

Elections Committee
April 24, 1975

Thursday, 12:30 p.m.
Room 336

Members Present:

Mr. Demers
Mr. Sena
Mr. Heaney
Mr. Vergiels
Mrs. Wagner
Mr. Young

Members Absent:

Mr. Chaney

Guests:

Representing:

William Swackhamer
Eileen Brookman
Vaughn Smith
Richard Williams

Secretary of State
Assemblyman
Carson City Clerk
Carson City Democrat Central Committee

Mr. Demers called the meeting to order at 12:40 p.m.

Mr. Swackhamer presented his amendments to A.B. 581. A copy of this will be attached to the minutes. He stated that he had worked with David Howard and Stan Colton on the amendments.

The next order of business was AJR 19.

Mrs. Brookman spoke in favor of this resolution as the introducer. This bill proposes constitutional amendment to lengthen terms of state senators and assemblymen. Mrs. Brookman pointed out that the amount that is spent on campaigning is more and more. This bill would lengthen the term of office and cut back spending for a legislator. Also a legislator would have more time to be a seasoned legislator after one term. They also wouldn't feel so pressed to present certain bills, as they would have another term in which to work. It should also produce better quality legislation. Mrs. Brookman stated that the Senators would also like longer terms. She stated that even if the bill passed, it would still take 6 years to put it on the ballot. Mrs. Brookman stated that many states are going to 4 year terms, and some states have changed their constitution to 6 years.

Mrs. Wagner took opposition to the last statement made by Mrs. Brookman. She stated that her research showed that no states had terms of 6 years for their legislators. She stated that those terms (6 yrs) would be longer than the Secretary of State or the Governor. Mrs. Wagner pointed out that the other alternative would be annual sessions. Mrs. Wagner stated that legislators campaign longer than they serve. Mrs. Wagner said she was opposed to a six year term for Senators.

Mr. Demers and a few other members acknowledged this would be the same as on the national level, i.e. House of Representatives. Mrs. Brookman stated that the final decision would rest with the people on a ballot.

Elections Committee
April 24, 1975

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Mr. Demers was in agreement with the concept of the bill for he pointed out that many times senior senators pull the freshmen around because of their experience. He stated that the Ways and Means Committee was finally comprised mostly of senior legislators, which is as it should be.

Mr. Vergiels felt it would be worthwhile to have it on the ballot. He stated he would not really be for a six year term.

Mr. Demers inquired whether there would be any more discussion.

Mr. Williams stated that he was in favor of the bill. He also felt that term of legislators should be limited to 18 years. Mr. Williams brought up the idea of dual assembly districts, but the members of the committee were not in favor of this, as the districts would become too large and impersonal, and would lack proper representation. Mr. Williams stated that unless the number of years that a legislator is curtailed, the bill will probably be defeated. He spoke further and stated that the bill has been discussed in Congress, and he felt you should limit the years of service, not a persons age.

Mr. Demers stated the next order of business would be A.B. 611. He stated that he was the introducer of this bill. The bill removes requirement for certain electors to verify post cards requesting reregistration. Mr. Demers stated that he had just gotten the bill back from a bill drafter, but that it would have to be placed in final form before presenting it again.

Mr. Smith pointed out that the language needed some changing. The word shall should be replaced with may. He pointed out this bill could be very costly to implement. Printing 2,000 double post cards costs \$720. He stated he didn't feel that the bill was warranted to find out if people had moved. He stated that the cost of printing and sending each post card was 36¢.

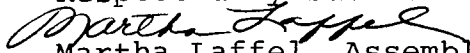
A.B. 581 - Mr. Sena moved that the committee adopt the bill with the amendments. Mr. Vergiels seconded the motion. All members voted, "aye".

A.B. 610 - Mr. Heaney moved that the bill should be adopted with specific amendments pertaining to "household". The motion was seconded by Mrs. Wagner. All members voted "aye".

AJR. 19 - Mr. Sena made the motion to pass the bill as amended. Mr. Vergiels seconded the motion. All members voted "aye", except Mrs. Wagner who voted, "no".

The meeting adjourned at 1:28 p.m.

