

ASSEMBLY ELECTIONS COMMITTEE MINUTES
FEBRUARY 9, 1977
5:00 p.m.

MEMBERS PRESENT: Chairman Mann
Mr. Sena
Mr. Goodman
Mr. Horn
Mr. Kosinski
Mrs. Wagner

MEMBERS ABSENT: Mr. Chaney

GUESTS: Janet MacEachern
Bruce Spaulding, City of Las Vegas
Vaughn Smith, Carson City
Richard Bunker, City of Las Vegas
William Swackhammer, Secretary of State
David Howard, Secretary of State's Office
Robin M. Bogich, City of Reno
Robert Warren, Nevada League of Cities
Robert Broadbent,

Chairman Mann called the meeting of the Assembly Elections Committee to order at 5:00 p.m. on February 9, 1977. Mr. Mann stated the purpose of the meeting to be to hear testimony on AB 132, 137 and AJR 8.

AB 132, Establishes a system of random arrangement for candidates names on ballots

William Swackhammer, Secretary of State, spoke on behalf of this bill. He stated that this bill was drafted and introduced at the suggestion of his office. The reasoning behind the bill is that in the last election a man who was running for J.P. in Las Vegas brought an action in the federal court alleging discrimination by using the alphabetical placement of peoples names on the ballot. Since then they have corresponded with California and they have given them a couple of cases they have had. This type of court action is becoming more apparent. They are offering a suggestion they are now using in California. Mr. Swackhammer then presented a sample of this type or randomizing of the names. This is attached as Exhibit A and herewith made a part of this record.

Mr. Swackhammer stated that his office had no great feelings one way or another but offer this as a solution to a problem that could arise. That is that they will continue to use the alphabet method and perhaps someone could bring about a suit on this and if they should win, say two weeks before an election, his office would be in real trouble.

This method is the easiest to implement and also the least controversial. Others can get rather costly.

Mr. Swackhammer was unable to tell Mr. Sena how many states were presently using this method.

Mr. Swackhammer stated that in California they were turned around by a suit that was brought about on the constitutionality of the alphabet method. Apparently some studies have been made that show that the person listed first on the ballot has an 5% advantage. Mr. Swackhammer stated further that the J.P. candidate in Las Vegas who had brought the suit did not do well in the primary so he did not continue the suit.

Mr. Mann stated that in his opinion there was inequity involved. It is known statistical data that the person on the top of the ballot does have an advantage. Mr. Horn challenged Mr. Mann on this statement. He cited his background as a pollster and stated that he knew of no such statistics or studies. After a brief discussion on this, Mr. Mann appointed Mr. Horn a committee of one to investigate and research this point and report back to the committee.

Janet MacEachern of Boulder City stated that she was aware of a study made by Stan Colton, Registrar of Voters in Las Vegas, on this very thing. In her recollection, he found that it did not really make much difference where the appeared. She suggested that Mr. Colton be contacted on this.

AJR 8, Proposes to amend the Nevada Constitution by deleting public administrators from list of elective county officers.

Janet MacEachern of Boulder, speaking for herself, stated that she supported this bill. She stated that it was her philosophy that this public administrator's job needs expertise which is not necessarily found by an election. It should be a salaried employee of the county who has passed examinations in the field. She further stated that Legislative Committee of the Boulder City and Henderson Chamber of Commerces supports AJR 8 and will be submitting a statement of such.

Chairman Mann then relinquished the chair to Vice Chairman Sena and spoke on behalf of the bill. As sponsor of the bill Mr. Mann stated that the problem with the Clark County Public Administrator had been brought to his attention and that it was perhaps an overall situation. He stated that because of the legal entanglements in Las Vegas the County Coroner is now having to do the work of the Public

Administrator. The courts have restricted the Public Administrator's role in Clark County. Mr. Mann agreed that this is a position that should have some expertise in the field. Last election 30 persons ran for the office and he felt the majority of the people voted for the man who got his name out the most. He stated that he felt the position should be an appointive one requiring a certain background.

