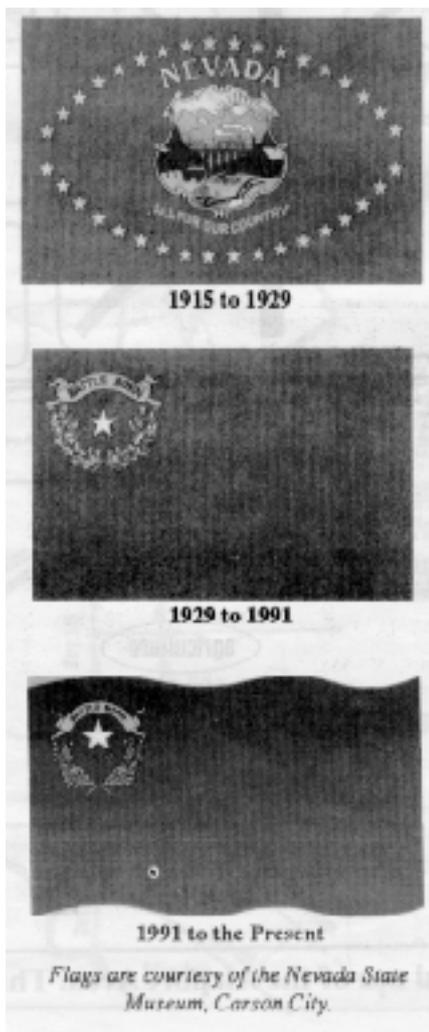


by Guy Rocha, former Nevada State Archivist

---



**For over sixty years beginning in 1929, Nevada's state flag had a design that the legislature did not adopt!** Even that long ago the length of the session sometimes exceeded the constitutional provision for 60 days in which the legislators would be paid. A hurried amendment to the bill changing the position of the name "Nevada" on the proposed flag was misplaced in the final hours of the session. Apparently nobody knew of the snafu until researcher Dana Bennett of the Legislative Council Bureau, and staff at the State Library and Archives, made the discovery in advance of a bill modifying the design of the flag in 1991. SB 396, sponsored by Senator Bill Raggio of Washoe County and signed by Governor Bob Miller, finally provided for an official state flag.

This story begins in 1926 when Lt. Governor Maurice J. Sullivan sponsored a contest offering a \$25.00 prize for the winning design of a new state flag. Sullivan argued that the state flag adopted in 1915 was much too detailed and had an excessive amount of colors rendering its manufacture expensive.

The 1927 legislature followed up Sullivan's prize offer and created a flag selection committee. The design chosen was submitted by "Don" Louis Schellbach III (spelled Shellback in the area newspapers). Schellbach was an artist and draftsman initially employed by the State Highway Department in Carson City in 1923; later active in the excavation of the Anasazi villages at Lost City in southern Nevada; and custodian and curator at the State Building in Reno at the time he won the flag contest. Schellbach, an associate of Democrats Governor James Scrugham and Lt. Governor Sullivan, had enjoyed their patronage.

However, when the Republicans virtually swept the 1926 elections, Schellbach lost his job at the State Building despite a plea to Governor Fred Balzar to keep his position. At the same time, there must have been some controversy over the flag design, or maybe its designer, as a bill failed to be introduced in the 1927 session. By May, Schellbach was employed at the Museum of the American Indian in New York City.

Senator William Dressler of Douglas County resurrected Schellbach's design in 1929. Conspicuously, the proposed new state flag did not include the name of the state. Senate Bill 51 passed the Senate by a vote of 13 yeas, no nays, and 4 absent.

The Assembly Committee on Education recommended SB 51 be passed, but the same day Assemblyman Neil McGill of White Pine County asked that the bill be re-referred to his committee. Later that day, the Education Committee proposed an amendment, credited to Cada C. Boak of Nye county, to add the word "Nevada" to the flag and inscribe the letters between the points of the star. The bill passed the Assembly the next day by a vote of 29 yeas, no nays, 6 absent, and 2 not voting.

However, the battle lines were drawn as the session was rapidly coming to a close. The Senate refused to concur with the Assembly amendment, and the Assembly refused to rescind the amendment. A conference committee was appointed which included Assemblyman McGill and Senator Noble Getchell of Lander County. A compromise amendment was agreed upon which designated that "the word 'Nevada' shall appear immediately below the sprays in silver Roman letters to conform with the letters appearing in the word 'Battle Born'." The Assembly and

Senate adopted the conference committee amendment.

Finally, on the last day of the 60-day session, March 21 -- actually in the wee hours of the morning on Friday, March 22 after the legislative clocks had been covered -- a tired Senate Committee on Enrollment reported that it had compared the enrolled bill with the engrossed copy, and finding it correct, had delivered the bill to Governor Balzar.

IT WAS NOT CORRECT! In the legislature's haste to adjourn, the enrolled bill still included the superseded Assembly amendment, and the engrossed bill signed by the governor at 3:10pm on March 26, 1929 did not contain the conference committee amendment. Nevada's state flag did not reflect legislative intent -- the letters ending up being inscribed between the points of the star instead of below the sprays -- and for some unknown reason this mistake went undetected for some 60 years. So much for doing business in the hectic, waning days of the legislative session, particularly before the advent of the Legislative Counsel Bureau and professional staff in 1947.

Our flag today continues to reflect Schellbach's design except the added letters spelling "Nevada" are below the star and above the sprays.

*Postscript: "Don" Louis Schellbach III died on September 22, 1971 in Tucson, Arizona, at the age of 83 after working for more than 24 years at Grand Canyon for the National Park Service. Secretary of the Interior Harold Ickes appointed Schellbach Chief Naturalist for Grand Canyon National Park in 1941. He retired at age 70 in 1957. The principal "father" of Nevada's current state flag was fondly remembered as "Mr. Grand Canyon" in his obituary.*

Photo: Nevada State Museum

(Original version in *Sierra Sage*, Carson City/Carson Valley, Nevada, April 1997)