

MEMBERS PRESENT: Chairman Glover
Vice Chairman Chaney
Mr. Beyer
Mrs. Ham
Mrs. Hayes
Mr. Hickey
Mr. Malone
Mr. Nicholas
Mr. Prengaman
Mr. Robinson
Mr. Sader

MEMBERS ABSENT: None

GUESTS PRESENT: John Ross, Incline Village General Improvement
District
Kermit McMillin, Incline Village General
Improvement District
Gene McDowell, representing Washoe County
Registrar of Voters

Chairman Glover called the meeting to order at 3:03 p.m. in room 200.

Mr. Hickey handed out a letter and table concerning residency of statewide officeholders since 1952 compiled by J. Kenneth Creighton, Research Analyst, which is attached to these minutes as EXHIBIT A pages 1 through 4.

Chairman Glover asked the committee to consider AB 88.

AB 88: Provides for nomination of board members in improvement districts by primary elections.

Assemblyman David Nicholas, District #23, said that a member of the board of trustees and the general manager of the Incline Village General Improvement District were present and would also testify for this bill. Mr. Nicholas explained that AB 88 would allow General Improvement Districts to conform to Nevada law in terms of elections. As background he noted that in the last few elections there have been thirteen candidates running for three offices or eleven candidates running for two offices in Incline Village with no primary election, but if AB 88 passes there would be eleven or thirteen candidates for a primary election which would reduce the number of candidates from thirteen to six in the general election. After discussing this concept with members of the board of trustees, village residents and officials, and running articles in the newspaper, he said he had received no detrimental comments and had the unanimous consent of the board of trustees. He commented that in talking with

people from other improvement districts, he had not received any detrimental comments.

When Mr. Beyer asked what the cost would be to have additional sample ballots printed for a primary election, Mr. Nicholas responded that the cost factor would be negligible and that Mr. McMillin would supply those figures.

Kermit McMillin, General Manager of the Incline Village General Improvement District (IVGID), said that he was representing the board of trustees in support of AB 88 because this bill would remove the confusion that voters have choosing three out of thirteen candidates. He noted that a ballot with thirteen candidates is awkward and cumbersome and also somewhat costly, \$830 in 1980 and \$388 in 1978. He indicated that no primary would be held unless there were more than two candidates for each seat to be filled which is current Nevada law. He said that the cost of running a primary election would not cause an economic burden in Incline Village where it could in other improvement districts, but he suggested requiring a filing fee in these districts to defray the cost. Mr. Nicholas noted that this was not part of AB 88 at this time.

John Ross, a trustee of IVGID, supported the statements made by Assemblyman Nicholas and Mr. McMillin and added that from his experience running in two elections it was difficult for the public to pick three out of thirteen candidates and by having a primary election to reduce the number on a general election ballot, better candidates would be elected.

When Mr. Malone and Mr. Beyer commented that the voter was still faced with thirteen candidates in a primary election, Mr. Nicholas acknowledged that this was true but that when this thirteen is reduced to two candidates for three seats, the voter has a better chance to observe individual candidates.

Gene McDowell, representing the Washoe County Registrar of Voters, Mrs. Cornwall, supported AB 88 because of the aforementioned reasons and because improvement districts under AB 88 would fall under general election laws which require filing at a given date in July rather than 60 to 30 days prior to the election allowing more time for the paper work involved.

In response to a question from Mrs. Ham, Mr. Nicholas replied that a voter would vote for any three out of six candidates and those receiving the highest number of votes would be elected.

When Mr. Beyer questioned the fiscal impact, Mr. Nicholas answered that the cost would be somewhat under \$800.

Since there was no further testimony on AB 88, Chairman -
Glover directed the committee's attention to AJR 23. . .

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AJR 23: Proposes to amend Nevada constitution to limit number of terms for senators and assemblymen.

Assemblyman Robert Robinson, District #8, said that he believed that one of the faults with the political system was the problem of those in office being more concerned with perpetuating themselves in office than with what was best for the State of Nevada. He explained that this resolution must pass through two sessions of the legislature before being placed on the ballot for a vote of the people in 1984 so that the year 2000 would be the first time this bill would have any effect. He commented that he has noticed that some legislators who have been in office for a number of years become less responsive to the needs of the public and often become arrogant and pompous. He noted that there are certainly some excellent legislators who have been in office a long time, but that this bill would not preclude these legislators for running for another office within the political system. Dr. Robinson handed out copies of an editorial that appeared in the Las Vegas Sun in support of AJR 23 which is attached to these minutes as EXHIBIT B.

When Mr. Hickey suggested amending the resolution to include other city, county and state officials, Dr. Robinson said that he thought the argument would stand just as well for any other office.

Mr. Chaney suggested lowering the number of terms to which a legislator could be elected and Dr. Robinson did not disagree.

When Mrs. Hayes asked how this would affect legislative retirement, Dr. Robinson said he could not answer this but if a person moved into some other office within the state, he would still be under the public retirement system.

