

Senate

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GOVERNMENT AFFAIRS COMMITTEE

Minutes of Meeting - May 15, 1975

Present: Chairman Gibson
Senator Walker
Senator Dodge
Senator Foote
Senator Hilbrecht
Senator Schofield

Also Present

George Hawes, A.F.L.C.I.O
C. P. Brechler, Regional Street & Highway Commission, Clark County
Jerry L. Hall, Regional Street & Highway Commission, Washoe County
Bruce Arkell, State Planning Coordinator
Wayne Norris, Central Telephone Company
Stan Warren, Nevada Bell
Dan Crosby, State Highway Dept.
Bill Adams, City of Las Vegas
Bob Warren, Nevada League of Cities
Richard Bunker, Clark County
Bob Broadbent, County Commissioners
Bruno Menicucci, Reno Counsel
John Peevers, Dept. of Law Enforcement
Bart Jacka, Metropolitan Police - Las Vegas
George Ogilvey, Counsel for Las Vegas
Heber Hardy, Highway Dept.
Robins Cahill, Engineer

Chairman Gibson opened the forty fifth meeting of the Government Affairs Committee at 4:55 p.m. with a quorum present.

SB-24 Increases salary and prohibits private practice of law by district attorney of Elko County. (BDR 20-682)

Senator Monroe discussed this bill with the committee and suggested that the bill be made mandatory and the effective date be July 1, 1975. It was also suggested that the salary be set at \$24,000.

AB-535 Increases salary and prohibits private practice of law by district attorney of Humboldt County. (BDR 20-1535)

Senator Monroe stated that this bill sets the salary for the District Attorney in Elko, Humboldt and Churchill counties at \$24,000 and prohibits private practice. He feels the effective date should be the same as in SB-24, July 1, 1975.

The committee discussed consolidating SB-24 and AB-535 into one bill. Action would be deferred until the next meeting.

AB-509 was not on the agenda and Mr. Bob Warren requested that the committee give him the opportunity to go over the bill. After looking at the reprinted version and his original copy Mr. Warren felt that discussion should be postponed until the next meeting and he could have the appropriate people here to testify.

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Senator Gojack spoke to the committee on SB-357 stating that the amendments were being prepared and she had conferred with Senator Foote about incorporating Sparks into the bill.

It was their feeling that a ceiling of 17 million dollars be put into the bill and mandate the project to not more than 5% of the area in the city be used in the project. This would eliminate the problem of having the bill specify a project.

Senator Gojack further indicated that the Reno delegation was in favor of the amendments suggested.

Motion to "Amend and Do Pass" by Senator Gojack, seconded by Senator Dodge. Motion carried. Senator Gojack would be responsible for getting the amendments that the committee agreed on.

AB-616 Provides for statewide emergency telephone number. (BDR 22-1157)

Assemblyman Heaney spoke to the committee on AB-616 stating that this bill would provide the number 911 as a statewide emergency number for anyone to use without a coin at any time. They will have an Advisory Board formed to study the complexities and costs of this program and hope to have the information ready to put the program into effect by July 1, 1980 or July 1, 1982. Mr. Heaney indicated that this would mandate the cities and counties to have this number and bear the costs. He also noted that there are federal funds that could be appropriated for this to help lessen the costs of the cities and counties.

Stan Warren, Bell Telephone, stated that it was very difficult to try to break down the costs of such a program as there were so many variables involved. There were many decisions that had to be made by the different areas before it could be determined how much the program was going to cost each area involved. Mr. Warren did state that it would cost approximately \$5 million to get the program set up. After that it was too difficult to estimate.

John Peevers, Department of Law Enforcement, stated that there were funds available for the program but would only include the law enforcement people and not handle the other emergency areas.

Assemblyman Murphy indicated that this bill was drawn very broadly so it can be flexible. In the next session the legislature can look at the study and see if the program is feasible. Mr. Murphy feels that this is an excellent idea and should be pursued.

Bob Warren, Nevada League of Cities, indicated that they were in favor of the concept but until the costs of such a program are realized they would be opposed to AB-616.