Respectfully submitted,


Martha Laffel, Assembly Attache

Attachments a/s: AB611

AB677

AB670

AB622

AB639 (2)

ASSEMBLY
AGENDA
~~HEARING~~

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COMMITTEE ON ELECTIONS

Date April 24, 1975 Time 12:30 P.M. Room 336

Bill or Resolution
to be considered

Subject

A.B. 611	Removes requirement for certain electors to verify post cards requesting reregistration.
AJR 19	Proposes constitutional amendment to lengthen terms of state senators and assemblymen.

ACTION TAKEN AT 4/22/75 MEETING

A.B. 542	Amend and rerefer to Ways and Means
✓ A.B. 521	Indefinitely postponed
✓ AJR 4	Amend and do pass
✓ AJR 14	Indefinitely postponed
✓ A.B. 507	Indefinitely postponed
✓ A.B. 581	Held pending clarification
✓ A.B. 610	Held pending clarification
✓ A.B. 639	Held pending clarification
✓ A.B. 577	Do pass

Pg 2 - Sec. 15

line 35

"or indicate a non confidence vote."

Pg. 3 - Sec. 26

lines 31 & 32

after word "county" insert "or city" on both lines

Sec. 30

delete

Pg. 5 - Sec. 42

line 28 & 29

delete "and the public" and insert "and the press".

Sec. 43

lines 34, 35, 36

delete No. 2

Pg. 6 - Sec. 46

line 8

delete "also be open to the public and shall "

Sec. 47

Should conform with AB 570 (60 days unless contest filed, etc)

Sec. 52

lines 34, 37, 38

after word and insert "provide for the delivery of"

delete "at lease 5 hours before the time set for the opening
of the polls on election day."

Pg. 7 - Sec. 54

lines 5 thru' 11

delete No. 2

Sec. 62

lines 44, 45, 46

delete a & b

line 49 and Pg 8, delete lines 1 & 2

Pg. 8 - Sec. 68

lines 24 & 25

delete "and on a certificate to accompany the voted ballots"

line 26

change "certificate to "ballot statement"

Pg. 8 - Sec. 69
lines 34 & 35
delete the last sentence in No. 1

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Sec. 73
line 50
delete "or by any political subdivision of the State of Nevada"

Pg. 9 - Sec. 72
line 1
after the word "clerk" insert "and computer facility manager"

Pgs. 9 & 10
delete Sec. 74 thru' 80 and replace with pages 10, 11 and 12
of the S/S rules and regulations. Attached

Pg. 11 - Sec. 82
line 7
conform to new language re above (pages 9 & 10)

Pg. 13 - Sec. 90
lines 33 thru' 39
line 33 to read "---outside of counting facility, courthouse
or city hall, in case of municipal election
delete (a), (b), (c)

lines 40 thru' 43
No. 3 should read, "each copy of the voting results posted
in accordance with subsection 1 and 2 shall set forth
accumulative total results of all the votes cast within the
county or political subdivision conducting such election, and
should be signed by the members of the counting board or the
computer program and processing accuracy board."

Cards will be filled out by postal patron addressees and mailed back to the State election official who will determine whether or not applicants qualify under the State Law. A return notice indicating acceptance or rejection will promptly be sent by the election official. If such a notice is undeliverable at the designated address, it will not be forwarded but returned to the State election official for further investigation. A notice of acceptance is prima facie evidence that the holder of the notice is a qualified registered voter. Presentation of the acceptance form IS NOT REQUIRED at the polling place.

Preventing Fraud

- Nothing changes state election fraud laws
- Any state can request assistance from VRA in investigating fraud
- If there appears to be a pattern of fraud any state may request the U. S. Attorney General to bring a civil action in Federal District Court to enjoin the practice (s) believed to be resulting in the fraud
- \$10,000 fine and/or 5 years for fraud
- \$5,000 fine and/or 5 years for depriving anyone of their right to vote
- Fraud is a Federal crime and requires Federal enforcement

Financial Assistance

- All costs of processing the registration forms will be paid by the Federal Government.
- If a state wishes to use the post card system for registration for state elections, the Federal Government will pay toward the cost of that change-over an amount not to exceed 30% of whatever was paid that state for its most recent general Federal election.
- There is a \$50 million authorization in HR 8053; out of the VRA appropriation, the U. S. Postal Service will be reimbursed for all mailing charges.

Miscellaneous

- If a state (ex. North Dakota) has no voter registration, it will be exempt.
- Nothing prevents less restrictive voter registration. If, for instance, the state's registration system is more generous, the conditions of the state system prevail.
- Nothing repeals the Voting Rights Act.

