

A. J. R. 11—Swackhamer, Feb. 23.

Summary—Proposes to amend the Nevada Constitution by clarifying the Initiative and Referendum provisions. (BDR C-613)

Feb. 23—Read first time. Referred to Committee on Judiciary. To printer.

Feb. 24—From printer. To committee.

Mar. 10—From committee: Do pass. Declared an emergency measure under the Constitution. Read third time. Passed. Title approved. To Senate.

Mar. 11—In Senate. Read first time. Referred to Committee on Judiciary. To committee. From committee: Do pass. Declared an emergency measure under the Constitution. Read third time. Passed. Title approved. To Assembly. In Assembly. To enrollment.

Mar. 14—Enrolled and delivered to Secretary of State. File No. 35.

ASSEMBLY JOINT RESOLUTION NO. 11—
MR. SWACKHAMER

FEBRUARY 23, 1960

Referred to Committee on Judiciary

SUMMARY—Proposes to amend the Nevada constitution by clarifying the initiative and referendum provisions. (BDR C-613)



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Proposing to amend article XIX of the constitution of the State of Nevada, relating to initiative and referendum, by clarifying the provisions of such article.

1 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
2 That article XIX of the constitution of the State of Nevada be
3 amended to read as follows:

4
5 [ARTICLE XIX

6 SECTION 1. Whenever ten per centum or more of the voters of this
7 State, as shown by the number of votes cast at the last preceding
8 general election, shall express their wish that any law or resolution
9 made by the Legislature be submitted to a vote of the people, the
10 officers charged with the duties of announcing and proclaiming elec-
11 tions and of certifying nominations or questions to be voted on, shall
12 submit the question of the approval or disapproval of said law or
13 resolution to be voted on at the next ensuing election wherein a State
14 or Congressional officer is to be voted for, or wherein any question may
15 be voted on, by the electors of the entire State.

16 SEC. 2. When a majority of the electors voting at a State election
17 shall by their votes signify approval of a law or resolution such law
18 or resolution shall stand as the law of the State and shall not be over-
19 ruled, annulled, set aside, suspended, or in any way made inoperative
20 except by the direct vote of the people. When such majority shall so
21 signify disapproval the law or resolution so disapproved shall be void
22 and of no effect.

23 SEC. 3. The people reserve to themselves the power to propose laws
24 and the power to propose amendments to the constitution and to enact
25 or reject the same at the polls, independent of the legislature, and

1 also reserve the power at their option to approve or reject at the polls,
2 in the manner herein provided, any act, item, section or part of any
3 act or measure passed by the legislature, and section one of article
4 four of the constitution shall hereafter be considered accordingly. The
5 first power reserved by the people is the initiative. The initiative peti-
6 tion shall be proposed by not less than ten per cent (10%) of the
7 qualified electors of each of not less than seventy five per cent (75%)
8 of the counties in the state, provided, however, that the total number
9 of qualified electors proposing the said petition shall be not less than
10 ten per cent (10%) of all of the qualified electors of the State. Every
11 such petition shall include the full text of the measure so proposed.
12 Each signer shall affix thereto his or her signature, place of residence
13 and the county within which he or she is a qualified elector. Each
14 document comprising the initiative petition filed with the Secretary
15 of State shall have affixed thereto, an affidavit made by one of the
16 signers to each of said documents or to the petition, to the effect that
17 all of the signatures are genuine and that each and every individual
18 who signed his or her name thereto was at the time that he or she
19 signed the petition a bonafide qualified elector of the respective county
20 and the State of Nevada, said affidavit to be executed before a Notary
21 Public or some officer authorized to administer an oath who possesses
22 a seal. Initiative petitions, for all but municipal legislation, shall be
23 filed with the secretary of state not less than thirty (30) days before
24 any regular session of the legislature; the secretary of state shall trans-
25 mit the same to the legislature as soon as it convenes and organizes.
26 Such initiative measure shall take precedence over all measures of the
27 legislature except appropriation bills, and shall be enacted or rejected
28 by the legislature, without change or amendment, within forty (40)
29 days. If any such initiative measure so proposed by petition as afore-
30 said, shall be enacted by the legislature and approved by the governor
31 in the same manner as other laws are enacted, same shall become a law,
32 but shall be subject to referendum petition as provided in sections
33 one and two of this article. If said initiative measure be rejected by
34 the legislature, or if no action be taken thereon within said forty (40)
35 days, the secretary of state shall submit the same to the qualified elec-
36 tors for approval or rejection at the next ensuing general election;
37 and if a majority of the qualified electors voting thereon shall approve
38 of such measure it shall become a law and take effect from the date of
39 the official declaration of the vote; an initiative measure so approved
40 by the qualified electors shall not be annulled, set aside or repealed by
41 the legislature within three (3) years from the date said act takes
42 effect. In case the legislature shall reject such initiative measure, said
43 body may, with the approval of the governor, propose a different
44 measure on the same subject, in which event both measures shall be
45 submitted by the secretary of state to the qualified electors for approval
46 or rejection at the next ensuing general election. The enacting clause
47 of all bills proposed by the initiative shall be: "The people of the State
48 of Nevada do enact as follows." The total number of votes cast at the
49 general election last preceding the filing of any initiative petition shall

1 be the basis on which the number of qualified electors required to sign
2 such petition shall be counted. The second power reserved by the
3 people is the referendum, which shall be exercised in the manner pro-
4 vided in sections one and two of this article. The initiative and refer-
5 endum powers in this article provided for are further reserved to the
6 qualified electors of each county and municipality as to all local, special
7 and municipal legislation of every character in or for said respective
8 counties or municipalities. The legislature may provide by law for
9 the manner of exercising the initiative and referendum powers as to
10 county and municipal legislation, but shall not require a petition of
11 more than 10 per cent (10%) of the qualified electors to order the
12 referendum, nor more than 15 per cent (15%) to propose any municipi-
13 pal measure by initiative. If the conflicting measures submitted to the
14 people at the next ensuing general election shall both be approved by
15 a majority of the votes severally cast for and against each of said
16 measures, the measure receiving the highest number of affirmative
17 votes shall thereupon become a law as to all conflicting provisions. The
18 provisions of this section shall be self-executing, but legislation may
19 be especially enacted to facilitate its operation.】

ARTICLE 19.

Initiative and Referendum

23 SECTION 1. 1. *Whenever a number of registered voters of this*
24 *state equal to 10 percent or more of the number of voters who voted*
25 *at the last preceding general election shall express their wish by filing*
26 *a petition in the form provided for in section 3 of this article that*
27 *any statute or resolution or any part thereof enacted by the legis-*
28 *lature be submitted to a vote of the people, the officers charged with*
29 *the duties of announcing and proclaiming elections and of certifying*
30 *nominations or questions to be voted upon shall submit the question*
31 *of approval or disapproval of such statute or resolution or any part*
32 *thereof to a vote of the voters at the next succeeding election at which*
33 *such question may be voted upon by the registered voters of the entire*
34 *state.*

35 2. *If a majority of the voters voting upon the proposal submitted*
36 *at such election votes approval of such statute or resolution or any*
37 *part thereof, such statute or resolution or any part thereof shall*
38 *stand as the law of the state and shall not be amended, annulled,*
39 *repealed, set aside, suspended or in any way made inoperative except*
40 *by the direct vote of the people. If a majority of such voters votes*
41 *disapproval of such statute or resolution or any part thereof, such*
42 *statute or resolution or any part thereof shall be void and of no*
43 *effect.*

44 SEC. 2. 1. *Notwithstanding the provisions of section 1 of article*
45 *4 of this constitution, the people reserve to themselves the power to*
46 *propose, by initiative petition, statutes and amendments to statutes*
47 *and amendments to this constitution, and to enact or reject them at the*
48 *polls.*

49 2. *An initiative petition shall be in the form required by section 3*

1 of this article and shall be proposed by a number of registered voters
2 equal to 10 percent or more of the number of voters who voted at the
3 last preceding general election in not less than 75 percent of the
4 counties in the state, but the total number of registered voters sign-
5 ing the initiative petition shall be equal to 10 percent or more of
6 the voters who voted in the entire state at the last preceding general
7 election.

8 3. If the initiative petition proposes a statute or an amendment to
9 a statute, it shall be filed with the secretary of state not less than 30
10 days prior to any regular session of the legislature. The secretary of
11 state shall transmit such petition to the legislature as soon as the
12 legislature convenes and organizes. The petition shall take precedence
13 over all other measures except appropriation bills, and the statute
14 or amendment to a statute proposed thereby shall be enacted or
15 rejected by the legislature without change or amendment within 40
16 days. If the proposed statute or amendment to a statute is enacted by
17 the legislature and approved by the governor in the same manner as
18 other statutes are enacted, such statute or amendment to a statute
19 shall become law, but shall be subject to referendum petition as pro-
20 vided in section 1 of this article. If the statute or amendment to a
21 statute is rejected by the legislature, or if no action is taken thereon
22 within 40 days, the secretary of state shall submit the question of
23 approval or disapproval of such statute or amendment to a statute to a
24 vote of the voters at the next succeeding general election. If a majority
25 of the voters voting on such question at such election votes approval
26 of such statute or amendment to a statute, it shall become law and
27 take effect upon completion of the canvass of votes by the supreme
28 court. An initiative measure so approved by the voters shall not be
29 amended, annulled, repealed, set aside or suspended by the legislature
30 within 3 years from the date it takes effect. If a majority of such
31 voters votes disapproval of such statute or amendment to a statute,
32 no further action shall be taken on such petition. If the legislature
33 rejects such proposed statute or amendment, the governor may recom-
34 mend to the legislature and the legislature may propose a different
35 measure on the same subject, in which event, after such different meas-
36 ure has been approved by the governor, the question of approval or
37 disapproval of each measure shall be submitted by the secretary of
38 state to a vote of the voters at the next succeeding general election.
39 If the conflicting provisions submitted to the voters are both approved
40 by a majority of the voters voting on such measures, the measure
41 which receives the largest number of affirmative votes shall thereupon
42 become law.

43 4. If the initiative petition proposes an amendment to the constitu-
44 tion, it shall be filed with the secretary of state not less than 60 days
45 before any regular general election at which the question of approval
46 or disapproval of such amendment may be voted upon by the voters
47 of the entire state. The secretary of state shall cause to be published
48 in a newspaper of general circulation, on three separate occasions, in
49 each county in the state, together with any explanatory matter which

1 shall be placed upon the ballot, the entire text of the proposed amend-
2 ment. If a majority of the voters voting on such question at such
3 election votes disapproval of such amendment, no further action shall
4 be taken on the petition. If a majority of such voters votes approval
5 of such amendment, the secretary of state shall publish and resubmit
6 the question of approval or disapproval to a vote of the voters at the
7 next succeeding general election in the same manner as such question
8 was originally submitted. If a majority of such voters votes disapproval
9 of such amendment, no further action shall be taken on such petition.
10 If a majority of such voters votes approval of such amendment, it shall
11 become a part of this constitution upon completion of the canvass of
12 votes by the supreme court.

