

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

MEMBERS ABSENT: None

GUESTS PRESENT: Robert Petroni, Clark County School District
Richard Wright, Washoe County School District
Bill Curran, Clark County District Attorney's Office
David Howard, Chief Deputy Secretary of State
Andrew P. Grose, Research Director, LCB

Chairman Glover called the meeting to order at 3:10 p.m. and informed the committee that the first bill to be heard was AB 559.

AB 559: Repeals local provisions for election of trustees for school districts.

Mr. Robert Petroni, representing the Clark County School District, said that this bill was requested by the Board of Trustees of the Clark County School District but it goes further than requested. He explained that in February the Board of Trustees passed a resolution requesting that the board be allowed to constitute itself and set election districts for the future based on the 1980 population census. He noted that Section 3 repeals NRS 386.170 which provides for seven trustees to be elected from various Assembly districts and enumeration districts, and with the shift in population and the addition of new districts in Clark County confusion and problems will be created for the school board.

Mr. Petroni distributed amendments to AB 559 which are attached to these minutes as EXHIBIT A. He said that the bill provides for trustees running at large, and these amendments will change this as the trustees do not want to run at large.

A further amendment that would add a new section to AB 559 was distributed by Mr. Petroni which is attached to these minutes as EXHIBIT B. He noted that this amendment is patterned after NRS 244.016 dealing with county commissioner election districts.

Mr. Petroni informed the committee that student population in Washoe County is approximately 31,000 and in Clark County, over 80,000, indicating that it will be a long time before the 75,000 figure will affect any other county.

In response to a question by Mr. Nicholas, Mr. Richard Wright, representing the Washoe County School district, came forward to testify.

Mr. Petroni observed that the amendments in EXHIBIT A should include the deletion of the repeal of NRS 386.175 because Washoe County would like to remain as at present.

When Mr. Nicholas asked if Washoe County was in favor of this bill as amended, Mr. Wright explained that they would like one other amendment and reiterated Mr. Petroni's observation concerning the deletion of the repeal of NRS 386.175. He explained that in Washoe County there are seven trustees, five of which represent two Assembly districts each and two trustees that represent five Assembly districts each, and they would like to maintain this configuration.

When Mr. Glover asked if the trustees in Washoe County run by district or at large, Mr. Wright replied by district.

When Mr. Hickey asked if he had a copy of the Board of Trustees resolution, Mr. Petroni responded that he did not but he had a copy of a letter to Mr. Glover indicating that all seven members had voted in favor of the resolution that generated AB 559.

In response to a question by Mr. Glover, Mr. Andrew P. Grose, Research Director for the Legislative Counsel Bureau, commented that since the districts have been reoriented, there might not be contiguity; that in the opinion of legislative counsel, in light of the fact that the Supreme Court ruled that legislative reapportionment of the Clark County commission districts was unconstitutional, the same reasoning would be applied if anyone challenged legislative apportionment of school districts.

Mr. Sader suggested that in order to keep the trustee districts as they currently are in Washoe County, a new paragraph could be added covering school districts with a student population between 25,000 and 75,000 and provide for five and two trustees as at present.

Mr. Hickey suggested adding a definite date for the completion of this reapportionment of school districts.

Since there was no further testimony on AB 559, Chairman Glover moved on to AB 597.

AB 597: Requires of candidates for legislature additional information on residence.

Mr. Bill Curran, Clark County District Attorney's Office, said that this bill was requested in order to remedy some technical deficiencies that exist in present election laws. He noted that at present candidates for Assembly and Senate are required to be residents for a period of one year, but, unfortunately, this legal requirement is not directly made known to those filing for office. He said that in the last election there was substantial question as to whether an individual who had filed for the Assembly was in fact a resident for the requisite year; that his office had a problem evaluating whether there was a criminal violation. He explained that they would like to require as part of the affidavit for office that the candidate specifically acknowledge and verify residency in the district for one year.

Mr. Hickey suggested deleting "or post office box" on line 13. Mrs. Ham commented that no one can register to vote with just a post office box.