Arguments for the Bill

Statistics

1968: 116 million adults eligible to vote
 69 million voted; 47 million did not
 89 million registered; 27 million not registered

77.52% of those registered voted
 76.72% of those eligible were registered
 59.04% of those eligible voted

Experts indicate that an additional 10 million eligible voters would have registered

if the requirements were eased.

1972: 139.6 million adults eligible to vote
77.6 million did vote; 62 million did not
99.6 million registered; 40 million not registered

77.91% of those registered voted
71.3% of those eligible were registered
55.4% of those eligible voted

Experts indicate that an additional 17 million eligible voters would have registered if the requirements were eased.

The evidence shows that almost 8 out of every 10 registered voters vote on election day.

Barriers to Registration

Difficulty meeting state residency requirements (HR 8053 does not deal with this problem)

Absence during periods of registration

Relative inaccessibility of places for registration

Limited hours when registration facilities are open

Answering the Fraud Argument

Nothing in HR 8053 relaxes state election fraud laws -- in fact, there are new safeguards

(a) Voter registration acceptance forms are non-forwardable and will be sent to every address. Signatures on the post cards will be matched at the polls for verification.

(b) VRA will assist State and local governments in fraud investigation

(c) U. S. Attorney General is empowered to bring civil actions to enjoin fraudulent registration and other illegal acts

(d) Federal penalties and enforcement

(e) A 30 day period prior to election where fraud investigations can be conducted.

There are currently mail voter registration systems in 4 states (Texas, Kentucky, Minnesota, Idaho) and there have been no instances of fraud as reported by election officials from those states. Also Maryland has a county option mail voter registration system and six of the largest counties have been operating under such a system with no difficulties. In Wisconsin, there has been post card change of address for voter registration purposes since the 1920's -- again with no problems.

Answering the College Student/College Town Voting Argument

HR 8053 in no way changes existing State election laws. Thus, whether or not a college student can vote in a college town depends on state law.

In the 1972 election, "the 18 year old vote" did not turn out at the polls in any greater percentage than the population generally.

Post card registration should make it easier to vote back home rather than in the college town (the county clerk has become accessible).

Yankelovich Poll -- November 1973

In states with "lenient" voter registration laws, 73% of eligible voters were registered.

In states with "strict" voter registration laws, 62% of eligible voters were registered.

- prepared by Phil Kugler, American Federation of Teachers

ZELVIN D. LOWMAN
ASSEMBLYMAN
ASSEMBLY DISTRICT No. 5 (CLARK)

1246 CASHMAN DRIVE
LAS VEGAS, NEVADA 89102
TELEPHONE 385-5733



MEMBER, LEGISLATIVE COMMISSION
COMMITTEES
MEMBER
JUDICIARY
ENVIRONMENT AND PUBLIC
RESOURCES
EDUCATION

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Nevada Legislature

FIFTY-SEVENTH SESSION

October 29, 1974

A.B. 677

Joe & Vi Wehrer, Managers
The Meadows
2900 Valley View Blvd. South
Las Vegas, Nevada 89102

Dear Mr. & Mrs. Wehrer:

I called at the office at The Meadows on Saturday intending to call on each of the registered voters in Precinct 129, making up your Park. However, I was turned down by your assistant manager who gave as her reason the fact that you have a letter from the Park owners to the effect that no candidates for public office are allowed to call.

I believe this makes second class citizens of mobile home owners and would appreciate your providing me with a copy of the document which refuses admittance. I need to check this matter with the Legislative Counsel and should have documents to make an adequate check.

Please send a copy of the letter or other document to me at the above address. I want to cooperate in every way possible with you and hope you will do the same with me.

Cordially,


Zel Lowman

ZDL:b

CC: Perry Burnett
Legislative Counsel

HARRY J. MANGRUM, JR.

