

ASSEMBLY ELECTION COMMITTEE MINUTES
APRIL 6, 1977
5:00 p.m.

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

MEMBERS ABSENT: None

GUESTS: Ken Haller, Washoe County Democratic Party
Stan Colton, Clark County Registrar of Voters
G. Holbrook Hawes, Nevada State AFL-CIO
David L. Howard, Secretary of State's Office
Vaughn Smith, Carson City Clerk
Marguerite Segretti, Las Vegas
Assemblyman Kissam
Assemblyman Hickey
Assemblyman Weise
Assemblyman Glover
Tom Moore, Deputy District Attorney, Clark County

A quorum being present, Chairman Mann called the meeting to order. The purpose of the meeting was to hear testimony on AB 313, 515, and 521.

Mr. Mann announced that the first item to be discussed would be the subpoena issued to Stan Colton. Mr. Mann stated the subject matter they would be dealing with was those areas that have been changed from what the legislature had originally apportioned in 1971. The subpoena which was approved by Mr. Mann, Mr. Sena, Mr. Chaney, and Mr. Horn, requested that Mr. Colton bring to this body all changes that have been made, arbitrarily or however, since 1971, that the legislature did not directly approve.

Mr. Colton stated that there were five changes made by his predecessor prior to the first elections held under reapportionment. Four of the changes Mr. Colton was aware of and one change he was unaware of until they were going through some old records this morning. This one involved Assembly Districts 1 and 4. The one that Mr. Colton had submitted previously involved the changing of the line to conform to the city boundary line. This also does the same thing and involves about 350 feet. It is probably a 0 population change. Map of this is attached as Exhibit A.

These five changes were made by Mr. Mulroy back in December of 1971 based upon authorization that he assumed to be valid at that time from Mr. Sidney R. Whitmore, Deputy District Attorney for Clark County. Mr. Colton read Mr. Whitmore's opinion into the record. This is attached to these minutes as Exhibit B and herewith made a part of this record.

Mr. Colton went on to state that subsequent to these four changes, in 1975, there was an additional boundary line change made but it was not changed from a line as established by the legislature but a change to the line that had been established by the legislature. This takes place between Assembly Districts 3 and 2 where inadvertently the line had been drawn down Fulton Place as opposed to Evergreen. The legislature had established the line to go down Evergreen. Since that date and time no other changes have been made.

Mr. Mann stated that he wanted it made clear that this particular change from 3 to 2 was a change to make the boundaries conform to what the 1971 legislature had reapportioned, due to an error at the registrar's office.

Mr. Colton stated that they have two discrepancies in Assembly Districts 1 and 4, two discrepancies in 17 and 20, one in 18 and one in 7. Copies of these are attached as Exhibit C and herewith made a part of this record.

Mr. Mann then asked that the record show that Mr. Colton has been extremely cooperative and the only reason that this has gone formal is so that they can establish a legal intent because the only other choice outside of getting Mr. Colton to go on the record is that he will conform these districts to the mandate of the legislature is court action. Mr. Mann stated that they were trying to circumvent any court action.

Mr. Colton stated that as further clarification, on two of these changes this will necessitate having a surveyor survey lines through existing buildings and then, for their registration purposes, they will find what part of the apartment the lines run through and determine where the bedrooms are so they can find out where the people are living. These line changes were made because of the maps used in 1971. They were three years old at that time and the streets did not conform in 1971 to what they did in 1968. This would be a continuing problem every time somebody moved in or out of that apartment to get them into the proper precinct.

Mr. Chaney said in Assembly Districts 7 and 18 when the changes were made there were no houses in that area. When they built the houses the actual line runs right down between the apartment building.

Mr. Mann stated that as far as he understands it and Mr. Daykin has told him the same thing, only the legislature has the right or the authority to draw Assembly District lines. There is no statute or power that gives Mr. Colton the right to move the boundary.

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Mr. Chaney cited the situation of having childing of voting age living in same apartment with parents and having to vote in different district because of the location of their bedroom.

Mr. Mann stated that one of the things this committee can deal is making some enabling legislation to allow for minor corrections to meet this need. The law does not exist at this time and they have been doing it on their own. Mr. Colton has not been doing it but his predecessors have.

Mr. Colton stated that he would suggest that they do enact some sort of enabling legislation that would allow problems such as this to be corrected. Anytime that you are dealing with the census, it will be at least a year or two old at the time that the boundaries from that census are going to be used for any reapportionment, you are going to have these potential problems exist. There should be some leeway, either a legislative commission, the Legislative Counsel Bureau, or some body of the legislature that with their consent, changes can be made by the person responsible for administering those elections.

Assemblyman Tom Hickey stated that he had a letter reinforcing his point. This letter is attached to these minutes as Exhibit D and herewith made a part of this record.

Mr. Hickey stated that he feels Mr. Colton's suggestion is very legitimate. There is a lack of flexibility in the present system. The legislature, however, should keep control over the lines of the districts either through Legislative Commission or the Counsel Bureau.

Mr. Hickey cited the situation that happened to him regarding this problem. He stated that he was unopposed in 1974 and at that time this was vacant land. 1976 when he ran for reelection these apartments had been built and been included in his district, under the authority of that city attorney, which he was unaware of. Mr. Hickey stated that he and Mr. Chaney had walked their line to try to determine where those buildings actually existed. They were talking about two buildings.

Mr. Hickey stated that if the lines were to conform to the ones drawn in 1971 these two apartment buildings would be divided. He stated that it would be much simpler for this committee to adjust it to either have them included in one district or the other. This is legal according to legislative counsel.

Mr. Mann stated that his problem was determining what the best method of doing this would be. It could not be done by enumeration districts because they are talking about down to the block level.

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Mr. Hickey stated that Frank Daykin stated that he feels that the lines could be set without disturbing the scheme. He feels that there is no problem.

Mr. Mann inquired whether they could accomplish the same thing by passing a bill that would authorize the local officials to change the boundary at such time as a boundary goes through a building or something of that nature.

Mr. Colton stated that he would not like to have that responsibility because then the questions is which side of the building do you move it to. If there is a commission involved they could be the ultimate approval.

Mr. Hickey stated that there was agreement between Districts 7 and 18 and there should be no friction within the legislature to draw those lines to conform to bring those two buildings into one district or the other.

Mr. Mann stated that he understood that Mr. Hickey and Mr. Chaney had agreed that there would be no problem if those two buildings were included in Mr. Chaney's district by action of this committee.

Mr. Chaney stated that the only question he had was those people who voted in the last election, as far as they are concerned they are in district 18. He wondered if it would be easier to let them vote as they have been and just move the line like it is already set up and nobody would be disturbed or would it be easier to notify them that this had been changed.

