

NEVADA LEGISLATURE
ASSEMBLY

171

57TH SESSION

COMMITTEE ON ELECTIONS
MINUTES

DATE: Thursday, March 29, 1973

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

ABSENCES: Crawford

GUESTS:	<u>NAME</u>	<u>ORGANIZATION REPRESENTED</u>
	Jan MacEachern	League of Women Voters of Nevada
	Jack McCloskey	Hawthorne, Nevada
	W. D. Swackhamer	Secretary of State
	James Ullom	Assemblyman
	Vaughn Smith	Carson City Clerk

Meeting was called to order by Chairman Foote at 12:20 P.M.

1. AB 842

This bill was not on the agenda today but Assemblyman Ullom asked to say a few words relative to this bill for the Committee's consideration. He advised it is a very simple single seat senatorial bill. He asked the bill drafter's office to draft the bill in such a way to have two assembly districts for each senatorial district. He advised there is a conflict to be resolved but believes people are better served in single seat senatorial districts. It precludes the necessity of going to big interest and special interest groups and provides a better opportunity for the elected official to communicate with the people he represents. Specifically, in Las Vegas, 7 senators cover 13 assembly districts and it is difficult enough for a senator to cover 1 assembly district. In the essence of good government, he said he hopes the Committee will act favorably on the bill and left Mr. Wooster's comments concerning the conflict with Chairman Foote for the Committee's evaluation when the bill appears on the agenda. Assemblyman Ford asked if it changes the assembly districts and Assemblyman Ullom advised it would not.

2. AB 397

This bill changes the primary election to August instead of September. Chairman Foote advised for those waiting to find out what the election results are, it will mean another week to wait. She also pointed out many people are vacationing and

since Labor Day is traditionally the holiday just preceeding the opening of school, many people will be away and would not be registered and around to vote. Assemblyman Gojack and Mrs. MacEachern agreed, and Mrs. MacEachern added that in some states the primary is in August and this complaint has been registered as well as the fact the campaign has been too long and if we are going to change the dates it would be better to change it to the week after, not the week before. Assemblyman Ford advised, however, the registrar of voters and the county clerks have a lot of legal and mechanical things to do to get ready for the ballot and to shorten the time would be a problem. Mrs. MacEachern questioned whether one week would affect it that much but Chairman Foote stated it had been tried in the past and they felt there would be big problems if the time were shortened. Mr. McCloskey thought it would involve many other parts of the registration laws but was assured this bill changes them all. Assemblyman Gojack asked what was the rationale and Assemblyman Ford advised Stan Colton requested it but she, too, felt it has some merit because under the present law, the first day of school is also convening which creates a parking situation, everyone is there with their children, it is hectic for the teachers. Assemblyman Gojack stated she recognized the confusion angle but felt if people had to get out of the house anyway due to the fact school was starting, it would help people get out to the polls to vote.

Action taken:

Bill No.: ~~AB~~97 Date: February 23, 1973
 Sponsor: Committee on Elections
 Subject: Provides for primary elections in August.
 Committee Action: Assemblyman Gojack moved to Indefinitely Postpone.
 Date: 3/29/73
 Seconded by: Assemblyman Smith

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

Disposition: Indefinite Postponement. Date: 3/29/73

3. AB 662

Chairman Foote asked that the Committee not vote on this at this meeting because she had not advised Assemblymen Dini and Getto this bill was scheduled for this meeting. She advised Mrs. Humphrey indicated at the last meeting it would hurt the small counties by changing the number of registered voters to 250 per delegate. There was no further discussion, so the bill was set aside

4. AB 656

Chairman Foote read the bill. Mr. McCloskey advised he thought this could have a great consequence later by not including the office of county auditor since it is a constitutional office which can be abolished or be a separate office from the recorder's office. The auditor's and recorder's office were separated in Clark County and the comptroller's office was created, which was an appointive office, and it was a strange twist when they did it. Some counties might someday separate the recorder's and auditor's office and to include this in the bill will not change the bill in any way. He also advised 778 says the same as 656, so if the Committee is going to act favorably on this, it should have the same action on 778. He stated all county offices are non-partisan and he is beginning to have some misgivings. When we put these county offices in a non-partisan category the people who are now not permitted to seek an office can do so if the office becomes non-partisan. Assemblyman Smith asked why we have the language on the bottom of page 1 "his name alone shall be placed on the general election ballot" and Mr. McCloskey advised because basically the primary election is only primary. Assemblyman Ford commented we have turned this concept down already when Carson City asked for it but Assemblymen Smith and Gojack informed her they had wanted the two top names. Assemblyman Gojack stated she would like to see, when in the primary there is only one candidate from one party, their name on the ballot as well. She stated from personal experience when she had no opposition people assumed the winners of the primary from the other election had won the election; therefore, she thought it was a disadvantage not to be on the primary ballot. Mr. McCloskey commented there would be no point on putting her name on the ballot since she was the candidate for the other party and Assemblyman Smith added if her name were entered as an exercise only, why shouldn't it work for the other side, too, but felt they were really talking about two different things. Assemblyman Gojack thought that could be true. Mrs. MacEachern felt anything we can do on these local elections to make them non-partisan is the way to go. As it stands in Nevada now, everybody calls people by their first name anyway and the party doesn't make that much difference - people work on their own and then ask for party support. It appeared particularly in local elections you are voting for the person and not the party. Assemblyman Smith stated he would like to offer an amendment that none of their advertising could carry a party label, either. Mrs. MacEachern stated they couldn't and asked if that was in there. Assemblyman Smith stated advertizers makes it known they are Democratic or Republican and Mr. McCloskey added there is no such thing as a non-partisan candidate, but the office is non-partisan. Assemblyman Ford felt this language on the bottom of page 1, line 26, could make a difference, adding she knew of an instance where the candidate did receive the majority and did not win. Chairman Foote stated in most instances if someone files non-partisan, you know what party he represents. Assemblyman Ford said hopefully we can speak to the issues rather than the party line but Chairman Foote stated in most cases there are no issues involved.