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Bart Jacka, Metropolitan Police and speaking for Sheriff Gallie from Washoe County, stated that there are many problems with this emergency number and especially in the southern Nevada area where there are several phone companies involved. Mr. Jacka noted that Henderson has such an emergency number and they are unhappy with the results. Mr. Jacka suggested having the study committee and then begin the program after the committee has come up with all the costs and ways to make the program workable throughout the state.

Mr. Woody Norris, Central Telephone Company, stated that he agreed with the concept of the bill but agreed with Mr. Warren's testimony from Bell Telephone about the impossibility to quote a price until all the decisions are made from the communities involved.

Bob Broadbent, County Commissioners, felt that none of the members of this advisory committee were responsible for the money end of the program and there should be some county commissioners appointed to this board. Mr. Broadbent also felt that the program was a good one but the study should be done to determine the costs before the program should be considered.

Senator Foote questioned the small areas where there were no numbers to call where someone would be 24 hours a day. There were many inequities that should be resolved before she would favor this bill.

The committee discussed the testimonies given and decided that the bill should be amended to form the study committee and then report back to the legislature its findings.

Motion to "Amend and Do Pass" by Senator Dodge, seconded by Senator Hilbrecht. Motion carried unanimously.

AJR-2 Memorializes Congress to propose Constitutional amendment to clarify law relating to apportionment of Representative to Congress. (BDR 473)

Both Assemblywoman Brookman and Assemblyman Howard testified in favor of this bill noting that the census in Nevada should include Indians that are living on reservations. As the law now reads those Indians that are living on a reservation are not included in the census. Mrs. Brookman indicated that it would be approximately 10,500 people.

Motion of "Do Pass" by Senator Dodge, seconded by Senator Hilbrecht. Motion carried unanimously.

AB-197 Provides for financing of health and care facilities through county and city economic development revenue bonds. (BDR 20-466)

Mr. Tom Stuchman, Operator of the Fallon Convalescent Center, stated that there is a need to have more nursing home beds in Nevada. Felt that this bill would help provide the funds for this project.

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Bob Warren, Nevada League of Cities, indicated that this type of facility is a multiple type facility and therefore in the case of default on the bonds it could easily be sold to another type of business.

Motion to "Hold" AB-197 by Senator Hilbrecht, seconded by Senator Gojack. Motion carried. Senator Dodge voted "No" on the motion.

AB-543 Permits local governments to provide additional disability benefits for law enforcement officers and firemen. (BDR 20-1149)

The committee discussed this bill at an earlier meeting and felt that it should be stated that after the 10 year period the man does not get any more than he would have if the program was not installed. Also that a man would not get more than his regular salary when he is disabled.

Motion to "Amend and Do Pass" by Senator Hilbrecht, seconded by Senator Schofield. Motion carried unanimously.

AB-639 was not on the agenda but Mr. George Hawes, representing A.F.L.C.I.O. spoke to the committee in favor of AB-639. He felt that post card registration was a good means of getting the voter to register and would improve voter participation.

Mr. Hawes had a prepared testimony (see attached) and a statement from Mr. Lou Paley from A.F.L.C.I.O. (See attached)

Senator Dodge questioned fraudulency in this type of registration and indicated that Florida noted that aliens were using the registration of voting by post cards to establish citizenship.

The committee decided to hold action on this bill until the next meeting.

AB-758 Allows regional street and highway commission to exercise certain powers. (BDR-32-1956)

Assemblyman Tom Hickey told the committee that they have studied this issue and felt that there was something needed in the Clark County area on mass transit. The current system, in Mr. Hickey's opinion, would collapse in two years. Mr. Hickey indicated that Washoe County was also interested in a mass transportation system also.

Chuck Brechler, Managing Engineer for Regional Street and Highway Commission, stated that they had some amendments to AB-758 and passed out a copy to each committee member. (See the attached). Mr. Brechler went over the sections that he was knowledgeable in. Mr. Brechler concluded by stating that they intended to study the mass transit transportation system extensively and report its findings to the legislature next session.

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Mr. George Ogilvey suggested deleting section 14 and adding the date of 1-3-77 in section 15.

Mr. Heber Hardy, Highway Department felt that this was a necessary step to improve the mass transportation in the Clark County area but did not like the broad scope of types of transportation that the bill dealt with, stating that this could lead to other ventures besides the transportation issue. Felt the bill should be tightened up.

