Constitutional Amendment to Be Voted
Upon in State of Nevada at General
Election, November 3, 1964
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I, John Koontz, the duly elected, qualified and acting Secretary of State of the State of Nevada, do hereby certify that the following is a true, full, and correct copy of the original text of:

Senate Joint Resolution Amending the Constitution

Senate Joint Resolution No. 4 of the 51st Session (1961), approved by the 52d Session (1963), proposing to amend Article IV of the Constitution of the State of Nevada by adding a new section.

QUESTION NO. 1
Amendment to the Constitution

Shall—Senate Joint Resolution—Proposing to amend article 4 of the Constitution of the State of Nevada, relating to the Legislative Department, by adding a new section providing for the continuity of government in case of enemy attack, succession to public offices, changes in quorum requirements in the Legislature and relocation of the seat of government.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That article 4 of the constitution of the State of Nevada be amended by adding thereto a new section to read as follows:

Section 37. The legislature, in order to insure continuity of state and local governmental operations in periods of emergency resulting from disasters caused by enemy attack, shall have the power and the immediate duty to provide for immediate and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and to adopt such other measures as may be necessary and proper for insuring the continuity of governmental operations, including changes in quorum requirements in the legislature and the relocation of the seat of government. In the exercise of the powers hereby conferred, the legislature shall conform to the requirements of this constitution except to the extent that in the judgment of the legislature so to do would be impracticable or would admit of undue delay.—be approved?

Yes 82,068 □
No 11,545 □
EXPLANATION OF THE PURPOSE OF THE PROPOSED AMENDMENT TO ARTICLE IV, OF THE CONSTITUTION OF THE STATE OF NEVADA

The purpose of the proposed amendment by adding a new section to Article IV of the Constitution of the State of Nevada, is to provide continuity of state government, should an emergency arise of disastrous proportions, as a consequence of an enemy attack, by authorizing the Legislature, or the survivors thereof, to fill on a temporary basis vacancies in public offices, of whatever nature, state, county, municipal, or local, elective as well as appointive.

STATEMENTS FOR THE PRINTED BALLOTS AND VOTING MACHINES

A majority “yes” vote would authorize the Legislature to fill vacancies in public offices, that might exist or arise, as the result of an emergency caused by a disastrous enemy attack.

(Explanations of Question No. 1)

A majority “yes” vote to question number 1 would amend Article IV of the Constitution of the State of Nevada, by adding a new section. Such an amendment would protect the State and the citizens thereof against an emergency that conceivably could arise by or as the result of an enemy attack of such proportions as to destroy or incapacitate public officers, thereby leaving public offices vacant with no presently existing constitutional method for their immediate filling.

The constitutional amendment which is proposed would not authorize the Legislature to act in ordinary circumstances, but would authorize this body, or the survivors thereof, to act by filling public offices, state, county, municipal, and local, elective as well as appointive, on a temporary basis, if an emergency resulting from disasters caused by enemy attack should arise, which attack might have created vacancies in such offices.

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 25th day of March, 1964.

[Signature]

Secretary of State

(SEAL)