In further discussion the committee felt that other city, county and state offices should be examined to see if they should be included in this bill and Chairman Glover appointed a subcommittee consisting of Dr. Robinson, Mr. Hickey and Mr. Prengaman to study these offices and report back to the committee.

Chairman Glover then handed out a packet of proposed legislation which Mrs. Ham had received from the Clark County Republican Central Committee which is attached to these minutes as EXHIBIT C PAGES 1 through 21. Mr. Glover explained that he had given these proposed changes to Dave Howard, Chief Deputy Secretary of State, and to Ken Haller, State Chairman of the Democratic Party, and that he had received no adverse comments.

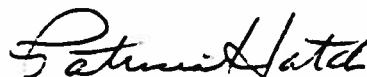
Mrs. Ham moved that the committee introduce these proposed changes as bills, seconded by Mr. Prengaman. After discussion of whether there was enough time and whether some of these changes might interfere with political party organization, the committee voted unanimously with Mr. Chaney absent at the time for a committee introduction of these proposed changes.

When Chairman Glover asked if the committee wished to take action on AB 88, Mr. Nicholas moved DO PASS on AB 88, seconded by Mrs. Hayes and unanimously carried by the committee with Mr. Chaney absent at the time.

Mr. Glover then announced that the next meeting would be on March 23rd at 3:00 p.m. when there would be a general discussion of reapportionment.

Since there was no further business, Mr. Glover adjourned the meeting at 3:50 p.m.

Respectfully submitted,



Patricia Hatch
Secretary

61st SESSION NEVADA LEGISLATURE

ASSEMBLY ELECTIONS COMMITTEE

LEGISLATION ACTION

DATE MARCH 16, 1981

SUBJECT AB 88: Provides for nomination of board members in improvement districts by primary elections.

MOTION: DO PASS

Do Pass X Amend Indefinitely Postpone Reconsider

Moved By Mr. Nicholas Seconded By Mrs. Hayes

AMENDMENT: _____

Moved By _____ Seconded By _____

AMENDMENT: _____

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
BEYER	X	_____	_____	_____	_____	_____
CHANEY	absent	_____	_____	_____	_____	_____
HAM	X	_____	_____	_____	_____	_____
HAYES	X	_____	_____	_____	_____	_____
HICKEY	X	_____	_____	_____	_____	_____
MALONE	X	_____	_____	_____	_____	_____
NICHOLAS	X	_____	_____	_____	_____	_____
PRENGAMAN	X	_____	_____	_____	_____	_____
ROBINSON	X	_____	_____	_____	_____	_____
SADER	X	_____	_____	_____	_____	_____
GLOVER	X	_____	_____	_____	_____	_____
TALLY:	10	0	_____	_____	_____	_____

ORIGINAL MOTION: Passed XX Defeated Withdrawn

AMENDED & PASSED _____ AMENDED & DEFEATED _____

AMENDED & PASSED _____ AMENDED & DEFEATED _____

Attached to Minutes March 16, 1981

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710



EXHIBIT A page 1 of 4
LEGISLATIVE COMMISSION (702) 885-5627

KEITH ASHWORTH, *Senator, Chairman*
Arthur J. Palmer, *Director, Secretary*

INTERIM FINANCE COMMITTEE (702) 885-5640

DONALD R. MELLO, *Assemblyman, Chairman*
Ronald W. Sparks, *Senate Fiscal Analyst*
William A. Bible, *Assembly Fiscal Analyst*

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ANDREW P. GROSE, *Research Director* (702) 885-5637

March 11, 1981

M E M O R A N D U M

TO: Assemblyman Thomas J. Hickey
FROM: J. Kenneth Creighton, Research Analyst *JKC*
SUBJECT: Residency of Statewide Officeholders Since 1952.

Clark County became the most populous county in the state in 1952. The table on the following page lists the name of each statewide officeholder since 1952 followed, in parentheses, by his county of residence when elected.

There were five statewide offices that existed during the 1950's and early 1960's that have not been included in the table because they no longer exist. These include: state printing superintendent, inspector of mines, surveyor general, superintendent of public instruction, and the clerk of the supreme court.

SUMMARIZING THE TABLE

There were 45 statewide officeholders between 1952 and 1980. There were 14 elected from Clark County, 11 from Washoe County, 11 from Carson City, and nine from the remaining counties.

During the period 1952-1980, Nevada elected four U.S. Senators. Of these, three declared Carson City as their residence and one declared Clark County. There were also four U.S. Representatives elected during this period. Of these, three declared Washoe County as their residence and one declared Douglas County.

Nevada has elected five governors during this same period. Of these, four declared their residency in the northern part of the state (two declared Carson City, one White Pine County, and one Elko County), and one declared residency in Clark County.