Mr. Mann appointed Mr. Chaney as a subcommittee of one to work with Mr. Hickey to draw up some appropriate vehicle to correct this problem and report back to this committee on Monday.

Assemblyman Kissam stated that being the aggrieved party in two of the five cases that are anticipated both bounding with Assemblyman Demers, he finds no problem in either way they may resolve this.

Mr. Mann stated that Assemblyman Demers had indicated to him that he had no problems with this either.

Mr. Mann stated that it would be the decision of the chair when Mr. Chaney works out their problem, he will just tack on these problems onto that bill and make legal the boundaries that now exist and thus cause Mr. Colton fewer problems.

AB 521, Provides for retention of residence when changing precincts after close of registration for certain purposes.

Mr. Mann stated basically this bill is something that is being done anyway. It has been the contention of most registrar of voters not to disfranchise someone because they may have moved after the closing of registration. This bill would make legal what they have been doing.

Mr. Colton stated that there are certain sections of the 293 law that allow person who has moved from one precinct to another within the same county jurisdiction to vote by absentee if they so desired. They could also walk back in and vote at their old precinct. This is just reinforcing what presently exists.

Mr. Colton went on to say that they have got a mobile population consisting of senior citizens. These people sell their homes and move into a mobile home. They are presently being handled as military personnel and their last residence address which they have sold, is still their voting location. There is a tremendous problem developing with this type of a transient population who still claim Nevada as their home. He feels that something needs to be done in the law to start considering these people. He did, however, have no suggestion on how this could be handled. He stated that he felt that is was a "real can of worms".

Mr. Sena moved for a "do pass" on AB 521 and Mr. Horn seconded the motion. The motion passed unanimously.

AB 313, Amends election laws to facilitate voter registration.

Marguerite Segretti stated that there was not a whole lot that she could say on this bill at this point. There are quite a number of people throughout the county and the State that feel that it is a bad bill. She stated that the present time President Carter is pushing it, the Democratic National Committee is pushing it and labor is pushing it. She finished by saying that she couldn't fight all three.

Mr. Chaney inquired if Mrs. Segretti was stating that she was opposed to it. Mrs. Segretti stated that there were some parts that she feels are bad. She was concerned over the fact that there was no real control over the registrations.

Mr. Chaney inquired whether she felt the bill could be amended to make it more workable. Mrs. Segretti stated that possibly it could but in the present state that it is now there are portions in it that can not be controlled.

Mrs. Segretti stated that for one thing, picking up the card at the election board, if you have to come down to pick it up, why not just do it there. She could see no value to this.

Mr. Mann stated that he would like to apologize for putting Mrs. Segretti on the spot and that the only reason he did was because he knew that she was very active in Nevada politics and he wanted to see what her input was. There are many Democrats that have some problems with parts of this bill.

Mr. Horn inquired how Mrs. Segretti felt about the overall concept. Mrs. Segretti stated that she wondered how they would control the registration and know if the person who is registered is alive or not and how are they going to know definitely what county or precinct the voter belongs to.

Mrs. Wagner stated that she would like to clarify that the National Democratic Party, President Carter, etc. support the the concept and not this particular bill.

Mr. Mann stated that he received a call from Didi Carson stating that the State Democratic Party was ready for this now.

Mrs. Segretti stated that the Democratic Party supports the federal postcard registration act. She added that she was not aware if it was different from this act but she was sure it must be.

Ken Haller, Washoe County Democratic Central Committee, spoke for AB 313. He stated that he has studied the amendments to that portion of election code and some of them he would have to admit he was not too strongly for, such as paying deputy registrars. However, he stated that he was unalterably opposed to any kind of legislation which prevents voters from voting. Postcard registration is a move toward making it easier for voters to vote, therefore as a concept, Washoe County party has officially come out in support of this.

Mr. Haller stated that he was afraid that their registration, as it now stands, is open to all the questions that Mr. Horn gave. He stated that he has been a deputy registrar for a number of years and he knows what he can do as a deputy registrar is the same as you could do with postcard registration. There is no difference that he can see other then the fact that there is a possibility that you would have two people having to be included. He stated that he could register his dog now.

Mr. Mann then inquired what the feelings of the committee were.

Mr. Chaney stated that he feels that any step that encourages people to vote is good and that he would support the concept of the bill and the bill.

Mrs. Wagner stated that she was not opposed to people voting but there were a lot things in this bill that she could not support.

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Mr. Sena stated that he was in favor of the concept but that he would move to indefinitely postpone at this time.

Mr. Goodman stated that he felt this was one of the most progressive pieces of legislation that has come along. He would whole heartedly endorse AB 313.

Mr. Horn stated that his feelings were similar to Mr. Goodman's but in the opposition direction.

Mr. Kosinski stated that he would be willing to vote to put a mechanically sound bill out on the floor.

Mr. Mann inquired what his opinion of a mechanically sound bill was. Mr. Kosinski stated that there have been some specific problems that have been raised and if the bill were properly amended he would like to vote it out.

G. Holbrook Hawes, Assistant to Lou Paley and representing the AFL-CIO, stated that he did have some amendments for this bill. He presented copies of the amendment. This is attached to these minutes as Exhibit E and herewith made a part of this record.

Mrs. Wagner inquired whether Mr. Hawes would offer any amendments to Section 28. Mr. Hawes stated that they feel it should be left in. However, he would have no objections to it being eliminated if the committee so desires.

Mr. Sena moved for "indefinite postponement" of AB 313 and Mr. Horn seconded the motion.

Mr. Goodman stated that he did not feel that they should postpone this. If there is a problem, a subcommittee should be appointed to work those problems out.

Mr. Mann stated that if this bill is killed it is the intention of the chair to appoint Mrs. Wagner, Mr. Kosinski and Mr. Horn as a special subcommittee to look into the feasibility of drafting new legislation that would deal with this matter and to report back by the end of April.

Mr. Kosinski stated that his concern has been that the federal government may mandate some sort of a federal postcard registration system and force upon this state a dual registration system. He stated that if they were to pass out any sort of postcard registration he would want it to be contingent upon action by the federal government. His concern is that they might want to have something on the books in case this happens.

Mr. Mann stated that Mr. Demers, who stated that he would be here tonight, was going to offer amendments to the bill that would deal with Mr. Kosinski's concern in terms of meeting the obligation to

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the federal statutes that are planned. He could not see too much objections to this.

Mrs. Wagner stated that she dealt with this issue last session and the bill was somewhat similar and she introduced an amendment on the floor based on this very intent and it failed to be adopted.

