

STATE OF NEVADA
DEPARTMENT OF STATE

**Constitutional Amendments To Be
Voted Upon in State of Nevada
at General Election,
November 2, 1976**



Compiled by

WM. D. SWACKHAMER
SECRETARY OF STATE

**Constitutional Amendments To Be Voted Upon in
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November 2, 1976**

I, WM. D. SWACKHAMER, the duly elected, qualified and acting Secretary of State of the State of Nevada, do hereby certify that the following Constitutional Amendments are to appear on the 1976 General Election Ballot:

**QUESTION NO. 1
Amendment to the Constitution**

Assembly Joint Resolution No. 1 of the 57th Session—File No. 20
File No. 22—58th Session

Shall—Assembly Joint Resolution proposing to amend section 1 of article 2 of the Constitution of the State of Nevada; eliminating the 6-month residency requirement for electors.

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

Section 1. All citizens of the United States (not laboring under the disabilities named in this constitution) of the age of eighteen years [and upwards,] *or over*, who shall have actually, and not constructively, resided in the state [six months,] and in the district or county thirty days next preceding any election, shall be entitled to vote for all officers that now or hereafter may be elected by the people, and upon all questions submitted to the electors at such election; *provided*, that no person who has been or may be convicted of treason or felony in any state or territory of the United States, unless restored to civil rights, and no idiot or insane person shall be entitled to the privilege of an elector. There shall be no denial of the elective franchise at any election on account of sex. The legislature may provide by law the conditions under which a citizen of the United States who does not have the status of an elector in another state and who does not meet the residence requirements of this section may vote in this state for President and Vice President of the United States.—
be approved?

Yes 87108 ☐
No 93471 ☐

Statements for the Printed and Punchcard Ballots

The following language should appear on the printed and punchcard ballots:

Question No. 1

Amendment to the Constitution.

Shall—Assembly Joint Resolution No. 1 of the 57th Session (1973),

approved by the 58th Session (1975), proposing to amend section 1 of article 2 of the Constitution of the State of Nevada, be approved?

Yes.....☐

No.....☐

(Explanation of Question No. 1)

A majority vote of "yes" would amend section 1, article 2 of the Constitution by eliminating the six (6) month residency requirement to register to vote. Instead, persons would be eligible to vote after they had established actual residency in the State and in the district or county at any time prior to thirty (30) days before any election. Approval of this resolution would bring Nevada law into conformity with recent decisions of the United States Supreme Court. A majority vote of "no" would defeat the amendment.

QUESTION NO. 2

Amendment to the Constitution

Assembly Joint Resolution No. 2 of the 57th Session—File No. 94
File No. 70—58th Session

Shall—Assembly Joint Resolution amending section 18 of article 4 of the Constitution of the State of Nevada, relating to adoption of Consent Calendar for uncontested bills.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 18 of article 4 of the constitution of the State of Nevada be amended to read as follows:

Sec. 18: Every bill, except a bill placed on a consent calendar adopted as provided in this section, shall be read by sections on three several days, in each House, unless in case of emergency, two thirds of the House where such bill may be pending shall deem it expedient to dispense with this rule; but the reading of a bill by sections, on its final passage, shall in no case be dispensed with, and the vote on the final passage of every bill or joint resolution shall be taken by yeas and nays to be entered on the journals of each House; and a majority of all the members elected to each house, shall be necessary to pass every bill or joint resolution, and all bills or joint resolutions so passed, shall be signed by the presiding officers of the respective Houses and by the Secretary of the Senate and clerk of the Assembly. Each House may provide by rule for the creation of a consent calendar and establish the procedure for the passage of uncontested bills.—be approved?

Yes 99965.....☐

No 76073.....☐

Statements for the Printed and Punchcard Ballots

The following language should appear on the printed and punchcard ballots:

Question No. 2

Amendment to the Constitution.

Shall—Assembly Joint Resolution No. 2 of the 57th Session (1973), approved by the 58th Session (1975), proposing to amend section 18 of article 4 of the Constitution of the State of Nevada, be approved?

Yes.....☐

No.....☐

(Explanation of Question No. 2)

A majority vote of "yes" would amend section 18, article 4 of the Constitution which currently provides that every bill which is introduced into the Legislature shall be read aloud on three (3) separate days in each House of the Legislature, except in emergency cases. The resolution would amend this provision of the Constitution by allowing each House of the Legislature to create a consent calendar which would exempt uncontested bills from being read aloud in each House on three (3) separate days, and to establish a procedure to enact such uncontested bills. A majority vote of "no" would defeat the amendment.

QUESTION NO. 3

Amendment to the Constitution

Assembly Joint Resolution No. 26 of the 57th Session—File No. 76
File No. 62—58th Session

Shall—Assembly Joint Resolution proposing to amend section 33 of article 4 of the Constitution of the State of Nevada, by permitting the payment of legislators for 100 days of session.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 33 of article 4 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] Sec. 33. The members of the Legislature shall receive for their services, a compensation to be fixed by law and paid out of the public treasury, for not to exceed **[60]** 100 days during any regular session of the legislature and not to exceed 20 days during any special session convened by the governor; but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected Provided, that an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers and stationery not exceeding the sum of Sixty dollars for any general or special session to each member; and Furthermore Provided, that the Speaker of the Assembly, and Lieutenant Governor,

as President of the Senate, shall each, during the time of their actual attendance as such presiding officers receive an additional allowance of two dollars per diem.—be approved?