Assemblywoman Jean Ford went over the sections in the bill that her committee changed and stated that the broad scope was to include all types of transit systems. They felt that the committee set up to study mass transit should look at it from all areas.

Bruck Arkell, Planning Coordinator, stated that Clark County would be doing this type of study anyway and they needed time to study the various types of transportation available and how best to utilize the program.

The committee discussed amending the bill to remove the language about "franchising" and adding "mass" in front of county transportation in the bill. They also discussed giving the study committee enabling power to get the necessary funds for the program and changing the name to "publicly owned transportation system".

Jerry Hall, Washoe County Street and Highway Commission, indicated that they are currently being subsidized and the portion of the bill referring to the short range study is very desirable to them as they would be able to get more federal funding when this study has been completed.

Mr. George Ogilvey also noted that on line 3 the word "such" should be deleted and insert "a" and also strike the word "Plan" and use the word "system. He felt that this would smooth out the bill for those who had difficulties with it.

Assemblyman Hickey suggested that the committee give the bill back to them for further study and action.

Motion from the committee was "Amend and Do Pass" by senator Dodge seconded by Senator Hilbrecht. Motion carried unanimously.

AB-617 was not on the agenda but Mr. Robins Cahill, Manager and Director of the Nevada Contractor's Association, noted that the new language in subsection 9 was their amendment. This bill deals with exemptions from the state contractors licensing law.

Chairman Gibson indicated to the committee that Mr. Roland Oakes was in favor of this bill.

Motion of "Do Pass" by Senator Walker, seconded by Senator Hilbrecht. Motion carried unanimously.

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AB-613 Removes requirement that certain percent of tracts contain buildings or structures before governing body on its own motion may initiate and assess tracts of property for street projects. (BDR 21-1670)

Bill Adams, City of Las Vegas, stated that this bill was requested by the Nevada League of Cities. Mr. Adams stated that this bill was aimed at breaking up a bottle-neck situation noted on the diagram he passed out. (See the attached)

Bob Warren, Nevada League of Cities, indicated that this bill has statewide application and the cities support AB-613.

Senator Hilbrecht stated that he was unsure that this bill wouldn't create many problems for the property owner. He felt that it would force him to pay for the improving of his property in compliance with the street safety codes. Senator Dodge agreed and felt that this bill was inverse condemnation for the property owner.

Motion to "Hold AB-613" by Senator Dodge, seconded by Senator Hilbrecht. Motion carried unanimously.

AB-778 Requires county officers maintaining deposits of county funds in depository banks to transfer such funds to county treasurer whenever amount of such deposits exceeds \$100. (BDR 31-1807)

Richard Bunker, Clark County, stated that the Treasurer's office requested this so they could get interest on the money deposited.

Motion of "Do Pass" by Senator Dodge, seconded by Senator Schofield. Motion carried unanimously.

SB-225 Changes composition of certain county fair and recreation boards. (BDR20-973)

This bill was discussed by the committee at a previous meeting and it was decided to increase the size of the board to 10 members. The committee amended the bill to leave "C" in and take the brackets out regarding the chamber members. They also felt that the 2nd page should conform with AB-525.

Motion to "Amend and Do Pass" by Senator Dodge, seconded by Senator Schofield. Motion carried unanimously.

The following bills were committee action only:

SB-243 Exempts nonprofit corporation formed for cemetery purposes from provisions relating to endowment care cemeteries. (BDR 40-965)

Motion to "Indefinitely Postpone" by Senator Dodge, seconded by Senator Walker. Motion carried unanimously.

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SB-355 Requires persons voting in general improvement district elections to register with county clerk or registrar of voters. (BDR 25-1246)

Motion to "Indefinitely Postpone" by Senator Dodge, seconded by Senator Hilbrecht. Motion carried. Senator Foote voted "no" on the motion.

SB-18 Provides minimum standards for political activities of certain public officers and employees (BDR 23-14)

Motion to "Indefinitely Postpone" by Senator Dodge, seconded by Senator Schofield. Motion carried. Senator Hilbrecht voted "no" on the motion.

AB-498 Creates Washoe County Airport Authority (BDR S-1300)

Senator Dodge didn't think the legislature should take the airport away from the city of Reno.