13 SEC. 3. Each referendum petition and initiative petition shall
14 include the full text of the measure proposed. Each signer shall affix
15 thereto his or her signature, residence address and the name of the
16 county in which he or she is a registered voter. The petition may con-
17 sist of more than one document, but each document shall have affixed
18 thereto an affidavit made by one of the signers of such document to the
19 effect that all of the signatures are genuine and that each individual
20 who signed such document was at the time of signing a registered voter
21 in the county of his or her residence. The affidavit shall be executed
22 before a person authorized by law to administer oaths in the State of
23 Nevada. The enacting clause of all statutes or amendments proposed
24 by initiative petition shall be: "The People of the State of Nevada
25 do enact as follows:".

26 SEC. 4. The initiative and referendum powers provided for in this
27 article are further reserved to the registered voters of each county and
28 each municipality as to all local, special and municipal legislation of
29 every kind in or for such county or municipality. In counties and
30 municipalities initiative petitions may be instituted by a number of
31 registered voters equal to 15 percent or more of the voters who voted
32 at the last preceding general county or municipal election. Referendum
33 petitions may be instituted by 10 percent or more of such voters.

34 SEC. 5. The provisions of this article are self-executing but the
35 legislature may provide by law for procedures to facilitate the opera-
36 tion thereof.

THE THIRTY-SEVENTH DAY

CARSON CITY (Tuesday), February 23, 1960.

Assembly called to order at 7:09 a. m.

Mr. Speaker in the Chair.

Roll called.

All present except Messrs. Berrum, Buckingham, Giomi, Harmon, Miss Herr, Messrs. Hunter, Knisley, Monaghan, Nevin, Schouweiler and Young, who were excused.

Prayer by the Chaplain, Reverend Gerald V. Case.

Pledge of allegiance to the flag.

Mr. Evans moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 22, 1960.

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 35, 121, 128.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 34, 97, 111.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 119, 153.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 10.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 4.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bill No. 51.

MARGARET F. AMUNDSON,
Assistant Secretary of the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Swackhamer moved that he be authorized to introduce a resolution relating to a proposal to amend article 19 of the Constitution of the State of Nevada.

Roll call on Mr. Swackhamer's motion:

YEAS—31.

NAYS—None.

Absent—Berrum, Buckingham, Fitz, Frazier, Giomi, Harmon, Herr, Hunter, Knisley, McKissick, Monaghan, Nevin, Pasquale, Revert, Schouweiler, Young—16.

The motion having received a two-thirds majority, Mr. Speaker declared it carried.

By Mr. Swackhamer:

Assembly Joint Resolution No. 11—Proposing to amend article XIX

of the Constitution of the State of Nevada, relating to Initiative and Referendum, by clarifying the provisions of such article.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That article XIX of the Constitution of the State of Nevada be amended to read as follows :

[ARTICLE XIX

Section 1. Whenever ten per centum or more of the voters of this State, as shown by the number of votes cast at the last preceding general election, shall express their wish that any law or resolution made by the Legislature be submitted to a vote of the people, the officers charged with the duties of announcing and proclaiming elections and of certifying nominations or questions to be voted on, shall submit the question of the approval or disapproval of said law or resolution to be voted on at the next ensuing election wherein a State or Congressional officer is to be voted for, or wherein any question may be voted on, by the electors of the entire State.

Sec. 2. When a majority of the electors voting at a State election shall by their votes signify approval of a law or resolution such law or resolution shall stand as the law of the State and shall not be overruled, annulled, set aside, suspended, or in any way made inoperative except by the direct vote of the people. When such majority shall so signify disapproval the law or resolution so disapproved shall be void and of no effect.

Sec. 3. The people reserve to themselves the power to propose laws and the power to propose amendments to the constitution and to enact or reject the same at the polls, independent of the legislature, and also reserve the power at their option to approve or reject at the polls, in the manner herein provided, any act, item, section or part of any act or measure passed by the legislature, and section one of article four of the constitution shall hereafter be considered accordingly. The first power reserved by the people is the initiative. The initiative petition shall be proposed by not less than ten per cent (10%) of the qualified electors of each of not less than seventy five per cent (75%) of the counties in the state, provided, however, that the total number of qualified electors proposing the said petition shall be not less than ten per cent (10%) of all of the qualified electors of the State. Every such petition shall include the full text of the measure so proposed. Each signer shall affix thereto his or her signature, place of residence and the county within he or she is a qualified elector. Each document comprising the initiative petition filed with the Secretary of State shall have affixed thereto, an affidavit made by one of the signers to each of said documents or to the petition, to the effect that all of the signatures are genuine and that each and every individual who signed his or her name thereto was at the time that he or she signed the petition a bonafide qualified elector of the respective county and the State of Nevada, said affidavit to be executed before a Notary Public or some officer authorized to administer an oath who possesses a seal. Initiative petitions, for all but municipal legislation, shall be filed with the secretary of state not less than thirty (30) days before any regular session of the legislature; the secretary of state shall transmit the same to the legislature as soon as it convenes and organizes. Such initiative measure shall take precedence over all measures of the legislature except appropriation bills, and shall be enacted or rejected by the legislature, without change or amendment, within forty (40) days. If any such initiative measure so proposed by petition as aforesaid, shall be enacted by the legislature and approved by the governor in the same manner as other laws are enacted, same shall become a law, but shall be subject to referendum petition as provided in sections one and two of this article. If said initiative measure be rejected by the legislature, or if no action be taken thereon within said forty (40) days, the secretary of state shall submit the same to the qualified electors for approval or rejection at the next ensuing general election; and if a majority of the qualified electors voting thereon shall approve of such measure it shall become a law and take effect from the date of the official declaration of the vote; an initiative measure so approved by the qualified electors shall not be annulled, set aside or repealed by the legislature within three (3) years from the date said act takes effect. In case the legislature shall reject such initiative measure, said

body may, with the approval of the governor, propose a different measure on the same subject, in which event both measures shall be submitted by the secretary of state to the qualified electors for approval or rejection at the next ensuing general election. The enacting clause of all bills proposed by the initiative shall be: "The people of the State of Nevada do enact as follows." The total number of votes cast at the general election last preceding the filing of any initiative petition shall be the basis on which the number of qualified electors required to sign such petition shall be counted. The second power reserved by the people is the referendum, which shall be exercised in the manner provided in sections one and two of this article. The initiative and referendum powers in this article provided for are further reserved to the qualified electors of each county and municipality as to all local, special and municipal legislation of every character in or for said respective counties or municipalities. The legislature may provide by law for the manner of exercising the initiative and referendum powers as to county and municipal legislation, but shall not require a petition of more than 10 per cent (10%) of the qualified electors to order the referendum, nor more than 15 per cent (15%) to propose any municipal measure by initiative. If the conflicting measures submitted to the people at the next ensuing general election shall both be approved by a majority of the votes severally cast for and against each of said measures, the measure receiving the highest number of affirmative votes shall thereupon become a law as to all conflicting provisions. The provisions of this section shall be self-executing, but legislation may be especially enacted to facilitate its operation.]

ARTICLE 19.

Initiative and Referendum

Section 1. 1. Whenever a number of registered voters of this state equal to 10 percent or more of the number of voters who voted at the last preceding general election shall express their wish by filing a petition in the form provided for in section 3 of this article that any statute or resolution or any part thereof enacted by the legislature be submitted to a vote of the people, the officers charged with the duties of announcing and proclaiming elections and of certifying nominations or questions to be voted upon shall submit the question of approval or disapproval of such statute or resolution or any part thereof to a vote of the voters at the next succeeding election at which such question may be voted upon by the registered voters of the entire state.

2. If a majority of the voters voting upon the proposal submitted at such election votes approval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall stand as the law of the state and shall not be amended, annulled, repealed, set aside, suspended or in any way made inoperative except by the direct vote of the people. If a majority of such voters votes disapproval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall be void and of no effect.

Sec. 2. 1. Notwithstanding the provisions of section 1 of article 4 of this constitution, the people reserve to themselves the power to propose, by initiative petition, statutes and amendments to statutes and amendments to this constitution, and to enact or reject them at the polls.

2. An initiative petition shall be in the form required by section 3 of this article and shall be proposed by a number of registered voters equal to 10 percent or more of the number of voters who voted at the last preceding general election in not less than 75 percent of the counties in the state, but the total number of registered voters signing the initiative petition shall be equal to 10 percent or more of the voters who voted in the entire state at the last preceding general election.

3. If the initiative petition proposes a statute or an amendment to a statute, it shall be filed with the secretary of state not less than 30 days prior to any regular session of the legislature. The secretary of state shall transmit such petition to the legislature as soon as the legislature convenes and organizes. The petition shall take precedence over all other measures except appropriation bills, and the statute or amendment to a statute proposed thereby shall be enacted or rejected by the legislature without change or amendment within 40 days. If the proposed statute or amendment to a statute is enacted

by the legislature and approved by the governor in the same manner as other statutes are enacted, such statute or amendment to a statute shall become law, but shall be subject to referendum petition as provided in section 1 of this article. If the statute or amendment to a statute is rejected by the legislature, or if no action is taken thereon within 40 days, the secretary of state shall submit the question of approval or disapproval of such statute or amendment to a statute to a vote of the voters at the next succeeding general election. If a majority of the voters voting on such question at such election votes approval of such statute or amendment to a statute, it shall become law and take effect upon completion of the canvass of votes by the supreme court. An initiative measure so approved by the voters shall not be amended, annulled, repealed, set aside or suspended by the legislature within 3 years from the date it takes effect. If a majority of such voters votes disapproval of such statute or amendment to a statute, no further action shall be taken on such petition. If the legislature rejects such proposed statute or amendment, the governor may recommend to the legislature and the legislature may propose a different measure on the same subject, in which event, after such different measure has been approved by the governor, the question of approval or disapproval of each measure shall be submitted by the secretary of state to a vote of the voters at the next succeeding general election. If the conflicting provisions submitted to the voters are both approved by a majority of the voters voting on such measures, the measure which receives the largest number of affirmative votes shall thereupon become law.