JKC/jld
Attachment

ELECTED OFFICIALS AND DECLARED RESIDENCY
1952-1980

1952

U.S. Senator - George Malone (Carson City)
U.S. Representative - Clifton Young (Washoe)
Supreme Court Justice - Milton B. Badt (Elko)

1954

U.S. Senator - Alan Bible (Carson City)
U.S. Representative - Clifton Young
Governor - Charles Russell (White Pine)
Lieutenant Governor - Rex Bell (Clark)
Secretary of State - John Koontz (Carson City)
Treasurer - Dan Franks (Lincoln)
Controller - Peter Merialdo (Eureka)
Attorney General - Harvey Dickerson (Washoe)
Supreme Court Justice - Edgar Eather (Eureka)

1956

U.S. Senator - Alan Bible
U.S. Representative - Walter Baring (Washoe)

1958

U.S. Senator - Howard Cannon (Clark)
U.S. Representative - Walter Baring
Governor - Grant Sawyer (Elko)
Lieutenant Governor - Rex Bell
Secretary of State - John Koontz
Treasurer - Dan Franks
Controller - Keith Lee (Lincoln)
Attorney General - Roger Foley (Clark)

1960

U.S. Representative - Walter Baring
Supreme Court Justice - Frank McNamee (Clark)
Supreme Court Justice - Miles N. Pike (Washoe)

1962

U.S. Senator - Alan Bible
U.S. Representative - Walter Baring
Governor - Grant Sawyer
Lieutenant Governor - Paul Laxalt (Carson City)
Secretary of State - John Koontz
Treasurer - Mike Mirabelli (Washoe)
Controller - Keith Lee
Attorney General - Harvey Dickerson
Supreme Court Justice - Gordon Thompson (Washoe)

1964

U.S. Senator - Howard Cannon
U.S. Representative - Walter Baring
Supreme Court Justice - Milton Badt

1966

U.S. Representative - Walter Baring
Governor - Paul Laxalt
Lieutenant Governor - Ed Fike (Clark)
Secretary of State - John Koontz
Treasurer - Mike Mirabelli
Controller - Wilson McGowan (Carson City)
Attorney General - Harvey Dickerson
Supreme Court Justice - David Zenoff (Clark)
Supreme Court Justice - John Collins (Clark)

1968

U.S. Senator - Alan Bible
U.S. Representative - Walter Baring
Supreme Court Justice - Gordon Thompson
Supreme Court Justice - John Mowbray (Clark)
Supreme Court Justice - Cameron Batjer (Carson City)

1970

U.S. Senator - Howard Cannon
U.S. Representative - Walter Baring
Governor - Mike O'Callaghan (Clark)
Lieutenant Governor - Harry Reid (Clark)
Secretary of State - John Koontz
Treasurer - Mike Mirabelli
Controller - Wilson McGowan
Attorney General - Robert List (Carson City)
Supreme Court Justice - E. M. Gunderson (Clark)

1972

U.S. Representative - David Towell (Douglas)
 Supreme Court Justice - David Zenoff
 Supreme Court Justice - Cameron Batjer

1974

U.S. Senator - Paul Laxalt (Carson City)
 U.S. Representative - James Santini (Washoe)
 Governor - Mike O'Callaghan
 Lieutenant Governor - Robert Rose (Washoe)
 Secretary of State - William Swackhamer (Carson City)
 Treasurer - Mike Mirabelli
 Controller - Wilson McGowan
 Attorney General - Robert List
 Supreme Court Justice - John Mowbray
 Supreme Court Justice - Gordon Thompson

1976

U.S. Senator - Howard Cannon
 U.S. Representative - James Santini
 Supreme Court Justice - E. M. Gunderson

1978

U.S. Representative - James Santini
 Governor - Robert List
 Lieutenant Governor - Myron Leavitt (Clark)
 Secretary of State - William Swackhamer
 Treasurer - Stan Colton (Clark)
 Controller - Wilson McGowan
 Attorney General - Richard Bryan (Clark)
 Supreme Court Justice - Cameron Batjer
 Supreme Court Justice - Noel Manoukian (Douglas)

1980

U.S. Senator - Paul Laxalt
 U.S. Representative - James Santini
 Supreme Court Justice - Charles Springer (Washoe)

TOTALS:	45 statewide officeholders:			
	<u>Carson City</u>	<u>Clark</u>	<u>Washoe</u>	<u>Other</u>
	11	14	11	9

Research Division
 JKC/jld 3-11-81

Las Vegas SUN

EDITOR AND PUBLISHER ... H.M. Greenspun
EXECUTIVE VICE PRESIDENT ... Mike O'Callaghan
GENERAL MANAGER ... Burt Buy
ADVERTISING DIRECTOR ... Harold Blatt

How To Improve Nevada's Legislature

Floating around in Carson City is a proposal long overdue. Assemblyman Bob Robinson, D-Las Vegas, can't find a co-sponsor for his resolution, which would give Nevadans the opportunity to vote on limiting the number of years a person could serve in the Nevada Legislature. It is a good resolution and is most appropriate for the voters to consider.

