

MEMBERS PRESENT: Chairman Horn
Mr. Bedrosian
Mr. Malone

MEMBERS ABSENT: None

GUESTS PRESENT: Assemblyman Jan Stewart
Assemblyman Karen Hayes
Assemblyman Peggy Westall
Carol T. Carlson, Pro Family Coalition
Lucille K. Lusk, Pro Family Coalition
Charles Waterman, Clark County Democratic Party
Gregory L. Millspaugh
Gwen Chase, Carson City Clerk-Treasurer Office
Ted Thornton, Carson City Clerk-Treasurer
Patsy A. Becker
Trish White
Frank Ponticello
Sam Mamet
Erik Beyer

Chairman Horn called the meeting to order at 3:05 p.m. and thanked the members of the subcommittee for being there. He explained that the committee was composed of a republican from southern Nevada and a democrat from northern Nevada with himself as Chairman to create as much balance as possible. He added that the purpose of this meeting was a working session to establish some area of agreement on AB 147.

AB 147: Changes certain provisions of law regarding place and notice of precinct meetings and bans appointment of delegates to certain party conventions.

Mr. Horn further explained that the subcommittee would invite representatives from the rural counties and the northern part of the state to meet with them on Tuesday, February 27th, at 3:00 p.m. in Room 222.

Mr. Horn stated that he had drafted some language for the bill as a starting point and distributed copies of this language to all members and guests, a copy of which is attached to these minutes as Exhibit A. He added that he would go through the bill and this new language marking points of disagreement for discussion after the entire bill was perused. He added that much of this language was taken from the Delegate Selection Rules for the 1980 Democratic Convention.

Mr. Horn then read through the bill inserting the changes as listed on Exhibit A and noted objections.

Assemblyman Jan Stewart objected to lines 13 and 14 in that he felt Section 2 should be rearranged so that the first requirement would be that the meetings be held at the regular polling place in the district or precinct and then if that was not suitable because of distance or unavailability of a building, the meeting could be held in some private building or home within the district. He stated that his reasons for this were because private homes as meeting places lead to cancellation of meetings and improper addresses.

When Mr. Horn asked if this would mean that line 10, (a) would become "at the regular polling place for the precinct" and (b) would be "any building, public or private, within the precinct and (c) would read the same as (b) in the present bill, Mr. Stewart replied that the wording might have to be changed, but in essence this is what he wanted.

Mr. Charles Waterman representing the Clark County Democratic Party stated that he felt that requiring the meeting to be held at the regular polling place conflicted with other sections of the statute. He explained that other sections of the statute require that precinct meetings be held in the precinct and there are some instances where the polling places are not in the precinct. He added that this could be solved very simply by requiring where possible all precinct meetings be held in public buildings and in lieu thereof, because many precincts in the smaller counties have no public buildings, they could be held in private homes. He said that he felt this language would be workable whereas the other would not.

Mr. Stewart stated in response to Mr. Waterman's testimony that about 80% of the precincts do not have public buildings and suggested the possibility of amending another section of NRS that requires meetings to be held in the precinct to give more flexibility.

When Mr. Bedrosian said that in Washoe County several precincts had met in one room, Mr. Waterman stated that this was illegal because the statute says that meetings must be held in the precinct.

Carol Carlson representing Pro Family Coalition stated that she agreed with Mr. Stewart that most precincts do not have public buildings. She added that most people know where they vote which would ease the problems of publishing locations and cited the instance when Tulip Street was published as Flower Street. She stated that she felt polling places were the easiest solution to the problem of meeting places except in the mailing districts.

Gregory Millspaugh from Las Vegas said that having been a parliamentarian for a state political convention and having been involved heavily in the rules and credentials he felt that having meetings at the regular polling place was the strongest way to go over the long term for the enhancement of the voter's identification of these areas. He added that in his experience people

were often reluctant to go to a private home. He told the committee that he felt they should look at the possibility of requiring that a regular polling place be in a public building.

Mr. Waterman said that he felt that community interest might be affected by requiring persons to go out of their precinct for meetings. He added that polling places are very often private buildings rather than public buildings. He further explained that in Clark County the school district was unwilling to open the schools for precinct meetings because of the added cost of custodial service and electricity and asked the committee if they were prepared to mandate the opening of these schools.

Mr. Horn stated that in his research he found there was a very fine line between government and government interference with party politics and that he had drafted this language so that it did not appear that state government was telling parties unnecessarily how to run their affairs. He added that he had tried in this language to make the state involvement minor by structuring guidelines or outlining policy giving the parties latitude to function within that procedurally.

Mr. Waterman said he felt that many people would say that the state legislature had no right to interfere in the running of the democratic party because contrary to what many people feel the democratic party is not a public organization, it is a private organization collecting dues and requiring attendance and work.

Mr. Horn read through the new language which would begin on line 44 stating that this was his language and not that of the bill drafter. (See Exhibit A)

Mr. Waterman stated that once again the fine line of the state attempting to regulate the intra-political party affairs was being reached. He said that his only objection to this section was the second sentence which says "If such a meeting is not held in the precinct then that precinct shall be dormant and void of representation until such an election is held in that precinct." His objection stemmed from the fact that the democratic party rules presently require the election of alternate delegates and alternates at every level of the delegate selection process. He added that the delegate selection rules had already been submitted to the National Democratic Party and had been approved. He explained the case of Singer vs. Daly where Bill Singer challenged Mayor Daly's delegation to the national convention. He said that at that time the Illinois state law required delegates to be selected in a certain way that Mr. Singer felt was undemocratic and the Democratic National Committee also felt was undemocratic. He continued by saying that Mr. Singer was seated at the Democratic National Convention and Mr. Daly filed suit. Mr. Daly lost this suit because the Supreme Court of the United States said that the State of Illinois cannot make the law for the National Democratic Party. He explained that since the rules had been accepted by the National Democratic party,

he did not feel the legislature could do anything before 1980 without running afoul of the Singer vs. Daly decision.