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Action taken:

Bill No. AB 656 Date: March 16, 1973
 Sponsor: Committee on Elections
 Subject: Designates county and township offices as nonpartisan.
 Committee Action: Assemblyman Gojack moved to amend and Do Pass with
 Date: 3/29/73 county auditor added.
 Seconded by: Assemblyman Vergiels

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 with county auditor added.
 Date: 3/29/73

5. Bill No. AB 285 Date: February 13, 1973
 Sponsor: Mr. Banner
 Subject: Revises provisions concerning area around polling place
 within which votes may not be solicited.
 Committee Action: Assemblyman Vergiels made motion to Do Pass.
 Date: 3/29/73
 Seconded by: Assemblyman Ford

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. Date: 3/29/73

6. Bill No. AB 396 Date: February 23, 1973
 Sponsor: Committee on Elections
 Subject: Increases certain penalties for violation of election
 laws from a misdemeanor to a gross misdemeanor.
 Committee Action: Assemblyman Ford made motion to Do Pass
 Date: 3/29/73
 Seconded by: Assemblyman Gojack

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	-	-	-

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Disposition: Do Pass.

Date: 3/29/73

Intent or Rationale: It is noted this has the same front page as AB 285 and there could be a conflict but it was decided to keep the two bills.

7. AB 54

Chairman Foote advised there have been amendments to this bill and read the bill as amended. Mr. McCloskey made one observation after reviewing the bills concerning campaign expenditures. He stated he noted some say "including mileage" and he felt this was very discriminatory because in some places a person could go over the budget on mileage alone. Assemblyman Ford advised him the Secretary of State shall prescribe the form to be used.

Action taken:

Bill No. AB 54

Date: January 22, 1973

Sponsor: Messrs. Vergiels and Demers

Subject: Limits legislative campaign expenditures

Committee Action: Assemblyman Vergiels made motion Do Pass with

Date: 3/29/73 amendments.

Seconded by: Assemblyman Gojack

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

Disposition: Do pass with amendments.

Date: 3/29/73

8. AB 55 (INCLUDING REFERENCES TO SB 162)

Chairman Foote advised this bill as amended deleted everything from 1 - 15, and read the bill as amended. Mrs. MacEachern commented on that portion of SB 162 which states "with the knowledge of the candidate" and wondered if that infers anything without his knowledge can just happen. Assemblyman Ford stated she didn't know how you could get around that, commenting further that if we adopt this we kill SB 162 because they are in conflict. Chairman Foote pointed out this is only for county, city and township offices. Assemblyman Ford stated she disagreed with that very much since she didn't think you could put limits on some and not on others - if campaign limitations are on one class, they should be on both classes. Chairman Foote pointed out Senator Close thought it would be wise to try it out on the city and county level and if favorably received extend it to the state level. Assemblyman Ford, however, wondered if state offices could be added to our bill and get it through as she would like to see both SB 162 and this get through.

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She stated she believed the public would tend to be in favor of it generally and wondered why the contradiction wasn't taken out of this when amended. Mr. McCloskey stated one of these bills necessitates getting authorization of a candidate before you can publish an ad in support of a candidate and Mrs. MacEachern replied you couldn't get a candidate's permission to put in an item against him. Assemblyman Vergiels advised if it passes out of Assembly he will go over and try to get "gross misdemeanor" on it. Assemblyman Ford advised she has some problems on Senator Close's bill (SB 162). She felt computerized mailings, which are a big factor, should be included; also this bill doesn't require the Secretary of State to set up the form which Senator Close agreed to. Assemblyman Gojack suggested a subcommittee with Assemblyman Ford and Senator Close to get together on SB 162.

Action taken as follows re: AB 55:

Bill No. AB 55 Date: January 22, 1973
Sponsor: Messrs. Demers and Vergiels
Subject: Limits campaign expenditures
Committee Action: Assemblyman Vergiels made motion to amend and
Date: 3/29/73 Do Pass.
Seconded by: Assemblyman Ford

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

Disposition: Bill remains in Committee . Date: 3/29/73

9. ADJOURNMENT

Meeting was adjourned at 1:25 P.M.

Respectfully submitted by
Marion Smith
Assembly Attache

MS *MS*

ELECTIONS COMMITTEE

GUEST LIST

3-29-73

NAME	ORGANIZATION REPRESENTED
Jay MacEachern	LWV of Nevada
Jack McClosby	Hawthorn, Nev.
John Mulligan	Sen / State
James [unclear]	Assemblyman
Vaughn Smith	Carson City Clerk

ASSEMBLY

AGENDA FOR COMMITTEE ON ELECTIONS

Date 3/29/73 Time Noon Room 328
(12 - 1)

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel requested*</u>
AB 397	Provides for primary elections in August.	
AB 662	Increases representation of small counties at state conventions of political parties.	
AB 656	Designates county and township offices as nonpartisan.	
AB 285	Revises provisions concerning area around polling place within which votes may not be solicited.	
AB 396	Increases certain penalties for violation of election laws from a misdemeanor to a gross misdemeanor.	

*Please do not ask for counsel unless necessary.