Bruno Menicucci, Reno counsel, stated that they would like the opportunity to make the airport a financially sound organization. He felt that if in the 1979 session they had not accomplished that goal they would ask that the legislature to intervene.

The committee decided to defer action until the next meeting on this bill.

AB-578 Limits application of veterans' preference points under the state personnel system. (BDR 23-1617)

Motion of "Do Pass" by Senator Dodge, seconded by Senator Hilbrecht. Motion carried unanimously.

SB-560 Provides separate group insurance program for professional employees of University of Nevada System. (BDR 23-1757)

The committee felt that the necessary information requested was not provided by the different insurance companies. Chairman Gibson stated that he would write a letter to the Chancellor at the University of Nevada as well as Mr. Barrett in the Budget Division requesting them to give the committee the necessary information in order to act on this bill next session.

Motion to "Hold SB-560" by Senator Dodge, seconded by Senator Hilbrecht. Motion carried unanimously.

AJR-22 Proposes to amend Nevada constitution by removing fish and game commission fines from state permanent school fund. (BDR C-1496)

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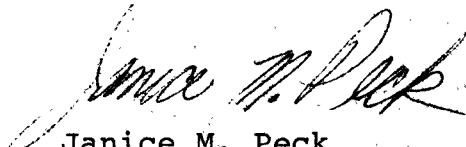
Motion of "Do Pass" by Senator Hilbrecht, seconded by Senator Foote. Motion carried. Voting: Yea's Senator Walker, Foote, Hilbrecht and Gojack. Na's Senator Dodge, Gibson and Schofield.

AB-320 Prohibits charging fee for use of public toilet. (BDR 40-392)

Motion of "Do Pass" by Senator Hilbrecht, seconded by Senator Walker. Motion carried. Senators Dodge and Gibson voted "no" on the motion.

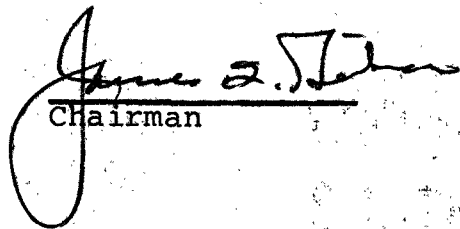
As there was no further business the meeting was adjourned at 10:30 p.m.

Respectfully submitted,



Janice M. Peck
Committee Secretary

Approved:


Chairman

~~Mr.~~ G. Holbrook Hawes, assistant to Lou Paley,
representing the Nevada AFL-CIO.
AB639 - Post card registration.

AB639
Mr. Hawes gave the next testimony in favor of A.B. 639. He asked why certain people wish to make it harder for people to register and vote. He stated whatever increases a citizens participation in the democratic process strengthens the process itself. Post card registration, on the basis of evidence from states which use it, increases participation. It is an open door to democracy which certain people wish to close. Why?

Their arguments that ^{it} leads to fraudulent registration and voting, and that it increases the cost and effort of conducting registration is patently untrue. With Federal Post Card registration in the offing

They say

IT HAS BEEN SAID

Mr. Lou Paley's testimony before the Assembly
Committee. Mr. Paley represents the Nevada AFL-CIO.

Elections Committee
April 29, 1975

CIO.

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AB639 Amends

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election laws to facilitate voter registration and extend use of absent ballot. Mr. Paley stated that he was in support of A.B. 639. He stated he wished to tell some reasons why he supported this type of legislation. He stated he had been the Executive Secretary-Treasurer of the Nevada AFL-CIO for the past 21 years. At that time, we started the Labor League for Political Education during the merger of the AFL-CIO. Another branch was formed called COPE (Committee on Political Education). There are two organizations of COPE in Nevada; one in Reno and one in Las Vegas, which are each run by two full time workers. One of their biggest jobs is registration and getting out to vote. The cost is unbearable to get people registered to vote. It becomes quite a job and therefore, that is why we support this type of legislation. Americans have registered by post card since 1955, when the 84th Congress enacted the Federal Voting Assistance Act. Also, there has been no charge of fraud against many thousands of Americans, mostly armed forces, and their families who have enrolled as voters by the familiar red and white post card. Second, there has been absentee voting in this country since 1944. Many absentee voters also absentee registers which means registration by mail. In fact, the Federal Voting Rights Amendment act of 1970 requires that the state provide absentee registration, as well as absentee voting at least in the election for President and Vice President. The Supreme Court in its review of the voting rights amendment law was unanimous in upholding the constitutionality of that part of the provision. There has been no evidence of fraud in these registrations by mail. Third, programs of registration by mail are now in operation in 7 states. A good look at these on-going systems show that mail registration can provide certain fraud precautions against protection that we have not had before. Since the voter notification registration must be mailed to him by unforwardable mail, fictitious address will be undeliverable and will be returned to the elections office.