Mr. Waterman reiterated his testimony of the previous meeting on this bill by saying that the democratic party has not used its power to appoint arbitrarily or without due consideration for many disadvantaged and minority people. He added that many people have become involved in the democratic process because they have been appointed and that the possibility of a precinct becoming dormant with no representation tends to narrow the scope of the party rather than broaden it.

Mr. Horn asked if the person appointed as delegate would be from the precinct where no delegate or alternate was elected.

Mr. Waterman stated that his party would be willing to select someone first from the precinct if a willing person could be found.

Mr. Malone asked Mr. Waterman how many people he had discussed this bill with because he had heard much opposition to it from both the republicans and the democrats, that they wanted delegates elected and not appointed.

Mr. Waterman stated that there are 1,200 members of the Democratic Central Committee and that he had talked with all of them. He added that he understood that the process was working well now despite testimony to the contrary. He explained that if they were denied the right to appoint delegates, they would be violating the rules of the democratic party selection plan.

Mr. Horn stated that the power to appoint was covered in the last section where it states "only in the event that a vacancy of the delegate and then the delegate's alternate should occur the county central committee then in office may fill the vacancy from qualified members of the party from the precinct where the vacancy occurred."

Mr. Waterman asked if Mr. Horn would interpret this to be in conflict with the second sentence. He added that what was created in this second sentence was abhorrent to the democratic party and the democratic process by leaving a void where it would be possible to have representation. He added that he had documentary evidence that persons who stated they had been abused by the party were in fact elected as delegates. He also said that one lady who said she had been abused had been dropped because of non-payment of dues.

Mr. Horn asked Mr. Waterman if he would in favor of this paragraph with the omission of the second sentence.

Mr. Waterman said yes that he felt it was vital to the democratic process in both the democratic and republican party.

Mr. Stewart stated that he would like to take issue with Mr. Waterman's position. He stated that he did not believe that the appointment process had broadened participation or representation, that he believed that it had resulted in the narrowing of representation in the party. He felt that stirring up interest before the precinct meeting and getting people to the meeting was the procedure for broadening the party. He stated that he was in favor of the paragraph beginning on line 44 with the second sentence retained.

Carol Carlson said she was also in favor of leaving the second sentence in because she feels that holding a meeting where no one comes is a different story than not holding a meeting at all. She felt that if a meeting is held it will naturally follow that you will have representation if you get people out to the meeting.

Mr. Bedrosian asked Ms. Carlson what group or groups had been blacked out of these meetings.

Ms. Carlson stated that this time it was specifically anti-ERA people who were attempting to keep ERA off of the party platform. She added that other groups blacked out were pro life, anti mandatory sex education forces, a conglomerate of many people who joined forces to get in.

Mr. Bedrosian asked if the problem would not be solved just by scheduling a meeting in a public place.

Ms. Carlson said that if it were not in the polling place, it could still lead to misprints of address and other possible abuses. She added that she did not feel there would be many dormant precincts, but if any occurred it would show where an effort should be made to get people involved. She said that she had brought more letters telling of abuses which are attached to these minutes as Exhibits B, C, D and E.

Mr. Horn said that in studying the Democratic National Committee rules and in comparing them with other states and their statutes, there were three things that must be in the law to make the law conform with the conventions:

1. There must be a provision for vacancies and the filling of those vacancies.
2. There must be provision for credentials and challenges to credentials.
3. There must be provision for minority reports.

Ms. Carlson said that they had attempted to file a minority report and were refused.

Mr. Waterman stated that the rules of the democratic party require the filing of minority reports but do not require that the reports be read. He added that minority reports can be demanded to be read by any single delegate from the floor.

Mr. Millspaugh stated that he would like to speak in favor of retaining the second sentence, but said that he had two technical points to recommend to the committee.

1. In the fourth line of the paragraph beginning on line 44 on Exhibit A after void of representation delete "until such an election is held in that precinct." Insert instead "at the county convention."

He explained that the present language could be construed as barring representation on the central committee that is organized by the county convention for the following two years.

2. At the end of this same paragraph insert "and the secretary of the county central committee shall certify the same to the county convention."

He explained that in his experience it is often the membership list of the prior central committee being introduced to fill vacancies to the county convention. He said that he felt that a voter was required to make the effort to register and that it was not unreasonable to require a precinct to hold a meeting.

When asked by Mr. Horn if, as sponsor of this bill, Mrs. Hayes was in favor of the new language, she replied she was definitely in favor.

Assemblyman Peggy Westall representing her sister from Las Vegas stated that in her sister's words she was treated abominably. She explained that her sister had gone one place and found the meeting had been moved to another, that she had gone to an attorney who said there was nothing in the statutes to cover her situation. Mrs. Westall said that she felt the main purpose of precinct meetings was to get a cross section of the people and excluding anyone defeated this purpose. She added that she was heartily in favor of the bill and felt it was a step in the right direction.

Lucille Lusk, Pro Family Coalition, stated that she felt Mr. Millspaugh's comments made sense in that the party should be able to appoint people to serve on the central committee in the interim time, but that the precinct should be void of representation in the convention for which they are currently being elected.

Mr. Millspaugh added that with our rapidly growing state new precincts were added all the time and the statutes might unintentionally bar these people from involvement.

Mr. Waterman agreed that the community is growing so rapidly that the registrar of voters is continuously and regularly changing precinct boundaries. He added that this is what happened to five persons who submitted protests to the committee which were Exhibits R through Z attached to the minutes of February 5, 1979.

He explained further that Mrs. Fabbi who had submitted protests to the committee had been appointed by Mr. Thornley to be a delegate. He read the letter to Mrs. Fabbi from the Clark County Democratic Central Committee ruling in favor of her being appointed a delegate for her precinct, which is Exhibit V for the minutes of February 5, 1979.

He then referred to a letter to Ms. Reva Golden from the chairperson of the pre-convention credentials committee which is attached to these minutes as Exhibit F, and then referred to Ms. Reva Golden's letter which was attached to the minutes of February 5, 1979, as Exhibit M.

