

Election Committee Minutes  
February 11, 1975

Tuesday, 2:30  
Room 316

Members Present:

Demers  
Sena  
Chaney  
Heaney

Vergiels  
Wagner  
Young

Members Absent

None

Guests

Representing

Karen Hayes  
Keith Hayes  
W. E. "Bill" Adams  
Bob Warren  
Richard Williams  
Frank Fahrenkopf  
Joe H. Latimore  
Frank A. Shank  
William Swackhammer  
Tom Lorenzen

State Assemblyman  
Judge, Las Vegas  
City of Las Vegas  
Nevada League of Cities  
Chairman, Dem. Party, Carson City  
Republican Committee  
City of Reno, Nevada  
Silver Springs Town Board  
Secretary of State  
Private Citizen

The meeting was called to order at 2:40 p.m. The first business to be considered was A.J.R. 4.

Chairman Demers gave the following background information for A.J.R. 4;

The following are reasons why a new definition is needed in the present recall laws: Less than two years ago in Las Vegas, Dayton-Hudson, an American Corporation sought to have approximately 60 acres in NW Las Vegas rezoned for commercial use. The firm planned a shopping center as the area had no facilities. The City Planning Commission recommended the site be rezoned and the application was denied by the Las Vegas City Commission.

A group of citizens calling themselves HURT (Help Us Regain Trust) started a recall movement against the mayor and two city commissioners. 7,000 signatures were collected as required by the statute. Judge Keith Hayes later reversed his decision on the number of signatures required and as the law is written now, 10,000 signatures would be required which voided the HURT recall procedures.

Dayton-Hudson initiated legal action in the 8th Judicial Court claiming the action by the City Commission to be an unlawful and capricious act. Judge Pavlikowski ruled in favor of Dayton-Hudson and ordered the land rezoned. The Las Vegas Commission appealed to the Nevada Supreme Court which two weeks ago upheld Judge Pavlikowski's ruling.

Bill Adams concurred with the resolution except for the time limit which should be approximately 10 days and the recall percentage should be set at 10 to 15%.

Mr. Demers stated that recall is not used as a harassment technique and he cited some of our earlier history in the Declaration of

Independence and the Virginia Bill of Rights.

Mr. Heaney asked Mr. Adams if he wanted something further changed other than the 25%. Mr. Adams felt it would be in the best interest to reduce the 25% recall. Mr. Adams said that California used a 60 day time limit. Mr. Demers asked how long did the HURT people use and Mr. Adams replied, "48 days."

Mr. Vergiels stated that the 25% figure would not work in his district because of the high transient rate which is the district around the "Strip". Mr. Adams felt that 10% would be a more feasible recall rate. In California, he stated it was 15% of the registered voters and they have 60 days in which to petition.

Mr. Demers stated that future hearings would be held on this bill.

Judge Keith Hayes stated that the voter turnout is small which makes the recall more difficult for them. Judge Hayes felt that an elector should have something to say about a recall. He also felt that 15% is a small number for a recall. He also stated that the recall in Las Vegas should not be considered frivolous.

Mr. Heaney cited lines 12 and 13 of A.J.R. 4 and it was agreed that almost anything is grounds for a recall. Mr. Demers felt that it is not up to us to protect the office holder. Judge Hayes felt the best index is the people who voted in the November election.

Bob Warren stated that he wished to support the bill. He also stated this was not a Las Vegas bill.

Richard Williams stated there had been frivolous recalls such as here in Carson City. He cited the attempt to remove the Fire Chief from office. He felt that a 90 day time limit should be used for recall.

Frank Fahrenkopf felt that A.J.R. 4 does not accomplish Judge Hayes thoughts. Lines 7-10 were cited and he felt some different language would have to read into it. He felt it should be tied to registered voters. Mr. Vergiels said that if you are to tie it to registered voters, the voters must be residing there. Mr. Adams felt it would be better to stay with a certain percentage.

Mr. Latimore stated there had been only two recalls in 14 years in Reno. The number of signatures needed needs to be clarified. Printing their name and address is important as 20 to 30% of the signatures could not be read.

Mr. Demers stated that A.B. 87 is what will be used for the printing of a persons name. There have been many abuses with recall petitions for one unemployed person received 50¢ for each signature he procured. It was also felt that line 9 of A.J.R. 4 should include the word ward.

It was agreed that there would be no final action on A.J.R. 4. Mr. Fahrenkopf and Mr. Swackhammer agreed they would come up with some drafted proposals in two weeks time from the meeting.

Next bill to be discussed was A.B. 25. Mr. Demers reported on the 32 answers he received from the County Clerks regarding the voting hours. The results were as follows: Stroey Co., No; Pershing Co., Yes; Elko, No; Lyon Co., Yes. The other counties declined to answer.

Bob Warren stated that in Pershing Co., the problem was with staffing. They used older persons and they had a problem with fatigue because of the long hours.

Mr. Heaney pointed out that the committee should keep in mind the convenience to the voter and not to the county official. The cost factor is not that important; what is to be considered is the standpoint of the voter.