Mr. Sena stated that the reason he had moved for indefinite postponement was that going back to 1975 and 1977 minutes, it seems that the opponents of this bill have stated numerous times the possibility of fraud and duplication of registration. He stated that he does not believe that through postcard registration they are going to increase the number of people that going to vote. It was for this reason, Mr. Sena stated he would vote for postponement.

Mr. Horn stated that he felt that anyone who wants to vote has ample opportunity. The registrar of voters have bent over backwards to provide such opportunities. He could see no need currently in Nevada for such a piece of legislation.

Mr. Mann stated that he was extremely impressed with the idea of postcard registration, philosophically. He stated that he had also been equally impressed with the pandora's box that this would open up, in terms of voter's fraud. The thing that impressed him the most was Mr. Colton's testimony regarding the mess that was going on back east. He stated that he was also greatly disturbed about a great many people walking in the last day and registering and not knowing and receiving the normal inputs that are normally given by the registrar. Feel this is going to cause a great disservice to the voter registrars. He stated that he also bought the idea that to live in this country, there are certain responsibilities that you should reach. He stated that he doesn't care how easy it is made for a person to vote, if the person doesn't have enough respect for his country and his responsibilities as a citizen he is not going go out an vote.

Mr. Chaney that he had no problems with trying to beat the federal government to the punch. He stated that they were here to represent the people of Nevada and the federal government will do what ever they want to anyway. He feels that if this is going to encourage people to vote and for that reason he would vote against the motion.

Mrs. Wagner stated that with the number of questions that she asked at the previous hearing it was pretty evident that she had some real reservations about this piece of legislation.

Mr. Mann stated that if this bill is postponed both Republican and Democratic members of this committee are apparently challenging the wishes of their leadership, at the higher levels.

Mr. Sena stated that he had also a problem with this bill in the amount of money that it would cost. For Clark County the initial cost of approximately \$50,000 and then approximately \$20,000 every two years. Another \$40,000 would be required to change computer programs for these cards. He stated that he certainly would not want to rush into this. He added that what really gets him is when one person can go out and sit for between four and five hours and watch between 4,000 and 5,000 people go by and only four people register. He stated that he doesn't feel that it is our system, he thinks it is people themselves.

The previous motion to "indefinitely postpone" carried by a vote of 4 to 3 with Mr. Chaney, Mr. Goodman and Mr. Kosinski voting against the motion.

At this point, Mr. Mann appointed Mr. Kosinski, Mrs. Wagner and Mr. Horn as a special subcommittee to work with Mr. Demers to provide an alternative to the federal postcard registration with a report date no later than April 30. He also appointed Mr. Kosinski as chairman of this subcommittee.

Mr. Hawes stated that he had been trying to interrupt them to tell them that he had Mr. Demers' program that he was going to present to the committee. He stated that he has a copy of it and would be happy to present to the committee.

Mr. Mann requested that he present it to the special subcommittee.

AB 515, Makes certain changes to county organization of political parties.

Ken Haller stated that in 1976, their county convention in Washoe County had 491 delegates authorized and of that figure actually elected 68.4%. Their central committee placed 310 people when they got to the county convention.

In 1976, their state convention authorized 722 total for the whole state. Washoe County had 159 and they elected 215. They came up there with a fractional vote. This did not occur because 150 or so showed up. This has been their pattern.

In 1974 there are similar figures. 423 people were authorized and 353 registered at the convention. 16 of those were people that were placed in that particular convention.

Mr. Haller stated that there is a Supreme Court decision that has some importance to them. This is Singer vs. Daley, which concerned the challenge of the Illinois delegation in 1972 National Convention has stated that the process of nomination of candidacy for the presidency transcends state and local law and affirms the right of the national party in convention to establish its own rules for delegate selection. The Supreme Court of the United States in the decision of Wegoda vs. Cousins has stated that

party rules have priority over state statute. These are significant ideas because it does have some bearing. Difficulty comes up because presidential year differs from an off year. During a presidential year they are governed by Democratic Party mandate to not allow anyone to go National Convention who hasn't attended his precinct meeting, period. There is not way to get around this.

Mr. Haller stated that during the last state convention there were several persons seated by his action, including Spike Wilson, who did not atten their precinct meeting.

Mr. Haller stated that he had a letter from A. G. from several years back. He paraphrased it slightly by stating "it was mutually decided by those present that a registrar's office would, where necessary geographically, apply the 1972 general election voter registration figures to the 1974 Washoe County precinct structure denoting these changes considered significant. It was further decided that both Clark and Washoe Counties should collaborate in this matter. Telephone call to the Clark County Registrar of Voters confirmed that both Washoe and Clark Counties would abide by the conclusion," and so forth and so on.

Mr. Haller stated that quite simply they have two provisions in the bill; one calls for people to be seated at the country convention if a precinct did not elect. Many of the precincts have 0 population or 1. In their last count of precincts they had 8 precincts that had more then sufficient number of people to have 5 people from each precinct. Precincts change and they have decided in Washoe County, several years back, that the only sensible thing to do, would be to talk about voting districts, to try to accomodate as many people as possible at every level of whatever they are doing in the Democratic Party. The fact that they don't get anybody elected from a precinct at a mass precinct meeting, means that there is no one interested. They still may have a great many people in the voting district ward who would be perfectly qualified.

Mr. Mann stated that he had been told that what they are doing here is authorized by the National Party Affirmative Action. Mr. Mann stated that if this is true then why do they need a bill to authorize it to be done. Mr. Haller stated that don't. He stated that they have the bill because in every convention since 1968 that he has attended, someone has got up on the floor and contended that people were illegal. They have an argument which they resolve in one of several ways. In Washoe County they resolve it by saying that everyone has fractional votes. In Clark County he understands they say that some of the people must get lost. He stated that he was not sure that this was accurate. There are some differences in counties but what they are proposing in AB 515, will not limit in Washoe or Clark County. The only thing it will do is to stop arguments in Washoe County.

Mr. Mann stated that he did not see it as a problem in Clark County however he does have philosophical hangup on taking it out of the precinct level. He stated that would however, be happy to support this as long as they put in the 100,000 to 200,000 population clause in there so it will leave Clark County alone.

Mrs. Wagner stated that the one concern that she had was that she could visualize that by taking out the fact the delegates to the county convention had to reside in that precinct, whether they attended the meeting or not, an entire convention could be selected from geographical area of the county. She stated that she does have some concerns along this line because she feels that the basic concept of the convention process is to allow as many different kinds of people, from different geographical areas, economics etc. to be able to attend. If they did not come to the precinct meeting you would still be able to select someone from within the precinct. If they use the language of the bill she stated that she would have some concern that at some point it may not be as representative as she would like it to be.

