

ASSEMBLY ELECTIONS COMMITTEE MINUTES
APRIL 11, 1977
5:00 p.m.

MEMBERS PRESENT: Chairman Mann
Mr. Sena
Mr. Chaney (late)
Mr. Goodman
Mr. Horn
Mr. Kosinski
Mrs. Wagner

MEMBERS ABSENT: None

GUESTS: Daisy J. Talvitie, League of Women Voters
Richard E. Williams, Democratic Party, Carson City
Rick Kuhlney
Vaughn Smith, Carson City Clerk
Dave Howard, Secretary of State's Office
William Swackhammer, Secretary of State

Aquorum being present, Chairman Mann called the meeting to order. The purpose of the hearing was to take testimony on AJR 46 and AB 641.

AJR 46, Proposes to amend Nevada Constitution to permit payment of legislators for 100 days of session.

Daisy Talvitie, League of Women Voters, stated that basically the League has supported adequate pay and adequate time for legislative sessions. They believe that if the legislators are going to be here and really get the job done, they are going to have to spend more than 60 days every two years. They do support annual sessions as well as many different types of mechanisms to assure that there is adequate time to get the job done. When they ask the legislature to take adequate time to get the job done it is only fair that they also receive pay for the time spent doing the work.

Mrs. Talvitie stated that she would suggest one experience that the League in Utah had a number of years. They led a campaign to get adequate pay for legislators and it was defeated at the ballot. Two years later it was passed at the ballot. The fact that this has been defeated in Nevada once is not necessarily reason for not going back to the ballot again.

Mr. Mann stated that the League was the only group that came out prior to the election and presented this question on an equitable basis. He stated that an article placed on the desks by Mr. Murphy from the Nevada State Journal indicates that they see that this session of the legislature has worked as hard and as fast as they possible could and it is still going to take almost 100 days to complete their work.

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Mr. Mann went on to state it would take 5 years to get this effective. He stated that when there is an one illion dollar budget at this point, they are going to have a larger one five years from now and so this should be gotten into the "legislative stream" so that it can be passed. He ended by stating that he felt this was "labor bill" as it would pay them for the amount of work they do.

Mrs. Wagner stated that in the past most of the press was opposed and one of the things that candidates themselves were probably remiss in was not coming out positively in support of it and explaining it.

Daisy Talvitie stated that this was very true and that she felt that until the legislators themselves decide to stand up for their rights they are not going to get this passed.

Mr. Horn inquired whether if they adjourned before 100 days would this not open the door for criticism about this. Mr. Mann stated that this would just pay up to 100 days and would in fact pay only for the actual number of days in session. So if they went for 93 days they would get paid for 93 days. This is the same limitations that are placed on the 60 days session presently used.

Mr. Sena presented a list of the last few sessions and the number of days that they ran. These include the following:

1975 Session - 121 days	1965 Session - 77 days
1973 Session - 102 days	1963 Session - 94 days
1971 Session - 99 days	1961 Session - 76 days
1969 Session - 95 days	1960 Session - 55 days
1967 Session - 90 days	(special session)

Mrs. Talvitie stated that from her experience as a lobbyist she has always seen that the mad rush the last week; that is the time when the bill drafting mistakes take place, when they begin to do a rush job and a lot of bills really get messed up during this time. This is because of the amount of pressure that everyone is under during this time. There is a real need to relieve this type of pressure.

Mr. Mann stated that he would like to see someone show him a billion dollar corporation that could get the job done in sixty days every two years and do an adequate job. If that isn't possible then they should be paid for the number of days it takes to do it adequately.

Mr. Sena stated that he had recently read an article that stated that Nevada was rated in the top 10 for having the best legislators in the United States but in the area of compensation they are number 47 out of 50. He stated that what really galled

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him was the press has run an article that they as legislators make \$10,000 while they are up here. This includes the travel expenses, if they use up their \$1,700 going back and forth between here and Las Vegas, the \$500 for telephone, and the \$50 for postage, etc. They do not include the expenses for their motel or other expenses they incur while living here.

Mrs. Talvitie agreed that this should be clarified and that everybody has the responsibility to clarify this.

Mr. Horn stated that he felt they should do the job and to do the job right regardless of the number of days. He stated he hated to see an exact day put for adjournment because they are up here to do the job and to do it right and who is to say when it will be completed.

Mr. Mann stated that he felt there was a transition period facing the legislature at this time. He stated that he felt there was a whole new breed of legislators coming up. He added that it really was necessary to place a number in the bill to get away from idea the general public has that if there wasn't a time limit the legislature would stay forever.

Mr. Horn stated that if the objective is to do the job, isn't really fixing the number of days, the tail wagging the dog. He wondered why there should be any number included but that they should be paid for whatever days it took to do the job.

Mr. Mann stated that leaving it open ended, the bill would never be passed on the ballot. Mrs. Talvitie stated that there was a fear in the general public that the legislature would take advantage of this and stay the year around. This is very frankly a political question of how much they can get on.

Mr. Sena moved for a "do pass" recommendation and Mr. Horn seconded the motion. The motion carried unanimously with Mr. Chaney being absent.

AB 641, Repeals presidential preference primary election law.

Mr. Sena presented the committee will the total cost for the first presidential primary held May 25, 1976. This is attached as Exhibit A and herewith made a part of this record.

William Swackhammer and Dave Howard of the Secretary of State's office spoke in opposition to the bill. Mr. Swackhammer stated he would like to offer some objections to the bill but that he personally was not widely enthusiastic about the presidential primary. He stated that he did favor a presidential primary in that he dislikes the convention system so much as being undemocratic.