4. If the initiative petition proposes an amendment to the constitution, it shall be filed with the secretary of state not less than 60 days before any regular general election at which the question of approval or disapproval of such amendment may be voted upon by the voters of the entire state. The secretary of state shall cause to be published in a newspaper of general circulation, on three separate occasions, in each county in the state, together with any explanatory matter which shall be placed upon the ballot, the entire text of the proposed amendment. If a majority of the voters voting on such question at such election votes disapproval of such amendment, no further action shall be taken on the petition. If a majority of such voters votes approval of such amendment, the secretary of state shall publish and resubmit the question of approval or disapproval to a vote of the voters at the next succeeding general election in the same manner as such question was originally submitted. If a majority of such voters votes disapproval of such amendment, no further action shall be taken on such petition. If a majority of such voters votes approval of such amendment, it shall become a part of this constitution upon completion of the canvass of votes by the supreme court.

Sec. 3. Each referendum petition and initiative petition shall include the full text of the measure proposed. Each signer shall affix thereto his or her signature, residence address and the name of the county in which he or she is a registered voter. The petition may consist of more than one document, but each document shall have affixed thereto an affidavit made by one of the signers of such document to the effect that all of the signatures are genuine and that each individual who signed such document was at the time of signing a registered voter in the county of his or her residence. The affidavit shall be executed before a person authorized by law to administer oaths in the State of Nevada. The enacting clause of all statutes or amendments proposed by initiative petition shall be: "The People of the State of Nevada do enact as follows:".

Sec. 4. The initiative and referendum powers provided for in this article are further reserved to the registered voters of each county and each municipality as to all local, special and municipal legislation of every kind in or for such county or municipality. In counties and municipalities initiative petitions may be instituted by a number of registered voters equal to 15 percent or more of the voters who voted at the last preceding general county or municipal election. Referendum petitions may be instituted by 10 percent or more of such voters.

Sec. 5. The provisions of this article are self-executing but the legislature may provide by law for procedures to facilitate the operation thereof.

Mr. Swackhamer moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Senate Concurrent Resolution No. 10.

Mr. Evans moved the adoption of the resolution.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING, AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 239—An Act authorizing and directing the conveyance, without consideration, of certain real property located in Washoe County from the Nevada State Hospital to the State Department of Buildings and Grounds.

Mr. Rowntree moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 111.

Mr. Evans moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 34.

Mr. Evans moved that the bill be referred to the Committee on Fish and Game.

Motion carried.

Senate Bill No. 97.

Mr. Evans moved that the bill be referred to the Committee on Roads and Transportation.

Motion carried.

Senate Bill No. 35.

Mr. Evans moved that the bill be referred to the Committee on Fish and Game.

Motion carried.

Senate Bill No. 121.

Mr. Evans moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 128.

Mr. Evans moved that the bill be referred to a Select Committee of the Mineral County Delegation.

Motion carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Evans moved that Assembly Bill No. 27 be taken from the Second Reading File and placed on the Second Reading File for the next legislative day.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

The Committee on Conference concerning Assembly Bill No. 70, consisting of the undersigned members, has met, and reports that it has agreed to recommend that the amendments of the Senate be concurred in.

ALBERT E. PASQUALE,
ARCHIE POZZI, JR.,
JACK W. BAY,

FRED H. SETTELMAYER,
RENE W. LEMAIRE,
WILLIAM J. FRANK.

Assembly Committee on Conference.

Senate Committee on Conference.

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Joint Resolution No. 11, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

J. ROGER BISSETT, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Knisley moved that all rules be suspended, Assembly Joint Resolution No. 11 considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

Motion carried unanimously.

Mr. Knisley moved that all rules be suspended, Assembly Joint Resolution No. 12 considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

Motion carried unanimously.

Mr. Pasquale moved that the Assembly adopt the report of the Committee on Conference concerning Assembly Bill No. 70.

Motion carried.

Mr. Evans moved that the vote whereby Senate Bill No. 85 was passed be rescinded.

Remarks by Messrs. Evans and Rowntree.

Motion carried unanimously.

Mr. Giomi moved that Senate Bill No. 85 be taken from the General File and re-referred to a Joint Committee of Agriculture and Irrigation and Labor.

Motion carried.

Mr. Evans moved that the Assembly recess until 2 p. m.

Motion carried.

Assembly in recess at 12:10 p. m.

ASSEMBLY IN SESSION

At 2:08 p. m.

Mr. Speaker in the Chair.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Select Committee of the Mineral County Delegation, to which was referred Assembly Concurrent Resolution No. 18, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

G. JOE VIANI,
BRUCE M. PARKS.

FIFTIETH SESSION

395

Amendment No. 664.

Amend the bill as a whole by adding thereto a new section to be designated as section 40, which shall immediately follow renumbered section 39 and shall read as follows:

"Sec. 40. This act shall become effective on May 1, 1960."

Mr. Pozzi moved that the Assembly concur in the Senate amendments to Assembly Bill No. 10.

Remarks by Mr. Waters.

Motion carried.

Bill ordered enrolled.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 11.

Resolution read third time.

Remarks by Messrs. Swackhamer, Knisley and Harmon.

Roll call on Assembly Joint Resolution No. 11:

YEAS—40.

NAYS—None.

Absent—McKissick, Pozzi—2.

Not voting—Frazier, Giomi, Harmon, Herr, Leavitt—5.

Assembly Joint Resolution No. 11 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 12.

Resolution read third time.

Remarks by Mr. Humphrey (Washoe).

Roll call on Assembly Joint Resolution No. 12:

YEAS—12.

NAYS—Ryan.

Absent—Giomi, Nevin, Pozzi—3.

Not voting—Christensen (Washoe).

Assembly Joint Resolution No. 12 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 270.

Bill read third time.

Remarks by Mr. Bailey.

Roll call on Assembly Bill No. 270:

YEAS—45.

NAYS—None.

Absent—Pozzi.

Not voting—Bay.

Assembly Bill No. 270 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 271.

Bill read third time.

Remarks by Mr. Knisley.

FIFTIETH SESSION

333

Assembly Bill No. 271.

Senator Whitacre moved that the bill be referred to the Committee on Finance.

Seconded by Senator Slattery.

Motion carried.

Assembly Bill No. 272.

Senator Whitacre moved that the bill be referred to the Committee on Finance.

Seconded by Senator Slattery.

Motion carried.

Assembly Bill No. 273.

Senator Whitacre moved that the bill be referred to the Committee on Finance.

Seconded by Senator Slattery.

Motion carried.

Assembly Bill No. 117.

Senator Whitacre moved that the bill be referred to the Committee on Judiciary.

Seconded by Senator Slattery.

Motion carried.

Assembly Bill No. 156.

Senator Whitacre moved that the bill be referred to the Committee on Finance.

Seconded by Senator Slattery.

Motion carried.

Assembly Bill No. 235.

Senator Whitacre moved that the bill be referred to the Committee on Judiciary.

Seconded by Senator Slattery.

Motion carried.

Assembly Bill No. 245.

Senator Whitacre moved that the bill be referred to the Committee on Aviation, Transportation and Highways.

Seconded by Senator Slattery.

Motion carried.

Assembly Bill No. 274.

Senator Whitacre moved that the bill be referred to the Committee on Finance.

Seconded by Senator Slattery.

Motion carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Assembly Joint Resolution No. 11.

Senator Whitacre moved that the resolution be referred to the Committee on Judiciary.

Seconded by Senator Slattery.
Motion carried.

Assembly Joint Resolution No. 12.
Senator Whitacre moved that the resolution be referred to the Committee on Federal Affairs.

Seconded by Senator Slattery.
Motion carried.

Assembly Concurrent Resolution No. 18.
Senator SeEVERS moved the adoption of the resolution.
Seconded by Senator Slattery.
Resolution adopted unanimously.

Mr. President instructed the Secretary to read the following communication:

March 11, 1960.

THE HONORABLE SENATE AND ASSEMBLY, *State of Nevada, Carson City, Nevada.*

LADIES AND GENTLEMEN: The McCarran Statue Committee, created by the 1955 Legislature, and directed to produce and have placed in Statuary Hall in the Capitol in Washington a statue of the late Senator Pat McCarran, will have completed its work on March 23, when the statue will be unveiled and presented to the United States Senate.

The members of the Committee are happy to report to you that this assignment has been completed, and we invite you to participate in the ceremonies which are being arranged by Senator Alan Bible and his staff, assisted by Senator Howard Cannon and Representative Walter Baring.

We wish to take this means to thank you, the State Officers past and present, and the many friends of the late and beloved Senator, for your cooperation.

Sincerely,

JOSEPH F. McDONALD, *Chairman,*
NORMAN BILTZ, *Vice Chairman,*
REX BELL, *Treasurer,*
CHARLES RUSSELL,

CYRIL BASTIAN,
WILLIAM CARTER,
RALPH DENTON.

GENERAL FILE AND THIRD READING

Assembly Bill No. 179.
Bill read third time.
Remarks by Senators Settlemeyer and Lamb.
Roll call on Assembly Bill No. 179:

YEAS—14.

NAYS—Lemaire, Rand, Slattery—3.

Assembly Bill No. 179 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 266.
Bill read third time.
Roll call on Assembly Bill No. 266:

YEAS—16.

NAYS—Monroe.

Assembly Bill No. 266 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Mr. President announced that if there were no objections the Senate would recess subject to the call of the Chair.

Senate in recess at 11:39 a. m.

SENATE IN SESSION

At 11:40 a. m.

President Bell presiding.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

Senator Whitacre moved that the Senate recess until 2 p. m.

Seconded by Senator Black.

Motion carried.

Senate in recess at 11:41 a. m.

SENATE IN SESSION

At 2:25 p. m.

President Bell presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. President:

Your Committee on Aviation, Transportation and Highways, to which was referred Assembly Bill No. 245, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

CARL F. DODGE, *Chairman.*

Mr. President:

Your Committee on Finance, to which were referred Assembly Bills Nos. 264, 265, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

FRED H. SETTELMAYER, *Chairman.*

Mr. President:

Your Committee on Federal Affairs, to which was referred Assembly Joint Resolution No. 12, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES M. SLATTERY, *Chairman.*

Mr. President:

Your Committee on Judiciary, to which was referred Assembly Joint Resolution No. 11, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

WALTER WHITACRE, *Chairman.*

Mr. President:

Your Committee on Finance, to which were referred Assembly Bills Nos. 143, 145, 152, 156, 219, 267, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

FRED H. SETTELMAYER, *Chairman.*

Mr. President:

Your Committee on Finance, to which were referred Assembly Bills Nos. 270, 271, 272, 273, 274, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

FRED H. SETTELMAYER, *Chairman.*

Assembly Bill No. 264 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 265.