Mr. Kosinski inquired as to how much money was involved in the position. Mr. Mann stated that he was not sure but that the present Public Administrator spent \$25,000 on his campaign to obtain the job.

Robert Broadbent, Clark County, stated that they have not been able to audit the public administrator's books since the present one has been in office. Mr. Kosinski stated that perhaps some legislation should be enacted to correct this situation. Mr. Broadbent then stated that the present man has taken the position that the county auditors have no right to audit his books.

Mr. Goodman inquired whether everyone could possibly be over reacting to a single situation. Mr. Mann stated that it was just this one incident that had brought this to light. The position should have some line of authority other than the electorate. It would be of no cost to the government as the fees would be paid to the government who in turn would pay the salary of the position.

Mr. Broadbent stated that if this is left as a elective position then he would like to see it be salaried so that it would have to be audited. Mr. Kosinski stated that this would not required a constitutional amendment. He futher stated that perhaps the legislature could just abolish the position and create a new position. Mr. Mann stated that this position was one of those created in the constitution.

Mr. Kosinski then stated he would like to see a bill drafted giving the county clear power to audit the Public Administrator.

At this time Mr. Mann again assumed the position of the Chairman.

Vaughn Smith, Carson City, then spoke against the bill. Mr. Smith stated that he felt this was strictly a problem with the larger counties. He stated that he felt that it would be ideal to set a salary for the position rather than making it appointive. He further stated that if the money collected would be turned over the county it would be another source of revenue for the smaller counties which is badly needed. He further stated that he hated to see

an elected position become appointive. This seems to be a coming thing and this tends to take the voice of the people out of the administration of the laws. He stated that he felt this was a dangerous step to take. He further stated that he sometimes questioned the wisdom the people who make appointments to various positions. To Mr. Mann's question of the difference between salary for Clark County and a small county, Mr. Smith stated that this type of thing is already handled. The county has the right to decide how much salary to pay a position. Mr. Horn stated that he would favor a salary as he felt that it would help correct the financial and auditing abuses presently going on.

Mr. Kosinski stated that he would not be adverse to having county commissioners appoint the position as he would have more confidence in their judgement than in the judgement of the electorate that must choose the best man from a field of 30 people.

Mr. Mann then stated that he would like to see bill go ahead with a salary for the position.

AB 137, Provides for establishing election precincts in territory annexed to a city.

David Howard, Secretary of State's Office, stated that this bill was the result of problem that occurred in Washoe County during last election season. There is presently conflict between NRS 268.666 and NRS 293.205 of the Nevada Election Code. There is a period of 23 days they cannot account for should annexation come about during an election year. The bill has made a very good attempt to take care of the void, however, Mr. Howard had an amendment he would like to see included. He stated that the problem could be resolved a little easier by amending NRS 268.666 rather than adding another section. The problem is that they have received interpretation from the DA's office that NRS 268.666 means any general election therefore a State general election. It is their feeling, however, that NRS 268.666 refers to a municipal election only. He distributed a copy of this with a proposed addition of the words "or special municipal". This is affixed to these minutes as Exhibit B and herewith made a part of this record.

Mr. Kosinski inquired what a "special municipal" election was to which Mr. Howard replied that this was a bond election.

Robin Bogich, Reno City Clerk, spoke on behalf of AB 137 and presented a prepared statement to the committee. This statement is affixed to these minutes as Exhibit C and herewith made a part of this record.

Mr. Bogich further stated he agreed and supported Mr. Howard in that NRS 268.666 should be amended. He stated that he felt the real issue here was giving the County Clerk the necessary authority to create election precincts. The problem resulted from a special municipal election being held at the same time as and consolidated with a November general election. He stated that he would propose that AB 137 be allowed to die and that in its place in order to establish the County Clerk's clear authority to establish election precincts prior to a municipal election, an addition to the state election entitled "Registration of Electors in Incorporated Cities" be made.