He then submitted the sign in sheet and minutes of a Henderson precinct meetings attached as Exhibit G and referred to Exhibit N of the February 5th minutes.

Mr. Waterman referred to Mr. Diether's testimony on February 5th and referred to the precinct meeting which Mr. Diether had attended where no delegates had been elected, the minutes of which are attached as Exhibit H. He added that after this precinct meeting, Mr. Diether wrote to the central committee requesting that he alone be seated as a delegate to the state convention and that he was seated.

Mr. Waterman stated that he felt that apathy was the main cause for 25% of the precincts not holding meetings. He added that in reading the log from the Clark County office he found that eight precincts from Henderson wanted to hold meetings but they had requested this on the day of the precinct meetings which would have been in violation of the 5-day notice. He said he did not know of any meetings that were not held that were requested within the proper time limit.

In answer to Mr. Horn, Mr. Waterman stated that his only objection was to the second sentence of the paragraph beginning on line 44 and that he fully supported holding meetings in public places but that he felt there should be an option as a last resort for counties where public places would present a hardship and for mailing precincts.

Ms. Carlson stated that she felt we were talking about meetings not being held and that apathy was not the reason for this. She then referred to a letter from JoAnne Mitchell which is attached as Exhibit E stating that she had offered her home for a meeting and still no meeting was held. She added that she thought the bill was excellent and felt if it passed there would be a healthier interest in the party and the democratic process.

Mrs. Hayes stated that she had called and offered her home for a meeting and was told another lady had offered her home. She added that she later found out the other lady was called after her original phone call.

Mr. Millspaugh said he agreed with Mr. Waterman in having an option as a last resort for not holding meetings in public places. He added that he felt the second sentence which states that a precinct shall be dormant and void of representation should be retained.

Mr. Horn asked the secretary to attach to the minutes copies of the letter from Mr. E. J. LeTourneau of Las Vegas, Exhibit I, and of the letter from Mr. Grant Sawyer, Exhibit J.

Mr. Horn thanked the guests for coming and sharing their thoughts with the subcommittee and then adjourned the meeting at 4:45 p.m.

Respectfully submitted,

Patricia Hatch

Patricia Hatch
Assembly Attache

Line

Page 1

- 9 2. The meeting must be held
- 13] omit omit new language "must be ...
 ... for the precinct"
 add (after district on line 12) "or in the regular
 polling place for the district.
- 15 3. [leave in old language
- 20]
- 20 omit new language "The county clerk or reg ...

Page 2

- 1 & 2 omit new language "of voters ... precinct meeting."
- 3-38 (are ok)
- 39 2. [ok However in its place insert the following
- 43]
- "Such a meeting must elect delegates and alternates to any party's county convention. If such a meeting is not held in the precinct then that precinct shall be dormant and void of representation until such an election is held in that precinct. In the event that a vacancy of a duly elected delegate should occur, the alternate to the delegate must be elevated to delegate status; only in the event that a vacancy of the delegate and then the delegate's alternate should occur the county central committee then in office may fill the vacancy from qualified members of the party from the precinct where the vacancy occurred.

Add new section

4. The state parties shall adopt explicit written rules and procedures covering but not limited to the selection and responsibilities of convention committees; credential challenges; and minority reports. Such rules shall be adopted at least ninety (90) days prior to the first step in the delegate selection process and in no case later than January 1 of the calendar year of the National Convention.

As we made plans to attend our
Precinct meeting for Precinct #20. We did
not know for sure if the meeting was going
to be held at 436 W. 23rd St. As it had
had. stated in the Sun Newspaper. As
the notice was not posted any day before
the meeting. until in the late afternoon
of the day of the meeting.
Many that planned on attending the
Precinct meeting didn't, because it wasn't
posted when they checked the address out.

Shen Hallow Mortensen

Jay E Mortensen

EXHIBIT C

LAS VEGAS #30

We opened the precinct meeting at 8:00 p.m. and were in the process of selecting officers when the meeting was halted. The person who owned the house wanted to be the delegate and when he realized that he did not have a majority he had his family call three more people. The meeting did not resume until they arrived.

At this time I lived at 833 North 18th Street, Las Vegas, Nevada and was registered as Linda J. Stockwell. I have since married and moved.

Linda J. Winsor
361 N. 13th St.
Las Vegas, Nev. 89101

Linda J. Winsor

I called down to find out where my precinct meeting was to be held. Was told they did not have a home assigned in my precinct. So I volunteered my home - She said she would get back with me. (First mistake, I did not get her name.) Was not called back as she said she would - I then called 4 days before + was told I was too late as the notice has to be posted on my door 5 days before. Talked to several in the office, trying to get them to let me have it in my home. And they had no record of me calling earlier. Then I heard that I could be heard (committee) and they just might let me be seated. Those people that had lawyers with their problem written up, seemed to be seated. Was told to come back the next morning for the decision - Was told no the next morning.

Decided to go to the Democratic Convention just to learn - Which was an eye opener.

The committee () called me ~~2~~ different times (think it was 3 times) and I had to retell my side. I felt the committee was trying to catch me in different wording or etc. And some of the committee was very rude to me - Few nice. Seemed like nothing but a harassment to those that were trying to be seated or even heard.

JoAnne Mitchell
 A.D. 14 3 649-3028
 Precinct # 192



Clark County Democratic Central Committee

MARK ...
CHAIRMAN

LAS VEGAS, NEVADA

ARDELL STEPHENS
SECRETARY

March 23, 1978

Ms Reva Golden
313 Regina Way
Henderson, Nevada 89015

Dear Ms Goldman;

We are in receipt of your letter of February 28, 1978 informing us that you held your own precinct meeting at your home in precinct Henderson 20.