When Dr. Robinson questioned the twelve months requirement, Mr. Curran stated that this is existing law, but most local offices are 30 days and some federal offices are two years.

When Mr. Malone asked if a candidate must live at the same residence for one year, Mr. Curran replied that he must live in the same district. Mr. Nicholas asked if there was a precinct requirement, and Mr. David Howard, Chief Deputy Secretary of State, noted that there was a 10 day precinct requirement.

When Mrs. Ham asked when reapportionment would become effective, Mr. Grose responded that this change in the law would be for the long term, but for the short term there would be a special two year provision so that there would be no residence requirement for the incumbents other than remaining in the county until the next election.

Mr. Curran commented that Mr. Howard and Mr. Swackhamer concur with the passage of AB 597 and that there are many candidates who file for office who are not knowledgeable about the legal requirements.

Mr. Sader pointed out that this only addresses the requirement of living in the state for one year and the 30-day district requirement appears elsewhere in NRS.

Mr. David Howard, Chief Deputy Secretary of State, felt that legislative offices should not be singled out and that candidates for local offices should be made aware of residency requirements for those offices also.

Since there was no one present to testify on AB 630, Chairman Glover said that he would hold this bill for a later hearing and asked Mr. Grose to discuss reapportionment.

Mr. Andrew P. Grose, Research Director of the Legislative Counsel Bureau, said that the rural caucus had reached agreement on the following plan: The Elko district would include all of Elko County plus all of Eureka County except for three enumeration districts across the southern part of the county; another district would include the Battle Mountain part of Lander County, all of Humboldt County, all of Pershing County and Gerlach and Wadsworth. He noted that the goal of this plan was to minimize the splitting of Churchill County that most of the other plans had resulted in and to split Churchill County in one place only taking out as few people as possible. In order to do this, Mr. Grose explained that the area south of Highway 50, the south side of Fallon plus the Naval Air Station would be removed. He added that all of Lincoln County would be added to District 36 and no population would be taken from Clark County.

Mr. Grose further noted that the Lake Topaz area will be added to District 38 which is closer to the Smith Valley area in the present District 38 than it is to Douglas County.

Referring to the Senate redistricting map, Mr. Grose pointed out that Assembly districts 33 and 34 would comprise one Senate district, Assembly districts 35 and 36 another, and the bottom part of Lander County, most of Churchill County and a small piece of Eureka County are added to the present central Nevada Senate district.

Mr. Grose said that Washoe County reapportionment has been agreed upon and is ready for the bill drafter even though a change had been made recently on the south side of Sparks effecting about 800 people.

With the adoption of the rural caucus plan, Mr. Grose indicated that some changes had to be made in Clark County along with some changes agreed upon by legislators involved in disputes. He noted that the new district, #41, has decreased in size geographically but retains the correct population figures; district 42 is large geographically encompassing Mt. Charleston, Blue Diamond, and Goodsprings.

When Mr. Glover mentioned the fact that the two new districts in Clark County would be numbered 41 and 42, Mr. Grose pointed out that if these districts were numbered 23 and 24, the rest of the state would have to be renumbered which could cause problems for incumbents.

Mr. Grose pointed out that in order to solve the problem of uneven population in districts 21 and 22 and still satisfy the incumbents, Bunkerville, Mesquite, Logan and Overton township outside of the Town of Overton would be attached to district 21; the town of Overton, Boulder City and Searchlight would become part of district 22.

After some further discussion the committee directed Mr. Grose to work with the bill drafter on a bill to reapportion Washoe County, the rural counties and Clark County with the exception of districts 1, 4, 6, 7 and 17.

Chairman Glover referred to Amendment No. 851 to AB 138, the Presidential preference primary bill, which is attached to these minutes as EXHIBIT C. He explained that this amendment sets the date for this primary for the 2nd Tuesday in March of each presidential year.

Dr. Robinson moved to adopt Amendment No. 851 to Assembly Bill 138, seconded by Mr. Malone and unanimously carried by the members present with Mr. Prengaman absent.