He further suggested a new section which would read;

"Upon the annexation of territory to a city, prior to 90 days preceding any general or special municipal election, as provided in NRS 268.66, the County Clerk shall promptly consolidate such annexed territory with existing election precincts within such city or establish from such annexed territory one or more new election precincts within such city and shall abolish, alter or consolidate affected existing precincts outside such city as public convenience, necessity and economy may require."

This would give him the necessary authority to perform those administrative functions necessary to conducting municipal elections and allowing those people annexed the right to vote.

Bruce Spaulding, City of Las Vegas, stated that he generally would concur with the previous speakers but would like to elaborate on one more difficulty that may arise. Section 2 language does not take into consideration an annexation of a very small area. Under current annexation procedures it has been possible to annex a very minor size; sometimes vacant land and even a single lot. The language says that a clerk shall establish one or more and does not therefore give the option of simply consolidating or adding to.

He stated that if the suggested language would be inserted they would suggest that in the line 10, the word "and" be deleted and "or" be substituted.

The line would then read "or more new election precincts within the city or shall abolish, alter or".


Mr. Kosinski stated that he felt that you would still be limited to either establishing, consolidated, altering or abolishing existing precincts. Mr. Spauling stated that they felt it would solve the problems connected with minor annexations.

Mr. Bogich again spoke on the bill stating that he felt that the words "shall abolish, alter or consolidate" really addresses itself to the areas left outside the city from which the annexed territory came from. You are actually changing the precinct size outside the city by annexing and there needs to be some provision here to either consolidate what is left, abolish or alter what is left.

Mr. Mann stated that it was apparent that this bill is defective and he would like to see Mr. Howard and Mr. Bogich work together to establish some language which would make it workable.

As there was no further testimony to be heard, Mr. Goodman moved that the meeting be adjourned and Mr. Sena seconded the motion. The motion carried unanimously.

Respectfully submitted,


Sandra Gagnier
Assembly Attache

Attached to these minutes as Exhibit D is copy of correspondence from California to Mr. Swackhammer which further gives support for AB 132.

WM. D. SWACKHAMER
SECRETARY OF STATE

STATE OF NEVADA
DEPARTMENT OF STATE

JOHN K. WOODBURN
CHIEF DEPUTY
RUSSEL W. BUTTON
DEPUTY



CARSON CITY, NEVADA 89701

On January 31st this office made a drawing of the letters of the alphabet as would be required by AB-132.

G E B U K V S W J T A H T I Q F R X L C O
M D Z N Y

Attached is an example of the way a ballot would appear if this plan had been in effect for the last general election.

Ex. A

OFFICIAL GENERAL BALLOT A

CHURCHILL COUNTY, NEVADA
TUESDAY, NOVEMBER 2, 1976

This ballot stub shall be removed by the inspector before the ballot is placed in the ballot box.

INSTRUCTIONS TO VOTERS

To vote for a candidate, question or issue, punch a hole in the square at the right of the name of such candidate, question or issue.

OFFICIAL GENERAL BALLOT A

CHURCHILL COUNTY, NEVADA
TUESDAY, NOVEMBER 2, 1976

This ballot stub shall be removed by the inspector before the ballot is placed in the ballot box.

INSTRUCTIONS TO VOTERS

To vote for a candidate, question or issue, punch a hole in the square at the right of the name of such candidate, question or issue.

PRESIDENT and VICE-PRESIDENT OF THE UNITED STATES		Vote For One
FORD, GERALD R. DOLE, ROBERT	Republican	(+)
CARTER, JIMMY MONDALE, WALTER	Democrat	(+)
MAC BRIDE, ROGER L. BERGLAND, DAVID P.	Libertarian	(+)
MADDOX, LESTER G. DYKE, WILLIAM D.	Indep. American	(+)
NONE OF THESE CANDIDATES		(+)
UNITED STATES SENATOR		Vote For One
BECAN, DAN	Libertarian	(+)
TOWELL, DAVID	Republican	(+)
CANNON, HOWARD W.	Democrat	(+)
YOUNG, BYRON D.	Indep. American	(+)
NONE OF THESE CANDIDATES		(+)
REPRESENTATIVE IN CONGRESS		Vote For One
EARHART, WALDEN CHARLES	Republican	(+)
BURNS, JAMES LIBERTARIAN	Libertarian	(+)
SANTINI, JIM	Democrat	(+)
HANSEN, JANINE M.	Indep. American	(+)
NONE OF THESE CANDIDATES		(+)