Mr. Haller stated that the difficulty is that they are moving toward voting districts. They are moving toward lessening of the precinct as a thing per se. Not that they are doing away with grass roots but that they are trying with computerized voting to get larger voting units that can be handled much quicker on the new equipment. Precincts have been changed very readily by registrar's office and frequently when you talk about a precinct you are talking about something that wasn't here yesterday or won't be there tomorrow. Their party has stated that they would make the attempt at the ward level and if they can't they will go to the district level.

Mrs. Wagner stated that she would have to question that the registrar of voters is moving away from precincts.

Mr. Haller stated that the precincts have changed so much over the years that they have moved from something like 700 people who could have been at a county convention down to 300 because of good consolidation on the part of the voter registrar's office in computerizing the whole thing. They have a system that is unbelievably better but they are still under the old law that talks about precincts that do not exist.

Mr. Mann stated that he feels precincts are very viable part of Clark County.

Mrs. Wagner stated that she felt the last part of section 2 does make some sense because with the larger precincts they may want more representation. The only concern that she had was with the deletion of delegates coming from precinct themselves.

Mr. Haller stated that if they had them in the precinct they would be first priority.

Mr. Weise stated that he also was concerned with this. He stated that he has been person who has viewed local politics from a distance. He stated that he hasn't been wrapped in party politics in Washoe County. He stated that he has physically, probably the largest district in Washoe County, and these districts are very tightly defined in terms of the socio, economic and political feelings. He stated that he would voice some concern in that they have people who like to run the show and there would be people who would be wanting to plug in these vacancies that will be created. This could throw a serious imbalance into the county convention. He added that he doesn't feel national convention has anything to do with it. What is being talked about is how they are coming up with delegates to attend conventions. He stated that he had tremendous reservations about getting away from this precinct level. He stated also that he concurred with the second part of the bill regarding large precincts.

Mr. Haller stated that the major drive to allow appointment within the district is the opposite of what Mr. Weise stated. He stated that they have found that when people control the precincts, they freeze out the newcomer and get themselves elected. They will not let anyone be frozen out in Washoe County at this point. No matter what this law does, any one that has attended a precinct meeting and wants to attend county convention will attend it.

Marguerite Segretti stated that as far as Clark County is concerned they would have no problems with this bill. She stated that they work a little different then they do in Washoe County. She stated that any one who attends a mass precinct meeting and is elected to be a delegate to the county convention, they are a delegate. In some instances they do have precincts where there are people that do not care less about county convention. In other precincts they have an excess of really active people so therefore if they did not get elected at a precinct meeting they can be appointed as a delegate and certified.

Mr. Mann stated that they really didn't need this bill to accomplish what they are already doing. Mrs. Segretti stated that this bill is in there already. It just changes some wording to clarify.

Mr. Chaney inquired how they fill vacancies when somebody doesn't show up at the convention. Mrs. Segretti stated that they fill it with people who went to a precinct meeting and did not come out an elected delegate.

Mr. Chaney inquired if that would be from any precinct. Mrs. Segretti stated that this was but that they do try to get somebody to hold a mass precinct meeting within the precinct.

Mrs. Segretti stated that if the precinct is totally vacant and there is no meeting at all, they can take people who attended another precinct meeting and appoint them as delegate. They can not do that on the membership of the Central Committee.

Mr. Mann stated that as a point of clarification he would say that basically what this bill does is that by striking out certain phrases it would have a change in effect. It would by statute allow the appointment of delegate from outside the precinct. It would also allow more than 3 people from any precinct to be elected. It does make some substansive changes just by deleting some words.

Mr. Mann asked if she could see any problems with people showing up and being elected from precinct but then not being appointed. if they have the ability to appoint from any area within the city.

Mr. Heller stated that their national and state charters are stronger then this law.

Mr. Kosinski stated that he was somewhat confused as to what is going on. He stated that from testimony it would appear that they are presently acting in derogation of the bill anyway. Mrs. Segretti stated that they are under their affirmative action rules this was true. Mr. Haller stated that this was true for all counties. Mrs. Segretti stated that they were not in violation of any laws because the DNC rules do supersede any laws here.

Mr. Mann stated that the legislative counsel had a different opinion on this but that he wanted to research it first.

Mr. Sena moved for "do pass" recommendation and Mr. Horn seconded the motion. The motion carried on a vote of 4 to 3 with Mr. Chaney Mr. Kosinski and Mrs. Wagner voting against the motion.

Mr. Mann then asked for a committee introduction on a bill which would do away with the presidential primary in Nevada. The motion was made and carried with Mr. Sena, Horn, Goodman and Mann voting for introduction.

As there was no further business to conduct the meeting was adjourned.

Respectfully submitted,

Sandra Gagnier

Sandra Gagnier
Assembly Attache

Also attached to these minutes is Exhibit F, a copy of the subpoena issued and Exhibit G, articles regarding postcard registration submitted by Mr. Kosinski and herewith they are made a part of this record.

59TH NEVADA LEGISLATURE

ELECTIONS COMMITTEE
LEGISLATIVE ACTION

DATE April 6, 1977

SUBJECT AB 521, Provides for retention of residence when changing precincts after close of registration for certain purposes

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	X	---	---	---	---	---
SENA	X	---	---	---	---	---
CHANEY	X	---	---	---	---	---
GOODMAN	X	---	---	---	---	---
HORN	X	---	---	---	---	---
KOSINSKI	X	---	---	---	---	---
WAGNER	X	---	---	---	---	---

TALLY: 7

Original Motion: Passed XX Defeated _____ Withdrawn _____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes April 6, 1977
Date

59TH NEVADA LEGISLATURE

ELECTIONS COMMITTEE
LEGISLATIVE ACTION

DATE April 6, 1977

SUBJECT AB 313, Amends election laws to facilitate voter registration

MOTION: _____

Do Pass ___ Amend ___ Indefinitely Postpone XX 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>X</u>	---	---	---	---
GOODMAN	---	<u>X</u>	---	---	---	---
HORN	<u>X</u>	---	---	---	---	---
KOSINSKI	---	<u>X</u>	---	---	---	---
WAGNER	<u>X</u>	---	---	---	---	---

TALLY: 4 3

Original Motion: Passed XX Defeated ___ Withdrawn ___

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes April 6, 1977
Date

59TH NEVADA LEGISLATURE

ELECTIONS COMMITTEE
LEGISLATIVE ACTION

DATE April 6, 1977

SUBJECT AB 515, Makes certain changes to county organization of political parties.