The president of our country and the governors of several states, including Nevada, are limited in the number of terms they may hold office. Some states limit the number of successive terms a person may serve as governor. Others, like our own, limit the chief executive to eight years or two complete terms. These limitations encourage the development of new blood for a viable government. Stagnation has not become a common illness in executive departments where the chiefs change every few years.

Legislative Stagnation

The same cannot be said about the U.S. Congress and the Nevada State Legislature. This is particularly true in the U.S. House of Representatives and the Nevada Senate. In recent years there has been a greater turnover in the Nevada Assembly and in the U.S. Senate. In Nevada it may be partially due to members of the Assembly going to the Senate; the reverse is seldom true.

The citizens of our state and nation are well aware of the stagnation of legislative bodies. A 1977 Gallup Poll showed 66 percent of the people support term limitation. In fact, Dr. Gallup's study showed it listed among the top six political reforms Americans want most.

Gaining Support

Recent reports from around our state show the idea is gaining rather than losing support. Just give our voters an opportunity to vote on this issue and the strength of this desire to limit legislative terms will be expressed with a landslide vote in the polling booth.

Some objection to this plan has been voiced by leading legislators because they fear a loss of talent the old-timers have developed. In reality, this means they object because they fear losing their own positions as legislators and don't wish to give the public an opportunity to correct a bad situation.

New Talent Desired

"It's Time To Bring Back Citizen Legislators" was authored by Richard M. De Vos and Jay Van Anandel for the September 1980 issue of the Saturday Evening Post. This article answers the objection to limiting legislators' terms on the national level. It applies equally in state government. Here is their answer:

"There are those who insist that term limitation will cause the nation to lose quality representation just as legislators become effective and knowledgeable about the ways of government and politics. It is true that throughout the years there have been a number of statesmen of both parties who have served their nation honestly and effectively well into their twilight years. But the loss of future such statesmen will be offset by the continuous infusion of new talent and new perspective into the governmental process.

"To the argument that this complex society requires professional legislators, it is sufficient to respond that while society has become more complex in the last 25 years, the Congress has become less effective in responding to society's challenges. Regarding the presidency, all who have served there since 1945 agree that they would have been more effective had they not needed to concern themselves with reelection."

Give Voters A Chance

Robinson's 39 colleagues in the lower house should co-sponsor his resolution to limit legislators' terms. The resolution should be passed by both houses so we may vote on the change. This will make for a more dynamic legislative body meeting in Carson City every two years.

It will give us an opportunity to have a real voice in our state government.

PRESENT READING

293.135 Precinct meetings of registered voters prior to county convention: Date, time and place; notice.

1. The county central committee of each political party in each county shall cause a precinct meeting of the registered voters of the party residing in each voting precinct entitled to delegates in the county convention, which must be called and held on or before the fifth day preceding the dates set by the respective state central committees, but not later than the fifth day before the 2nd Tuesday in April in each year in which a general election is held.

2. The meeting must be held in one of the following places in the following order of preference:

- (a) Any public building within the precinct;
- (b) Any public building within the county, to accommodate any number of precincts; or
- (c) Any private building within the precinct.

3. The county central committee shall give notice of the meeting by:

(a) Posting in a conspicuous place outside the building where the meeting is to be held at least 5 days prior to the date of such meeting.

(b) Publication at least 5 days prior to the date of such meeting in one or more newspapers of general circulation in the precinct, published in the county, if any are so published. The notice must be printed in conspicuous display advertising format of not less than 10 column inches, and must include the following language, or words of similar import:

**NOTICE TO ALL VOTERS REGISTERED
IN THE (STATE NAME OF POLITICAL PARTY)**

Nevada state law requires each political party, in every year during which a general election is held, to cause a precinct meeting to be held in each precinct. All persons registered in that party and residing in that precinct are entitled to attend the precinct meeting. Delegates to your party's county convention will be elected at the meeting by those in attendance. Set forth below are the time and place at which your precinct meeting will be held, together with the number of delegates to be elected from each precinct. If you wish to participate in the organization of your party for the coming 2 years, attend your precinct meetings.

4. The notice must specify:

- (a) The date, time and place of the meeting; and
- (b) The number of delegates to the county convention to be chosen at the meeting.

(Added to NRS by 1960, 239; A 1967, 1128; 1971, 436; 1973, 594; 1979, 1350)

Summary - Clarifies provisions regarding places where precinct meetings may be held.

Section 1. NRS 293.135 is hereby amended to read as follows:

293.135 1. The county central committee of each political party in each county shall cause a precinct meeting of the registered voters of the party residing in each voting precinct entitled to delegates in the county convention, which must be called and held on or before the fifth day preceding the dates set by the respective state central committees, but not later than the fifth day before the 2nd Tuesday in April in each year in which a general election is held.

