

NEVADA LEGISLATURE
ASSEMBLY

57TH SESSION

COMMITTEE ON ELECTIONS

DATE: Tuesday, February 13, 1973

ATTENDEES: Foote, Chairman
Gojack, Vice Chairman
Crawford
Ford
Huff
Smith
Vergiels

ABSENCES: None

GUESTS:	Carol Brenenberger	League of Women Voters
	Esther Nicholson	League of Women Voters
	James Shields	-
	Daisy J. Talvitie	State Board, League of Women Voters of Nevada
	Pete Kelley	Nevada Retail Assn.
	Daryl E. Capurro	Nevada Motor Transport Assn., Nevada Franchised Auto Dlrs.Assn.
	Mrs. Vergiels	Wife of Assemblyman Vergiels
	Daniel J. Demers	Assemblyman
	Stan Colton	Clark County Registrar of Voters
	Mike Bell (for Pam Wilcox)	Washoe County Property Owners Assn.
	John Meder	Nevada Assoc.of County Commissioners
	Merle Benet	Common Cause

Meeting was called to order at 4:15 by Chairman Foote. Assemblyman Demers opened up the discussion of AB-51.

Mr. Demers: As the introducer and one of the co-sponsors, I think when we look to see what is happening on the federal level as well as other states, there is a good reason for a bill of this nature. Too many times big chunks of money that go to a candidate commits a candidate to an industry or company of that nature. Therefore, the purpose is to limit the amount they can give any individual candidate. On the federal level, they have a law similar to this and that person would include yourself. Book on "Money and Secrecy" indicates how other states have acted on this.

Assemblyman Ford: How would you enforce this?

Assemblyman Demers: AB-54 is the companion bill, which was introduced last time. In reference to paragraph 2, it states before January 1st following an election a person must file a list of all moneys and expenses. I realize I left something out - not only how much they give, but how they got the money. I don't believe campaign contributions should be used against an individual. I believe people have a right to know where we got our money for an election.

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Assemblyman Smith: When you say an association, what about a political party?

Assemblyman Demers: I believe the ultimate answer to elections is like they have on a federal level where they believe part of the tax structure should be used for the candidate where people can pay, say, \$1.00 for the candidate of their choice.

Assemblyman Crawford: What about in-kind services?

Assemblyman Demers: I believe that will have to be added.

Assemblyman Gojack: Is this referring to only one kind of election or different kinds of elections?

Assemblyman Demers: I am talking about the governor on down to the city and county commissioners, etc.

Chairman Foote: I believe if you are trying to get people not to be beholden to partnerships, corporations, etc., I wouldn't fit under that because I've never received as much as \$200.

Assemblyman Demers: I think we have a system in most cases where we have created districts where the politician can talk to people personally. However, others have to talk on TV. In county, city, and assembly districts, in most cases you can knock on doors and I believe the majority find that to be true and I believe that is the system of politics we should provide now that we have it.

Mr. Colton: In AB-54, accounting may be made to the legislative counsel bureau. By law, the Secretary of State is accountable for elections. This ties directly with an election function and not to my understanding with the legislative counsel bureau. If you are going to make laws of campaign expenditures, I think it should be consistent they all be made to the same office, and that would be to the Chief of Elections Board of the State.

Assemblyman Demers: He is correct. The Secretary of State is accountable for elections. And I also believe it should be written into the bill that it should not be confidential.

Assemblyman Crawford: How can you tell if I get a certain amount of cash?

Assemblyman Demers: Laws are broken every day and people are either going to honor it in the spirit of the law or not.

Assemblyman Ford: Then it becomes a case of how are you going to enforce it?

Mr. Colton: There is a section in the NRS where it says in county elections you have so many days to enter a contest with the Clerk of the Court. Any action of this nature would fall in the area of the Clerk of the Court.

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Assemblyman Demers: In enforcing something of this nature, the law is made with a spirit and that is what the law is about.

Assemblyman Huff: Without stipulation of enforcement, a person on the shady side has an edge over the honest individual and I believe there should be some enforcement.

Assemblyman Demers: I believe this session should come up with some election laws and procedures.

Assemblyman Huff: We need to reach further into this and come up with some remedies so we don't have anything on the books and can't enforce it.

Assemblyman Demers: They have had laws like these in the books for a great many years and the Secretary of State was responsible for enforcing them, in California. Until Pat Brown was elected, they weren't enforcing them and when he started enforcing them, he ruffled some feathers. Secretary of State might enforce them but some who are Secretary of State might not.

Ms. Nicholson: Are you considering AB 51 and AB 54 as companion measures? I don't see how you can because one applies only to legislative expenditures and the other applies from the governor on down. It seems if you are considering them as companion measures you will have to make them consistent. I believe that will have to be cleared up by this Committee.

Assemblyman Ford: Re: AB-55, does this apply to just those who voted for me?

Assemblyman Demers: What I wanted was of all votes cast in the last general election, not just for a candidate.

Assemblyman Ford: Do you think that is a reasonable amount of money?

Assemblyman Demers: Yes, I believe it is. However, I realize some people in some smaller areas have to cover two or three towns and gasoline, etc. could be an expense.

Assemblyman Ford: The language in the last line is a loophole that can be used in many of the states. That, in itself, is not good. This points out some of the problems of enforcing some of the bills of this nature. Have you any written information from California as to how they are already enforcing their laws, or how they are trying to?

Assemblyman Demers: Pat Brown, Jr. is enforcing this through the disclosure provision.