JUSTICE OF SUPREME COURT	
SEAT C (6 Year Term)	Vote For One
GUNDERSON, E. M. "AL"	Non-Partisan (+)
NONE OF THESE CANDIDATES (+)	
REGENT OF STATE UNIVERSITY	
DISTRICT 3-B (6 Year Term)	Vote For One
ROSS, JOHN TOM	Non-Partisan (+)
MEMBER STATE BOARD OF EDUCATION	
DISTRICT 3-B (4 Year Term)	Vote For One
EARNHART, GEORGE T.	Non-Partisan (+)
ROBINSON, JEFFREY W.	Non-Partisan (+)
DISTRICT JUDGES	
THIRD JUDICIAL DISTRICT (2 Year Term)	Vote For One
SMART, STANLEY A.	Non-Partisan (+)
STATE ASSEMBLYMAN-DIST. 38	Vote For One
DAHL, JOE	Republican (+)
DINI, JOSEPH E., JR.	Democrat (+)

SIDE 1

SIDE 2

OFFICIAL GENERAL BALLOT A
CHURCHILL COUNTY, NEVADA
TUESDAY, NOVEMBER 2, 1976

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To vote for a candidate, question or issue, punch a hole in the square at the right of the name of such candidate, question or issue.

OFFICIAL GENERAL BALLOT A
CHURCHILL COUNTY, NEVADA
TUESDAY, NOVEMBER 2, 1976

This ballot stub shall be removed by the inspector before the ballot is placed in the ballot box.

INSTRUCTIONS TO VOTERS

To vote for a candidate, question or issue, punch a hole in the square at the right of the name of such candidate, question or issue.

PRESIDENT and VICE-PRESIDENT OF THE UNITED STATES		Vote For One
CARTER, JIMMY	Democrat	<input type="checkbox"/>
MONDALE, WALTER		
FORD, GERALD R.	Republican	<input type="checkbox"/>
DOLE, ROBERT		
MADDOX, LESTER G.	Indep. American	<input type="checkbox"/>
DYKE, WILLIAM D.		
MAC BRIDE, ROGER L.	Libertarian	<input type="checkbox"/>
BERGLAND, DAVID P.		
NONE OF THESE CANDIDATES		<input type="checkbox"/>
UNITED STATES SENATOR		Vote For One
BECAN, DAN	Libertarian	<input type="checkbox"/>
CANNON, HOWARD W.	Democrat	<input type="checkbox"/>
TOWELL, DAVID	Republican	<input type="checkbox"/>
YOUNG, BYRON D.	Indep. American	<input type="checkbox"/>
NONE OF THESE CANDIDATES		<input type="checkbox"/>
REPRESENTATIVE IN CONGRESS		Vote For One
BURNS, JAMES LIBERTARIAN	Libertarian	<input type="checkbox"/>
EARHART, WALDEN CHARLES	Republican	<input type="checkbox"/>
HANSEN, JANINE M.	Indep. American	<input type="checkbox"/>
SANTINI, JIM	Democrat	<input type="checkbox"/>
NONE OF THESE CANDIDATES		<input type="checkbox"/>

JUSTICE OF SUPREME COURT	
SEAT C (6 Year Term)	Vote For One
GUNDERSON, E. M. "AL" Non-Partisan	<input type="checkbox"/>
NONE OF THESE CANDIDATES <input type="checkbox"/>	
REGENT OF STATE UNIVERSITY	
DISTRICT 3-B (6 Year Term)	Vote For One
ROSS, JOHN TOM Non-Partisan	<input type="checkbox"/>
MEMBER STATE BOARD OF EDUCATION	
DISTRICT 3-B (4 Year Term)	Vote For One
EARNHART, GEORGE T. Non-Partisan	<input type="checkbox"/>
ROBINSON, JEFFREY W. Non-Partisan	<input type="checkbox"/>
DISTRICT JUDGES	
THIRD JUDICIAL DISTRICT (2 Year Term)	Vote For One
SMART, STANLEY A. Non-Partisan	<input type="checkbox"/>
STATE ASSEMBLYMAN-DIST. 38	
DAHL, JOE Republican	<input type="checkbox"/>
DINI, JOSEPH E., JR. Democrat	<input type="checkbox"/>

which shall review the proposal and act upon it in the manner provided by NRS 268.638 to 268.652, inclusive.