Due to the fact that Mike Campbell who was in attendance and served as precinct chairman is not registered to vote in that precinct (he is registered in Henderson 15) he cannot be considered as an alternate delegate. Your precinct was allowed two delegates and one alternate. We therefore recognize:

Delegates: Reva Golden and Fran DeMille
Alternate Delegate: Don Golden

Your credentials are enclosed along with those of the delegates and alternate in your precinct. Will you please see that they are given to the appropriate people?

We will have pre-registration here at Democratic Headquarters beginning March 27th for the convenience of delegates.

Yours truly,

Renee Diamond

Renee Diamond, Chairperson
Pre-Convention Credentials Committee

NOTICE TO PRECINCT CHAIRMAN

PRECINCT # Heard

PLEASE HAVE VOTERS ATTENDING THE MEETING
SIGN IN WITH COMPLETE INFORMATION AND
TURN TO:

CLARK COUNTY DEMOCRATIC CENTRAL COMMITTEE HEADQUARTERS
2025 PARADISE ROAD
LAS VEGAS, NEVADA
89104

DEMOCRATS ATTENDING PRECINCT MEETING:

NAME	ADDRESS	PHONE
SAMPLE: JANE DOE	1111 Main St. Las Vegas	555-5555

START SIGNING: PLEASE PRINT

Handwritten entries:
 ... *Heard* ... *564-1261*
 ... *19 Dakota Way - 565-0876*
 (16) *Und. S. Kye 15 Mortar Way Heard 564-5064*

Marie S. Longmiller
President #6
Cleo Kay B. Jones
Precinct #6 Secretary

Meeting began at 8:00 P.M.
2 in attendance

1) Marie S. Segmiller nominated ^{as Chairman} by Cleo Kay B. Jones and voted in by same. Cleo Kay B. Jones nominated as Secretary by Marie S. Segmiller and voted in by same.

2) Marie S. Segmiller and Cleo Kay B. Jones nominated and voted in by as delegates to the Clark County Convention.

3) No Alternates available.

4) Recommended that Marie S. Segmiller and Cleo Kay B. Jones represent precinct #6 on Clark County Democratic Central Committee for a two year term.

[3rd voter came at 8:10 P.M. - Vicki L. Kizzia]

5) Marie S. Segmiller nominated Cleo Kay B. Jones and elected latter to the state Democratic Convention.

Minutes Recorded Feb. 28, 1978 by
Cleo Kay B. Jones - secretary - adjourned 8:50 P.M.
Marie S. Segmiller - Chairman

It is resolved that every parent in every school be invited by the principal of the school to participate in standing committees, formed for the purpose of reviewing films, television and radio programs, textbooks and library books, in each school, which are viewed, heard, used or read by students.

It is resolved that no sex be taught in the schools:

Democratic Party

Precinct # 6

Signed Cleo Kay B Jones

Secretary of # 6 Precinct
Nevadaman, Nevada

Be it resolved that Precinct # 6
of the Democrat Party is opposed
to the Equal Rights Amendment.

Signed Cleo Kay B. Jones
Secretary of # 6 Precinct
Henderson, Nevada

Be it resolved that the present
laws pertaining to homosexuals
be retained,

Democratic Party.

Signed Clio Kay B. Jones
Secretary of Precinct # 6
Henderson, Nevada

Be it resolved that:

Every live aborted human in the State of Nevada be assured of all the rights of every other United States Citizen, including the right to life, liberty and the pursuit of happiness.

Be it also resolved that:

Every live aborted human in the State of Nevada be protected from being used in any manner for medical experimentation.

Democratic Party

Precinct # 6

Signed Clay B Jones

Secretary of #6 Precinct

Mendocino, Nevada

Be it resolved that Precinct # 6
of the Democratic Party is for
retaining the present law on the
use of marijuana.

Signed Cleo Fay B. Jones

Secretary of Precinct # 6
Henderson, Nevada

PRECINCT CHAIRMAN

PRECINCT East Las Vegas #1

THE VOTERS ATTENDING THE MEETING
WITH COMPLETE INFORMATION AND

CLARK COUNTY DEMOCRATIC CENTRAL COMMITTEE HEADQUARTERS
2025 PARADISE ROAD
LAS VEGAS, NEVADA
89104

ATTENDING PRECINCT MEETING:

ADDRESS	PHONE
1111 Main St. Las Vegas	555-5555

PLEASE PRINT

G. McCollum	5922 Willard	451-1566
H. Smith	5915 Willard St.	451-2437
Smith	5915 Willard St	451-2437
A. Diether	5945 Bunch St	451-8353
Challenger	5915 Willard	451-2437
Blaine	5060 Bunch St.	458-4997
R. Coy	5864 Dodd St	541-1313
Coy	5864 Dodd St	451-1313
Kraze	5907 Willard	-
Blaine	5866 Dodd St	458-2333

also show no election held for County
legislative State Nominee or Central
Committee members.

MCS

MINUTES OF:

PRECINCT

East Las Vegas #1

against

~~the~~ Right to work law.

Congress reform U.S. Food Stamp Program as Ronald Reagan did in California.

Congress oppose deficit Spending & reamorse Fiscal sanity.

For the Reinstatement of the Capital Punishment law.

To appose all Laws pertaining to forced bussing.

To Abolish the complete Control of A.S.H.A.

Oppose Gun Control repeal Act of 1968, repeal Clark County Registration of hand guns.

Opposed Pornography Industry, Laws should be passed against any xxx rated theatres, Adult book Stores. And also distribution of obscene material put in Groc. Stores, public Schools & Libraries.

Against Consumer Protection with force.

To Appose the No Fault Insurance law.

Unconventionality of forcing an individual to buy a product of another individual or industry Motion to have the County buy the S.O. Valley Water District.

Congressional Check of Supreme Court Jurisdiction: example Bussing, School Bussing Jerry McDonald HR 12365 - HR 111 Sec 2765, Abortion ect.

Changing Senate district #3 of Clark County to individual representation. India Bellings.

Meeting adjourned 10:50 pm.

Feb 17-79

Nick Horn, assembly man
Room 364, Nevada state legislature

RE: AB 147.