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	X	---	---	---	---	---
SENA	X	---	---	---	---	---
CHANEY	---	X	---	---	---	---
GOODMAN	X	---	---	---	---	---
HORN	X	---	---	---	---	---
KOSINSKI	---	X	---	---	---	---
WAGNER	---	X	---	---	---	---

TALLY: 4 3

Original Motion: Passed XX Defeated ____ Withdrawn ____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes April 6, 1977
Date

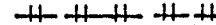
LEGEND-

CITY - COUNTY LIMITS

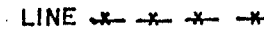


"A" REAPPORTIONMENT

DISTRICT LINE



"B" PROPOSED CHANGE
IN DISTRICT LINE TO
FOLLOW CITY & COUNTY



CLARK COUNTY ELECTION
DEPARTMENT

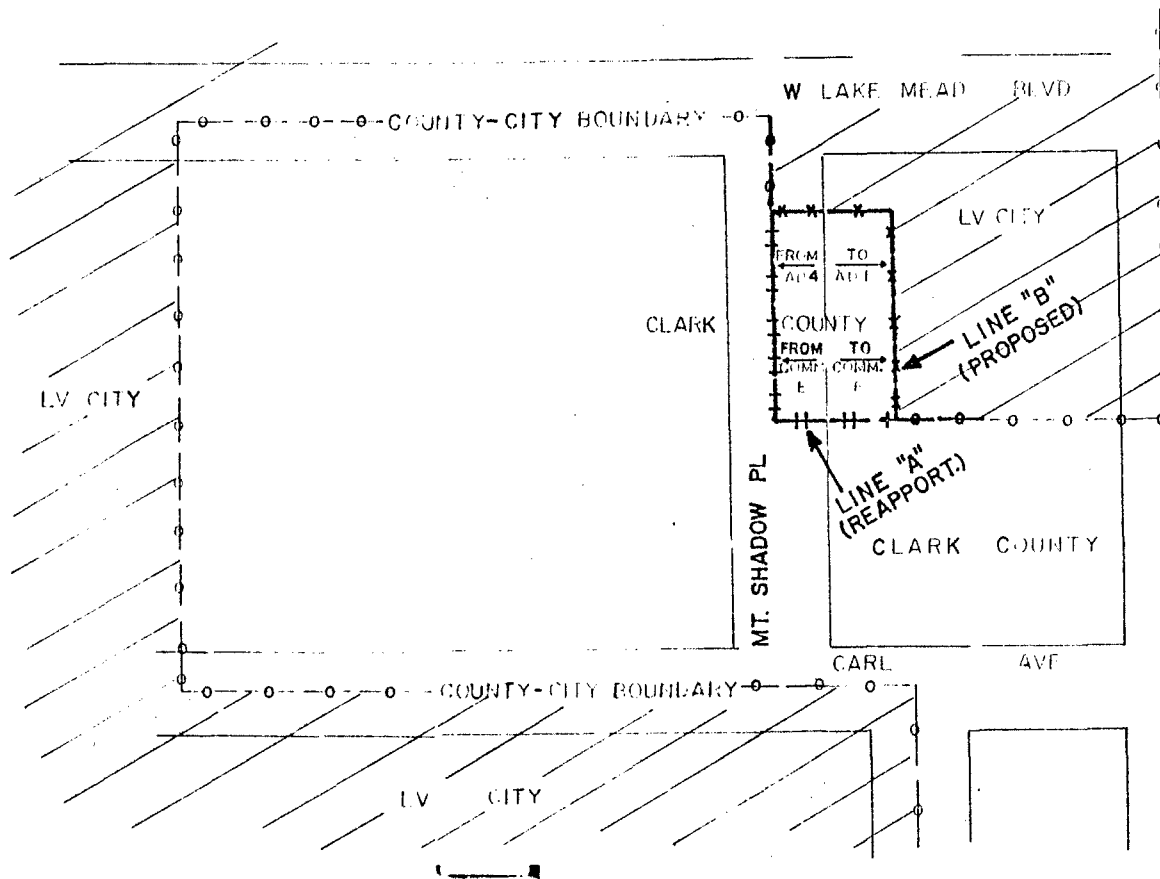
THOMAS A. MULROY
REGISTRAR OF VOTERS

11/71 EH

PROBLEM: CENSUS BUREAU USED AN INCORRECT BOUNDARY TO DRAW THE SEPARATION LINE "A" BETWEEN THE CITY (LAS VEGAS) AND COUNTY, APPROXIMATELY 30 FEET PAST THE SEPARATE CITY BOUNDARY IN PLACE, BETWEEN LAKE MEAD AND CARL AVE. FROM THE ACTUAL CITY LIMITS LINE. THE LEGISLATURE ASSUMED THIS LINE "A" TO BE CORRECT AND ESTABLISHED SAME AS BOUNDARY BETWEEN ACTUAL CITY AND COUNTY DISTRICTS AND DISTRICTS.

PROPOSAL: TO MOVE LINE "A" EASTWARD TO CORRECT LINE "B" WHICH IS THE ACTUAL BOUNDARY BETWEEN CITY (LAS VEGAS) AND COUNTY.

RECOMMENDATION: AFFECTED COUNTY TO DETERMINE EXACT COUNTY RECORDS, AND CLARIFY RECORDS SINCE DISTRICTS WERE, WHICH SHOULD INDICATE A POPULATION OF



MICHAEL

EXHIBIT A



CLARK COUNTY DISTRICT ATTORNEY

ROY WOOFER
CLARK COUNTY COURT HOUSE
200 EAST CARSON ST. / LAS VEGAS, NEVADA / 89101

December 8, 1971

ASSISTANT
DISTRICT
ATTORNEY
Charles E. Thompson

LIAISON SECTION
CHIEF DEPUTY
George D. Frame

CIVIL SECTION
CHIEF DEPUTY
George F. Ogilvie, Jr.

DISTRICT COURT
SECTION
CHIEF DEPUTY
Raymond D. Jeffers

JUSTICE COURT
SECTION
CHIEF DEPUTY
Donald K. Wadsworth

APPELLATE SECTION
CHIEF DEPUTY
Charles L. Garner

INVESTIGATION SECTION
CHIEF INVESTIGATOR
Paul C. Varga

ADMINISTRATIVE
COORDINATOR
AND COMMUNITY
RELATIONS SECTION
Stanton B. Colton

TO: MR. TOM MULROY, REGISTRAR OF VOTERS
FROM: SIDNEY R. WHITMORE, DEPUTY DISTRICT ATTORNEY

This opinion is in answer to your letter of November 19, 1971 concerning the Reapportionment Act of the 1971 Legislature wherein there were instances that the United States Census Bureau used other than the true boundary line between the City of Las Vegas and North Las Vegas, and also as concerns one or two areas where the Legislative District lines ^{dup} directly through buildings.