ATTORNEY AT LAW

THREE TWENTY-THREE LAS VEGAS BOULEVARD SOUTH
LAS VEGAS, NEVADA 89101

~~(702) 385-1125~~ (702) 385-1125

April 24, 1975

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The Hon. Daniel Demers, Chairman
Assembly Elections Committee
c/o Nevada State Assembly
Carson City, Nevada 89701

Re: AB 670

Dear Mr. Demers:

I am somewhat distressed at a time when the existing major political parties seem so sterile and unimaginative in what they propose to the public and at a time when the standard ideas are daily proving more and more ineffective to find that Nevada now ranks as a state having the highest restrictions and obstacles in the way of the formation of new political parties. The fact that, to comply with recent rulings of the United States Supreme Court, voters are now allowed to register under any party designation they may choose, including Communist, without restriction to designate themselves as a Republican, Democrat or non-partisan, helps somewhat, but for some strange reason the fact has never been publicized and so far has had very little visible effect.

While I am a Republican, I am rather disappointed with what is called "conservatism" and am not at all attracted by the Populist-Conservative Independent American Party, anymore than I am by socialism.

With the inability of the federal government to extract enough tax revenue from the public to pay for the programs the public supposedly prefers, thereby forcing it to finance enormous deficits through the Federal Reserve System with an inevitably inflationary effect, it is obvious that the voters both need and truly deserve a far broader spectrum of choice in candidates and programs. This is clearly indicated both by the voter registration totals and turnouts -- the fact that a nationwide average of only 38% of those registered bothered to vote in the last federal elections augers ill for the democratic concept of majority rule.

(Continued)

HARRY J. MANGRUM, JR.

ATTORNEY AT LAW

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The Hon. Daniel Demers
Assembly Elections Committee
Nevada State Assembly

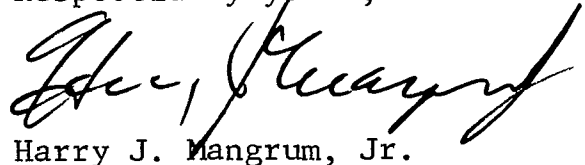
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April 24, 1975

For these reasons, I strongly urge you and the other members of the Assembly Elections Committee to strenuously support AB 670, Mr. Coulter's bill lessening the number of required signatures on voter petitions for formation of any political parties from 5% to 2% of the number voting in the last general congressional election, to bring Nevada up to date.

With sincerest thanks for your consideration and earnest wishes for success in every endeavor, I am

Respectfully yours,



Harry J. Mangrum, Jr.

HJM:s1

cc: The Hon. John Vergiels

COMMITTEE ON ELECTIONS

STATUS REPORT

APRIL 28, 1975

<u>BILL</u>	<u>COMMITTEE ACTION</u>	<u>STATUS</u>
AJR 1 of the 57th Session	Do pass 2-4	Deposited with Sect'y of State
AJR 2	Do pass 3-18	Delivered to Sect'y of State
AJR 4	Amend and do pass 4-22	
AJR 14	Indefinitely postponed 4-22	
AJR 19	Pass as amended 4-8	Chief Clerks desk
ACR 41	Do pass 4-8	Referred to Comm on Gov Affairs
SJR 14	Do pass 4-1	Delivered to Sect'y of State
A.B. 14	Do pass as amended 2-4	Re-referred to Comm on Elections
A.B. 18	Amend and do pass 3-4	Committee on Ways and Means
A.B. 25	Do pass as amended 2-11	Signed by Governor-Eff. 7-1-75
A.B. 32	Amend and do pass 3-4	Killed on floor
A.B. 33	In subcommittee	
A.B. 52	Holding (hearings held)	No further action contemplated
A.B. 72	Holding (hearings held)	No further action contemplated
A.B. 84	Amend and do pass 3-4	General file
A.B. 87	Holding pending Counsel Bureau classification	
A.B. 169	Do pass 3-11	In assembly 4-18
A.B. 291	Do pass 3-18	Signed by Governor-Eff 7-1-75
A.B. 294	Amend and do pass 4-1	Referred to Comm on Gov Affairs
A.B. 336	Amend and do pass 3-25	Referred to Comm on Gov Affairs
A.B. 398	Amend and do pass 4-1	Referred to Comm on Gov Affairs
A.B. 406	Killed 3-25	
A.B. 410	Do pass 4-1	Referred to Comm on Gov Affairs
A.B. 416	Amend and do pass 4-18	In Senate
A.B. 431	Amend and do pass 4-1	Referred to Comm on Gov Affairs