Dear Nick Horn

The referenced bill revises election procedures and the conduct of precinct meetings in particular.

In reviewing the proposed bill I am forced to object to the proposal and I consider it both ill conceived and ill written.

In short I urge defeat of the proposal.

In continuation, if you feel the need to change the N.R.S as outlined, the bill has failed to touch many points and I consider these points very significant and as follows:

1. If precinct meetings are mandated by N.R.S as outlined, all meetings and expenses attendant thereto must be state funded; don't saddle the Counties or political parties with these expenses.

2. To save state monies, all precinct meetings, all political parties must be held at the same time on the same date, at the same place; room permitting. (or find a larger place.)

3. all rental fees for use of meeting place must be met by the state.

EXHIBIT I-

4. All reporting voters must present evidence of affiliation and registration to participate.
(12) their meeting notice.

5. all attendees must sign a poll book as in primary and general elections and have their signatures verified as in regular elections.

6. The regular book of voter affidavits must be used to verify these signatures.

7. An election worker or board must maintain control of this book for the election department and pick up and return this book. In addition they must be paid a set and reasonable fee for their time plus travel mileage or time; by the state of Nevada.

I repeat, I am opposed to this bill and consider it an intrusion on the various political parties financially if not state funded; and the Counties cannot afford it.

Further more, state funding under the current mood of the citizen taxpayers as expressed in

proposition or question 6. would be
sheer idiocy

EXHIBIT 1

If the state then cannot afford it
then how could the Counties or political
parties afford it

As it stands, I cannot even get my
next door neighbor to a meeting at my
house with the prospect of a couple of beers
when he's a beer drinker. How would I
get him 5 miles down the road.

as for Subsection 3 of N.R.S. 293.137.
This is already the practice of our democratic
party.

as for Subsection 2 of the same N.R.S. this
is the best way I know of depriving the
interested party members, of the right to part-
icipate in the election process and the
obtaining of cross opinions.
Perhaps other parties have acted undemo-
cratically but I know ours hasn't.

J. L. Lounsbury
1418 E. Lee Coll.

P.S. Kill this bill in
Committee.

SAMUEL S. LIONEL
GRANT SAWYER
JON R. COLLINS
ROBERT M. BUCKALEW
STEPHEN L. MORRIS
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
RICHARD G. CAMPBELL
DAVID N. FREDERICK
ANDREW S. BRIGNONE
DENNIS L. KENNEDY

JOHN R. LUSK
DAN C. BOWEN
CHARLES H. MCCREA, JR.
MARK A. SOLOMON
EVAN J. WALLACH
THOMAS A. PETERMAN
RODNEY M. JEAN
RAYMOND D. PIKE
LINDA B. RIEGLE
BARRY S. GOOLD
JERRY A. TRENBERTH

LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW
1700 VALLEY BANK PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
(702) 385-2188

RENO OFFICE
SUITE 900
ONE EAST FIRST STREET
RENO, NEVADA 89501
(702) 323-8050

February 7, 1979

The Honorable Nicholas J. Horn
Chairman, Assembly Elections Committee
State Legislative Building, Room 222
Carson City, Nevada

Re: Assembly Bill 147

Dear Nick:

In connection with your Elections Committee hearing on A.B. 147, enclosed please find the relevant pages of the Delegate Selection Rules for the 1980 Democratic National Convention issued by the Democratic National Committee and the Delegate Selection Plan for the Democratic Party for the State of Nevada.

With reference to the National rules, you will note on page 1 that the State Parties are mandated to adopt written rules which include the filling of vacancies in delegate positions. On pages 6 and 7, paragraph 5, Non-Discrimination, you will note that the thrust of the National rules is one of inclusion of all people rather than exclusion. On page 9, paragraph 9, it is clear that the National Committee requires a balance of representation to accomplish the State Party's Affirmative Action Plan. On page 15, paragraph 20, State Legislative Changes, National requires the State to take provable positive steps to achieve legislative changes to bring the state law into compliance and further provides that a State Party may be required to adopt and implement an alternative Party-run delegate selection system which does not conflict with the National rules (page 16).

February 7, 1979
Nicholas J. Horn

Page Two

With reference to the Democratic Party, State of Nevada, Delegate Selection Plan, paragraph 1, page 6, provides for the filling of vacancies in delegate positions and paragraph 2 provides for approval of the State plan by the National Compliance Review Commission. On page 8, paragraph 16, participation at all levels is required and the National Compliance Review Commission has specifically required that vacancies be filled. In paragraph F, page 10, the method of filling of vacancies is provided for.

As I indicated in my statement to your committee the other day, I would be in favor of any practical means of providing notice and holding meetings in the most accessible locations.

I am concerned that if the law prohibits the filling of vacancies or if there is not the proper provision for challenging the delegates that National will refuse to accept such conditions, the end result being that our delegation would not be seated at National conventions. The State Parties, therefore, would be in an untenable position. If A.B. 147 is passed, the State Party would have to openly violate the law which would lead to litigation or simply forfeit Nevada representation at National conventions.

My kindest regards.

Sincerely,

GRANT SAWYER

GS/lc
Enclosures

cc/enc: Marguerite Segretti
Hank Thornley
James Rice
Charles Watterman, Esq.
Didi Carson
Virginia Catt

DELEGATE SELECTION RULES FOR THE
1980
DEMOCRATIC NATIONAL CONVENTION

Issued by the
Democratic National Committee

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1. PUBLICATION AND SUBMISSION OF STATE PARTY RULES EXHIBIT J

A. State Parties shall adopt explicit written rules and procedures covering all aspects of the delegate selection process including, but not limited to, the apportionment of delegates and votes within the state; the allocation of fractional votes; the nomination of delegates and alternates; the succession of alternates to delegate status and the filling of vacancies in delegate positions; the selection and responsibilities of convention committees; credential challenges; and minority reports. Such rules shall be adopted at least ninety (90) days prior to the first step in the delegate selection process and in no case later than January 1 of the calendar year of the National Convention.