I am of the opinion that you have authority to make the limited necessary changes so that future elections may be carried out effectively.

ROY A. WOOFER
DISTRICT ATTORNEY

By Sidney R. Whitmore
SIDNEY R. WHITMORE
DEPUTY DISTRICT ATTORNEY

SRW:ac

November 19, 1971

M E M O R A N D U M

TO: George F. Ogilvie, Jr.
Deputy District Attorney

FROM: Thomas A. Mulroy, Registrar of Voters

SUBJECT: REQUEST FOR OPINION

As per our conversation of November 16th, I am attaching herewith, drawings showing discrepancies in the assignment of district boundaries designated for Clark County under the 1971 Reapportionment Act.

There are five specific discrepancies that create a direct conflict with our obligation to structure valid ballots for subsequent elections. Each of the five problems are shown on the five maps, attached, and they are identified as Exhibits, numbered one through five.

I request the opinion of your office as to whether the Clark County Registrar of Voters has the authority to adjust boundaries that restrict the duty he must perform in preparing for elections to conform to the intent of the Act to provide valid ballot structures, certain discrepancies in any Legislative Bill not withstanding.

It might be kept in mind that because the Federal Court will be considering certain challenges to portions of the Act, some re-drawing of boundaries might result which might create other such discrepancies not present at this writing.

Sincerely,

TAM
THOMAS A. MULROY
Registrar of Voters

TAM/el
Attach-

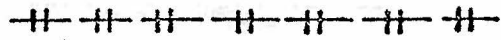
cc: David B. Henry, County Administrator

SEC 13
T 20S
R 61E
PG 121

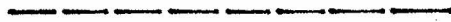
NORTH

LEGEND

"A" REAPPORTIONMENT LINE



"B" PROPOSED REAPPORTIONMENT DISTRICT LINE



THOMAS A. MULROY

REGISTRAR OF VOTERS

CLARK COUNTY ELECTION DEPT.

11-71 EH

PROBLEM: LINE 'A' ESTABLISHED AS SEPARATION BOUNDARY BETWEEN AD 17 (NORTH) AND AD 20 (SOUTH) WITHOUT THE KNOWLEDGE THAT A MAP CHANGE HAD VACATED CYPRESS AVE BETWEEN KENNETH STREET AND BELMONT STREET AND WITHOUT KNOWLEDGE THAT A SUBDIVISION WOULD REPLACE THE VACATED AREA, AND THUS THE BOUNDARY LINE GOES THROUGH THE CONGESTED COMPLEX.

PROPOSAL: TO MOVE LINE 'A' SOUTHWARD ON KENNETH STREET TO CAREY AVENUE AND WESTWARD ON CAREY AVENUE TO BELMONT STREET.

POPULATION AFFECTED: UNABLE TO DETERMINE EXACT CENSUS FIGURE, HOWEVER OUR RECORDS SHOW 25 REGISTERED VOTERS WHICH MIGHT INDICATE, FOR THE AFFECTED AREA, A POPULATION OF 100.

E. CARTIER AVE

LINE "A"

LINE "A"

HONDURAS PL

NEW HOLIDAY PARK TRACT

FROM AD17 TO AD20

HEATHER CRT

HIGH TREE ST

HEEROD DR

HEATHER AVE

HADDOCK AVE

CYPRESS AVE

NELSON AVE

BROADWAY AVE

DRAINAGE CHANNEL

SCHOOL

LINE "A"

LINE "B"

LINE "B"