continued--

<u>BILL</u>	<u>COMMITTEE ACTION</u>	<u>STATUS</u>
A.B. 434	Amend and do pass 4-1	Referred to Comm on Gov Affairs
A.B. 437	Amend and do pass 4-1	Referred to Comm on Judiciary
A.B. 441	Indefinitely postpone 4-1	
A.B. 458	Tabled due to provisions in amendment to A.B. 294 4-8	
A.B. 463	Amend and do pass 3-25	Approved by Governor-Eff 4-3-75
A.B. 467	Do pass 4-8	Referred to Comm on Gov Affairs
A.B. 499	Tabled due to provisions in amendment A.B. 294 4-8	
A.B. 507	Indefinitely postpone 4-22	
A.B. 508	Amend and do pass 4-15	
A.B. 520	Indefinitely postponed 4-15	
A.B. 521	Indefinitely postponed 4-22	
A.B. 577	Do pass 4-22	
A.B. 581	Held pending clarification 4-22	
A.B. 610	Held pending clarification 4-22	
A.B. 639	Held pending clarification 4-22	

AB 622
The Honorable Steve Coulter
Nevada State Assembly
State Capitol
Carson City, Nevada 89701

April 27, 1975

Dear Steve:

This letter is in reference to AB 622, which provides for certain political party representatives and their observance of ballot counting.

As chairman of the Precinct Committee of the Democratic Central Committee I strongly favor this bill. Our committee works closely with the election processes, and we feel that this bill will remove one of the problems that we have met in past elections.

This bill is one more guarantee of honest, fair elections. Not that irregularities have occurred, but why not provide another safeguard against possible questions arising?

Sincerely,



Ken Haller, Chairman
Precinct Committee
1611 Clemson Rd.
Reno, Nevada 89502

KLH:rh

United States Senate

WASHINGTON, D.C. 20510

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January 22, 1974

Dear Colleague:

I am writing to ask for your support of S. 352, the Postcard Voter Registration bill which has been reported out of the House Committee on Administration and is expected to be taken up on the Floor of the House of Representatives in the near future. This bill is designed to help correct the dismal voter turnout in American elections over the past half century. Present voter registration requirements in most states are a major obstacle preventing large numbers of citizens from exercising their franchise. S. 352 would eliminate those obstacles by allowing the voter to register by the simple process of filling out a postcard form and mailing it to his local registration agent. As you may know, registration by mail has been employed successfully in Texas for some thirty years.

In expanding on the Texas model and establishing a national postcard voter registration system, it is important that the prerogatives of the states to establish by law general qualifications for voting be preserved. S. 352 does so. The determination of who is a qualified elector in any state remains the right and responsibility of the state and no federal official participates in the registration process in the state unless so requested by the state.

One argument that has been raised against a national postcard voter registration system is that of fraud; this argument, quite simply, is a straw man. Nothing in S. 352 prevents the county clerks from investigating the qualifications of applicants who register by mail. The determination of who is a qualified elector is still made by state or local officials in whom such power and responsibility are vested by state law.

~~The experience of the State of Texas with the postcard registration system should effectively still the fears of those concerned with possibilities for fraud. Voters in Texas register to vote by clipping a coupon from a newspaper, completing the form, and mailing it to the county clerk. There is no evidence indicating that Texas has experienced an increase in fraudulent registration. Mr. Randall B. Wood, former director of elections for the office of the Secretary of State of Texas, testified before the Senate Post Office and Civil Service Committee on February 8, 1973 and outlined Texas' experience with postcard voter registration. The following excerpt from his testimony is particularly revealing:~~

Page 2

"...Texas has had experience from 1941 to 1971 with registration by mail system, and the old bugaboo of fraud simply could not be raised in Texas very well because the experience over those 30 years had generally disproved that registration by mail was any more susceptible to fraud than any other registration system."

Texas Secretary of State, Mark White, has made the following observation:

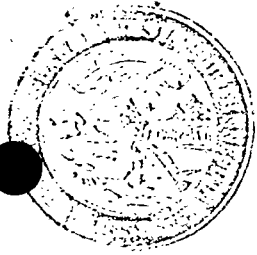
"...I have contacted a broad spectrum of voter registrars in this State as well as reviewed the files of this office. It is the general consensus that voter registration by mail has been an unqualified success. Initial concerns were expressed that it would be unduly susceptible to fraud and would be unwieldy in operation. Experience has shown that to the contrary the mail system of voter registration has been unusually free of abuse and has been particularly helpful in alleviating the paperwork burden of the voter registrars in this State. It should be pointed out that the tough penalties imposed by the Texas statutes upon anyone who fraudulently applies for registration have apparently been effective in preventing abuse of the system. As the chief election officer of Texas, I can recommend the voter registration by mail system as it has been adopted in this State."