Mr. Paley stated that fraud is also prevented by the computer in case erroneous addresses are used. Mr. Paley presented a 4 page fact sheet on voter registration; a letter from Lloyd Bentsen, Senator from Texas and a letter from Governor Anderson of Minnesota. These exhibits are all in support of A.B. 639 and will be attached to the minutes.

4x dual registration would be cheaper, less costly. Gentlemen, who are they trying to deceive? Indeed, experience in states where citizens can register by post card proves the opposite. There have been no cases of fraud and costs actually decrease.

Mr. Paley and I believe there is no valid argument against post card registration. This is not uncharted territory that we are asking you to explore. There is a record of experience in five states. It has been tried and it works. It works well enough to make a compelling case for its adoption in our ^{NECADA} state. By the way, Utah and Montana have just passed the post card registration law. In Minnesota Governor Wendell Anderson reports that under post card registration, voter enrollment in the states largest city, increased 10% over previous election years. Governor Anderson states, safeguards against fraud are as effective under this system as they ever were. No case of fraud has been reported.

New Jersey has post card registration. Governor Byrne reports that, "in the six week period prior to the close of registration for the 1974 general election, 135,935 persons registered to vote, and more than 75,000 by mail." No case of fraud has been reported in New Jersey under the post card registration system.

In Baltimore, Maryland, the average volume was about 500 registrants a month before mail registration. It rose 2,500 a month after the new law went into effect. The monthly volume in Montgomery County rose from 300 to 1,500. The experience in Montgomery County displayed, as well, the fact that mail registration can reduce rather than increase normal expenses. In 1972, the cost of additional election personnel to handle last minute registrations was \$34,000. In 1974, with post card registration operative, the additional cost dwindled to \$13,000 roughly a 60% savings. In Maryland, no case of suspected fraud has been reported as a consequence of registration by mail. In none of the states where mail registration is in effect has there been any report of fraud. This is not a coincidence. Protections against fraud are built into the system. These protections are even more effective than the traditional in-person system of registration. One is the requirement that notification of registration be sent by non-forwardable first class mail, providing immediate checks against use of a fictitious address. Second is the requirement for information on prior registration and authorization to cancel same. This helps to purge the "deadwood" from the election agencies books. Thirdly, computer based management of records makes it possible to scrutinize data more thoroughly than ever before possible, and to eliminate duplicates which are always a potential source of fraud.

In Texas, the former state director of elections testified before the U.S. House that neither the potential nor the incidence of fraud has been in any way increased by the post card enrollment system. Assertions that registration by mail is more costly usually concern themselves with problems of administration. Mrs. Marie Garber,

Administrator of the Maryland law, contends that administration has not been made more difficult. Rather it appears easier. In a letter to the Committee on House Administration of the U.S. House, Mrs. Garber says, "the system is well understood by the public and readily administered by elections officials." She said there has been no flood of duplicate registrations and the few that occurred were easily corrected, that applications are legible and complete, creating no, or minimal, additional effort by election officials to help the citizen register; finally, that they avoided any difficulty in placement in the correct precinct or legislative or other district simply through the use of a street directory.

Mr. Paley and I and the Nevada AFL-CIO support registration by mail. We believe the arguments presented previously were spurious and refuted by experience. We feel that the arguments in favor of post card registration are convincing, chiefly that it serves the citizens and the election process by making registration and voting easier.