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He pointed out that the first effort in this was very well accepted by the public. They had a 62% voter turnout and this was terrific. He stated he felt it would be advisable to try it at least one more time before it is repealed. He stated that his main purpose of being there today was to try to indicate to the committee that this did receive a lot of favorable support from the public, at least in the press. Mr. Swackhammer read a number of headlines from various editorials and articles found in various newspapers. He stated that he would think that with the acceptance of the public and the press it might be well to at least take one more crack at it.

Mr. Mann inquired about changing the date. He stated that he had received a lot of comments that it was too early. Mr. Swackhammer stated that they had to have the primary in such a way so that the delegate selections can be made. He stated that ideally it would best to have as close to the convention date as possible because then you would have viable candidates who were still alive politically. He added that Nevada did much better than most states.

Mrs. Wagner stated that she had recently read an article regarding some interest generated in Congress in relationship to presidential primaries. She stated that they were attempting to get away from the regional concept.

Mr. Swackhammer stated that he thought it was opposite. That they were moving more toward having 6 regional primaries mandated by Congress.

Mr. Sena inquired whether Mr. Swackhammer had any clippings that gave an adverse opinion on this primary. Mr. Swackhammer stated that he was not aware of any. Mr. Mann stated that one of the biggest objections is that there are so many primaries that it is almost impossible for a candidate to address himself to all of them. Mr. Swackhammer stated that there were 4 primaries held on the same day as Nevada.

Mr. Horn pointed out that he felt it was important to keep the primary date within the school year before families would be gone.

Mr. Swackhammer stated that under the act, a person can file two ways. Either by being put on by action of the office or by petition. The termination date for presenting a petition is 30 days prior to the election. They have to have that 30 days plus whatever time it takes to conduct the election. He stated that as the dates are set by the national parties for convention his office could safely move it up a couple of weeks.

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Mr. Horn moved for "indefinite postponement" of AB 641 and Mr. Kosinski seconded the motion.

Mr. Mann stated that he personally was willing to give them another 4 years to look at this. This is something new and the voter turnout was very good.

Dave Howard stated that Congress is considering direct election of the President. There will be another session of the legislature to address this. He added that he felt it would be very important to have a primary for the people if this were to happen.

Mrs. Wagner stated that for the record she would like it to reflect that she would vote against the motion at the request of the Republican caucus. A similar bill had been introduced at the last session and this does not necessarily reflect her own philosophy.

The motion carried on a 5 to 2 vote with Mr. Sena and Mrs. Wagner voted against it.

As there was no further business to be conducted, the committee was adjourned.

Respectfully submitted,

Sandra Gagnier

Sandra Gagnier
Assembly Attache

59TH NEVADA LEGISLATURE

ELECTIONS COMMITTEE
LEGISLATIVE ACTION

DATE April 11, 1977

SUBJECT AJR 46, Proposes to amend Nevada Constitution to permit payment of legislators for 100 days of session.

MOTION: _____

Do Pass XX Amend ____ Indefinitely Postpone ____ Reconsider ____

Moved by Mr. Sena Seconded By Mr. Horn

AMENDMENT _____

Moved By _____ Seconded By _____

AMENDMENT _____

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
MANN	<u>X</u>	---	---	---	---	---
SENA	<u>X</u>	---	---	---	---	---
CHANEY	<u>absent</u>	---	---	---	---	---
GOODMAN	<u>X</u>	---	---	---	---	---
HORN	<u>X</u>	---	---	---	---	---
KOSINSKI	<u>X</u>	---	---	---	---	---
WAGNER	<u>X</u>	---	---	---	---	---

TALLY: 6

Original Motion: Passed XX Defeated ____ Withdrawn ____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes April 11, 1977
Date

59TH NEVADA LEGISLATURE

ELECTIONS COMMITTEE
LEGISLATIVE ACTION

DATE April 11, 1977

SUBJECT AB 641, Repeals presidential preference primary election law.

MOTION: _____

Do Pass ___ Amend ___ Indefinitely Postpone XX Reconsider ___

Moved by Mr. Horn Seconded By Mr. Kosinski

AMENDMENT _____

Moved By _____ Seconded By _____

AMENDMENT _____

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
MANN	<u>X</u>	—	—	—	—	—
SENA	—	<u>X</u>	—	—	—	—
CHANEY	<u>X</u>	—	—	—	—	—
GOODMAN	<u>X</u>	—	—	—	—	—
HORN	<u>X</u>	—	—	—	—	—
KOSINSKI	<u>X</u>	—	—	—	—	—
WAGNER	—	<u>X</u>	—	—	—	—

TALLY: 5 2

Original Motion: Passed XX Defeated ___ Withdrawn ___

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes April 11, 1977
Date

COST OF PRESIDENTIAL PRIMARY ELECTION
MAY 25, 1976

Compiled by
Wm. D. Swackhamer
Secretary of State

Counties	Total No. Votes Cast	Cost per Vote	Total Cost
Carson City	6793	\$ 1.87	\$12,762.10
Churchill	2719	1.71	4,660.64
Clark	56473	.90	51,219.42
Douglas	3566	1.56	5,564.79
Ely	3353	3.15	10,572.11
Esmeralda	306	7.25	2,218.62
Frederick	285	10.04	2,864.56
Humboldt	1550	2.95	4,599.82
Lincoln	659	3.97	2,619.33
Lyon	845	2.71	2,295.00
Manly	2747	2.29	6,295.00
Mineral	1870	3.96	7,421.76
Ormsby	1750	2.25	3,950.70
Pershing	860	3.03	2,609.95
Storey	449	2.38	1,073.75
Washoe	36244	.82	29,821.38
White Pine	2511	2.55	6,406.70
Totals	122,980	1.27	156,955.63

EXHIBIT A