(c) The governing body shall then cause to be published in a newspaper in the city for not less than 1 week a notice of its intention to consider and act upon the matter of the proposed change in the boundaries, briefly describing such change and referring to the map on file, and fixing a time when the governing body will meet and consider objections or protests against the proposed change.

(d) At the time fixed, unless there is presented and filed written objections or protests against such change, signed by a majority of the property owners within the area proposed or sought to be detached, the governing body may take favorable action upon the matter, and may by ordinance or other appropriate legal action taken declare the area under consideration severed and detached from the city, and the boundaries diminished or contracted as proposed.

(e) A copy of the map mentioned in paragraph (a), certified by the surveyor and by the clerk, with a certified copy of the ordinance or action as passed, approved and published, shall be at once filed with the county recorder of the proper county and upon such filing the change in boundaries shall be deemed complete and the area detached.

2. Where any territory is detached from a city as provided in this section, provision shall be made for such proportion of any outstanding general obligations of such city as the assessed valuation of property in the territory bears to the total assessed valuation of property in such city and for such proportion of any obligations secured by the pledge of revenues from a public improvement as the revenue arising within the territory bears to the total revenue from such improvement as follows:

(a) If the territory is annexed to another city, such proportionate obligation shall be assumed according to its terms by the annexing city.

(b) If the territory is not so annexed, taxes shall be levied by the board of county commissioners upon all taxable property in the district, sufficient to discharge such proportionate general obligation according to its terms.

(c) In lieu of either method provided in paragraphs (a) and (b), where substantially all of the physical improvements for which the obligation was incurred are within the territory remaining, and with the consent of the governing body of the city from which such territory is detached and of the holders of such obligations, the entire obligation may be assumed by such city and the detached territory released therefrom.

(Added to NRS by 1967, 1625)

268.666 Boundaries of city not to be changed within 90 days prior to election. No change in the boundaries of any city shall become effective within 90 days next preceding any general election at which officers are chosen or issues determined for such city. Any annexation which would otherwise be effective within such period shall be effective on the day following such election.

(Added to NRS by 1967, 1626)

(1975)

8509

→ on special...

Received by
David Howard
2-9-77

CITY OF RENO
Inter-Office Memo

Exhibit C

Honorable Members, Assembly Committee on Elections

From: Robin M. Bogich, City Clerk

Subject: Assembly Bill No. 137

The intent of A.B. 137 appears to be based upon the need to eliminate confusion caused by, and/or to clarify the provisions of, NRS 268.666. If the intent is, indeed, as stated above, there is no need.

Any annexation of territory to a city at anytime prior to a primary or general election as defined in State Election Law will have no effect upon any officers or issues to be determined at such elections.

To meet the apparent purpose of A.B. 137, I recommend an amendment to NRS 268.666 as follows:

268.666 Boundaries of city not to be changed within 90 days prior to election. No change in the boundaries of any city shall become effective within 90 days next preceding any general or special municipal election at which officers are chosen or issues determined for such city. Any annexation which would otherwise be effective within such period shall be effective on the day following such election.

NRS 268.666 is intended to effectively provide the necessary controls for conducting municipal elections only, so that registered voters annexed to any city may cast their ballots for officers or on issues for such city.

Clearly, a registered voter in an unincorporated area is not affected by annexation to a city when voting at a primary or general state-wide election.