B. Each State Party shall adopt an Affirmative Action Plan and a Delegate Selection Plan which shall be submitted to the Compliance Review Commission for approval on or before April 15, 1979.* Such Plans shall be consistent with National Party Rules. The Affirmative Action Plans shall include provisions for the appointment of a representative State Affirmative Action Committee and for the implementation by Party organizations of Affirmative Action as defined in Rule 6 and non-discrimination as defined in Rule 5. In the six (6) months prior to the first step of the delegate selection process, each state Affirmative Action Plan shall give special attention to encouraging participation by the dissemination of information about the delegate selection process.

(1) Each State Party shall provide for a thirty (30) day period of public comment to solicit opinion on the state's Affirmative Action Plan and Delegate Selection Plan after which they shall adopt an Affirmative Action Plan and a Delegate Selection Plan. All written public comments, submitted to the State Democratic Committee for the meeting at which the State Democratic Committee adopts the proposed Affirmative Action Plan and Delegate Selection Plan, shall accompany the adopted Plans at the time of their submission to the Compliance Review Commission.

* The year in which Plans are to be submitted shall be automatically updated in the Delegate Selection Rules for each Democratic National Convention to be that year preceding the calendar year in which the Convention is held.

- (5) The Democratic Party in each State should publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party Officers and representatives on all levels. Publication of these procedures should be done in such fashion that all prospective and current members of each State Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party Organization.
- (6) The Democratic Party in each State should publicize fully and in such a manner as to assure notice to all interested parties a complete description of the legal and practical qualifications of all officers and representatives of the State Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within each State Democratic Party will have full and adequate opportunity to compete for office.

These actions demonstrate the intention of the Democratic Party to ensure a full opportunity for all minority group members to participate in the delegate selection process. To supplement the requirements of the 1964 and the 1968 Conventions, the Commission requires that State Parties add the Six Basic Elements of the Special Equal Rights Committee to their Party rules and take appropriate steps to secure their implementation.

5. NON-DISCRIMINATION

- A. In order that the Democratic Party at all levels be an open Party which includes rather than excludes people from participation, a program of effective affirmative action is hereby adopted.
- B. Discrimination on the basis of race, sex, age, color, national origin, religion, ethnic identity, or economic status in the conduct of Democratic Party affairs is prohibited.
- C. With respect to groups such as ethnics, youth, persons over 65 years of age, workers, persons with a high school education or less, the physically handicapped, and other groups significantly underrepresented in our Party affairs, each State Party shall develop and submit Party outreach programs for such groups identified in their plans, including recruitment, education and training, in

order to achieve full participation by such groups in the delegate selection process and at all levels of Party affairs.

6. AFFIRMATIVE ACTION

- A. In order to encourage full participation by all Democrats, with particular concern for minority groups, Native Americans, women, and youth, in the delegate selection process and in all Party affairs, the National and State Democratic Parties shall adopt and implement Affirmative Action Programs with specific goals and timetables.
- (1) The goal of such affirmative action shall be to encourage such participation in delegate selection processes and in Party organizations at all levels of the aforementioned groups as indicated by their presence in the Democratic electorate.
 - (2) This goal shall not be accomplished either directly or indirectly by the Party's imposition of mandatory quotas at any level of the delegate selection process or in any other Party affairs.
 - (3) With respect to women, blacks, hispanics, and Native Americans, each State Party shall develop and submit Affirmative Action Programs for these groups including not only outreach activities such as recruitment, education and training, but also remedial action to overcome the effects of past discrimination.
- B. Performance under an approved Affirmative Action Plan and composition of the convention delegation shall be considered relevant evidence in the challenge of any State delegation, but composition alone shall not constitute prima facie evidence of discrimination, nor shall it shift the burden of proof to the challenged party. If a State Party has adopted and implemented an approved Affirmative Action Program, the Party shall not be subject to challenge based solely on delegation composition or primary results.
- C. Notwithstanding sub-paragraph A(2) above, equal division at any level of delegate or committee positions between delegate men and delegate women or committeemen and committeewomen shall not constitute a violation of any provision thereof.

- C. Seventy-five percent (75%) of the National Convention delegates apportioned within the provisions of this rule shall be elected at the Congressional District level or lower. Twenty-five percent (25%) of the National Convention delegates apportioned within the provisions of this rule shall be elected at large.
- D. After the election of Congressional District level (or lower) delegates and prior to the selection of at-large delegates, those National Convention delegates or a state convention in each state shall elect Party leaders and elected officials as National Convention delegates provided, however, that the number of these delegates shall be 10% of the total number of publicly elected and at-large delegates apportioned pursuant to Rule 7A.

8. SELECTION OF PARTY AND ELECTED OFFICIAL DELEGATES

- A. In the selection of Party and Elected Official delegates pursuant to Rule 7D priority of consideration shall be given to, among others, Democratic Governors, followed by State Party Chairs and Vice Chairs and other members of the Democratic National Committee, United States Senators and United States Representatives.
- B. Delegates elected within the provisions of Rule 7D shall reflect the division of preferences under Rule 12B.
- C. The Democratic National Committee shall extend privileges, except voting rights, to Democratic Governors, United States Senators, United States Representatives, and members of the Democratic National Committee who are not voting delegates. No person shall serve as an automatic or ex-officio voting delegate at any level of the delegate selection process by virtue of holding a public or Party office.

9. SELECTION OF AT-LARGE DELEGATES

- A. In all cases the election of an at-large delegation shall be used, if necessary, for purposes of achieving the representation goals established in the State Party's Affirmative Action Plan.
- B. State Democratic Parties which do not hold state conventions authorized to elect delegates shall elect 25% of National Convention delegates by a committee consisting of all publicly elected delegates or by a State Democratic Committee, provided:

- D. A vacant alternate position shall be filled by the delegation and the replacement shall be of the same presidential preference and from the same political subdivision.