Mr. Demers felt that the hour should stand at 8:00 a.m. to 7:00 p.m.

Next bill for discussion was A.B. 18 concerning automatic recount.

Frank Shank pointed out that the problem was that the legislature does not provide for a recount. Discussion was held concerning the number of votes needed for a recount i.e. 900; 1/2 of 1%. Mr. Farenkopf said what concerned him was the money that the public must spend to pay for a recount. Mrs. Wagner pointed out that it would be possible to have the expense of three different recounts. Mr. Demers said he didn't know if the legislature would allow for a recount for the legislature.

Tom Lorenzen felt that you should allow for the candidate to decide whether he wants a recount or not. Mr. Heaney felt that the recount should take place automatically without a candidate asking for it and felt that we owed it to the public to do the recount. Mr. Williams agreed.

Mr. Swackhammer stated that the Deputy in his office is dead set against this bill. Mr. Swackhammer felt that 1/2 of 1% was too high.

Mr. Young asked what the cost of the Reid-Laxalt recount came to. The figure given was \$9,400 for the county clerks fees, attorneys etc. Open discussion was given on all the problems of recounts. Mr. Fahrenkopf felt the handwritten ballots were easy to tally but the punch cards proved difficult to tally. Mr. Heaney felt it was the county officials responsibility.

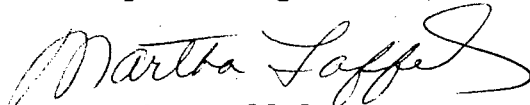
The Committee agreed to pass A.B. 25 as amended. Mr. Young moved that the Committee pass A.B. 25 as amended and Mr. Vergiels seconded the motion. All members voted "Aye".

Four of the Committee (Wagner, Heaney, Sena and Demers) agreed to have the AFL-CIO election law proposals drafted by the Committee on Elections. Meeting was adjourned at 5:00 p.m.

Respectfully submitted,

Attachments:

Election Laws (4 pgs)  
3 ltrs AB25  
1970 Census

  
Martha Laffel  
Assembly Attache

ASSEMBLY

AGENDA FOR COMMITTEE ON ELECTIONS

Date Feb. 11, 1975 Time 8:00 A.M. Room 336

Bills or Resolutions to be considered	Subject	Counsel requested*
A. J. R. 4	Proposes to amend Nevada constitution to clarify requirements for recall of public officers.	
A.B. 87	Clarifies requirements for recall of public officers.	
A.B. 18	Provides for automatic recount following close elections for state or federal office. (report of ad hoc committee)	
A.B. 25	Makes voting hours the same in all counties (report of ad hoc committee)	
Final action taken at 2/4/75 meeting.		
A.J.R. 1 of 57th session--do pass		
A.B. 14	"do pass as amended."	

\*Please do not ask for counsel unless necessary.

Eligible Voter Any person who at the time of election is 18 years of age; a U.S. citizen; 30 days residency in Nevada; and properly registered.

Voters who are now properly registered to vote do NOT have to re-register.

Other Restrictions or Disqualifications The right to vote should be extended to those living on federal reservations. Literacy tests and loyalty oaths should be eliminated.

Election Day  
Registration

All Nevada political subdivisions will allow election day registration regardless of whether or not they employ a pre-election day registration system. A person not registered but otherwise qualified to vote will be allowed to register at the polling place of the precinct in which he resides. He will be allowed to vote upon the completion of a registration card, the making of an oath to be prescribed by the Secretary of State, and by providing proof of his residence by showing his driver's license or other document approved for this purpose by the Secretary of State. Registration on election day is to be conducted by the election judges.

POSTCARD  
REGISTRATION

Each county clerk or county registrar shall designate registration locations within the county, with not less than one location per 30,000 residents, where eligible voters may register

BY completing a registration card and leaving it with an official at that place whose duty shall be to transmit the cards to the appropriate county clerk or county registrar. An adequate supply of registration cards shall be maintained at such locations. Cards may also be mailed directly to the county clerk or county registrar. If mailed and improperly addressed, cards shall be forwarded within two working days to the county clerk or county registrar of county where voter resides.

Clerks or registrars when receiving registration card shall mail to the voter a notice indicating the voter's precinct and polling place.

No citizens registration shall be cancelled for failure to vote in any period less than four years covering two general elections. Any voter scheduled for removal from the rolls because of failure to vote, should be notified in writing and be returned to the voting rolls if he completes a pre-paid, pre-addressed form that was included in the notice to purge.

Allow agreements with post office to forward postal changes of addresses to local registrars.

Absentee Voting Any person over 65 upon written request may vote by absentee ballot. Any person 65 or over who has so voted by absentee ballot shall not have their names removed from the active voting list.

REGISTRATION  
PROCEDURES

Mail registration should be allowed. Available registration forms that are pre-addressed and pre-paid should be delivered to postal patrons and made available in public buildings, printed in local newspapers and made available for distribution in quantities by civic groups such as League of Women Voters, labor organizations, service clubs etc.

A registration procedure that provides for bi-partisan canvassing of precincts within a specific period of time prior to the election. Canvassors should be deputy registrars and should be compensated both for the area covered, as well as new registrations or transfers. For example, \$25 to canvass the precinct, plus \$.25 or 25¢ for each new registration or transfer.

Election  
JUDGES

The election judges should be odd numbered and bi-partisan. That is the majority on the board should be decided by the number of each party so registered. If there is a seven member board, and Democrats represent the majority, four of judges would be Democrats and the remainder three Republicans.

COMPUTERIZED  
VOTING

Those cities or counties using computerized programming or so-called Votomatic voting may have their programming checked by <sup>any</sup> ~~either~~ major party hiring an outside expert at their expense. this to be done 30 minutes before counting the ballots.

COMPUTERS The ballots shall be accompanied from the voting center to the computer counting center by a representative of each party selected by their respective county chairman. At no time shall it be out of their hands until properly delivered to the proper authorities at the computer center.



**STOREY COUNTY  
CLERK AND TREASURER**

*Shirley Andreasen*

**DRAWER D, VIRGINIA CITY, NEVADA 89440**

37  
AB25

February 6, 1975

Daniel J. Demers  
Chairman  
Committee on Elections

Dear Mr. Demers:

Thank you for notifying of the changing in voting hours in Elections. Mr. Dini has already notified me, and this is what I wrote to him.

Personally I don't think much of that bill as we are still counting by hand, and you know that it only takes about an hour or so to count by comuters. As long as we are still counting by hand, I don't think we should change it. If the time comes when we feel a computer is profitable and is faster and better then all the counities should have the same hours. The day board would have 12 hours to work and the counting board would be just starting to count when Las Vegas and Reno will have their results.

Thank you for notifying me Mr. Demers, Please do everything in your power to defeat the bill now.

Sincerely,

*Shirley Andreasen  
Storey Co Clerk..*

PERSHING COUNTY

LOVELOCK, NEVADA 89419

MARGARET FRAZIER  
DEPUTY

February  
6  
1975

Nevada Legislative Assembly  
Carson City, Nevada 89701

Attn: Daniel J. Demers, Chairman  
Committee on Elections


Re: Assembly Bill 25  
Change of voting hours to 7:00 a.m. until  
7:00 p.m.

Dear Mr. Demers:

I am in agreement with changing the voting hours as listed above. Pershing County finds itself in the same delimma as Lyon County in respect to this matter as a result of the coverage by the news media. Although this would increase our election expense somewhat, it would not greatly complicate our voting operation. I believe the service to the voters would justify the additional work and expense engendered by the change.

Very truly yours,

PERSHING COUNTY CLERK

  
(Mrs.) Gladys Nelsen

GN

R. L. KANE  
COUNTY CLERK  
P. O. Box 390  
ELKO, NEVADA 89801

February 6, 1975

DANIEL J. DEMERS  
CHAIRMAN  
COMMITTEE ON ELECTIONS

Dear Mr. Demers:

I am opposed to opening the polls at 7:00 a.m. and closing at 7:00 p.m. for paper ballots.

We have trouble getting people to work on election Voting Boards because of the long hours and to increase the time by two hours will cause more problems.

You will always have those that wait until the last minute even if they were given until midnight.

I have the same problem as Lyon County, with the Newspapers and T V out of Utah, and Washoe County.

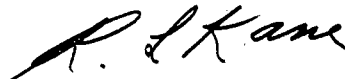
I can say that at each election there is only two or three people at the most that are to late to vote. At the last General Election in November, at Elko No. 1 Precinct at the Stockmen's Hotel there were two people that were to late to Vote and I personelly saw them at least one hour before the Polls closed up stairs at the Bar, and they used the excuse that Utah T V and the Reno Papers said the Polls were open until 7:00 p.m.

I have a number of small Precincts which have around 100 Voters but they are 50 miles away from the next Precinct and I do not think that they should have to stay open from 7:00 a.m. until 7:00 p.m.

I think that 7:00 a.m. is to early to open because at 8:00 a.m. there are only a few that vote that early.

If the Legislature wants to keep the polls open until 7:00 p.m. in the Paper Ballots Counties, I would recommend that the Polls be opened at 8:00 A. M.

Thank You:



R. L. KANE  
ELKO COUNTY CLERK

cc Roy Young  
Warren Monroe

## 1970 Census

1) Clark County	273,288	Computer
2) Washoe County	121,068	Computer
3) Carson City	15,468	Computer
4) Elko County	13,958	
5) Churchill County	10,513	Computer
6) White Pine County	10,150	
7) Lyon County	8,221	
8) Mineral County	7,051	
9) Douglas County	6,882	Computer
10) Humboldt County	6,375	
11) Nye County	5,599	
12) Pershing County	2,670	
13) Lander County	2,666	
14) Lincoln County	2,557	
15) Eureka County	948	
16) Storey County	695	
17) Esmeralda County	629	