2. The meeting must be held in one of the following places in order of preference:

(a) Any public building within the precinct *for single precincts;*
or any public building in reasonable proximity to accommodate multiple precincts; or

~~(b) Any public building within the county, to accommodate any number of precincts; or~~

~~(c) (b) Any private building within the precinct.~~

3. The county central committee shall give notice of the meeting by:

(a) Posting in a conspicuous place outside the building where the meeting is to be held at least 5 days prior to the date of such meeting.

(b) Publication at least 5 days prior to the date of such meeting in one or more newspapers of general circulation in the precinct, published in the county, if any are so published. The notice must be printed in conspicuous display advertising format of not less than 10 column inches, and must include the following language, or words of similar import:

NOTICE TO ALL VOTERS REGISTERED
IN THE (STATE NAME OF POLITICAL PARTY)

Nevada state law requires each political party, in every year during which a general election is held, to cause a precinct meeting to be held in ~~for~~ each precinct. All persons registered in that party and residing in that precinct are entitled to attend the precinct meeting. Delegates to your party's county convention will be elected at the meeting by those in attendance. Set forth below are the time and place at which your precinct meeting will be held, together with the number of delegates to be elected from each precinct. If you wish to participate in the organization of your party for the coming 2 years, attend your precinct meetings.

4. The notice must specify:

(a) The date, time and place of the meeting; and

(b) The number of delegates to the county convention to be chosen at the meeting.

RATIONALE: This proposed change would make clear that one building may be used for multiple precinct meetings. To require one building for each precinct meeting is an undue and expensive burden.

PRESENT READING

293.143 County central committee: Number. The county central committee of a political party to be elected by the county convention of such party shall consist of such number of members as may be determined by the convention, but each voting precinct, entitled to one or more delegates in the convention, shall have at least one committeeman, and no precinct shall have more than three.

(Added to NRS by 1960, 240)

293.143 County central committee: Number.

The county central committee of a political party to be elected by the county convention of such party shall consist of such number of members as may be determined by the convention, but each voting precinct, entitled to one or more delegates in the convention, shall have at least one committeeman, and no precinct shall have more committeemen than the number of county convention delegates permitted under the provisions of NRS 293.133, supra.

RATIONALE: In order to broaden the representation of a political party in its own central committees, it is submitted that the individual precincts should not be limited to a maximum number of three committeemen, as 293.143 now reads, but rather should be allowed to expand their representation as population in the precinct increases, limited in the same manner as the graduated formula of 293.133 provides with regard to delegates to the county conventions.

NOTE: The following page is a copy of NRS 293.133 for reference.

293.133 Number of delegates from voting precincts to county convention.

1. The number of delegates from each voting precinct in each county to the county convention of any political party for such county shall be in proportion to the number of registered voters of that party residing in such precinct as follows:

Counties with fewer than 400 registered voters. In the counties in which the total number of registered voters of that party has not exceeded 400, each precinct shall have one delegate for each five such registered voters.

Counties with 400—600 registered voters. In counties in which such total number of registered voters of that party has exceeded 400 but has not exceeded 600, each precinct shall have one delegate for each eight such registered voters.

Counties with 600—800 registered voters. In counties in which such total number of registered voters of that party has exceeded 600 but has not exceeded 800, each precinct shall have one delegate for each 10 such registered voters.

Counties with 800—1,400 registered voters. In counties in which such total number of registered voters of that party has exceeded 800 but has not exceeded 1,400, each precinct shall have one delegate for each 15 such registered voters.

Counties with 1,400—2,000 registered voters. In counties in which such total number of registered voters of that party has exceeded 1,400 but has not exceeded 2,000, each precinct shall have one delegate for each 20 such registered voters or major fraction of such number.

Counties with 2,000—3,000 registered voters. In counties in which such total number of registered voters of that party has exceeded 2,000 but has not exceeded 3,000, each precinct shall have one delegate for each 30 such registered voters or major fraction of such number.

Counties with 3,000—4,000 registered voters. In counties in which such total number of registered voters of that party has exceeded 3,000 but has not exceeded 4,000, each precinct shall have one delegate for each 35 such registered voters or major fraction of such number.

Counties with more than 4,000 registered voters. In counties in which such total number of registered voters of that party has exceeded 4,000, each precinct shall have one delegate for each 50 such registered voters or major fraction of such number.

2. The county clerk shall determine the number of registered voters of each party in each precinct as of the 1st Monday in January of each year in which a convention is held, and shall notify the county central committee of each political party of such numbers within 30 days after such determinative date.

3. In all counties every precinct shall be entitled to at least one delegate to each county convention.

(Added to NRS by 1960, 239; A 1967, 1206; 1969, 456; 1971, 435; 1973, 593; 1975, 375)

PRESENT READING

293.155 Rules of county, state conventions; proxies; unit rule of voting prohibited.

1. Except as otherwise prescribed in this chapter, the state and county party conventions may each adopt its own rules, and each shall be the judge of the election of its own delegates.

2. In case of the inability of a delegate personally to attend a state or county convention, he may be represented and act by a duly appointed proxy; but no person shall be entitled to act either as a delegate or as a proxy at any convention unless he is a duly qualified elector of the county or precinct which he seeks to represent, nor may he act as a proxy unless he is a member of the same political party as the delegate he represents.

3. Adoption or application of the so-called unit rule of voting, whereby the votes of all delegates from any precinct or precincts, or county or counties, are required to be cast in the manner determined by the majority of delegates from such precinct or precincts, county or counties, and against the protest of a minority of such delegates, in the proceedings of any state or county party convention is prohibited.

(Added to NRS by 1960, 241)

PROPOSED CHANGE

Summary - Removes provision relating to proxy representation at county or state conventions, which may conflict with the rules adopted by a party's National Committee.

Section 1. NRS 293.155 is hereby amended by deleting section 2.

293.155 1. Except as otherwise provided in this chapter, the state and county party conventions may each adopt its own rules, and each shall be the judge of the election of its own delegates.

~~2. --in case of the inability of a delegate personally to attend a state or county convention, he may be represented and act by a duly appointed proxy; but no person shall be entitled to act either as a delegate or as a proxy at any convention unless he is a duly qualified elector of the county or precinct which he seeks to represent, nor may he act as a proxy unless he is a member of the same political party as the delegate he represents.--~~

~~3. 2. Adoption or application of the so-called unit rule of voting, whereby the votes of all delegates from any precinct or precincts, or county or counties, are required to be cast in the manner determined by the majority of delegates from such precinct or precincts, county or counties, and against the protest of a minority of such delegates, in the proceedings of any state or county party convention is prohibited.~~

RATIONALE: It is submitted that the legislature should not be involved in the making of rules for the ~~exercise~~ casting of votes in party conventions. The rules of the national parties have, at times, been in conflict with the provisions of sub-section 2 of the above statute. Whether proxies or alternate delegates are used should be left up to the appropriate party convention itself. By deleting sub-section 2, sub-section 1 would allow the parties to make their own rules governing this situation.

PRESENT READING

293.160 State, county central committees: Election of officers, executive committee; other powers.

1. Each state central committee and each county central committee may elect from its membership an executive committee and shall, except as otherwise provided in this chapter, choose its officers by ballot.

2. Each committee and its officers shall have general charge of the affairs of the party in the state or county, as the case may be, and have the powers usually exercised by such committees and officers thereof, subject to the provisions of this chapter.
(Added to NRS by 1969, 241)

PROPOSED CHANGE

293.160 State, county central committees: Election of officers, executive committee; other powers.

1. (No change)

(a) The balloting for officers of the county central committees shall be held during duly constituted meetings of the respective county central committees which shall take place in odd-numbered years beginning with calendar year 1983. The officers elected thereby shall serve a term of two years and may be reelected. Said officers, as well as the members of the respective executive committees, shall assume their offices and serve subject to the by-laws, rules and regulations of the appropriate county central committee.

2. (No change)

RATIONALE: It is presently common practice, although not provided by statute, to elect officers of the various county central committees in the Spring of general election years. The addition of the proposed sub-paragraph above would put new officers in place several months before the heaviest work involved in a general election campaign begins.

PRESENT READING

293.165 Vacancy in party, nonpartisan nomination: How filled.

1. A vacancy occurring in a party nomination for office may be filled by a candidate designated by the appropriate political party central committee of the county or state, as the case may be, where:

(a) The nominee dies after the primary election and before the 3rd Tuesday in September.

(b) The only person who has filed a declaration or acceptance of candidacy dies after the close of filing and before the primary election.

2. A vacancy occurring in a nonpartisan nomination after a primary election and before the 3rd Tuesday in September shall be filled by the person who received the next highest vote for such nomination in the primary.

3. No change shall be made on the ballot after the 3rd Tuesday in September of the year in which the general election is held. If a nominee dies after that date, his name shall remain on the ballot and, if elected, a vacancy shall exist.

4. All designations and petitions provided for in this section shall be filed before 5 p.m. of the 3rd Tuesday in September. In each case, the statutory filing fee shall be paid and an acceptance of the nomination or designation shall be filed before 5 p.m. of the 3rd Tuesday in September.

(Added to NRS by 1960, 242; A 1965, 668; 1967, 845; 1971, 437)

PROPOSED CHANGE

293.165 Vacancy in party, nonpartisan nomination: How filled.

1. Any vacancy occurring in a party nomination for office before the 3rd Tuesday in September may be filled by a candidate designated by the appropriate political party central committee of the county or state, as the case may be.

2. (no change)

3. No change shall be made on the ballot after the 3rd Tuesday in September of the year in which the general election is held. If a vacancy occurs after that date, the name of the nominee shall remain on the ballot and, if elected, a vacancy shall exist.

4. (no change)

RATIONALE: At present, there is no statutory or other means by which a vacancy in a candidacy may be filled, unless the vacancy is the result of the nominee's death. Consequently, if a vacancy occurs due to any other reason, the major political parties of the state and counties are effectively denied representation for that particular office.

PRESENT READING

293.166 Vacancy in party nomination for office of state senator, assemblyman from multi-county legislative district: How filled.

1. A vacancy occurring in a party nomination for the office of state senator or assemblyman from a legislative district comprising more than one county may be filled by the appropriate political party as provided in subsection 2 where:

(a) The nominee dies after the primary election and before the 3rd Tuesday in September.

(b) The only person who has filed a declaration or acceptance of candidacy dies after the close of filing and before the primary election.

2. In filling such a vacancy, the chairman and two other members of the county central committee, chosen by the committee, from each

county all or part of which is included within the legislative district, shall meet as a joint selection committee under the chairmanship of the chairman from the most populous county. If no person receives a plurality of the votes of the joint committee, the representatives of the respective counties shall each as a group select one candidate, and the nominee shall be chosen by drawing lots among the persons so selected.

3. No change shall be made on the ballot after the 3rd Tuesday in September of the year in which the general election is held. If a nominee dies after that date, his name shall remain on the ballot and, if elected, a vacancy shall exist.

4. The designation of a nominee pursuant to this section shall be filed with the secretary of state before 5 p.m. of the 3rd Tuesday in September, and the statutory filing fee shall be paid with the designation.

(Added to NRS by 1967, 1087; A 1971, 437)

293.166 Vacancy in party nomination for office of state senator, assemblyman from multi-county legislative district: How filled.

1. Any vacancy occurring in a party nomination for the office of state senator or assemblyman from a legislative district comprising more than one county before the 3rd Tuesday in September may be filled by the appropriate political party as provided in subsection 2.

2. (No change)

3. No change shall be made on the ballot after the 3rd Tuesday in September of the year in which the general election is held. If a vacancy occurs after that date, the name of the nominee shall remain on the ballot and, if elected, a vacancy shall exist.

4. (No change)

RATIONALE: Same as for 293.165, supra.

PRESENT READING

293.403 Recount of vote: Demand; advance deposit of costs; "canvass" defined.

1. After the canvass of the vote in any election, any candidate defeated at such election may demand and receive a recount of the vote for the office for which he is a candidate if:

(a) Such demand is made within 5 days after the certification of the abstract of votes; and

(b) He deposits in advance the estimated costs of the recount with the county clerk or secretary of state. The estimated costs of the recount shall be determined by the county clerk or secretary of state based on regulations promulgated by the secretary of state defining the term "costs."

2. As used in this section, "canvass" means:

(a) In any primary election, the canvass by the board of county commissioners of the returns for a candidate voted for in one county or the canvass by the board of county commissioners last completing its canvass of the returns for a candidate voted for in more than one county.

(b) In any general election, the canvass of the supreme court.

(Added to NRS by 1960, 263; A 1965, 1255; 1975, 940; 1977, 237)

293.403 Recount of vote: Demand; advance deposit of costs; "canvass" defined.

1. After the canvass of the vote in any election, any candidate defeated at such election may demand and receive a recount of the vote for the office for which he is a candidate. Such a demand must be made within 5 days after the certification of the abstract of the votes.

(a) If the margin of difference between the highest vote getter and the next highest vote getter is less than $1/2$ of 1% of the difference between their individual vote totals or no more than 100 votes, whichever is the smaller figure, the defeated candidate may demand a recount pursuant to the requirements of this section. Such a person must deposit 50% of the estimated costs of the recount as determined by the county clerk or Secretary of State based on regulations promulgated by the Secretary of State defining the term "costs". This amount shall be deposited with the county clerk or Secretary of State no later than 5 days after the certification of the abstract of votes. If the difference between any two candidates exceeds this figure the defeated candidate shall be required to pay the full cost of the recount.

2. (a) & (b) (No change)

RATIONALE: The proposed changes would reduce the expense of the recount procedure and, in addition, facilitate the use of the recount procedure as a check or balance upon the vote-counting process.

PRESENT READING

293.405 Costs of recount: commencement and completion of recount.

1. If the candidate who demanded the recount does not prevail, and it is found that the sum deposited was less than the cost of the recount, the candidate shall, upon demand, pay the deficiency to the county clerk or secretary of state, as the case may be. If the sum deposited is in excess of the cost, the excess shall be refunded to him.

2. If the candidate who demanded the recount prevails, the sum deposited with the secretary of state or county clerk shall be refunded to the candidate and the cost of the recount shall be paid as follows:

(a) If the recount concerns an office for which voting is not statewide, the cost shall be borne by the counties which conducted the recount.

(b) If the recount concerns an office for which voting is statewide, the clerk of each county shall submit a statement of its costs in the recount to the secretary of state for review and approval. The secretary of state shall submit the statements to the state board of examiners, which shall repay the allowable costs from the reserve for statutory contingency fund to the respective counties.

3. Each recount shall be commenced within 3 days after demand, and shall be completed within 3 days after it is begun. Sundays and holidays shall not be excluded in determining each 3-day period.