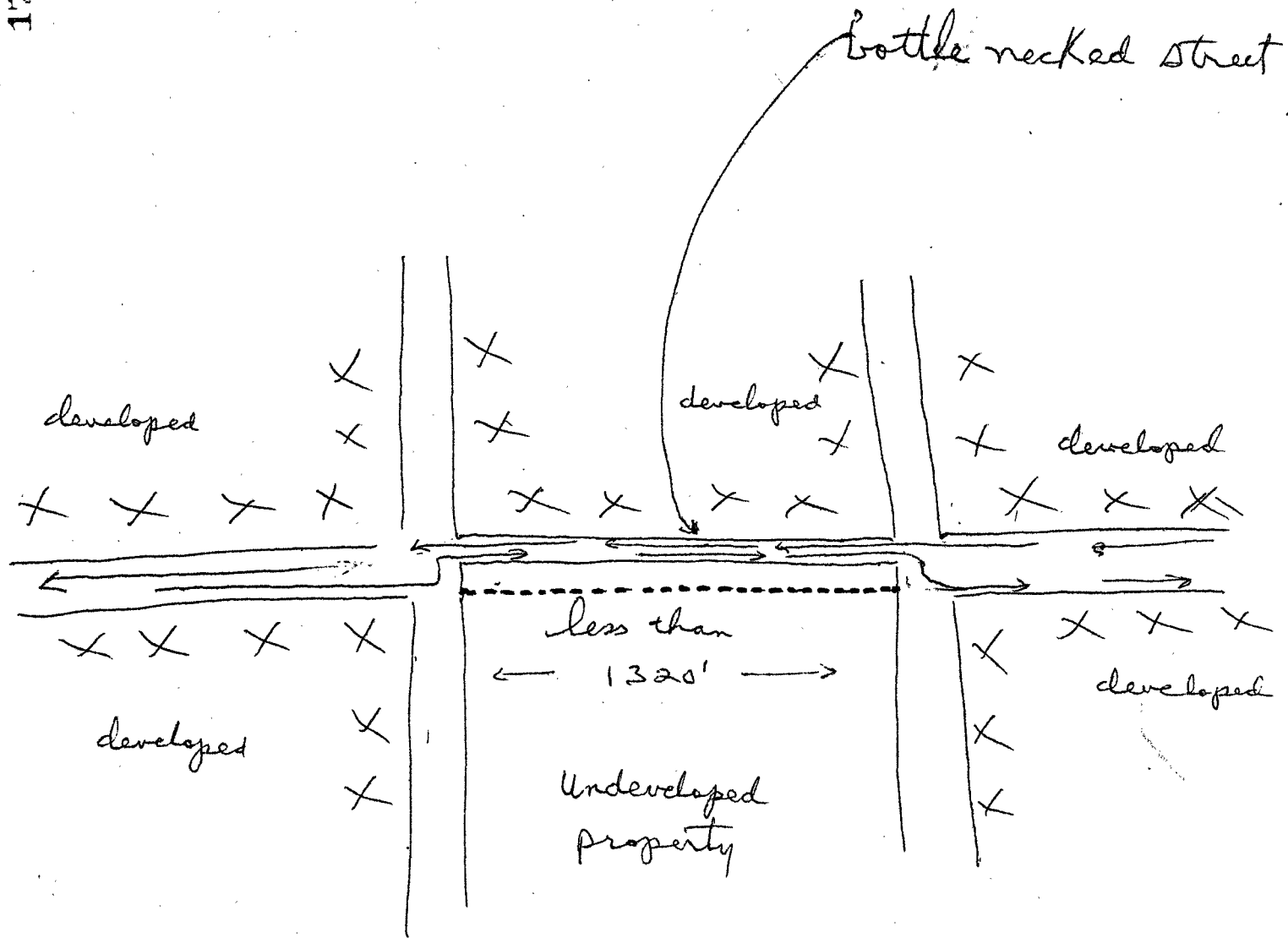
Why not let churches, League of Women Voters, Fraternal Organization, Veterans Organizations, AARP-NRTA Senior Citizens Organizations and even Union Organizations assist in the distribution of the registration cards, ~~by mail.~~ *So that our citizens may register by mail.*

Registration by mail opens the door to more participation in the democratic process. With its enactment, all citizens will have easy and equal access to registration, no matter how close to a registration site they live or work or how far away, or whether they are a housewife, a laborer, a banker or a rancher. This, we feel, is the strongest argument for adopting of A.B. 639.

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