Assemblyman Vergiels: We have reviewed these bills in informal discussions and thought there was a possibility the Committee might before the 40th day request some sort of a combination.

Assemblyman Demers: I believe that would be the way to do it.

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Chairman Foote: I ask that we make no decision on this today. Several have been asked to go to another meeting at 5 o'clock. Will those who can stay please do so and get whatever information they can for the rest of us.

Ms. Benet: I believe the Committee will have to include in its deliberations enforcement and information dissemination.

Mr. Colton: I believe we have to walk before we run. I think you should ask for a simple disclosure of expenses and contributions and see how this works for the next two years and see if there are any abuses - then go for a limit on it.

Mr. Shields: An incumbent would have an advantage if there were a limit.

Assemblyman Smith: It wouldn't be necessary at a city or county election?

Mr. Colton: No, I believe this applies to more those on a general basis. The cities and counties have their charters and I don't believe I would clutter municipal elections with this.

Mr. Bell: I am here on behalf of Pam Wilcox of the Washoe County Property Owners Assn. They are fully in support of these three measures and also are concerned with the 50¢ per vote provision in the AB-55 bill and would like to go on record to this effect.

Chairman Foote: The next meeting will be on Thursday and we have on the agenda AB 15, AB 48 and AB 189. We also have some bills Mr. Colton might be interested in.

Mr. Colton advised Chairman Foote he was certain he would be there for the Thursday meeting. Then Chairman Foote and Assemblymen Gojack, Vergiels and Crawford had to leave to attend another meeting.

Assemblyman Ford: As we advised, we have discussed these bills informally and believe they are unworkable. Even with disclosures you have to have some kind of monitoring. What would it take for you to take all of these disclosures and have some spot checking?

Mr. Colton: You would have to set up an investigative agency throughout the state and I don't think you can. The opposing candidate is the watchdog and if he wants to investigate, he can. You must have certain evidence and it must be tangible before the contest can be brought, to prevent contests merely for harassment.

Mr. Shields: Harassment is usually brought during the election?

Mr. Colton: No; and you could have disclosures established on a periodic basis.

Assemblyman Smith: Then you lay yourself open for all kinds of slanderous accusations by your opponents.

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Mr. Colton: It will have its problems any way you look at it. Make it as simple as you can. Frankly, make disclosure and no limit, then when the campaign is over put slips together of expenditures, any monies received, etc., staple them together and it wouldn't be any problem to submit these as an accounting.

Mr. Meder: How many candidates are that well organized?

Mr. Colton: The simple thing would be to open an account separate from your own.

Assemblyman Smith: I've had a thought generating in my mind where you could create a fund with a kind of purchasing department where the candidates would deposit their moneys and turn in their receipts, etc.

Ms. Talvitie: How do you deal with donated services? I'm not taking a position of any kind but just curious to know.

Mr. Capurro: There have been races that I'm aware of where there was hardly any dollars outlay other than cards and posters and yet there was an army in volunteer services worth many dollars which can't have a value put on them because exposure is the important thing. Other candidates pay dollars for exposure.

Mr. Colton: I believe the intent is to keep a candidate from being bought by a candidate.

Mr. Capurro: That could still happen by having one organization donate several people to donate services.

Mr. Colton: All you can do is put in the most reasonable checks you can. You would all vote for Utopia, too, but politics are politics.

Assemblyman Smith: You are equating evil with money. There are things just as telling on us that have nothing to do with money but are involved.

Assemblyman Ford announced to the guests and remaining Committee members that SB-62 introduced by the Senate has a little more to it than these three bills under discussion and that it has several sponsors. She read the bill for the benefit of those present. It uses about the same definition of campaign expenses as AB-55 except that the limitation is for the period between the primary and the general.

Mr. Capurro: I believe Mr. Colton's point is very valid. If you limit it on the 50¢ per vote basis for both candidates, whether its good or bad it does tend to run to the benefit of the incumbent and does have a strong affect against the newcomer who needsto have his name known.

Assemblyman Ford asked Mr. Meder if he had any comments. He said no, he believed they had covered any comments he had and since they were going to rework these, he would leave.

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Assemblyman Ford to guests: I would personally welcome any suggestions or thoughts any of you have re: disclosures.

Ms. Nicholson: Does common cause legislature attempt to cover all the way down? I don't see how you can.

Ms. Talvitie: Are you going to account for \$1.00 contributions, etc.

Mr. Colton: We are going to have a total amount.

Assemblyman Ford: Some had \$100, some had \$25.

ADJOURNMENT

Meeting was officially adjourned at 5:10 P.M. Some guests remained to talk to individual Assemblymen.

Minutes respectfully submitted by
Marion Smith
Assembly Attache

MS

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Elections Committee Meeting

Date: 2-13-73

NAME	ORGANIZATION REPRESENTED
David Brownberger	League of Women Voters
Evelyn Heston	LWV
James Shields	
Daisy J. Salvetti	State Board League of Women Voters of Nevada
Pete Keller	Nevada Retail Ass'n
Daryl E. Caputo	Nevada Motor Transport Assn. Nevada Franchised Auto Devis. Assn.
Mrs. Virginia	
Daryl J. Gwynn	Assemblyman
Tom Polton	Clark County Registrar of Voters
Frank Brown	Frank Brown
Thibe Bell (for Dan Wilcox)	Washoe Co. of C. W.
John Meder	NACL
Merle Bener	Common Cause