Bill read third time.

Roll call on Assembly Bill No. 265:

YEAS—17.

NAYS—None.

Assembly Bill No. 265 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 12.

Resolution read third time.

Roll call on Assembly Joint Resolution No. 12:

YEAS—17.

NAYS—None.

Assembly Joint Resolution No. 12 having received a constitutional majority, Mr. President declared it passed.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 11.

Resolution read third time.

Roll call on Assembly Joint Resolution No. 11:

YEAS—15.

NAYS—Monroe.

Absent—Dial.

Assembly Joint Resolution No. 11 having received a constitutional majority, Mr. President declared it passed.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 143.

Bill read third time.

Remarks by Senators Settlemeyer and Brown.

Roll call on Assembly Bill No. 143:

YEAS—17.

NAYS—None.

Assembly Bill No. 143 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 145.

Bill read third time.

Roll call on Assembly Bill No. 145:

YEAS—17.

NAYS—None.

Assembly Bill No. 145 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 152.

Bill read third time.

History of Nevada to every civics class in each high school in the State of Nevada and to every American government class in each junior high school in the State of Nevada.

Assembly Concurrent Resolution No. 17—Mr. Revert

FILE NUMBER 34

ASSEMBLY CONCURRENT RESOLUTION—Expressing congratulations to William Henry Thomas on 40 years of service as sheriff of Nye County.

WHEREAS, William Henry Thomas was born in Austin, Nevada on April 9, 1876; and

WHEREAS, William H. Thomas moved to Tonopah, Nevada in 1902; and

WHEREAS, William H. Thomas was first elected sheriff of Nye County in November 1916; and

WHEREAS, Mr. Thomas faithfully and honorably served the people of Nye County as sheriff for a total of 40 years, the last 38 of which were consecutive; and

WHEREAS, At the time of his retirement in 1958, Sheriff Thomas, at the age of 82, was the oldest living active sheriff in the United States; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the legislature of the State of Nevada hereby extends to William Henry Thomas its most hearty congratulations, and acknowledges the pride of the people of our state in his outstanding achievements and many years of service to his county and state; and be it further

Resolved, That a certified copy of this resolution be prepared and transmitted forthwith by the legislative counsel to Sheriff William Henry Thomas.

Assembly Joint Resolution No. 11—Mr. Swackhamer

[To be returned to 1961 Legislature]

FILE NUMBER 35

ASSEMBLY JOINT RESOLUTION—Proposing to amend article XIX of the constitution of the State of Nevada, relating to initiative and referendum, by clarifying the provisions of such article.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That article XIX of the constitution of the State of Nevada be amended to read as follows:

[ARTICLE XIX

SECTION 1. Whenever ten per centum or more of the voters of this State, as shown by the number of votes cast at the last preceding

general election, shall express their wish that any law or resolution made by the Legislature be submitted to a vote of the people, the officers charged with the duties of announcing and proclaiming elections and of certifying nominations or questions to be voted on, shall submit the question of the approval or disapproval of said law or resolution to be voted on at the next ensuing election wherein a State or Congressional officer is to be voted for, or wherein any question may be voted on, by the electors of the entire State.

SEC. 2. When a majority of the electors voting at a State election shall by their votes signify approval of a law or resolution such law or resolution shall stand as the law of the State and shall not be overruled, annulled, set aside, suspended, or in any way made inoperative except by the direct vote of the people. When such majority shall so signify disapproval the law or resolution so disapproved shall be void and of no effect.

SEC. 3. The people reserve to themselves the power to propose laws and the power to propose amendments to the constitution and to enact or reject the same at the polls, independent of the legislature, and also reserve the power at their option to approve or reject at the polls, in the manner herein provided, any act, item, section or part of any act or measure passed by the legislature, and section one of article four of the constitution shall hereafter be considered accordingly. The first power reserved by the people is the initiative. The initiative petition shall be proposed by not less than ten per cent (10%) of the qualified electors of each of not less than seventy five per cent (75%) of the counties in the state, provided, however, that the total number of qualified electors proposing the said petition shall be not less than ten per cent (10%) of all of the qualified electors of the State. Every such petition shall include the full text of the measure so proposed. Each signer shall affix thereto his or her signature, place of residence and the county within which he or she is a qualified elector. Each document comprising the initiative petition filed with the Secretary of State shall have affixed thereto, an affidavit made by one of the signers to each of said documents or to the petition, to the effect that all of the signatures are genuine and that each and every individual who signed his or her name thereto was at the time that he or she signed the petition a bonafide qualified elector of the respective county and the State of Nevada, said affidavit to be executed before a Notary Public or some officer authorized to administer an oath who possesses a seal. Initiative petitions, for all but municipal legislation, shall be filed with the secretary of state not less than thirty (30) days before any regular session of the legislature; the secretary of state shall transmit the same to the legislature as soon as it convenes and organizes. Such initiative measure shall take precedence over all measures of the legislature except appropriation bills, and shall be enacted or rejected by the legislature, without change or amendment, within forty (40) days. If any such initiative measure so proposed by petition as aforesaid, shall be enacted by the legislature and approved by the governor in the same manner as other laws are enacted, same shall become a law,

but shall be subject to referendum petition as provided in sections one and two of this article. If said initiative measure be rejected by the legislature, or if no action be taken thereon within said forty (40) days, the secretary of state shall submit the same to the qualified electors for approval or rejection at the next ensuing general election; and if a majority of the qualified electors voting thereon shall approve of such measure it shall become a law and take effect from the date of the official declaration of the vote; an initiative measure so approved by the qualified electors shall not be annulled, set aside or repealed by the legislature within three (3) years from the date said act takes effect. In case the legislature shall reject such initiative measure, said body may, with the approval of the governor, propose a different measure on the same subject, in which event both measures shall be submitted by the secretary of state to the qualified electors for approval or rejection at the next ensuing general election. The enacting clause of all bills proposed by the initiative shall be: "The people of the State of Nevada do enact as follows." The total number of votes cast at the general election last preceding the filing of any initiative petition shall be the basis on which the number of qualified electors required to sign such petition shall be counted. The second power reserved by the people is the referendum, which shall be exercised in the manner provided in sections one and two of this article. The initiative and referendum powers in this article provided for are further reserved to the qualified electors of each county and municipality as to all local, special and municipal legislation of every character in or for said respective counties or municipalities. The legislature may provide by law for the manner of exercising the initiative and referendum powers as to county and municipal legislation, but shall not require a petition of more than 10 per cent (10%) of the qualified electors to order the referendum, nor more than 15 per cent (15%) to propose any municipal measure by initiative. If the conflicting measures submitted to the people at the next ensuing general election shall both be approved by a majority of the votes severally cast for and against each of said measures, the measure receiving the highest number of affirmative votes shall thereupon become a law as to all conflicting provisions. The provisions of this section shall be self-executing, but legislation may be especially enacted to facilitate its operation.】

ARTICLE 19.

Initiative and Referendum

SECTION 1. 1. *Whenever a number of registered voters of this state equal to 10 percent or more of the number of voters who voted at the last preceding general election shall express their wish by filing a petition in the form provided for in section 3 of this article that any statute or resolution or any part thereof enacted by the legislature be submitted to a vote of the people, the officers charged with the duties of announcing and proclaiming elections and of certifying nominations or questions to be voted upon shall submit the question of approval or disapproval of such statute or resolution or any part*

thereof to a vote of the voters at the next succeeding election at which such question may be voted upon by the registered voters of the entire state.

2. If a majority of the voters voting upon the proposal submitted at such election votes approval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall stand as the law of the state and shall not be amended, annulled, repealed, set aside, suspended or in any way made inoperative except by the direct vote of the people. If a majority of such voters votes disapproval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall be void and of no effect.

SEC. 2. 1. Notwithstanding the provisions of section 1 of article 4 of this constitution, the people reserve to themselves the power to propose, by initiative petition, statutes and amendments to statutes and amendments to this constitution, and to enact or reject them at the polls.

2. An initiative petition shall be in the form required by section 3 of this article and shall be proposed by a number of registered voters equal to 10 percent or more of the number of voters who voted at the last preceding general election in not less than 75 percent of the counties in the state, but the total number of registered voters signing the initiative petition shall be equal to 10 percent or more of the voters who voted in the entire state at the last preceding general election.

3. If the initiative petition proposes a statute or an amendment to a statute, it shall be filed with the secretary of state not less than 30 days prior to any regular session of the legislature. The secretary of state shall transmit such petition to the legislature as soon as the legislature convenes and organizes. The petition shall take precedence over all other measures except appropriation bills, and the statute or amendment to a statute proposed thereby shall be enacted or rejected by the legislature without change or amendment within 40 days. If the proposed statute or amendment to a statute is enacted by the legislature and approved by the governor in the same manner as other statutes are enacted, such statute or amendment to a statute shall become law, but shall be subject to referendum petition as provided in section 1 of this article. If the statute or amendment to a statute is rejected by the legislature, or if no action is taken thereon within 40 days, the secretary of state shall submit the question of approval or disapproval of such statute or amendment to a statute to a vote of the voters at the next succeeding general election. If a majority of the voters voting on such question at such election votes approval of such statute or amendment to a statute, it shall become law and take effect upon completion of the canvass of votes by the supreme court. An initiative measure so approved by the voters shall not be amended, annulled, repealed, set aside or suspended by the legislature within 3 years from the date it takes effect. If a majority of such voters votes disapproval of such statute or amendment to a statute,

no further action shall be taken on such petition. If the legislature rejects such proposed statute or amendment, the governor may recommend to the legislature and the legislature may propose a different measure on the same subject, in which event, after such different measure has been approved by the governor, the question of approval or disapproval of each measure shall be submitted by the secretary of state to a vote of the voters at the next succeeding general election. If the conflicting provisions submitted to the voters are both approved by a majority of the voters voting on such measures, the measure which receives the largest number of affirmative votes shall thereupon become law.

4. If the initiative petition proposes an amendment to the constitution, it shall be filed with the secretary of state not less than 60 days before any regular general election at which the question of approval or disapproval of such amendment may be voted upon by the voters of the entire state. The secretary of state shall cause to be published in a newspaper of general circulation, on three separate occasions, in each county in the state, together with any explanatory matter which shall be placed upon the ballot, the entire text of the proposed amendment. If a majority of the voters voting on such question at such election votes disapproval of such amendment, no further action shall be taken on the petition. If a majority of such voters votes approval of such amendment, the secretary of state shall publish and resubmit the question of approval or disapproval to a vote of the voters at the next succeeding general election in the same manner as such question was originally submitted. If a majority of such voters votes disapproval of such amendment, no further action shall be taken on such petition. If a majority of such voters votes approval of such amendment, it shall become a part of this constitution upon completion of the canvass of votes by the supreme court.