City Clerk

RMB/fm

ASSEMBLY MEMBERS:
RICHARD HAYDEN
JIM KEYSOR
PAUL PRIOLO

SENATE MEMBERS:
OMER L. RAINS,
VICE CHAIRMAN
DENNIS CARPENTER
ARLEN GREGORIO

ADVISORY COMMITTEE MEMBERS:
MONROE SWEETLAND, CHAIRMAN
RENE DAVIDSON, VICE CHAIRMAN
BERT BOECKMAN
TOM BRADLEY
DEANE DANA
RALPH W. EPPERSON
MARCH FONG EU
JOYCE FADEN
SCOTT FITZ-RANDOLPH
JOHN F. HENNING
SHERRY JEFFE
EVELYN KAPLAN
CHARLES MANATT
LAURA LEE McMILLEN
ROBERT H. MENDELSON
EDWIN L. MILLER, JR.
MARY MONTEZ
LEONARD PANISH
LES RIVER
WILLIAM K. SHEARER
JACK SISK
ROBERT (NICK) STARR
HENRY G. ULLERICH
GREG URBACH
JOHN VENEMAN
C. T. WEBER
GLENN WILSON
RICHARD H. WEST

Exhibit

ROOM 77, 9TH AND L BLDG.
SACRAMENTO, CA 95814
TELEPHONES: (916) 445-1760
(916) 445-8430

California Legislature

JOINT COMMITTEE FOR THE REVISION OF THE ELECTIONS CODE

ASSEMBLYMAN JIM KEYSOR
CHAIRMAN



October 15, 1975

Mr. Wm. D. Swackhamer
Secretary of State
State Capitol
Carson City, Nevada 89701

RECEIVED
OCT 16 1975

SECRETARY OF STATE

Dear Mr. Swackhamer:

For several months the California Legislature has been struggling with a problem created by a California State Supreme Court ruling affecting the order in which candidates' names can be listed on the ballots. A solution was finally arrived at and enacted into law on September 30. I recognize that election procedures vary greatly from state to state and that California's experience may be inapplicable to your state. However, our experience just might be applicable and therefore of use to you. For that reason I am directing this letter to you and to the chief elections officer of every other state. Since California State Supreme Court decisions have a tendency to carry weight in the courts of other states, you might be faced with this problem sooner than you think.

Except in statewide elections and certain other offices where there was a provision for the rotation of non-incumbent candidates' names by state Assembly district, until the end of 1974 California required, for the most part, that incumbents be listed first on the ballot followed by all other candidates in alphabetical order. The State Supreme Court, in Gould v. Grubb, 14 Cal.3d 661, in July held that this was unconstitutional as a violation of the equal protection clause of the federal and state constitutions. This decision, coupled with a similar decision by the Arizona Supreme Court in 1958, Kautenberger v. Jackson, 333 P.2d 293, obviously will strengthen the hand of those who wish to challenge practices in other states which guarantee the best position on the ballot, i.e., top spot, to certain classes of candidates.

Our Legislature explored and rejected as unsuitable several alternative proposals including rotation of state legislative and local candidates on the ballots (too uneven or too costly) and basing order on the ballot on the order of filing nomination papers (too much danger of favoritism in the nomination process, conflict of interest, and administrative chaos).

Finally, it appeared that drawings would have to be used to determine the order on the ballots for virtually all candidates. There was little enthusiasm for this approach because of concern that some local election officials might attempt to rig the results and because of the sheer number of such drawings--for one of California's big primary elections in an even numbered year there would have to be about 2000 separate drawings.

Near the end of this year's session of the Legislature, a solution to the problem was suggested to my staff by a prominent linguist, the president of the Linguistic Association of Canada and the United States. The suggestion was remarkably simple: conduct a single drawing of the letters of the alphabet and use the resulting randomized alphabet to determine the order on the ballot of the names of all candidates for all offices for an entire election. The randomized alphabet would be used in the same fashion as is the ordinary alphabet in determining the order of names. For example, if K is the first letter drawn and a candidate by the name of Kearney is running, he would be listed first. However, if a Kaplan is also running for the same office, the candidate who would be listed first would depend on whether E (the second letter in Kearney) or A (the second letter in Kaplan) had been drawn first. And so on.