E. CAREY AVE

AVE

EXHIBIT 3

ST

STATZ

BELMONT ST

KENNETH ST

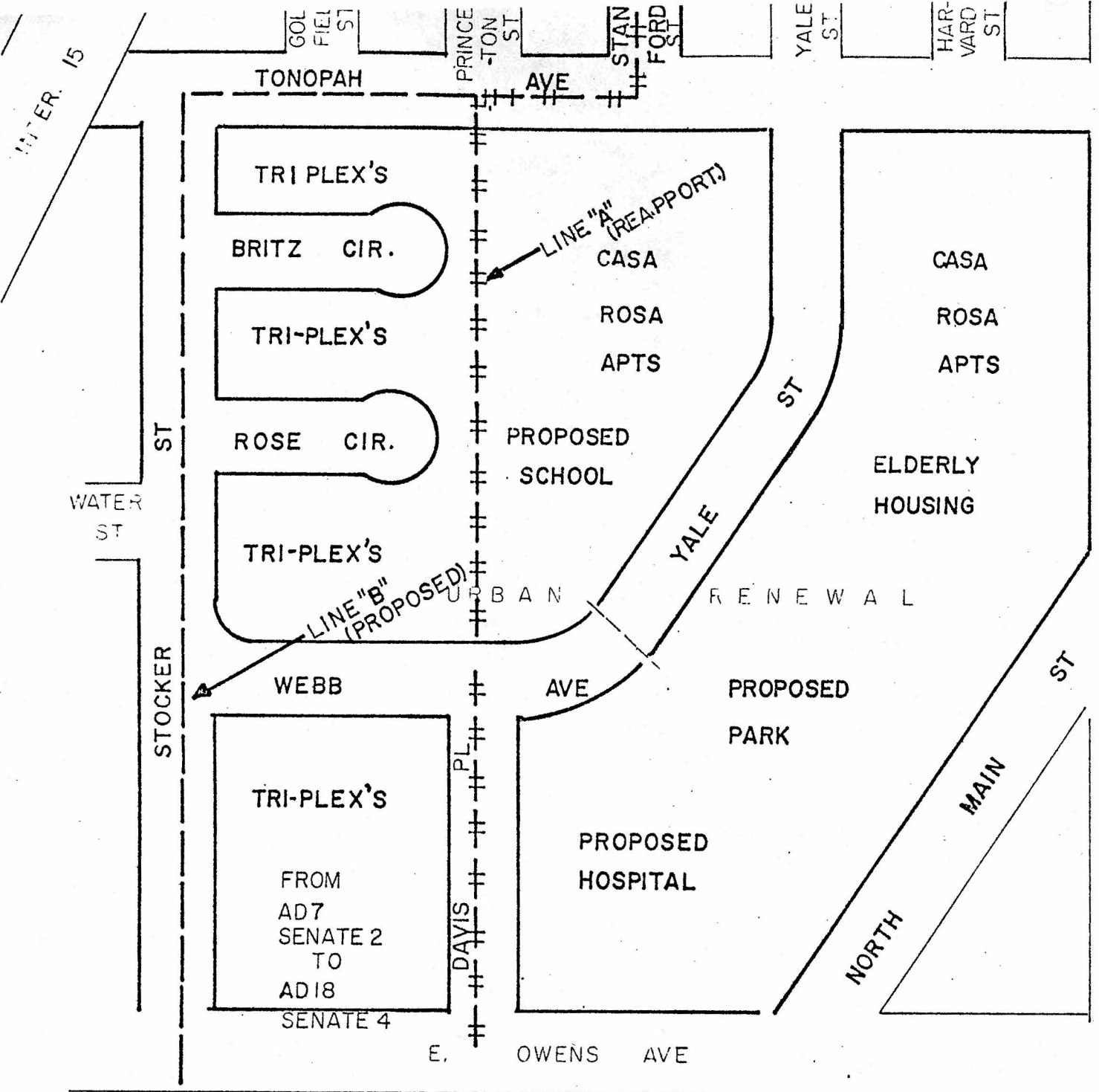
ST

PECOS ST

Exhibit 3

LEGEND--
 "A"-REAPPORTIONMENT DISTRICT
 LINE ---+---+---+---+---+
 "B"-PROPOSED REAPPORTIONMENT
 DISTRICT LINE - - - - -
 CLARK COUNTY ELECTION DEPT.
 THOMAS A. MULROY
 REGISTRAR OF VOTERS
 11/71 EH

PROBLEM: LINE 'A' ESTABLISHED AS WEST LINE OF AD 18 AND SENATE DIST 2. DISTRICTING NOT POSSIBLE BECAUSE THIS LINE GOES DIRECTLY THROUGH AN URBAN RENEWAL APARTMENT BUILDING COMPLEX.
 PROPOSAL: TO MOVE LINE 'A' WESTWARD, ALONG TONOPAH AVE TO STOCKER ST AND SOUTHWARD ON STOCKER ST TO OWENS AVE, SHOWN AS LINE 'B'. FROM AD 7 SENATE DIST 2.
 POPULATION AFFECTED: UNABLE TO DETERMINE EXACT CENSUS, BUT COMPLEX UNDER CONSTRUCTION ANTICIPATES POPULATION, IN AFFECTED AREA OF 415.



NLV CITY - NELLIS AFB

CITY-COUNTY BOUNDARY

E. CAREY
AVE

FROM
AD
17
TO
AD
20

COUNTY

LINE "B"
(PROPOSED)

SECTION LINE

LINE "A"
(REAPPORT)

E. CAREY

AVE

CHRISTY LANE

TOMLINSON LANE

CASTLEBERRY LANE

CLINTON LANE

BRENDA LANE

LINN LANE

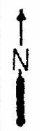
JOANNE LANE

RAYMOND LN

RIGNEY LN

GLENWOOD LN

SLOAN LANE



LEGEND

CITY-COUNTY BOUNDARY

"A" REAPPORTIONMENT DISTRICT LINE

"B" PROPOSED REAPPORTIONMENT
DISTRICT LINE

CLARK COUNTY ELECTION DEPARTMENT

THOMAS A. MULROY

REGISTRAR OF VOTERS 11/71 EH

PROBLEM: CENSUS BUREAU USED CAREY AVE AS BOUNDARY BETWEEN CITY (NORTH LAS VEGAS) AND COUNTY, BETWEEN CHRISTY LANE ON THE WEST AND SLOAN LANE ON THE EAST. THE LEGISLATURE ASSUMED THIS LINE 'A' TO BE CORRECT AND ESTABLISHED SAME AS BOUNDARY BETWEEN AD 17 AND AD 20, AND STATE BOARD OF EDUCATION DISTRICTS A AND D.

PROPOSAL: TO MOVE LINE 'A' NORTHWARD, BETWEEN CHRISTY LANE AND SLOAN LANE, TO CONCUR WITH LINE 'B' WHICH IS SECTION LINE SEPARATING SECTION 21 (NORTH) AND SECTION 16 (SOUTH) AND IS THE BOUNDARY SEPARATING THE CITY (NORTH LAS VEGAS) AND THE COUNTY.

POPULATION AFFECTED: UNABLE TO DETERMINE EXACT CENSUS FIGURE, HOWEVER OUR RECORDS SHOW 37 REGISTERED VOTERS, WHICH MIGHT INDICATE A POPULATION OF 148.

JUDSON AVE

EXHIBIT 5



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL
CAPITOL COMPLEX
SUPREME COURT BUILDING
CARSON CITY 89710

ROBERT LIST
ATTORNEY GENERAL

February 22, 1977

Honorable Thomas J. Hickey
Nevada State Assemblyman
Legislative Building
Carson City, Nevada 89710

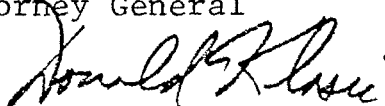
Dear Assemblyman Hickey:

With respect to your request as to whether a county registrar of voters has the right to move district lines after the Legislature has reapportioned districts of the State, this office contacted the Legislative Counsel Bureau. The Counsel Bureau checked into the legislative history of the latest reapportionment act and reached the tentative conclusions that there was no intention by the Legislature to permit any local official the right or duty to reapportion any legislative district after the Legislature has spoken.

Since the Counsel Bureau had the best information on this subject and since, further, the Counsel Bureau is the attorney for the Legislature, it is respectfully suggested that you may wish to request the Counsel Bureau for an opinion on your question.

Sincerely,

ROBERT LIST
Attorney General

By 
Donald Klasic
Deputy Attorney General

DK/ema

Amend Page 1, Sec. 1, Line 3 - after registration cards insert:

"or computer lists"

Amend Sec. 6, Page 2, Line 19 - Bracket before:

(official and after or)

Amend Sec. 14, Page 4, Line 50 - by substituting Utah's idea

Amend Sec. 16, Page 5, Line 41 - by bracketing out (binders)
and substituting "containers"

Line 42 - same

Line 46 - same

Amend Sec. 18, Page 6, Subsection 5, Line 32 - by bracketing out

(comma) include "which need"

and substitute "to be executed before

an officer authorized to administer oaths."

Amend Sec. 25, Page 8, Subsection 25, Line 31 - bracket out "binder of

binders", substitute "container and

containers"

Line 33 - same

Amend - Eliminate Sec. 27, Subsection One - change "2" to "1"

27 5

23 20-2-7.1. (1) Each board of county commissioners shall, during the month
24 of July each year, appoint a number of registration assistants which is
25 reasonably adequate to provide ready means of voter registration to
26 qualified persons throughout the county.

