote.

Mr. Koontz: This would also move the filing date of candidates ahead one week.

Senator Dodge: I have no argument with the proposed change, however I feel that the length of time the candidates have to campaign is too long now. The public gets tired of hearing them that long.

Mr. Koontz: We need this much time to prepare the ballots, especially in Washoe and Clark Counties where there are so many candidates. Clark County had 56 candidates file in one district and a special man had to be called in to set up new ballot cards so they could all get on the ballot as there were only places for 50 candidates. Also, additional time is needed between the primary and general elections. It takes some time for the County Clerk to get the results to me so that I can certify them and get them back so they can get the ballots ready for the general election. There is a lot of paper work to be done and we need the extra time.

Senator Young: How is this handled in other states?

Mr. Koontz: California and Oregon are way ahead on this.

Senator Dodge moved this be passed.
Senator Hug seconded the motion.
Motion carried.

Chairman Monroe: SB 70, provides deadlines for submission of local questions to county clerks prior to elections.

Mr. Goni: This just sets a deadline for local questions to be given to the county clerks. There was one case where a question was submitted to the clerk in Las Vegas and the first run of the ballots had been printed.

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Senator Dodge: I discussed this with Mr. Nick Smith who is a bond consultant and he thought this might make it difficult on bond issues. I think we should consider this and not set the deadline back too far.

Chairman Monroe: How far is this advanced?

Mr. Goni: To the first Monday in August.

Mr. McDonald: There is no limit on time now. The school districts usually wait until the last minute to place their questions on the ballot. AB 49 is generally the same bill and I would suggest you wait until that bill comes out and consider the two.

Senator Dodge: It might be well to contact Al Seeliger and call this to his attention. He might want to suggest some changes.

Mr. McDonald: AB 49 also amends the method to submit to qualified electors or registered voters. Mr. Harry Brown worked with the Assembly in preparing their bill and the Senate bill came from Mr. Goni. I would suggest you wait until the Assembly bill comes in and then contact Mr. Seeliger.

Chairman Monroe: How is the double ballot used on a voting machine?

Mr. McDonald: Certain sections are blocked off, using it for the property owners or non-property owners.

It was the committee's unanimous decision to hold this.

Chairman Monroe: SB 122 - Requires timely submission of questions to appear on ballots.

Mr. Koontz: This deals mostly with county questions.

Mr. Goni: This was not submitted by me. I do not know where it came from.

Mr. McDonald: This came from Senator Swobe at the request of Alex Coon, deputy County Clerk from Washoe. This is a little lengthy, but it spells it out the best.

Chairman Monroe: There are three bills coming up that deal with the same problem and I suggest we hold this up until the others come in.

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Chairman Monroe: AB 68 Clarifies provision for election of county commissioners.

Mr. McDonald: Section 4 of this was meaningless due to action taken during the last legislature.

Senator Dodge: This bill just proports to identify the County Commissioners.

Mr. McDonald: Yes, it gives the candidate a chance to file from a district and not at large. They can run against another candidate instead of the two top vote getters being elected.

Mr. Koontz: This happened during the last election. Some wanted to run from certain districts however we had to list them all together and pick the top two.

Senator Dodge moved this be passed.
Senator Young seconded the motion.
Motion carried.

Chairman Monroe: AB 69 - Corrects law providing for county commissioner districts.

Mr. McDonald: This does away with the long and short term for the County commissioner and merely replaces the obsolete language. We do have this in the general law and this is to conform.

Senator Dodge moved this be passed.
Senator Young seconded the motion.
Motion carried.

Chairman Monroe: AB 78 - Permits voter to assist more than one disabled voter, at the discretion of the election board.

Senator Young: What was the problem on this in the first place?

Mr. McDonald: Mary Frazzini requested this. I do not know the reasoning behind it.

§ Mr. Koontz: It would apply to a rest home where three or four were taken to vote and they would probably have to have more than one helper.

Senator Dodge: I see nothing wrong with this.

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Senator Hug moved this be passed.
Senator Dodge seconded the motion.
Motion carried.

