

NEVADA LEGISLATURE
ASSEMBLY

57TH SESSION

COMMITTEE ON ELECTIONS
MINUTES

DATE: Tuesday, February 20, 1973

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

ABSENCES: None

GUESTS: Carol Brenenberger - League of Women Voters

Meeting was called to order at 4:15 P.M. by Chairman Foote.

1. AB 189

This bill will be amended to have a new section, as follows:

"5. Any person who disseminates to the public in any way information pertaining to the count of absent ballots before the polls close is guilty of a gross misdemeanor."

Amend the title by deleting line 2 and insert:
"board to begin an inventory of ballots at an earlier time on election."

Action taken is as follows:

Bill No. AB 189

Date: February 1, 1973

Sponsor: Mr. Banner

Subject: Permits an earlier inventory of absentee ballot boxes.

Committee Action: Assemblyman Vergiels made motion to "Do Pass as amended."

Seconded by: Assemblyman Crawford

Committee Vote:	<u>Yes</u>	<u>No</u>	<u>Excused</u>	<u>Absent</u>
Foote	X	-	-	-
Gojack	X	-	-	-
Crawford	X	-	-	-
Ford	X	-	-	-
Huff	X	-	-	-
Smith	X	-	-	-
Vergiels	X	-	-	-

Disposition: Do Pass as amended. Date: 2/20/73

2. AB 9

Chairman Foote and Assemblyman Vergiels didn't like line 44 on page 2 and Assemblyman Vergiels didn't like line 31 on page 3. Chairman Foote left to ask Mr. Dreyer if he could come in for a few moments to explain the attributes of this bill.

Mr. Dreyer: This bill came out of the Sub-Committee Meeting. We had three during the interim session. There were many, many suggestions brought up and we recommended that the notice to the registered voters be changed where the delegates chosen at precinct meetings indicate the name of the precinct and the number of delegates; it was determined notice of party convention need not indicate the number of delegates to the convention but indicated delegates would be chosen from each precinct. The word "mass" was changed to "precinct" to better indicate delegation made at the precinct meetings instead of other meetings. Also recommended the law be changed to enable delegate be represented by proxy unless prohibited by a party rule. Also recommended "duly qualified elector" be changed to "registered voter." This enables checking other qualifications by county clerk. There has been many references to central committee; we made it clear it referred to county central committee. I'm sorry I didn't bring up the minutes of the meeting we had. I would perhaps be able to answer specific questions.

Chairman Foote: When are they to be chosen if it isn't at the meeting?

Mr. Dreyer: It would be at their precinct meetings.

Chairman Foote: No, you are changing it from "at the meeting" to "from each precinct." The reason I'm bring this up is the first and only bill I can remember I ever introduced and seen enacted into law is precinct meetings be held in public places. If you hold three precinct meetings at a school within a ward, you might not be able to choose them if you are in the precinct.

Mr. Dreyer: The minutes could give you the discussion. This is the outcome of the people involved in the hearings - county clerks and people involved in the elections. It was just to more or less clear it up rather than have them come out of the delegate meetings. You might want to amend it to read "each precinct meeting."

Chairman Foote: I believe we'll leave AB 9 and go to AB 18 so Mr. Dreyer can go back to his meeting.

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3. AB 18

Mr. Dreyer: The point is in the closing days of the last session the board of regents, school boards, county commissioners, etc. all came up after we got rid of the seats for legislators and senators. Unfortunately, the wording at that time said you had to reside in a district and not in a subdistrict. It so happened in the board of regents in Clark County we had subdistricts, some of the candidates didn't want to run against each other so one said he would run from another district, which he did and was a successful winner, but no one from that district had representation. All we're doing is saying you must reside in the district but you must also reside in a subdistrict.

4. AB 17

Mr. Dreyer: Here, again, we made a couple of changes. We found some inconsistencies in local hospital district. Example: Clark County has 5 trustee districts. Each one comprises part of city and part of county. There was a conflict so we made changes stating they must live in the various subdistricts.

5. AB 16

Mr. Dreyer: Here, again, the state board of education must be residents of the subdistricts. The way it started out, you must be part of the district but not the subdistrict. We had a case of at least one, and possibly two, where one of the candidates did not reside in the subdistrict and the only way you could vote for him was to say you were voting for district A, B, etc. but were actually residing in another district. In one case, one was defeated and actually lived in the district while the winner did not live in that district.

6. AB 138

Mr. Dreyer: This creates a vacancy. This is one where we have had in past elections cases where one candidate does not live in a district and says he is going to run in a certain district, or where on is a candidate and moves out. The bill was intended for correction of when a person is elected for an Assembly seat, Senate seat, county commissioner seat, etc. there is nothing to say they have to stay there. This has been the case and will be the case in Clark County. As such, he will not represent his district. We think this bill should say "from which" he was elected or required to reside. This is to stop people moving from the district and continuing to represent a district where he no longer resides.

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Assemblyman Vergiels brought up the example of a person who has a lease in the district where he is elected moving to Carson City while the legislature is in session and giving up the lease in his home district to avoid duplicate expenses. He felt this would be an example of one being open to a charge of not living within a district from which he was elected.

Assemblyman Smith commented that if you have resided in a district long enough to be elected from it and live in the same general area, you should not be tied down to where a man cannot change his residency within that area; there is something totally wrong.

Mr. Dreyer: This applies only if you moved out of the area.

Assemblyman Smith: If you have to reside during the entire term, that's not right.

Assemblyman Ford: I think Mr. Vergiels has a valid point. However, there are instances where people have moved into the district merely to file, and have no intention of living there.

Assemblyman Smith: The people shouldn't be fooled by that.

Mr. Dreyer: But they are.

Assemblyman Ford: I believe it is valid to continue to live within the district.

Mr. Dreyer: You have to live in that district if you are a successful candidate.

Assemblyman Gojack: Couldn't you make an exception of when the legislature is in session?

Assemblyman Huff: All the intent in this is, after the session is over you move back into your given area and you would be covered. If you didn't, you would be in trouble.

Mr. Dreyer: That's right.

Assemblyman Gojack: And that is what the bill is for?

Assemblyman Vergiels: You think this would cover it?

Mr. Dreyer: I think a person would look ridiculous if he tried to shoot you down because of that.

Assemblyman Vergiels: I make a motion to hold on AB 9 and "Do Pass" on AB 18, AB 17, AB 16, and AB 138.

Assemblyman Crawford: Seconded.

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Action taken is as follows:

Bill No. AB 9 Date: January 16, 1973
Sponsor: Mr. Dreyer
Subject: Eliminates requirement that certain information accompany notice of political party precinct meetings.

Bill No. AB 18 Date: January 16, 1973
Sponsor: Mr. Dreyer
Subject: Requires that members of the board of regents of the University of Nevada System be residents of the subdistrict from which they are elected.

Bill No. AB 17 Date: January 16, 1973
Sponsor: Mr. Dreyer
Subject: Changes residency requirements for hospital trustees.

Bill No. AB 16 Date: January 16, 1973
Sponsor: Mr. Dreyer
Subject: Requires members of the state board of education be residents of the subdistrict from which they are elected or appointed.

Bill No. AB 138 Date: January 30, 1973
Sponsor: Messrs. Dreyer and Schofield
Subject: Creates a vacancy when candidate or elected officeholder moves his residence out of district.

Committee Action: Assemblyman Vergiels made a motion to hold
Date: 2/20/73 on AB 9 and "Do Pass" on AB 18, AB 17, AB 16,
and AB 138.

Seconded by: Assemblyman Crawford

Committee Vote:	Yes	No	Excused	Absent
Foote	X	-	-	-
Gojack	X	-	-	-
Crawford	X	-	-	-
Ford	X	-	-	-
Huff	X	-	-	-
Smith	X	-	-	-
Vergiels	X	-	-	-

Disposition: Still Hold AB 9 and "Do Pass" on AB 18, AB 17, AB 16
and AB 138.

Date: 2/20/73.

7. AB 15

Chairman Foote announced she had pulled this off the board because she was told you can't bracket out existing statute. She informed the Committee with their approval she will put it back on the board and have it introduced on the floor and if it comes back they will take it up then. The Committee approved this course of action.

8. BDR 24-654

Chairman Foote advised this bill was given to her to see if the Committee would introduce it. The Committee reviewed the bill, Assemblyman Huff commented he felt it was unnecessary. The Elections Committee agreed.

9. STATUS REPORTS OF BILLS

Chairman Foote advised some of the committees had pages prepared so they could keep track of what happened to the bills they were responsible for. She showed the Committee a sample of this page. The Committee agreed such a form would be an aid to the members. (See attached.)

10. BDR 24-881 (A.B. 366)

Assemblyman Ford showed the members a draft of this bill which provides for the preparation and distribution of ballot pamphlets relating to State wide measures on General election ballot. The Elections Committee signed it so she can now have it prepared in final form.

11. ADJOURNMENT

Assemblyman Vergiels made motion the meeting be adjourned. Motion seconded by Assemblyman Gojack. Meeting was adjourned at 5 P.M.

Minutes respectfully submitted by
Marion Smith
Assembly Attache

MS