SEC. 3. Each referendum petition and initiative petition shall include the full text of the measure proposed. Each signer shall affix thereto his or her signature, residence address and the name of the county in which he or she is a registered voter. The petition may consist of more than one document, but each document shall have affixed thereto an affidavit made by one of the signers of such document to the effect that all of the signatures are genuine and that each individual who signed such document was at the time of signing a registered voter in the county of his or her residence. The affidavit shall be executed before a person authorized by law to administer oaths in the State of Nevada. The enacting clause of all statutes or amendments proposed by initiative petition shall be: "The People of the State of Nevada do enact as follows:".

SEC. 4. The initiative and referendum powers provided for in this article are further reserved to the registered voters of each county and each municipality as to all local, special and municipal legislation of every kind in or for such county or municipality. In counties and municipalities initiative petitions may be instituted by a number of registered voters equal to 15 percent or more of the voters who voted

at the last preceding general county or municipal election. Referendum petitions may be instituted by 10 percent or more of such voters.

SEC. 5. *The provisions of this article are self-executing but the legislature may provide by law for procedures to facilitate the operation thereof.*

Assembly Concurrent Resolution No. 18—Mr. Viani

FILE NUMBER 36

ASSEMBLY CONCURRENT RESOLUTION—Memorializing Mineral County High School Band for its fine showing at 1960 Olympic Winter Games.

WHEREAS, The greatest event in the history of winter sports, the 1960 Olympic Winter Games, was recently held at Squaw Valley, California; and

WHEREAS, An important factor in the spectacular success of the Games was the beautiful and inspiring pageantry with which the Games were officially opened; and

WHEREAS, The Mineral County High School Band joined the ranks of many musicians and provided the music that was an indispensable part of the pageantry; and

WHEREAS, Under the masterful direction of Kenneth Howat, the Mineral County High School Band was one of the outstanding bands present; and

WHEREAS, The members of the Mineral County High School Band have earned the praises of all those who have seen and heard them, and have been a great credit to the United States of America and the State of Nevada; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the congratulations of the members of the 50th session of the legislature of the State of Nevada be extended to the Mineral County High School Band and its director Kenneth Howat, for their fine showing at the 1960 Olympic Winter Games; and be it further

Resolved, That a certified copy of this resolution be prepared and transmitted forthwith by the legislative counsel to Mineral County High School.

Assembly Concurrent Resolution No. 19—Committee on Legislative Functions

FILE NUMBER 37

ASSEMBLY CONCURRENT RESOLUTION—Expressing the appreciation of the 50th session of the Nevada legislature for the courtesies extended to its members by the city of Carson City and its governing body.

WHEREAS, The city of Carson City and its governing body have generously afforded to the members of the legislature of the State of

A. J. R. 11 of the 50th Session—Swackhamer.

Summary—Proposes to amend the Nevada Constitution by clarifying the initiative and referendum provisions. (BDR C-613)

Jan. 23—Read first time. Referred to Committee on Judiciary. To committee.

Feb. 14—From committee: Do pass.

Feb. 15—Read second time. To engrossment. Engrossed.

Feb. 16—Read third time. Passed. Title approved. To Senate.

Feb. 17—In Senate. Read first time. Referred to Committee on Judiciary. To committee.

Mar. 6—From committee: Do pass. Read second time.

Mar. 7—Read third time. Passed. Title approved. To Assembly.

Mar. 8—In Assembly. To enrollment.

Mar. 9—Enrolled and delivered to Secretary of State. File No. 44.

THE EIGHTH DAY

CARSON CITY (Monday), January 23, 1961.

Assembly called to order at 11:06 a. m.

Speaker Christensen presiding.

Roll called.

All present except Mr. Revert, who was excused.

Prayer by the Chaplain, Reverend Gerald V. Case.

Pledge of allegiance to the flag.

Mr. McElroy moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Select Committee of the Mineral County Delegation, to which were referred Assembly Bills Nos. 6, 7, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

G. JOE VIANI, *Chairman.*

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. McElroy moved that the Special Order of Business for January 23, 1961, concerning vetoed Assembly Bill No. 179 of the 50th Session be made a Special Order of Business for Tuesday, January 24, 1961, at 11:30 a. m.

Motion carried.

By Mr. Pozzi:

Assembly Joint Resolution No. 6 of the 50th Session—Proposing to amend section 5 of article 9 and section 1 of article 10 of the constitution of the State of Nevada, relating to the proceeds of certain taxes, licenses and fees and to taxation, by authorizing the legislature to provide for a tax upon motor vehicles in lieu of an ad valorem property tax, and by excepting the proceeds of any such tax from the requirement that the proceeds of certain taxes, licenses, and fees be used in the repair, maintenance and construction of public highways in the state.

Mr. McElroy moved that the resolution be referred to the Committee on Roads and Transportation.

Motion carried.

By Mr. Swackhamer:

Assembly Joint Resolution No. 11 of the 50th Session—Proposing to amend article XIX of the Constitution of the State of Nevada, relating to initiative and referendum, by clarifying the provisions of such article.

Mr. McElroy moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE

By Messrs. Von Tobel, Gibson, Tyson, Briare, Hafen, Bunker, Posin and Miss Frazier:

Assembly Bill No. 35—An Act to amend chapter 244 of NRS, relating to county government, by adding a new section authorizing the boards of county commissioners to establish the standard of time for their respective counties; to amend NRS section 237.010, relating to daylight saving time, by providing that a proclamation by the Governor establishing daylight saving time shall apply only to counties where the boards of county commissioners have not established the standard of time; and providing other matters properly relating thereto.

Mr. Von Tobel moved that the bill be referred to the Committee on State, County and City Affairs.

Motion carried.

Mr. McElroy moved that the Assembly recess until 1:30 p. m.

Motion carried.

Assembly in recess at 11:50 a. m.

ASSEMBLY IN SESSION

At 1:37 p. m.

Speaker Christensen presiding.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

By Messrs. McKissick and Swackhamer:

Assembly Joint Resolution No. 6—Proposing to repeal section 7 of article 2 of the Constitution of the State of Nevada, relating to the levy of a poll tax.

Mr. McKissick moved that the resolution be referred to the Committee on Taxation.

Motion carried.

By the Committee on Legislative Functions:

Assembly Resolution No. 5—Relating to the employment of an attaché.

Mr. Jones moved the adoption of the resolution.

Resolution adopted.

INTRODUCTION, FIRST READING, AND REFERENCE

By Messrs. Schouweiler and Briare:

Assembly Bill No. 36—An Act to amend NRS sections 266.355, 269.170 and 686.020, relating to business licenses and to fees and charges of the Commissioner of Insurance, by prohibiting licensing of insurance agents by cities, towns and counties except for revenue purposes in cities, towns and counties in which the principal places

THE THIRTIETH DAY

CARSON CITY (Tuesday), February 14, 1961.

Assembly called to order at 11:07 a. m.

Speaker Christensen presiding.

Roll called.

All present except Mr. Palludan, who was excused.

Prayer by the Chaplain, Reverend Andrew Daughters.

Pledge of allegiance to the flag.

Mr. McElroy moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 20, 173; Senate Bill No. 20; Assembly Joint Resolution No. 11 of the 50th Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

J. ROGER BISSETT, *Chairman*.

Mr. Speaker:

Your Committee on Roads and Transportation, to which were referred Assembly Bills Nos. 147, 169; Senate Bill No. 71, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT REVERT, *Chairman*.

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 104, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

MAUDE FRAZIER, *Chairman*.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 13, 1961.

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 79, 85, 86.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 25.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 46, 89, 90, 91, 98.

LEOLA H. ARMSTRONG,
Secretary of the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Gibson moved that Assembly Bill No. 134 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Mr. Gibson.

Motion carried.

Mr. Crawford moved that the bill be referred to the Committee on Fish and Game.

Motion carried.

Senate Bill No. 16.

Mr. McElroy moved that the bill be referred to the Committee on Judiciary.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Joint Resolution No. 11 of the 50th Session.

Resolution read second time, ordered engrossed and to third reading.

Speaker pro tempore Giomi presiding.

Assembly Bill No. 20.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 173.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 109.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 20.

Bill read second time, and ordered to third reading.

Senate Bill No. 71.

Bill read second time, and ordered to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 17.

Bill read third time.

Remarks by Mr. Bissett.

Roll call on Senate Bill No. 17:

YEAS—45.

NAYS—None.

Absent—Crawford, Hafen—2.

Senate Bill No. 17 having received a constitutional majority, Mr. Speaker pro tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 63.

Bill read third time.

Remarks by Mr. Gibson.

Roll call on Senate Bill No. 63:

YEAS—45.

NAYS—None.

Absent—Bissett, Hafen—2.

Senate Bill No. 63 having received a constitutional majority, Mr. Speaker pro tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 8.

Bill read third time.

FIFTY-FIRST SESSION

169

Miss Frazier moved the adoption of the amendments.

Remarks by Miss Frazier.

Amendments adopted.

Bill ordered reprinted, engrossed and to third reading.

Mr. McElroy moved that the Assembly recess until 2 p. m.

Motion carried.

Assembly in recess at 11:51 a. m.

ASSEMBLY IN SESSION

At 2:06 p. m.

Speaker Christensen presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 11 of the 50th Session.

Resolution read third time.

Remarks by Messrs. Swackhamer and Crawford.

Roll call on Assembly Joint Resolution No. 11 of the 50th Session:

YEAS—42.

NAYS—None.

Not voting—Crawford, Frazier, Godbey, Revert, Romeo—5.

Assembly Joint Resolution No. 11 of the 50th Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 20.

Bill read third time.

Remarks by Messrs. McKissick, Swanson, Revert, Bissett and Knisley.

Roll call on Assembly Bill No. 20:

YEAS—31.

NAYS—Bailey, Berrum, Bunker, Frazier, Gibson, Howard, Pozzi, Revert, Romeo, Swanson, Valentine, Waters—12.

Not voting—Baker, Hafen, Petrini, Mr. Speaker—4.

Assembly Bill No. 20 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 109.

Bill read third time.

Remarks by Messrs. Tyson, Kean, Briare, Bastian, Knisley, Gibson, Rowntree and Posin.

Roll call on Assembly Bill No. 109:

YEAS—43.

NAYS—Berrum, Kean, Rowntree, Schouweiler—4.