Chairman Monroe: This is all the election bills to be considered today if anyone has to leave. Russ has some bills he would like to discuss.

Mr. Goni: I have one thing I would like to bring to your attention. I have been approached by people traveling thru Carson who want to vote for the president and vice-president. They are not registered any place but would like to vote for these only. I have found that Hawaii allows a non registered voter to vote for the president and vice-president only.

Mr. Dodge: The only problem I can see with this would be a different ballot would have to be prepared for these people.

Chairman Monroe: Mr. Goni, we have passed a bill that will take care of this.

Mr. Koontz: There was a misapprehension that there was a federal law permitting this however I contacted Senator Cannon and he advised that it did not pass.

Mr. Goni and Mr. Koontz left the meeting.

Mr. McDonald: Back to AB 19- authorizes recordation of notice of real property action in federal court.

The Title Companies give notice to everyone that an action has been filed on a certain property and if you are considering buying it one should be careful as something is wrong with it. This authorizes the recording of federal actions as well as local actions. The federal actions are filed with/the Federal Clerk.

Senator Christensen: I think the "may" should be changed to "shall".

Senator Dodge: No, we do not want to make it mandate.

Mr. McDonald: This merely allows it to be done.

Senator Dodge moved this be passed.
Senator Young seconded the motion.
Motion carried.

(Senator Swobe came into the meeting)

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Mr. McDonald: AB 20 - Abrogates statutory specification of fees for certain county law libraries.

I would suggest you hold this. We fiddled around with the clerk's fees last session and I think it should be held until we have a chance to discuss this and see what the feeling is on it.

Chairman Monroe: I understand there is a resolution coming from Clark County against this, and I think we should set it aside for now.

Mr. McDonald: ^{AB 22} Conforms penalties for unlawful conduct in care of mentally ill to related crimes and penalties.

The committee on Criminal procedure overlooked a lot of crimes that should be misdemeanors. Rape is now identified as statutory rape. The Assembly Judiciary Committee took a close look at this and found it to be acceptable and there was no opposition from Dr. McAllister.

Chairman Monroe: This increases the penalty of imprisonment from three to six years.

Mr. McDonald: This changes the rape to a felony and the others are considered a misdemeanor.

Senator Swobe: This is to merely conform to the Criminal Code.

Mr. McDonald: Yes, The section added had not been considered previously. It was overlooked.

Senator Young: This bothers me a little. Why do we need anything on rape at all as that is taken care of in other laws.

Mr. McDonald: It could be knocked out and leave the others as a misdemeanor.

Senator Dodge: A mentally unstable person could accuse a person of rape and have him convicted of a felony and I would not want to encourage that. I believe we should take out that section. I move that we approve this taking out Subsection 2 of section 1.

Chairman Monroe: Russ, would you please prepare the necessary amendment?

Mr. McDonald: Yes.

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Senator Young seconded the motion.
Motion carried. Recommended do pass as amended.

Mr. McDonald: AB 26 changes "alcoholic beverage" to "intoxicating liquor". This bill was probably drafted by a bill drafter that did not know the difference between alcoholic beverages and intoxicating liquor. This language was taken from our own Revenue Statutes defining intoxicating liquor.

Senator Christensen: Why was "imbecile" taken out.

Mr. McDonald: This was done by the assembly committee.

Senator Swobe moved this be passed.
Senator Dodge seconded the motion.
Motion carried.

Mr. McDonald: AB 44- Eliminates redundant language relating to fees of county clerks. This was done just to clean up the bill, and to remove 19.030 from the fee bill.

Senator Swobe moved this be passed.
Senator Dodge seconded the motion.
Motion carried.

Mr. McDonald: AB 45 - Deletes requirement of receipt for supplying certain missing volumes to district judges.

This was suggested by the fiscal analyst. They were doing an audit in the Secretary of States office and these receipts could not be found. The fee collected could reflect a good observation of the operating costs.

Senator Dodge moved this be passed.
Senator Bunker seconded the motion
Motion carried.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Jeanne M. Smith, Secretary

Approved:
