

Minutes of the Nevada State Legislature
Senate Committee on Government Affairs
Date: Jan. 29, 1979
Page: One

Present: Chairman Gibson
Senator Ashworth
Senator Dodge
Senator Echols
Senator Ford
Senator Kosinski
Senator Raggio

Also Present: See Attached Guest Register

Chairman Gibson called the fifth meeting of the Government Affairs committee to order at 2:00 P.M. and suggested that due to the number of persons present, interested in SB-84, it would be the first heard at this meeting.

SB-84

An Act relating to public records; transferring the division of state, county and municipal archives of the office of the secretary of state to the Nevada state library; providing certain powers and duties for the state librarian; and providing other matters properly relating thereto.

Joseph Anderson, State Librarian, testified to the committee in favor of SB-84. Mr. Anderson gave some history on the reason that this bill was drafted. He indicated that Governor O'Callaghan requested Mr. Anderson to develop the project of transferring archives to the Nevada State Library where they properly belong. Mr. Anderson felt that the only way to carry out the project was to develop at the State level clear State policy with regard to the archives, a statement clearly showing the legislative intent with regard to the function of the archives.

Mr. Anderson further suggested that the following be amended in SB-84.

1) Page 1, Line 3; delete the brackets in front of "state" and retain the language on through line 4, after "archives" delete brackets and the word "archives" and keep the rest of the new language on line 4.

2) Page 3, Section 5, line 2; delete the period and add the following new language, "within the limits of Legislative appropriations."

3) Page 3, Section 6, subsection 2, line 9; delete the period and add "according to accepted archival standards."

Minutes of the Nevada State Legislature

Senate Committee on Government Affairs

Date: Jan. 29, 1979

Page: TWO

- 3) On Page 3, Section 6 and Section 7, lines 14, 18 and 24; delete "state board of examiners".

Mr. Anderson concluded his testimony by reading a statement from the Attorney General's office prepared by Deputy Donald Klasic. (See Attachment #1)

Senator Ford agreed with testimony presented by Mr. Anderson and stated that Nevada should set standards that have been set up across the country.

Senator Dodge suggested that we set up guidelines on the types of material to be kept. He noted that on Page 3, subsection 5 of Section 6, material was retained probably to maintain such guidelines.

Mr. Anderson disagreed. He felt that these guidelines would be taken care of at the administrative level and should come from the legislature.

Secretary of State, William Swackhammer concurred with Mr. Anderson's statement.

Mr. Anderson concluded his testimony by stating that he disagreed with Section 9, requiring a fee for providing copies of material in the archives.

Chairman Gibson stated that he felt that those who used the office should pay for the copies they received. At this point Senator Gibson halted further discussion on SB-84 and requested that Senator Ford work with Mr. Klasic and the counsel bureau to make the necessary changes and the bill was rescheduled for hearing on February 12, 1979 at 2:00 p.m.

SB-53

Prohibits denial of access by candidates or their workers to residents of group dwellings and prohibits restrictions on use of certain facilities for political purposes.

Senator Ford testified to the committee as sponsor of SB-53 and indicated that many political candidates have been inhibited by managers and tenant landlords from campaigning in mobile home parks and apartment complexes.

Assemblywoman Karen Hayes testified in favor of SB-53. She stated that in her district there are many mobile home parks and only one allowed her to enter and campaign prior to election.

Minutes of the Nevada State Legislature

Senate Committee on Government Affairs

Date: Jan. 29, 1979

Page: Three

Mrs. Hayes continued her testimony by stating that a political candidate fell into the same category as a "solicitor" or a door to door salesman.

Senator Ford stated that in her research on the bill she found no definition of a "solicitor".

The committee discussed the bill and found "group dwelling" on line 5 to be too vague. There was also considerable discussion about the rights of the apartment or mobile home owners and what they will allow on their property.

Senator Dodge felt that we needed to add some qualifying language about the owners constitutional rights before he would consider the bill.

Barbra Bennett, representing the Mobil Home Association, testified in favor of SB-53 and concurred with Assemblywoman Hayes and Senator Ford's testimony. She felt that many who lived in the mobil home parks were being denied their rights as voting citizens to see the candidates face-to-face. She further emphasized that many senior citizens were unable to get out to meet the candidates and since many lived in mobile homes it was a real problem. Mrs. Bennett also felt that a clear definition of "solicitor" would be helpful. Mrs. Bennett informed the committee that when you enter a mobil home park you sign a lease agreement and either accept the rules or choose to live elsewhere. After you have moved in the rules can be changed without your consent or knowledge within sixty days. This further confuses the issue and makes it difficult for those living in mobile home parks to know what the management will and will not allow. (See Attachment #2)

Senator Ashworth stated that he has received numerous calls from constituents complaining about the owners of mobile home parks changing the rules and regulations without their consent or knowledge.

Bob I. Rose, representing himself, testified in favor of SB-53. Mr. Rose stated that he also owns an apartment and does not interfere with any politician campaigning in the area. Mr. Rose had two suggestions for amending the bill. 1) On Line 3, after "candidate" add "voter registrar". 2) Add proper language to the bill which will allow tenants to put a small sign in their window for the candidate that they are in favor of.

Minutes of the Nevada State Legislature
Senate Committee on Government Affairs
Date: Jan. 29, 1979
Page: Four

Florence Girauel, representing herself, testified in favor of SB-53 and concurred with previous testimony given by those who favor the bill. Mrs. Girauel felt very strongly that she was being denied her rights to see and meet with the candidates prior to election day. She is a member of the United Mobile Tenants Association and stated that there is a tremendous problem with the owners of these mobile home parks changing the rules and regulations without informing the tenants.

Senator Raggio voiced concern for the rights of those tenants that do not wish to be disturbed. He felt that there should be a consensus of opinion and that the majority should rule in such situations.

Senator Dodge felt that the changing of rules and regulations without the consent and knowledge of those tenants affected should be corrected. He also was concerned about the owners rights and the rights of those who do not want to be disturbed by campaigners.

Chairman Gibson was concerned with the inclusion of apartment buildings, condominiums and other group dwellings. The description of "group dwellings" was too vague and the apartment and condominium residents might request that the apartment managers refuse campaigners from entering their buildings.

Senator Dodge moved that SB-53 be "Indefinitely Postponed", seconded by Senator Ashworth. Senator Dodge, Ashworth, Gibson and Kosinski voted "Yea" on the motion. Senator Ford and Raggio voted "No". The motion carried.

SB-37

Makes various changes to election laws

Mr. William Swackhammer, Secretary of State, testified to the committee in favor of SB-37. Mr. Swackhammer stated that this bill makes various changes to the election laws and more clearly states what you can and can not do as a candidate.

Senator Raggio disagreed with the provision that a candidate can't withdraw from the election as is stated in Section 2 on page 1.

Mr. David Howard, deputy to Secretary of State, felt that the provision was necessary for two reasons; 1) To inhibit those from running that are only interested in getting their name in the newspapers and 2) To keep down the amount of perennial candidates who file each time there is an election and later withdraw.

Secretary of State Mr. Swackhammer stated that on line 10, "12 m" should read "12 noon".

After considerable discussion on each section of the bill the following amendments to SB-37 were agreed upon:

- 1) On line 3, Section 2, delete subsection 1, lines 3 through 9 (period after ballot and bracket out remaining sentence).
- 2) On line 50, Section 19, page 7, the time frame should be changed from 7 days to 10 days.

Senator Ashworth moved "Amend and Do Pass" on SB-37, seconded by Senator Ford. Motion carried unanimously.

SB-38

Clarifies procedure for transferring certain registrations by voters.

David Howard, Secretary of State's office, testified in favor of this bill to the committee. Mr. Howard explained the reasons for the bill and that Washoe County requested that it be effective upon passage.

Senator Ford moved "Amend and Do Pass" on SB-38, seconded by Senator Raggio. Motion carried unanimously.

SB-39

Clarifies requirements for reporting campaign contributions and expenses.

William Swackhammer, Secretary of State, testified in favor of SB-39 to the committee. He stated that the bill tries to clear up the campaign contributions and expenses provisions. There are sections that are ambiguous and this bill provides language clarification for those areas. The amendments were made upon recommendation of the Attorney General.

Senator Dodge felt that there needed to be some language added to cover the individual that is running unopposed in the general election. The following wording was suggested:

- 1) Page 2, line 3, after "or" add "has no opposition," This language would also be added at the end of line 49 on page 2.

Senator Ashworth moved, "Amend and Do Pass" on SB-39, seconded by Senator Dodge. Motion carried unanimously.

Minutes of the Nevada State Legislature
Senate Committee on Government Affairs
Date: Jan. 29, 1979
Page: Six

SB-96

Removes power of secretary of state to
commission notaries public.

William Swackhammer, Secretary of State, went over the bill and reasons why it is necessary to remove the words "and commission" from NRS 240.010. It was discovered that the Secretary of State doesn't have the legal authority to "commission" but the function will remain within the office of the secretary of state.

Senator Dodge moved "Do Pass" on SB-96, seconded by Senator Ashworth. Motion carried unanimously.

SB-56

Extends free distribution of certain state publications to libraries in University of Nevada System.

Senator Ford informed the committee that this bill was requested by the documents department at the University of Nevada at Las Vegas.

Senator Dodge moved "Do Pass" on SB-56, seconded by Senator Ford. Motion carried unanimously.

At this point Chairman Gibson presented the committee with three measures for possible committee introduction:

BDR-19-523 (SB 149)

This measure relates to data processing facilities and would entail some administrative changes.

BDR-31-930 (SB 150)

Revises accounting procedure for lost warrants for state.

BDR-23-168 (SB 151)

Clarifies classification of employees of the University of Nevada System.


There was no opposition to the above being introduced as Government Affairs Committee bills.

With no further business the meeting was adjourned at 5:00 p.m.

Respectfully submitted,

Approved:


Chairman: Senator James I. Gibson


Janice M. Peck
Committee Secretary

Statement of Jim Thompson, Attorney General's Office, Chief Researcher,
California - Nevada Boundary Dispute.

A. From a researchers point of view, the record is very fragmented. In this research, visits to Historical Society, Museum, State Library and Archives were necessary. Anything that would consolidate the access to the record of public transactions would be useful.

B. He was unable to locate many portions of the Attorney General's records. Yet, he feels they are probably still somewhere in existence. We will never know until this body of material is cataloged fully.

C. The record of government agencies is often consulted for legal reasons such as the boundary dispute and therefore must be preserved.

EXHIBIT 1



MOBILE HOME OWNERS LEAGUE OF THE SILVER STATE, INC.
P. O. BOX 1557
LAS VEGAS, NEVADA 89101

January 27, 1979

LEGISLATIVE SESSION - 1979 - BILL 53

NRS CHAPTER 118 authorizes mobile home park landlords to prohibit soliciting within the zoned fenced parks. Many park landlords prohibit political candidates from entering the mobile home parks to speak to the tenants. Tenants are frequently denied the use of the recreation halls to hold meetings to hear the candidates speak.

The Mobile Home Owner's League of the Silver State fully support Bill 53, based on the following reasons:

1. It is the constitutional right of every citizen to be allowed to hear from any or all candidates they choose.

2. Prohibiting candidates to enter mobile home parks is discriminating to mobile home owners residing in rental parks. There are no legal restrictions prohibiting a candidate to call on a resident in a conventional type home located in a residential area.

Ed Bishop
ED BISHOP, PRESIDENT

MOBILE HOME OWNER'S LEAGUE
OF THE SILVER STATE, INC.

EB:sz

SENATE GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE June 29, 79

PLEASE SIGN - EVEN IF YOU ARE NOT HERE TO TESTIFY.....

NAME	WILL YOU TESTIFY	BILL NO	REPRESENTING - - - - -
Robert Rose	yes	SB 53	myself
Barbara Bennett	yes	SB 53	Mobile Home Owners League R.O.G. United Mobile Tenant - Wash.
Carrie M. Jewellery	yes	SB 84	myself
Marion B. Good	yes	SB 84	NLA & Nev. State Council in father
Wm. E. Anderson	No	SB 84	Washoe County Library
Joseph A. Anderson	Yes	SB 84	State Library
Donald A. Reed	No	SB 84	-
James E. Herrington	Yes	SB 84	State Archives
Robert G. Gray	No.	SB 84	State Archives
Kashy White	No	SB 84	" "
Willie Land	No	SB 84	New State Library Council
Larry Ketyenberger	yes	SB 56	LUMPO
Florence Higginbotham	yes	SB 53	Myself
Joan Kerochner	No	SB 84	Nevada State Library
Tom Caswell	no	-	KOLO - KORK TV & A
Mary Sue Ferrell	NO	SB 84	Myself
Charles Zobell	no		City of Las Vegas
Gayle Fisher	NO		Associated Press
Deirdre Wright	NO	-	WCSD
Patricia Williams	Yes	51-37-79 125-	Sec of State
Sue Cole	no		Revo Newspaper