By this system we meet the requirements of the State Supreme Court that no class of candidates automatically will be guaranteed the best or worst positions on the ballot and we eliminate 2000 separate drawings in favor of one highly publicized drawing conducted by the Secretary of State. (However, we will also continue to rotate candidates for statewide and certain other offices by state Assembly district as has been our practice in the past.)

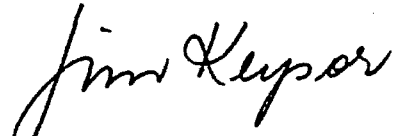
Since the bulk of California elections fall on one or the other of 6 major election dates over every two-year period, we will have six such major drawings, each drawing to be held after the close of filing so that no one can take advantage of knowing what the order will be of candidates' names. Additional drawings of this type will be held for any miscellaneous local elections or special elections held on other than the six major dates.

I hope this information will be of use to you. The bill was

AB 1959 and is now known as Chapter 1211 of the Statutes of 1975. If you should want a copy or further information, please contact Bruce Bolinger, Principal Consultant, Joint Committee for Revision of the Elections Code at the above address.

Incidentally, if your state has adopted any innovative procedures this year of its own with respect to election procedures or campaign finance, I would be most interested in them.

Sincerely,



ASSEMBLYMAN JIM KEYSOR

JK:McQ

Assembly Bill No. 1959

CHAPTER 1211

An act to amend Sections 1114 and 1332 of the Education Code, to amend Sections 310, 321.5, 10204, 10219.2, 10261, 22870, and 23515 of, to add Sections 10202, 10202.5, 10202.6, 10217, and 10217.5 to, and to repeal Sections 10202, 10202.5, 10203, 10206, 10208, 10209, 10210, 10303, 10305, 10306, 10307, and 10308 of, the Elections Code, and to amend Sections 3800 and 3801 of the Government Code, relating to public officials.

[Approved by Governor September 30, 1975. Filed with Secretary of State September 30, 1975.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1959, Keysor. Public schools: candidates for district governing boards and county boards of education: filings.

(1) Existing statutes require, for placing the name of any registered voter on the ballot for elections for school district governing boards or county boards of education that a declaration of candidacy or a nomination by sponsors be filed with the county clerk not less than 59 days prior to the election.

This bill would change such filing deadline to a filing period of not more than 89 days nor less than 59 days prior to the election. This bill would also add provisions which prohibit withdrawal after the 59th day prior to the election, by any candidate for whom there has been such a filing for a school district governing board or a county board of education office and prohibit any person from filing nomination papers for more than one school office at the same election.

(2) Existing statutory provisions, among other things and with respect to certain elections, require the assigning of first positions on ballots to incumbent candidates and to allocate ballot positions on an alphabetical basis without providing for the rotation of such positions. In the recent California Supreme Court decision of Gould v. Grubb, 14 Cal. 3d 661, the court held that any such laws are unconstitutional.

This bill would revise those provisions of the Elections Code which govern ballots to, among other things, conform to the principles enumerated in Gould v. Grubb, supra.

(3) Under existing law the contents of a voter's affidavit of registration is presently specified.

This bill would revise the various requirements regarding the content of a voter's affidavit of registration, which revisions would be contingent upon the enactment of AB 822.

(4) The bill would also make certain revisions to the law requiring planning commissioners and planning officers of cities and counties to make financial disclosures under the Moscone Act.

GUEST LIST

ELECTIONS COMMITTEE

NAME (PLEASE PRINT)	REPRESENTING	WISH TO SPEAK	
		YES	NO
Janet MacEachern	Self	✓	
BRUCE SPAULDING	CITY OF LAS VEGAS ^{OW 137}	✓	
JAUGHAN SMITH	CARSON CITY		
Richard Sunico	LAS VEGAS		✓
Ann Swadlow	Sec of State	✓	
Daniel Howard	Sec of State	✓	
MR ROBIN M. BOSICH	City of Reno	✓	