19. MONITORING AND COMPLIANCE REVIEW

- A. A Compliance Review Commission consisting of twenty-five (25) members shall be appointed no later than October 1, 1978, to administer and enforce affirmative action requirements for the National and State Democratic Parties; review Affirmative Action and Delegate Selection Plans submitted by State Parties and approve or recommend changes in such plans; conduct periodic evaluations and provide technical assistance to State Parties on affirmative action and delegate selection implementation, and hear and recommend solutions to affirmative action complaints unresolved by appropriate State Party Bodies.
- B. Twenty-five (25) members of the Compliance Review Commission shall be appointed by the Chair of the Democratic National Committee with the approval of the Democratic National Committee.
- C. The Democratic National Committee shall allocate sufficient financial resources and staff to implement the provision of this rule.
- D. The Compliance Review Commission shall report its activities, together with all challenges and complaints, to the Credentials Committee of the Democratic National Convention. In cases involving unresolved challenges which are appealed to the Credentials Committee, the burden of proof shall rest with the party presenting the challenge.

20. STATE LEGISLATIVE CHANGES

- A. Wherever any part of any section contained in these rules conflicts with existing state laws, the State Party shall take provable positive steps to achieve legislative changes to bring the state law into compliance with the provisions of these rules.
- B. Provable positive steps shall be taken in a timely fashion and shall include the drafting of corrective legislation; public endorsement by the State Party of such legislation; efforts to educate the public on the need for such legislation; active support for the legislation by the State Party lobbying state legislators, other public officials, Party officials and Party

members; and encouraging consideration of the legislation by the appropriate legislative committees and bodies.

- C. A State Party may be required to adopt and implement an alternative Party-run delegate selection system which does not conflict with these rules, regardless of any provable positive steps the state may have taken.

EXHIBIT J-1

DEMOCRATIC PARTY
STATE OF NEVADA
DELEGATE SELECTION PLAN
FOR
NON-PRESIDENTIAL YEARS

Submitted By
Kerin Scianna

Delegate Selection Plan Chairperson

Revised as of February 27, 1978

This Delegate Selection Plan, as approved by the 1976 Nevada Democratic State Party and the 1976 Democratic National Committee was written to provide a procedure for both Presidential election years and non-Presidential election years. This portion of the Plan is the procedure to be used for non-Presidential years. It is identical with the exception of revisions and omissions concerning Presidential Preference.

PREAMBLE

The purpose of the Delegate Selection Rules of the Democratic Party of Nevada is to allow a fair representation at all levels of the delegate selection process.

The Democratic National Committee, through adoption of the Report of the Delegate Selection Commission, has declared that the prime focus of the Rules of the Democratic Party of Nevada should be to comply with those rules as stated in the report. Significant deviation is discouraged.

It is resolved that it is the intention of the Democratic Party of Nevada to comply with the Delegate Selection Rules of the Democratic National Committee as are in effect for the 1978 National Party Conference.

DELEGATE SELECTION PLAN
FOR THE
DEMOCRATIC PARTY OF NEVADA
1978

GENERAL PROVISIONS

1. State Party Rules

- A. The Democratic Party of Nevada (hereinafter State Party) has adopted explicit written rules and procedures covering all aspects of the delegate selection process including, but not limited to, the appointment of delegates and votes within the state; the allocation of fractional votes; the nomination of delegates and alternates; the succession of alternates to delegate status and the filling of vacancies in delegate positions; the selection and responsibilities of convention committees; credential challenges; and minority reports.
- B. State Party shall publish and make available at no cost their rules, relevant state statutes, and a clear and concise explanation of how Democratic voters can participate in the delegate selection process. This shall be done at least ninety (90) days prior to the first step in the process.

2. Democratic Participation

- A. State Party has undertaken all feasible steps to restrict participation in the delegate selec-

tion process to Democratic voters only. Such steps shall be included in proposed Democratic Party rules submitted to the Compliance Review Commission of the National Democratic Party. Such rules, when approved by the Compliance Review Commission and implemented shall constitute adequate provisions within the meaning of Section 9 of the 1972 Democratic National Convention mandate.

- B. State Party has taken all feasible steps to encourage non-affiliated and new voters to register or enroll as Democrats and to provide simple, easy procedures through which they may do so.

3. Public Notice

- A. All steps in the delegate selection process, including the filing of candidates, will take place within the calendar year of the Democratic National Mini-Conference, except as otherwise provided in these Rules.
- B. All official Democratic Party meetings and events related to the National Mini-Conference delegate selection process, including precinct meetings, conventions, committee meetings, filing dates, and Party enrollment periods, shall be scheduled for dates, times and public places which would be the most likely to encourage the participation of all Democrats, and must begin and end at reasonable hours.
- C. All such meetings or events shall be scheduled at times and dates which are uniform throughout the State, except where it is determined by the State Party Chairperson that inclement weather or any other unforeseen impediment of reasonable nature would significantly reduce participation in the delegate selection process.
- D. The times, dates, places and rules for the conduct of all precinct meetings, caucuses, conventions, meetings, and other events involved in the delegate selection process shall be effectively publicized by the Democratic Party organization official or member calling the same.
- E. Concise statements in advance of all meetings and events concerning the relationship between the business to be conducted and the delegate selection process shall be effectively publicized by the Democratic Party organization, official or member calling the same.

4. Costs and Fees

No person shall be excluded from any stage of the delegate selection process for failure to pay a cost or fee.

5. Proxy Voting

No voting by proxy shall be permitted at any precinct meeting, caucus, meeting or convention relating to the nomination or election of delegates or alternates to the National Mini-Conference.

6. Fractional Votes

Fractional votes may be allowed. Those delegations using fractional votes may transfer their

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(Continued from Page 7)

regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, economic status, or philosophical persuasion.

2. No test for membership in, nor any oaths of loyalty to, the Democratic Party in any State should be required or used which has the effect or requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination on the grounds of race, sex, age, color, creed, national origin, religion, ethnic identity or economic status.
3. The time and place for all public meetings of the Democratic Party on all levels should be published fully and in such manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons.
4. The Democratic Party, on all levels, should support the broadest possible registration without discrimination on grounds of race, sex, age, color, creed, national origin, religion, ethnic identity, or economic status.
5. The Democratic Party in each State should publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party Officers and representatives on all levels. Publication of these procedures would be done in such fashion that all prospective and current members of each State Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party Organization.
6. The Democratic Party in each State should publicize fully and in such a manner as to assure notice to all interested parties a complete description of the legal and practical qualifications of all officers and representatives of the State Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within each State Democratic Party will have full and adequate opportunity to compete for office.
These actions demonstrate the intention of the Democratic Party to ensure a full opportunity for all minority group members to participate in the delegate selection process.

13. Non-Discrimination

In order that the Democratic Party at all levels be an open Party which includes rather than excludes people from participation, a program of effective affirmative action is hereby adopted. Discrimination on the basis of race,

sex, age, color, national origin, religion, ethnic identity, or economic status in the conduct of Democratic Party affairs is prohibited.

14. Selection of National Mini-Conference Delegates and Alternates

The nomination and election of National Mini-Conference delegates and alternates shall be held at the State Convention and shall be a regular order of business.

15. First Step/Level of Delegate Selection Process

The first step of the selection of National Mini-Conference delegates and alternates will occur at the precinct meetings.

16. Participation At All Levels (*See Footnote)

All persons wishing to be elected delegates or alternates to the National Mini-Conference shall have participated at every level of the delegate selection process.

*Note From Compliance Review Commission:
After vacancies are filled by all persons who attended precinct meetings who wish to attend the county convention, vacancies may be then filled with persons who did not attend precinct meetings. Persons so appointed to fill vacancies to the county convention shall have all the powers of duly elected delegates.

17. Secret Ballot

All voting shall be by secret ballot. All tie votes affecting the outcome of an election shall be determined by lot immediately following the election.

18. Plurality

In all elections a plurality shall be sufficient to elect.

19. Election Agenda Item

In all elections, time and place shall be fixed on the agenda and shall not be moved.

20. Number of Ballots

In all elections, the number of official ballots cast shall not exceed the number of official ballots issued, or said election shall be declared null and void.

21. Notice

No less than thirty (30) days public notice shall be announced before any precinct meeting or convention.

22. Robert's Rules of Order

Robert's Rules of Order, most recently revised, and the National Party rules shall be the final arbiter of procedure at all meetings, caucuses and conventions.

23. State Law

Nothing within these rules is intended to conflict in any manner with the laws of the State of Nevada.

24. Entire Document

No portion of the National Mini-Conference Delegate Selection Plan may be used without including the preamble and general provisions.

precinct voter designated by the county chairperson, or in their absence, should be elected from among those in attendance. Those attending shall then nominate and elect a permanent chairperson and permanent secretary for the meeting.

B. The process of nomination and election of delegates and alternates shall be subject to the general provisions of the delegate selection rules and will follow the order as set forth below. Delegates and alternates shall be elected in descending order of votes received. There may be elected a number of alternates equal to the number of delegates elected in following order of business:

1. Nomination of delegates to the county convention.
2. Election of delegates to the county convention.
3. Nomination of alternates to the county convention.
4. Election of alternates to the county convention.

C. The precinct meeting may nominate to the county convention one person from its delegation to the county convention to be recommended for election to the state convention.

D. Precinct meeting attendees who have lost election or have not been appointed to fill vacancies for delegates or alternates to the county conventions, may attend the county convention for the purpose of submitting their names to the nominating committees for the Democratic State Convention. These persons must register with the nominating committee and by this action will satisfy the requirement for participation at this level of the delegate selection process. They may have no further standing at the conventions.

E. Results of all elections shall be certified to the preliminary credentials committee of the county conventions by the chairperson and secretary of the precinct meeting.

F. If any precinct fails to elect delegates to the county convention, the county central committee then in office shall make every effort to fill the vacancies, preferably from qualified members of the Democratic Party from that precinct, and the secretary of the county central committee shall certify the same to the county convention. Priority, in filling vacancies, shall be given to Democrats who attended their mass precinct meeting.

G. Where disputes arise in the election of delegates to the county convention, challenges shall be lodged with the chairperson of the preliminary credentials committee of the county convention.

COUNTY CONVENTIONS

1. Date/Place of County Conventions

The county conventions of the State of Nevada shall be held April 1, 1978 at such place as the county central committee designates, in accordance with the provisions of Election Statutes of the State of Nevada, NRS Chapter 293.

2. Manner of Organizing County Conventions

A. Prior to the date of the convention, the county central committee shall designate a preliminary credentials committee to examine the credentials of all persons claiming to be delegates. All such persons whose credentials are not disputed shall be seated as delegates.

B. The persons so seated shall elect a temporary chairperson who shall appoint a temporary secretary and a credentials committee to examine and report on all cases of disputed credentials.

C. When all such disputes have been determined, the convention shall complete its organization and adopt its agenda.

D. Precinct alternates shall be seated first. In case of vacancy, precinct attendees shall be given next consideration.

3. Election of Delegates to State Convention

A. The county convention shall first nominate as delegates to the State Convention those recommendations made at precinct level. This first nomination shall not be considered preferential treatment.

B. After nominating those delegates recommended by their precinct, the convention shall nominate the balance, together with 20% alternate delegates.

C. There shall be one delegate for each 150 registered voters of that party, or major fraction of such number residing in such county.

D. All nominations shall be subject to election by the county convention as a whole.

E. The county convention shall elect members who shall serve on a committee to nominate delegates to the state convention. This committee shall first nominate as delegates to the state convention those recommendations made at the precinct level.

F. Persons who failed to be recommended by their precinct may submit their names directly to the nominating committee for nomination as delegate to the state convention.

G. All committee nominations shall be subject to election by the county convention as a whole.