Mr. Hickey moved DO PASS AS AMENDED on AB 138, seconded by Mr. Chaney and unanimously carried by the members present with Mr. Prengaman absent.

Mr. Hickey moved to amend AB 597 by deleting any reference to post office box, seconded by Mrs. Hayes and unanimously carried by the members present with Mr. Prengaman absent.

Mr. Hickey moved DO PASS AS AMENDED on AB 597, seconded by Mrs. Hayes and unanimously carried by the members present with Mr. Prengaman absent.

Mr. Glover asked Mr. Sader to speak to the bill drafter and determine some proper language to enable Washoe County to reapportion school districts as they wish. Mr. Hickey asked Mr. Sader to include a definite date for completion of this reapportionment, and Mr. Petroni suggested February 1, 1982 as a desirable date.

Mr. Hickey moved to amend AB 559 as suggested in EXHIBIT A and EXHIBIT B and with an additional paragraph pertaining to Washoe County including a definite date of completion as suggested by Mr. Sader, seconded by Mrs. Hayes and unanimously carried by the members present with Mr. Prengaman absent.

Mr. Hickey moved DO PASS AS AMENDED on AB 559, seconded by Mrs. Hayes and unanimously carried by the members present with Mr. Prengaman absent.

The committee discussed SB 88 with the decision to delete the new language on page 1 of the bill. Chairman Glover asked Mr. Hickey to obtain this amendment and said he would hold the bill till next Monday, May 18th.

Mr. Glover informed the committee that BDR 24-1735*, requested by the Washoe County Registrar of Voters, increases the permissible rental fee for polling places and asked for a committee introduction of this measure.

*AB 652

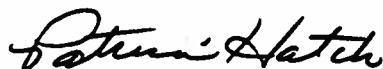
Mr. Hickey moved for a committee introduction of BDR 24-1735, seconded by Mr. Sader and unanimously carried by the members.

Chairman Glover stated that BDR 24-1703* revises the procedures for contesting elections and asked for a committee introduction.

Mr. Hickey moved for a committee introduction of BDR 24-1703, seconded by Mrs. Hayes and unanimously carried by the members.

Since there was no further business, Chairman Glover adjourned the meeting at 4:25 p.m.

Respectfully submitted,



Patricia Hatch
Secretary

*AB 651

61st SESSION NEVADA LEGISLATURE

ASSEMBLY ELECTIONS COMMITTEE

LEGISLATION ACTION

DATE MAY 11, 1981

SUBJECT AB 138: Abolishes presidential preference primary elections.

MOTION: DO PASS AS AMENDED

Do Pass XX Amend XX Indefinitely Postpone Reconsider

Moved By Mr. Hickey Seconded By Mr. Chaney

AMENDMENT: Amendment No. 851 (EXHIBIT C)

Moved By Dr. Robinson Seconded By Mr. Malone

AMENDMENT:

Moved By Seconded By

Table with columns: MOTION (Yes, No), AMEND (Yes, No), AMEND (Yes, No). Rows include names like BEYER, CHANEY, HAM, HAYES, HICKEY, MALONE, NICHOLAS, PRENGAMAN, ROBINSON, SADER, GLOVER and a TALLY row showing 10 Yes and 0 No for both motions.

ORIGINAL MOTION: Passed XX Defeated Withdrawn

AMENDED & PASSED AMENDED & DEFEATED

AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes May 11, 1981

61st SESSION NEVADA LEGISLATURE

ASSEMBLY ELECTIONS COMMITTEE

LEGISLATION ACTION

DATE MAY 11, 1981

SUBJECT AB 559: Repeals local provisions for election of trustees for school districts.

MOTION: DO PASS AS AMENDED

Do Pass XX Amend XX Indefinitely Postpone Reconsider

Moved By Mr. Hickey Seconded By Mrs. Hayes

AMENDMENT: Amend as suggested in EXHIBIT A and EXHIBIT B with an additional paragraph pertaining to Washoe County and to a definite date of completion.