Assembly Bill No. 109 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

There being no objections, the Speaker and Chief Clerk signed Assembly Concurrent Resolution No. 4.

value of the policy for any loss of 80 percent or more of the property insured; and providing other matters properly relating thereto.

Senator Slattery moved that the bill be referred to the Committee on Banks, Banking and Corporations.

Seconded by Senator Lemaire.

Motion carried.

By the Committee on State, County and City Affairs:

Senate Bill No. 116—An Act to amend NRS section 244.050, relating to county commissioner districts in counties having less than 50,000 population, by establishing a procedure for the abolition of such districts; by changing the procedure for their creation; and providing other matters properly relating thereto.

Senator Dodge moved that the bill be referred to a Joint Committee of State, County and City Affairs and Judiciary.

Seconded by Senator Lemaire.

Motion carried.

Assembly Bill No. 20.

Senator Whitacre moved that the bill be referred to the Committee on Judiciary.

Seconded by Senator Slattery.

Motion carried.

Assembly Bill No. 109.

Senator Whitacre moved that the bill be referred to the Committee on Finance.

Seconded by Senator Slattery.

Motion carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Assembly Joint Resolution No. 11 of the 50th Session.

Senator Whitacre moved that the resolution be referred to the Committee on Judiciary.

Seconded by Senator Slattery.

Motion carried.

By Senators Slattery and Echeverria:

Senate Concurrent Resolution No. 5—Commending H. S. Bonnemort and Jack Good for their assistance in the Truckee River flood control project.

Senator Slattery moved the adoption of the resolution.

Seconded by Senator Echeverria.

Remarks by Senators Echeverria, Slattery and Lemaire.

Resolution adopted.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Echeverria, the privilege of the floor of the Senate Chamber for this day was extended to Mr. Jim Lorigan.

On request of Senator Gallagher, the privilege of the floor of the Senate Chamber for this day was extended to Mr. Bert Hanks, Mr. and Mrs. Eli Evasovic and Mrs. Mildred Ward.

THE FIFTIETH DAY

CARSON CITY (Monday), March 6, 1961.

Senate called to order at 11:25 a. m.

President Bell presiding.

Roll called.

All present except Senator Whitacre, who was excused.

Prayer by the Chaplain, Reverend Clyde E. Teel.

Senator Gallagher moved that further reading of the Journal be dispensed with, and the President and Secretary be authorized to make the necessary corrections and additions.

Seconded by Senator Slattery.

Motion carried.

REPORTS OF COMMITTEES

Mr. President:

Your Committee on Judiciary, to which was referred Senate Bill No. 41, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

CARL F. DODGE, *Chairman.*

Mr. President:

Your Committee on Education and State University, to which was referred Senate Joint Resolution No. 8, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

CHARLES D. GALLAGHER, *Chairman.*

Mr. President:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 168, 169, 171, 176; Assembly Bills Nos. 96, 221, 251; Assembly Joint Resolution No. 11 of the 50th Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

CARL F. DODGE, *Chairman.*

SECOND READING AND AMENDMENT

Senate Bill No. 41.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 333.

Amend sec. 2, page 2, by striking out lines 23 to 25, inclusive, in their entirety and inserting in lieu thereof the following:

"4. Is of good moral character and has been a resident of the State of Nevada for at least 6 months."

Senator Dodge moved the adoption of the amendment.

Seconded by Senator Slattery.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Joint Resolution No. 8.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 168.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 169.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 171.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 176.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 96.

Bill read second time, and ordered to third reading.

Assembly Bill No. 221.

Bill read second time, and ordered to third reading.

Assembly Bill No. 251.

Bill read second time, and ordered to third reading.

Assembly Joint Resolution No. 11 of the 50th Session.

Resolution read second time, and ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE

By the Committee on Public Health:

Senate Bill No. 181—An Act to amend NRS sections 639.070 and 639.310, relating to the powers and duties of the State Board of Pharmacy and to penalties, by allowing such board to adopt a code of ethics; by providing that the regulations of such board have the force and effect of law; by providing penalties; and by providing other matters properly relating thereto.

Senator Slattery moved that the bill be referred to the Committee on Public Health.

Seconded by Senator Lemaire.

Motion carried.

By the Committee on Public Health:

Senate Bill No. 182—An Act to amend NRS sections 639.010, 639.110, 639.240, 639.250, 639.260 and 639.280, which define terms and relate to compounding and dispensing emergency prescriptions, authorization of the State Board of Pharmacy to issue permits to general dealers in rural districts, the sale of drugs by dealers in rural districts, the prohibition against the sale of drugs by general dealers and the use of the word drug in advertising, by adding definitions; by eliminating the provision that a general dealer must be in a rural district to receive a permit from the State Board of Pharmacy; by increasing the fee for such a permit; and by eliminating references to rural districts; to amend chapter 639 of NRS by adding a new section prohibiting the furnishing by manufacturers and wholesalers of samples of certain drugs; and providing other matters properly relating thereto.

Assembly Bill No. 96 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 221.

Bill read third time.

Roll call on Assembly Bill No. 221:

YEAS—16.

NAYS—None.

Absent—McGowan.

Assembly Bill No. 221 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 251.

Bill read third time.

Roll call on Assembly Bill No. 251:

YEAS—15.

NAYS—Slattery.

Absent—McGowan.

Assembly Bill No. 251 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 11 of the 50th Session.

Resolution read third time.

Roll call on Assembly Joint Resolution No. 11 of the 50th Session:

YEAS—12.

NAYS—Brown, Echeverria, Fransway, Monroe, Slattery—5.

Assembly Joint Resolution No. 11 of the 50th Session having received a constitutional majority, Mr. President declared it passed.

Resolution ordered transmitted to the Assembly.

UNFINISHED BUSINESS

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 71.

The following Assembly amendments were read:

Amendment No. 268.

Amend section 1, page 1, by striking out line 12 in its entirety and inserting in lieu thereof the following: "50,000 population, and in the amount of [\$7,500] \$5,000 if such place of business".

Amendment No. 269.

Amend section 1, page 2, by striking out line 6 in its entirety and inserting in lieu thereof the following: "liability on the bond shall be limited to the payment of \$1,000 or [\$7,500,] \$5,000,".

Amendment No. 270.

Amend the title of the bill by striking out the last line of the title in its entirety and inserting in lieu thereof the following: "located; by reducing the amount of the bond required by dealers and manufacturers in counties having 50,000 or more population; and by providing other matters properly relating thereto."

Assembly Joint Resolution No. 11 of the 50th Session—Mr. Swackhamer

[To be voted on in 1962]

FILE NUMBER 44

ASSEMBLY JOINT RESOLUTION—Proposing to amend article XIX of the constitution of the State of Nevada, relating to initiative and referendum, by clarifying the provisions of such article.

Resolved by the Assembly and Senate of the State of Nevada, jointly,
That article XIX of the constitution of the State of Nevada be amended to read as follows:

[ARTICLE XIX

SECTION 1. Whenever ten per centum or more of the voters of this State, as shown by the number of votes cast at the last preceding general election, shall express their wish that any law or resolution made by the Legislature be submitted to a vote of the people, the officers charged with the duties of announcing and proclaiming elections and of certifying nominations or questions to be voted on, shall submit the question of the approval or disapproval of said law or resolution to be voted on at the next ensuing election wherein a State or Congressional officer is to be voted for, or wherein any question may be voted on, by the electors of the entire State.

SEC. 2. When a majority of the electors voting at a State election shall by their votes signify approval of a law or resolution such law or resolution shall stand as the law of the State and shall not be overruled, annulled, set aside, suspended, or in any way made inoperative except by the direct vote of the people. When such majority shall so signify disapproval the law or resolution so disapproved shall be void and of no effect.

SEC. 3. The people reserve to themselves the power to propose laws and the power to propose amendments to the constitution and to enact or reject the same at the polls, independent of the legislature, and also reserve the power at their option to approve or reject at the polls, in the manner herein provided, any act, item, section or part of any act or measure passed by the legislature, and section one of article four of the constitution shall hereafter be considered accordingly. The first power reserved by the people is the initiative. The initiative petition shall be proposed by not less than ten per cent (10%) of the qualified electors of each of not less than seventy five per cent (75%) of the counties in the state, provided, however, that the total number of qualified electors proposing the said petition shall be not less than ten per cent (10%) of all of the qualified electors of the State. Every such petition shall include the full text of the measure so proposed. Each signer shall affix thereto his or her signature, place of residence and the county within which he or she is a qualified elector. Each document comprising the initiative petition filed with the Secretary of State shall have affixed thereto, an affidavit made by one of the signers to each of said documents or to the petition, to the effect that all of the signatures are genuine and that each and every individual

who signed his or her name thereto was at the time that he or she signed the petition a bonafide qualified elector of the respective county and the State of Nevada, said affidavit to be executed before a Notary Public or some officer authorized to administer an oath who possesses a seal. Initiative petitions, for all but municipal legislation, shall be filed with the secretary of state not less than thirty (30) days before any regular session of the legislature; the secretary of state shall transmit the same to the legislature as soon as it convenes and organizes. Such initiative measure shall take precedence over all measures of the legislature except appropriation bills, and shall be enacted or rejected by the legislature, without change or amendment, within forty (40) days. If any such initiative measure so proposed by petition as aforesaid, shall be enacted by the legislature and approved by the governor in the same manner as other laws are enacted, same shall become a law, but shall be subject to referendum petition as provided in sections one and two of this article. If said initiative measure be rejected by the legislature, or if no action be taken thereon within said forty (40) days, the secretary of state shall submit the same to the qualified electors for approval or rejection at the next ensuing general election; and if a majority of the qualified electors voting thereon shall approve of such measure it shall become a law and take effect from the date of the official declaration of the vote; an initiative measure so approved by the qualified electors shall not be annulled, set aside or repealed by the legislature within three (3) years from the date said act takes effect. In case the legislature shall reject such initiative measure, said body may, with the approval of the governor, propose a different measure on the same subject, in which event both measures shall be submitted by the secretary of state to the qualified electors for approval or rejection at the next ensuing general election. The enacting clause of all bills proposed by the initiative shall be: "The people of the State of Nevada do enact as follows." The total number of votes cast at the general election last preceding the filing of any initiative petition shall be the basis on which the number of qualified electors required to sign such petition shall be counted. The second power reserved by the people is the referendum, which shall be exercised in the manner provided in sections one and two of this article. The initiative and referendum powers in this article provided for are further reserved to the qualified electors of each county and municipality as to all local, special and municipal legislation of every character in or for said respective counties or municipalities. The legislature may provide by law for the manner of exercising the initiative and referendum powers as to county and municipal legislation, but shall not require a petition of more than 10 per cent (10%) of the qualified electors to order the referendum, nor more than 15 per cent (15%) to propose any municipal measure by initiative. If the conflicting measures submitted to the people at the next ensuing general election shall both be approved by a majority of the votes severally cast for and against each of said measures, the measure receiving the highest number of affirmative votes shall thereupon become a law as to all conflicting provisions. The

provisions of this section shall be self-executing, but legislation may be especially enacted to facilitate its operation.】

ARTICLE 19.