George Gallup, the respected American pollster, after studying the problem of low voter participation in the U.S., said that it is not a question of lack of interest so much as the residency and other registration qualifications that are the greatest barrier to wider voter participation in our nation. The fact that in 1972 almost half of our eligible voters did not vote is a striking illustration of the need for inducements to expand voter participation in federal elections. Senior citizens with reduced physical ability to get to registration centers; ranchers who may have to travel 100 miles to register; workers who may be unable to register because 70% of the country's voting jurisdictions have no Saturday or evening registration in non-election months -- these are the citizens who must gain access to the voting booth. I urge you to support S. 352 for if the successful Texas experience with postcard voter registration can be expanded and applied on a national scale, the democratic process will certainly be strengthened.

Best regards.

Sincerely,


Lloyd Benson



STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL

W. R. Anderson
4 224
AB639

WENDELL R. ANDERSON
GOVERNOR

February 7, 1975

*from the Gov of
Minnesota to the
Gov of Wisconsin*

The Honorable Patrick J. Lucey
Governor of Wisconsin
State Capitol
Madison, Wisconsin 53702

Dear Pat:

I am pleased to inform you that Minnesota's legislation allowing registration by mail has been working extremely effectively since it went into effect August 1, 1973.

Three major elections have already been held in Minnesota since its enactment - the Minneapolis and Duluth city elections and the 1974 statewide general election. These three elections have given us excellent opportunities to assess its impact under varying conditions. Clearly, the legislation has been most successful in fulfilling the purpose for which it was intended.

In the Minneapolis city election, its first major test, there was a dramatic increase in the total number of registered voters. This can only be attributed to the ease and convenience of postcard registration. To illustrate: in 1969, there were 224,853 registered voters. In 1971, this figure had risen only slightly to 226,068. But on November 8, 1973, although there had been no corresponding increase in the city's population, there were 254,501 registered voters.

Similar documentation of its effectiveness as a registration technique exists for the other elections which have since been held in Minnesota.

The Honorable Patrick J. Lucey
Page 2
February 7, 1975

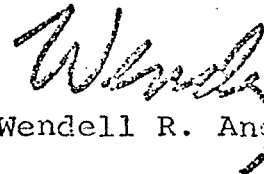
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Equally noteworthy, despite fears voiced prior to its passage, there have been no allegations of voter fraud since the inception of the law. Rather, it has served to encourage wider participation in a most fundamental democratic American right, the right to cast a ballot.

Informed public officials throughout Minnesota are most enthusiastic about our state's new system of registration by mail. I commend it most highly for adoption by the state of Wisconsin.

With warmest personal regards,

Sincerely,



Wendell R. Anderson

WRA:jah

1
enabling Legislation
 AB639

FACT SHEET

ON: POST CARD VOTER REGISTRATION (H.R. 8953)

General

The bill H. R. 8953; the "Voter Registration Act," establishes a Voter Registration Administration (VRA) within the Government Accounting Office (GAO). The VRA is empowered to:

- Assist in solving election problems generally
- Conduct voting studies and develop voting data
- Assist states in the investigation of vote fraud
- Assist states in administering a national post card voter registration system

The bill establishes a post card voter registration system for all Federal elections

- President and Vice President
- Senators and Representatives
- Delegate selection elections for party conventions and caucuses for nominations for Federal office

Qualifications

People who qualify under State law may register by post card to vote in Federal elections not later than 30 days prior to election day.

Registration Forms

The post card registration forms shall include spaces to fill in all the information which the State requires of people who want to become registered voters and any additional information which VRA deems appropriate.

- (1) Cards will ascertain positive identification and voter qualification of an individual applying to register.
- (2) Cards will provide for return delivery to State election official.
- (3) Cards will list the penalties for fraud.

How the Post Card Registration System Will Work

There will be a general distribution of post cards by mail to every house address once every two years in the period between 120 days and 60 days prior to the close of registration for the next Federal election in each State. Timing of when cards are mailed out is determined by state registration laws. Also, cards will be available for distribution at post offices and military installations (no time limit on availability of registration forms in post offices or government buildings).