(Added to NRS by 1960, 263; A 1965, 1255; 1977, 237)

293.405 Costs of recount; commencement and completion of recount.

1. (No change)

2. (a) & (b) (No change)

3. Each recount shall be commenced within 5 days after demand, and shall be completed within 5 days after it is begun. Sundays and holidays shall not be excluded in determining each 5-day period.

RATIONALE: To bring this sub-section in line with the proposed changes for 293.403, supra. The change is from the present 3-day period to the proposed 5-day period.

PRESENT READING

293.505 Deputy registrars: Appointment, powers and duties.

1. All justices of the peace, except those located in county seats,

are ex officio deputy registrars for the purpose of carrying out the provisions of this chapter.

2. The county clerk may appoint registered voters as deputy registrars, who shall register voters within the county for which they are appointed. Except as provided in subsection 1, a candidate for any office may not be appointed or serve as a deputy registrar. Deputy registrars so appointed shall serve at the pleasure of the county clerk and shall perform their duties as the county clerk may direct.

3. Deputy registrars may demand of any person who applies for registration all information required by the affidavit of registration, and may administer all oaths required by this chapter.

4. When a deputy registrar has in his possession five or more completed affidavits of registration, he shall forward them to the county clerk, but in no case may he hold any number of such forms for more than 5 days.

5. Immediately after the close of registration, each deputy registrar shall forward to the county clerk all completed affidavits in his possession. Within 5 days after the close of registration for a general election, a deputy registrar shall return all unused affidavits in his possession to the county clerk.

6. Deputy registrars shall submit to the county clerk an alphabetical list of names of electors registered by him, giving the serial number of the affidavit used for each named registrant.

7. Each deputy registrar shall post notices sent to him by the county clerk for posting in accordance with the election laws of this state.

8. Any person who violates any of the provisions of this section is guilty of a misdemeanor.

(Added to NRS by 1960, 272; A 1975, 942)

293.505 Deputy registrars; Appointment, powers and duties.

1. (No change)
2. (No change)
3. (No change)
4. When a deputy registrar has in his possession five or more completed affidavits of registration, he shall forward them to the county clerk, but in no case may he hold any number of such forms for more than 10 days.
5. (No change)
6. (No change)
7. (No change)
8. (No change)

RATIONALE: Sub-section 4 of the above statute now provides that the affidavits may not be held for more than 5 days. It is submitted that with the increased and increasing cost of gasoline, an undue burden is being placed upon deputy registrars by requiring them to deliver affidavits to the central office with such frequency.

PRESENT READING

293B.360 Creation of special election boards; appointment of officers.

1. To facilitate the processing and computation of votes cast at any election conducted under a punchcard voting system, the county clerk shall create a computer program and processing accuracy board, and may create:

- (a) A central ballot inspection board;
- (b) An absent ballot mailing precinct inspection board;
- (c) A ballot duplicating board;
- (d) A ballot processing and packaging board; and
- (e) Such additional boards or appoint such officers as he deems necessary for the expeditious processing of ballots.

2. The county clerk may determine the number of members to constitute any board. He shall make any appointments from among competent persons who are registered voters in this state. The same person may be appointed to more than one board but must meet the particular qualifications for each board to which he is appointed.

3. All appointees shall serve at the pleasure of the county clerk.
(Added to NRS by 1975, 1529)

293 B.360

1. To facilitate the processing and computation of votes cast at any election conducted under a punchcard voting system, the county clerk shall create:

- a) a computer program and processing accuracy board;
- b) a central ballot inspection board;
- c) an absent ballot mailing precinct inspection board;
- d) a ballot duplicating board;
- e) a ballot processing and packaging board; and

May create:

f) such additional boards or appoint such officers as he deems necessary for the expeditious processing of ballots.

2. The County Clerk shall mail written notices to the chairman of the County Central Committees of at least two of the principal political parties, instructing the county chairman to appoint representatives to these boards. The membership of these boards shall, as nearly as practicable include equal representation from the major political parties. The same person may be appointed to more than one board but must meet the particular qualifications for each board to which he is appointed.

3. The County Chairman of each party shall recommend names to the Registrar of Voters for appointment not later than 20 days before the Primary and General Elections.

Rationale: These changes would give the party more representation in the vote counting process. It is felt that with the computerized punchcard voting system, party representatives knowledgeable in computer processing should be included in this process.

NOTE: This proposed change would require the deletion of 293B.375 (1) and the deletion of the last sentence of 293B. 385 (1) as duplicative.

ASSEMBLY

AGENDA FOR COMMITTEE ON..... ELECTIONS.....

Date..... MONDAY, MARCH 16..... Time..... 3:00 p.m..... Room..... 200.....

Bills or Resolutions
to be considered

Subject

Counsel
requested*

AB 88.

Provides for nomination of board members
in improvement districts by primary elections.

AJR 23

Proposes to amend Nevada constitution to
limit number of terms for senators and
assemblymen.