Initiative and Referendum

SECTION 1. 1. Whenever a number of registered voters of this state equal to 10 percent or more of the number of voters who voted at the last preceding general election shall express their wish by filing a petition in the form provided for in section 3 of this article that any statute or resolution or any part thereof enacted by the legislature be submitted to a vote of the people, the officers charged with the duties of announcing and proclaiming elections and of certifying nominations or questions to be voted upon shall submit the question of approval or disapproval of such statute or resolution or any part thereof to a vote of the voters at the next succeeding election at which such question may be voted upon by the registered voters of the entire state.

2. If a majority of the voters voting upon the proposal submitted at such election votes approval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall stand as the law of the state and shall not be amended, annulled, repealed, set aside, suspended or in any way made inoperative except by the direct vote of the people. If a majority of such voters votes disapproval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall be void and of no effect.

SEC. 2. 1. Notwithstanding the provisions of section 1 of article 4 of this constitution, the people reserve to themselves the power to propose, by initiative petition, statutes and amendments to statutes and amendments to this constitution, and to enact or reject them at the polls.

2. An initiative petition shall be in the form required by section 3 of this article and shall be proposed by a number of registered voters equal to 10 percent or more of the number of voters who voted at the last preceding general election in not less than 75 percent of the counties in the state, but the total number of registered voters signing the initiative petition shall be equal to 10 percent or more of the voters who voted in the entire state at the last preceding general election.

3. If the initiative petition proposes a statute or an amendment to a statute, it shall be filed with the secretary of state not less than 30 days prior to any regular session of the legislature. The secretary of state shall transmit such petition to the legislature as soon as the legislature convenes and organizes. The petition shall take precedence over all other measures except appropriation bills, and the statute or amendment to a statute proposed thereby shall be enacted or rejected by the legislature without change or amendment within 40 days. If the proposed statute or amendment to a statute is enacted by

the legislature and approved by the governor in the same manner as other statutes are enacted, such statute or amendment to a statute shall become law, but shall be subject to referendum petition as provided in section 1 of this article. If the statute or amendment to a statute is rejected by the legislature, or if no action is taken thereon within 40 days, the secretary of state shall submit the question of approval or disapproval of such statute or amendment to a statute to a vote of the voters at the next succeeding general election. If a majority of the voters voting on such question at such election votes approval of such statute or amendment to a statute, it shall become law and take effect upon completion of the canvass of votes by the supreme court. An initiative measure so approved by the voters shall not be amended, annulled, repealed, set aside or suspended by the legislature within 3 years from the date it takes effect. If a majority of such voters votes disapproval of such statute or amendment to a statute, no further action shall be taken on such petition. If the legislature reject such proposed statute or amendment, the governor may recommend to the legislature and the legislature may propose a different measure on the same subject, in which event, after such different measure has been approved by the governor, the question of approval or disapproval of each measure shall be submitted by the secretary of state to a vote of the voters at the next succeeding general election. If the conflicting provisions submitted to the voters are both approved by a majority of the voters voting on such measures, the measure which receives the largest number of affirmative votes shall thereupon become law.

4. If the initiative petition proposes an amendment to the constitution, it shall be filed with the secretary of state not less than 60 days before any regular general election at which the question of approval or disapproval of such amendment may be voted upon by the voters of the entire state. The secretary of state shall cause to be published in a newspaper of general circulation, on three separate occasions, in each county in the state, together with any explanatory matter which shall be placed upon the ballot, the entire text of the proposed amendment. If a majority of the voters voting on such question at such election votes disapproval of such amendment, no further action shall be taken on the petition. If a majority of such voters votes approval of such amendment, the secretary of state shall publish and resubmit the question of approval or disapproval to a vote of the voters at the next succeeding general election in the same manner as such question was originally submitted. If a majority of such voters votes disapproval of such amendment, no further action shall be taken on such petition. If a majority of such voters votes approval of such amendment, it shall become a part of this constitution upon completion of the canvass of votes by the supreme court.

SEC. 3. Each referendum petition and initiative petition shall include the full text of the measure proposed. Each signer shall affix thereto his or her signature, residence address and the name of the

county in which he or she is a registered voter. The petition may consist of more than one document, but each document shall have affixed thereto an affidavit made by one of the signers of such document to the effect that all of the signatures are genuine and that each individual who signed such document was at the time of signing a registered voter in the county of his or her residence. The affidavit shall be executed before a person authorized by law to administer oaths in the State of Nevada. The enacting clause of all statutes or amendments proposed by initiative petition shall be: "The People of the State of Nevada do enact as follows:".

SEC. 4. The initiative and referendum powers provided for in this article are further reserved to the registered voters of each county and each municipality as to all local, special and municipal legislation of every kind in or for such county or municipality. In counties and municipalities initiative petitions may be instituted by a number of registered voters equal to 15 percent or more of the voters who voted at the last preceding general county or municipal election. Referendum petitions may be instituted by 10 percent or more of such voters.

SEC. 5. The provisions of this article are self-executing but the legislature may provide by law for procedures to facilitate the operation thereof.

Senate Concurrent Resolution No. 12—Senator Settelmeyer

FILE NUMBER 45

SENATE CONCURRENT RESOLUTION—Giving final legislative approval to the state park commission to accept a gift of real property.

Resolved by the Senate of the State of Nevada, the Assembly concurring, That final legislative approval, as required by subsection 5 of NRS 407.070, is hereby given to the state park commission to accept a gift of real property from Douglas County within the present confines of Mormon Station historic state monument, such property being lot 17, block 13 of the Town of Genoa, County of Douglas.

Senate Concurrent Resolution No. 13—Senator Settelmeyer

FILE NUMBER 46

SENATE CONCURRENT RESOLUTION—Approving acceptance of a gift of money to state park commission.

WHEREAS, The American Women's Voluntary Service has offered a gift of \$285.32 to the state park commission; and

SUPPLEMENTAL MATERIALS

BALLOT QUESTION TEXT AND VOTES FROM THE 1962 GENERAL ELECTION

**Constitutional Amendments To Be Voted
Upon in State of Nevada at General
Election, November 6, 1962**

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vehicle resides must be used. If Question No. 1 is approved, a uniform and equal tax rate for motor vehicles may be established throughout the State. The present motor vehicle personal property tax cannot exceed five cents on one dollar of assessed valuation and is not required to be used for public highways. Similarly, the new uniform tax could not exceed five cents on one dollar of assessed valuation and would not be required to be used for public highways.

QUESTION NO. 2

Amendment to the Constitution

Article 19 of the Constitution of the State of Nevada now reads as follows:

SECTION 1. Whenever ten per centum or more of the voters of this State, as shown by the number of votes cast at the last preceding general election, shall express their wish that any law or resolution made by the Legislature be submitted to a vote of the people, the officers charged with the duties of announcing and proclaiming elections and of certifying nominations or questions to be voted on, shall submit the question of the approval or disapproval of said law or resolution to be voted on at the next ensuing election wherein a State or Congressional officer is to be voted for, or wherein any question may be voted on, by the electors of the entire State.

SEC. 2. When a majority of the electors voting at a State election shall by their votes signify approval of law or resolution such law or resolution shall stand as the law of the State and shall not be overruled, annulled, set aside, suspended, or in any way made inoperative except by the direct vote of the people. When such majority shall so signify disapproval the law or resolution so disapproved shall be void and of no effect.

SEC. 3. The people reserve to themselves the power to propose laws and the power to propose amendments to the constitution and to enact or reject the same at the polls, independent of the legislature, and also reserve the power at their option to approve or reject at the polls, in the manner herein provided, any act, item, section or part of any act or measure passed by the legislature, and section one of article four of the constitution shall hereafter be considered accordingly. The first power reserved by the people is the initiative. The initiative petition shall be proposed by not less than ten per cent (10%) of the qualified electors of each of not less than seventy five per cent (75%) of the counties in the state, provided, however, that the total number of qualified electors proposing the said petition shall be not less than ten per cent (10%) of all of the qualified electors of the State. Every such petition shall include the full text of the measure so proposed. Each signer shall affix thereto his or her signature, place of residence and the county within which he or she is a qualified elector. Each document comprising the initiative petition filed with the Secretary of State shall have

affixed thereto, an affidavit made by one of the signers to each of said documents or to the petition, to the effect that all of the signatures are genuine and that each and every individual who signed his or her name thereto was at the time that he or she signed the petition a bona fide qualified elector of the respective county and the State of Nevada, said affidavit to be executed before a Notary Public or some officer authorized to administer an oath who possesses a seal. Initiative petitions, for all but municipal legislation, shall be filed with the secretary of state not less than thirty (30) days before any regular session of the legislature; the secretary of state shall transmit the same to the legislature as soon as it convenes and organizes. Such initiative measure shall take precedence over all measures of the legislature except appropriation bills, and shall be enacted or rejected by the legislature, without change or amendment, within forty (40) days. If any such initiative measure so proposed by petition as aforesaid, shall be enacted by the legislature and approved by the governor in the same manner as other laws are enacted, same shall become a law, but shall be subject to referendum petition as provided in sections one and two of this article. If said initiative measure be rejected by the legislature, or if no action be taken thereon within said forty (40) days, the secretary of state shall submit the same to the qualified electors for approval or rejection at the next ensuing general election; and if a majority of the qualified electors voting thereon shall approve of such measure it shall become a law and take effect from the date of the official declaration of the vote; an initiative measure so approved by the qualified electors shall not be annulled, set aside or repealed by the legislature within three (3) years from the date said act takes effect. In case the legislature shall reject such initiative measure, said body may, with the approval of the governor, propose a different measure on the same subject, in which event both measures shall be submitted by the secretary of state to the qualified electors for approval or rejection at the next ensuing general election. The enacting clause of all bills proposed by the initiative shall be: "The people of the State of Nevada do enact as follows." The total number of votes cast at the general election last preceding the filing of any initiative petition shall be the basis on which the number of qualified electors required to sign such petition shall be counted. The second power reserved by the people is the referendum, which shall be exercised in the manner provided in sections one and two of this article. The initiative and referendum powers in this article provided for are further reserved to the qualified electors of each county and municipality as to all local, special and municipal legislation of every character in or for said respective counties or municipalities. The legislature may provide by law for the manner of exercising the initiative and referendum powers as to county and municipal legislation, but shall not require a petition of more than 10 per cent (10%) of the qualified electors to order the referendum, nor more than 15 per cent (15%) to propose

any municipal measure by initiative. If the conflicting measures submitted to the people at the next ensuing general election shall both be approved by a majority of the votes severally cast for and against each of said measures, the measure receiving the highest number of affirmative votes shall thereupon become a law as to all conflicting provisions. The provisions of this section shall be self-executing, but legislation may be especially enacted to facilitate its operation.

If Question No. 2 is approved, Article 19 will be amended to read as follows:

SECTION 1. 1. Whenever a number of registered voters of this state equal to 10 percent or more of the number of voters who voted at the last preceding general election shall express their wish by filing a petition in the form provided for in section 3 of this article that any statute or resolution or any part thereof enacted by the legislature be submitted to a vote of the people, the officers charged with the duties of announcing and proclaiming elections and of certifying nominations or questions to be voted upon shall submit the question of approval or disapproval of such statute or resolution or any part thereof to a vote of the voters at the next succeeding election at which such question may be voted upon by the registered voters of the entire state.

2. If a majority of the voters voting upon the proposal submitted at such election votes approval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall stand as the law of the state and shall not be amended, annulled, repealed, set aside, suspended or in any way made inoperative except by the direct vote of the people. If a majority of such voters votes disapproval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall be void and of no effect.

SEC. 2. 1. Notwithstanding the provisions of section 1 of article 4 of this constitution, the people reserve to themselves the power to propose, by initiative petition, statutes and amendments to statutes and amendments to this constitution, and to enact or reject them at the polls.

2. An initiative petition shall be in the form required by section 3 of this article and shall be proposed by a number of registered voters equal to 10 percent or more of the number of voters who voted at the last preceding general election in not less than 75 percent of the counties in the state, but the total number of registered voters signing the initiative petition shall be equal to 10 percent or more of the voters who voted in the entire state at the last preceding general election.

3. If the initiative petition proposes a statute or an amendment to a statute, it shall be filed with the secretary of state not less than 30 days prior to any regular session of the legislature. The secretary of state shall transmit such petition to the legislature as soon as the legislature convenes and organizes. The petition shall take precedence over all other measures except

appropriation bills, and the statute or amendment to a statute proposed thereby shall be enacted or rejected by the legislature without change or amendment within 40 days. If the proposed statute or amendment to a statute is enacted by the legislature and approved by the governor in the same manner as other statutes are enacted, such statute or amendment to a statute shall become law, but shall be subject to referendum petition as provided in section 1 of this article. If the statute or amendment to a statute is rejected by the legislature, or if no action is taken thereon within 40 days, the secretary of state shall submit the question of approval or disapproval of such statute or amendment to a statute to a vote of the voters at the next succeeding general election. If a majority of the voters voting on such question at such election votes approval of such statute or amendment to a statute, it shall become law and take effect upon completion of the canvass of votes by the supreme court. An initiative measure so approved by the voters shall not be amended, annulled, repealed, set aside or suspended by the legislature within 3 years from the date it takes effect. If a majority of such voters votes disapproval of such statute or amendment to a statute, no further action shall be taken on such petition. If the legislature reject such proposed statute or amendment, the governor may recommend to the legislature and the legislature may propose a different measure on the same subject, in which event, after such different measure has been approved by the governor, the question of approval or disapproval of each measure shall be submitted by the secretary of state to a vote of the voters at the next succeeding general election. If the conflicting provisions submitted to the voters are both approved by a majority of the voters voting on such measures, the measure which receives the largest number of affirmative votes shall thereupon become law.

4. If the initiative petition proposes an amendment to the constitution, it shall be filed with the secretary of state not less than 60 days before any regular general election at which the question of approval or disapproval of such amendment may be voted upon by the voters of the entire state. The secretary of state shall cause to be published in a newspaper of general circulation, on three separate occasions, in each county in the state, together with any explanatory matter which shall be placed upon the ballot, the entire text of the proposed amendment. If a majority of the voters voting on such question at such election votes disapproval of such amendment, no further action shall be taken on the petition. If a majority of such voters votes approval of such amendment, the secretary of state shall publish and resubmit the question of approval or disapproval to a vote of the voters at the next succeeding general election in the same manner as such question was originally submitted. If a majority of such voters votes disapproval of such amendment, no further action shall be taken on such petition. If a majority of such voters votes approval of such amendment, it shall become a part

of this constitution upon completion of the canvass of votes by the supreme court.

SEC. 3. Each referendum petition and initiative petition shall include the full text of the measure proposed. Each signer shall affix thereto his or her signature, residence address and the name of the county in which he or she is a registered voter. The petition may consist of more than one document, but each document shall have affixed thereto an affidavit made by one of the signers of such document to the effect that all of the signatures are genuine and that each individual who signed such document was at the time of signing a registered voter in the county of his or her residence. The affidavit shall be executed before a person authorized by law to administer oaths in the State of Nevada. The enacting clause of all statutes or amendments proposed by initiative petition shall be: "The People of the State of Nevada do enact as follows:".

SEC. 4. The initiative and referendum powers provided for in this article are further reserved to the registered voters of each county and each municipality as to all local, special and municipal legislation of every kind in or for such county or municipality. In counties and municipalities initiative petitions may be instituted by a number of registered voters equal to 15 percent or more of the voters who voted at the last preceding general county or municipal election. Referendum petitions may be instituted by 10 percent or more of such voters.

SEC. 5. The provisions of this article are self-executing but the legislature may provide by law for procedures to facilitate the operation thereof.

Explanation of the Purpose of the Proposed Amendment to Article 19 of the Constitution of Nevada

Article 19 presently provides the procedure by which the people exercise their power to propose laws and amendments to the Constitution and to have laws and resolutions passed by the Legislature submitted to them for their approval or rejection. This first power is called "initiative"; the second power is referred to as "referendum."

Although entirely rewritten to clarify its provisions, the proposed amendment leaves Article 19 substantially unchanged, except that the method of amending the Constitution by the people is different.

In order to amend the Constitution pursuant to the present Article 19, the initiative petition containing the required number of signatures is presented to the Legislature for approval or rejection. If approved by the Legislature and the Governor, the Constitution is then amended without the people having had an opportunity to express their approval or disapproval of the change in the Constitution. Only when the Legislature does not approve the people's initiative petition to amend the Constitution is the question required to be placed on the ballot at the next general election for the approval or disapproval of the people.

The proposed Article 19 provides that the people's initiative petition proposing a constitutional amendment would not be presented to the Legislature or Governor at all, but would appear on the ballot at the next general election, and, if approved, would again be submitted to the voters at the following general election (two years later). If twice approved by the voters at two successive general elections, the amendment would then become part of the Constitution of Nevada.

It should be noted that there are two methods of amending the Constitution. First, pursuant to Article 16, and second, pursuant to Article 19. When Article 16 is employed, the Constitution is amended when two successively elected Legislatures have approved by resolution an amendment to the Constitution. The then proposed amendment is submitted to a vote of the people for approval or disapproval at the next general election and, if approved, the proposed amendment becomes a part of the Constitution.

It should be noted that when Article 16 is employed, the Legislature, not the people, must first propose a change in the Constitution.

If Question No. 2 is approved, then when Article 19 is employed to amend the Constitution, the proposed change will be initiated by the people and become a part of the Constitution after the voters have approved the proposed change at the next two successive general elections.

Statements for the Printed Ballots and Voting Machines

The following language should appear on the printed ballots and voting machines:

Question No. 2.

Amendment to the Constitution.

Shall—Article 19 of the Constitution be amended so as to clarify its provisions and change the method of amending the Constitution by the people's initiative by eliminating the requirement of presenting the proposed change in the Constitution to the Legislature and Governor, and requiring instead that the question proposing the constitutional amendment be submitted to the voters at two successive general elections?

Yes	38,188	<input type="checkbox"/>
No	29,352	<input type="checkbox"/>

(Explanation of Question No. 2)

Presently an initiative petition proposing amendment to the Constitution under Article 19 is presented to the Legislature and, if approved by the Legislature and Governor, the Constitution stands amended. If Question No. 2 is approved, the people's initiative petition proposing an amendment to the Constitution would not be presented to the Legislature or Governor at all, but would appear on the general election ballot at the next two general elections and if twice approved by the voters, the amendment would become a part of the Constitution.

Section 293.253 of Nevada Revised Statutes places a duty upon the Secretary of State as well as upon the County Clerks. NRS 293.253 provides:

1. *The secretary of state shall provide each county clerk with copies of any proposed constitution, constitutional amendment or question on or before the 1st Monday in August of the year in which such constitution, amendment or question will appear on the general election ballot.*

2. *On or before the 4th Friday in October, each county clerk shall post one such copy at each polling place in the county outside the limits of incorporated cities.*

3. Each county clerk shall cause a copy of any such constitution, amendment or question to be *published in a newspaper of general circulation in the county three times at 10-day intervals, the first publication to be on or before the 1st Monday in October.* If no such newspaper is published in the county, then such publication may be made in a newspaper of general circulation published in the nearest Nevada county.

(Italics supplied.)

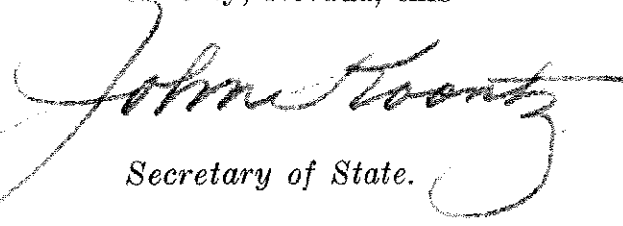
Pursuant to NRS 293.247, the Secretary of State has promulgated rules and regulations for the conduct of elections. Rule 62a and b read as follows:

62. a. Whenever any question is to be submitted to the vote of the people, it shall be printed upon the ballot in such manner as to enable the electors to vote "Yes" or "No" upon the question submitted in the manner provided by law. The words "Yes" and "No" separated by a lightface rule, with a square after each of the size prescribed by law, shall be printed upon the ballot after each question, with a brief statement of the purport of such question, in plain, ordinary language which may be readily understood by the ordinary lay person.

b. Before every question or constitutional amendment to be voted upon there shall be placed a number, to be designated by the Secretary of State, in boldface type not smaller than 24-point.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State, at my office in Carson City, Nevada, this first day of June, 1962.

(SEAL)


Secretary of State.