27 (2) Nominations of candidates to serve as registration assistants may
28 be made to the board of county commissioners by non-partisan civic and
29 community service organizations, chambers of commerce, labor unions, trade
30 associations, political parties whose candidates will appear on the ballot
31 in the next general election and by petition on behalf of a candidate for
32 registration assistant. The petition must be signed by 25 registered voters
33 who are residents of the county.

34 (3) In selecting persons for appointment as registration assistants, the
2 board of county commissioners shall select persons of varied political
3 affiliation and diverse background so as to encourage registration by
4 qualified persons throughout the county. Registration assistants shall
5 serve without compensation from the county. A registration assistant may
6 provide assistance in any voting district in the county regardless of
7 where in the county the assistant resides.

8 (4) At any time between the first day of August and 15 days prior
9 to the November election day each year, registration assistants shall staff
10 booths and tables at shopping centers and malls, in parks and public
11 buildings, and in other convenient locations, and may also canvass door
12 to door in order to provide unregistered persons the opportunity to register
13 and provide information and assistance in filling out registration application
14 forms.

15 (5) Registration assistants shall accept executed registration appli-
16 cation forms and shall give the person signing the form a signed and dated
17 receipt and shall promptly deliver the executed registration application
18 forms to the county clerk's office. Upon receipt of a duly executed regis-
19 tration application form from a registration assistant, the county clerk
20 shall cause the applicant to be duly registered and shall mail to the
21 registrant the quadruplicate copy of his registration application form after
22 typing or writing thereon the applicant's voting district number.

23 (6) It shall be a class B misdemeanor for any registration assistant
24 to willfully fail or refuse to deliver to the county clerk completed regis-
25 tration application forms obtained by him pursuant to this section.

for our record

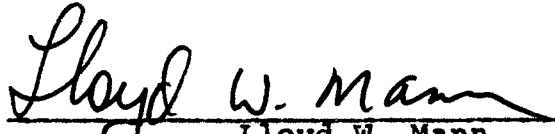
Exhibit F

SUBPENA

1 In a Matter before the Committee on Elections of the Assembly
2 of the State of Nevada.

3 To: Mr. Stanton B. Colton
4 Registrar of Voters of Clark County, Nevada

5 You are commanded to appear before the Committee on
6 Elections of the Assembly of the State of Nevada at 5 p.m. on
7 Wednesday, April 6, 1977, in Room 214 of the Legislative Building
8 at 401 South Carson Street, Carson City, Nevada, and to bring
9 with you all records of your office which deal with any changes
10 made in the boundaries of the assembly districts established by
11 paragraph (b) of subsection 1 of NRS 218.055. These records
12 and your testimony concerning any such changes pertain to
13 legislative action which may be taken to restore such boundaries,
14 ratify such changes, or otherwise appropriately adjust the
15 boundaries.

16 
17 _____
18 Lloyd W. Mann
19 Chairman of the Committee on Elections

20 On March 31, 1977, I served the original of the
21 foregoing subpena on STANTON B. COLTON.

22
23 
24 _____
25
26
27

Instant voting: Carter reform gains backing

Registration at ballot box part of election overhaul

By Peter C. Stuart

Staff correspondent of The Christian Science Monitor

Washington

The American voting system may be about to undergo its most sweeping changes since woman suffrage 56 years ago.

The next time an American votes for congressman or president, he might register just minutes before casting his ballot; finance the congressional race from his tax money; and elect the president directly instead of through the Electoral College.

All these innovations — each one capable of triggering a fundamental political repercussion of its own — could become law by the 1978 congressional election or the 1980 presidential election, owing to a succession of changes in the White House, Congress, and public opinion.

Vice-President Walter F. Mondale, announcing support for the electoral proposals March 22 by the two-month-old Carter administration, described them as continuing "the momentum toward a society in which all citizens participate as freely, as fully, and as equally as possible in our democracy."

The "momentum" of the individual proposals, however, varies. For instance:

- Election Day voter registration. This innovation, together with public financing of congressional campaigns, enjoys probably the strongest resurgence of interest.

Allowing voters in federal elections to register right at the polls on Election Day (with proof of identity and residence), instead of weeks in advance, is a milder substitute for the plan to allow mass registration by postcard, which perished without a vote last year in the Senate under the threat of a veto by then-President Ford.

The new proposal boasts the sponsorship of the chairmen of the committees in both houses of Congress which will process the legislation, Sen. Howard W. Cannon (D) of Nevada and Rep. Frank Thompson Jr. (D) of New Jersey — normally a legislative ticket to early and speedy approval.

Senator Cannon says the plan could boost the nation's voter turnout — which has fallen steadily in the past five presidential elections, from 62.8 percent in 1960 to 53.3 percent in 1976 — by 10 percent. Four states now using the system (Minnesota, North Dakota, Wisconsin, and Maine) ranked in the top five voter turnouts last year.

★Please turn to Page 26

From page 1

Instant voting: Carter reform gains backing

- Public financing of congressional campaigns. The nearly solid wall of opposition in the White House and Congress which doomed this proposal for the past two years has been transformed into a bandwagon of support.

A proponent (Mr. Carter) has replaced an opponent (Mr. Ford) as President. The leaders of both houses of Congress (House Speaker Thomas P. O'Neill Jr. of Massachusetts and Senate majority leader Robert C. Byrd of West Virginia) in recent weeks have abandoned their previous opposition. And the chairmanship of the House committee handling the legislation has switched from an arch foe (former Rep. Wayne L. Hays [D] of Ohio) to an enthusiastic backer (Mr. Thompson).

The concept of extending presidential-style public funding, through a voluntary income tax checkoff, to congressional races now underwritten by private contributors commands support from most congressmen (in a poll by the public-interest lobby Common Cause) and a

sharply rising proportion of the American public (67 percent in a Gallup poll).

- Direct popular election of the president.

Despite the new interest inspired by the near-miss last year of an Electoral College crisis (a switch of 9,245 votes in two states might have nullified Mr. Carter's 1.7 million popular vote victory with an electoral vote defeat), this proposal faces a longer and more barrier-strewn political road.

A constitutional amendment abolishing the Electoral College requires approval by two-thirds of both houses of Congress and three-fourths of the states. But proponents claim it now commands enough support to break the sort of Senate filibuster that killed it in 1970, and to clear the House again as it did in 1969. The plan is endorsed by more than 80 percent of Americans in a recent Gallup poll.

The fourth element in the Carter electoral package is liberalization of the Hatch Act to broaden federal civil servants' political rights, a proposal that faltered in the last Congress.

Exhibit G