Moved By Mr. Hickey Seconded By Mrs. Hayes

AMENDMENT:

Moved By Seconded By

Table with columns for MOTION, AMEND, and AMEND, and rows for VOTE: BEYER, CHANEY, HAM, HAYES, HICKEY, MALONE, NICHOLAS, PRENGAMAN, ROBINSON, SADER, GLOVER, TALLY: 10, 0.

ORIGINAL MOTION: Passed XX Defeated Withdrawn
AMENDED & PASSED AMENDED & DEFEATED
AMENDED & PASSED AMENDED & DEFEATED

Attached to Minutes May 11, 1981

Amend Assembly Bill 559 as follows:

Page 1:

Lines 6 delete open bracket

Line 7 delete closed bracket

Line 7 delete words "The members"

Line 8 delete words "of the Board must"

Line 23 delete open bracket

Line 24 delete closed bracket

Further Amend A.B. 559 by Adding New Section:

1. In each county school district where there are more than 75,000 pupils enrolled, the board of trustees shall establish seven school trustee election districts which shall be as nearly equal in population as practicable, and each shall be composed entirely of contiguous territory and be as compact as possible.
2. Each trustee shall be a resident of, and elected by, the registered voters of a trustee election district established pursuant to this chapter.
3. At the general election of 1982, and every four years thereafter, the school trustees shall be elected respectively from three of the school trustee election districts established.
4. At the general election in 1984, and every four years thereafter, four school trustees shall be elected respectively from four of the school trustee election districts established.

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION

SENATE ACTION

Assembly

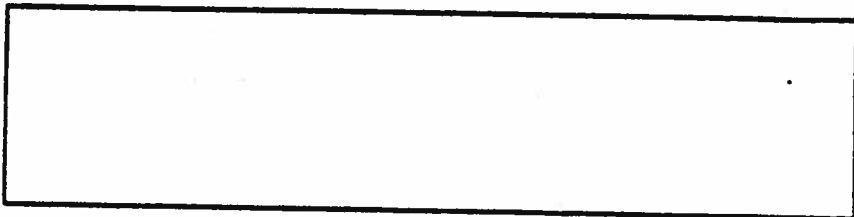
AMENDMENT BLANK

Adopted
 Lost
 Date:
 Initial:
 Concurred in
 Not concurred in
 Date:
 Initial:

Adopted
 Lost
 Date:
 Initial:
 Concurred in
 Not concurred in
 Date:
 Initial:

AMENDMENTS to Assembly
~~Joint~~
 Bill No. 138 ~~Resolution No.~~
 BDR 24-664
 Proposed by Committee on Elections

Amendment N^o 851



Amend section 1, page 1, line 2, by deleting the brackets.

Amend section 1, page 1, by deleting line 7 and inserting:

"2. On or before the [1st Wednesday in May] 3rd Wednesday in February in each year when a".

Amend the bill as a whole by deleting sections 2 and 3, and adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 298.095 is hereby amended to read as follows:

298.095 1. In each year when a President of the United States is to be nominated and elected, there shall be held a presidential preference primary, at which voters may express their choice for candidates for nominations for President.

2. The presidential preference primary shall be held on the [4th Tuesday in May] 2nd Tuesday in March of each presidential year."

Amend the title of the bill to read as follows:

"AN ACT relating to presidential electors; changing the date of the presidential preference primary; and providing other matters properly relating thereto. 1502

ASSEMBLY

AGENDA FOR COMMITTEE ON ELECTIONS

Date MONDAY, MAY 11 Time 3:00 p.m. Room 200

Bills or Resolutions
to be considered

Subject

Counsel
requested*

THIS AGENDA CANCELS AND SUPERSEDES THE PREVIOUS AGENDA FOR THIS DATE.

- | | | |
|--------|---|--|
| AB 559 | Repeals local provisions for election of trustees for school districts. | |
| AB 597 | Requires of candidates for legislature additional information on residence. | |
| AB 630 | Simplifies election districts for county commissioners. | |

ASSEMBLY REAPPORTIONMENT

*Please do not ask for counsel unless necessary.