Yes 54602 ☐

No 125096 ☐

Statements for the Printed and Punchcard Ballots

The following language should appear on the printed and punchcard ballots:

Question No. 3

Amendment to the Constitution.

Shall—Assembly Joint Resolution No. 26 of the 57th Session (1973), approved by the 58th Session (1975), proposing to amend section 33 of article 4 of the Constitution of the State of Nevada, be approved?

Yes ☐

No ☐

(Explanation of Question No. 3)

A majority vote of “yes” would amend section 33, article 4 of the Constitution which currently provides that Members of the Legislature shall receive compensation for their services for a period of time not to exceed sixty (60) days during each regular session of the Legislature. This resolution would amend that provision by providing that Members of the Legislature shall receive compensation for their services for a period of time not to exceed one hundred (100) days during each regular session of the Legislature. A majority vote of “no” would defeat the amendment.

QUESTION NO. 4

Amendment to the Constitution

Senate Joint Resolution No. 10 of the 57th Session—File No. 43
File No. 46—58th Session

Shall—Senate Joint Resolution proposing to amend section 14 of article 5 of the Constitution of the State of Nevada to permit the Legislature to enact laws enabling courts inferior to district courts to suspend sentences and grant probation.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That section 14 of article 5 of the constitution of the State of Nevada be amended to read as follows:

Sec. 14. The governor, justices of the supreme court, and attorney general, or a major part of them, of whom the governor shall be one, may, upon such conditions and with such limitations and restrictions as they may think proper, remit fines and forfeitures, commute punishments, and grant pardons, after convictions, in all cases, except treason and impeachments, subject to such regulations as may be provided by law relative to the manner of applying for

pardons. The legislature [is authorized to] *may* pass laws conferring upon the district *and inferior* courts authority to suspend the execution of sentences, fix the conditions for, and to grant probation, and within the minimum and maximum periods authorized by law, fix the sentence to be served by the person convicted of crime in said courts.—be approved?

Yes 85644 ☐
No 72247 ☐

Statements for the Printed and Punchcard Ballots

The following language should appear on the printed and punchcard ballots:

Question No. 4

Amendment to the Constitution.

Shall—Senate Joint Resolution No. 10 of the 57th Session (1973), approved by the 58th Session (1975), proposing to amend section 14 of article 5 of the Constitution of the State of Nevada, be approved?

Yes.....☐
No.....☐

(Explanation of Question No. 4)

A majority vote of “yes” would amend section 14, article 5 of the Constitution by enabling justice and municipal courts to suspend sentences and grant probation. At the present, only district courts can suspend sentences and grant probation. A majority vote of “no” would defeat the amendment.

QUESTION NO. 5

Amendment to the Constitution

Assembly Joint Resolution No. 14 of the 57th Session—File No. 105
File No. 30—58th Session

Shall—Assembly Joint Resolution proposing to change the State Constitution to provide for appointment of judicial officers, to fill vacancies during a term of office, under a plan of merit selection.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That article 6 of the constitution of the State of Nevada be amended by adding thereto a new section to be designated section 19, provided that:

1. If Assembly Joint Resolution 17 of the 57th session is agreed to and passed, this new section shall be designated as section 20, 21 or 22, as determined by the secretary of state, depending on whether Assembly Joint Resolution 18 of the 57th session, or both, are agreed to and passed.

2. If Assembly Joint Resolution 17 of the 57th session is not agreed to and passed, this new section shall be designated as section 19, 20 or 21, as determined by the secretary of state, depending on

whether Assembly Joint Resolution 16 or Assembly Joint Resolution 18 of the 57th session, or both, are agreed to and passed, and section 22 of article 17 of the constitution of the State of Nevada be amended to read respectively as follows:

Sec. 19. 1. When a vacancy occurs before the expiration of any term of office in the supreme court or among the district judges, the governor shall appoint a justice or judge from among three nominees selected for such individual vacancy by the commission on judicial selection.

2. The term of office of any justice or judge so appointed expires on the first Monday of January following the next general election.

3. Each nomination for the supreme court shall be made by the permanent commission, composed of:

- (a) The chief justice or an associate justice designated by him;*
- (b) Three members of the State Bar of Nevada, a public corporation created by statute, appointed by its board of governors; and*
- (c) Three persons, not members of the legal profession, appointed by the governor.*

4. Each nomination for the district court shall be made by a temporary commission composed of:

- (a) The permanent commission;*
- (b) A member of the State Bar of Nevada resident in the judicial district in which the vacancy occurs, appointed by the board of governors of the State Bar of Nevada; and*
- (c) A resident of such judicial district, not a member of the legal profession, appointed by the governor.*

5. If at any time the State Bar of Nevada ceases to exist as a public corporation or ceases to include all attorneys admitted to practice before the courts of this state, the legislature shall provide by law, or if it fails to do so the court shall provide by rule, for the appointment of attorneys at law to the positions designated in this section to be occupied by members of the State Bar of Nevada.

6. The term of office of each appointive member of the permanent commission, except the first members, is 4 years. Each appointing authority shall appoint one of the members first appointed for a term of 2 years. If a vacancy occurs, the appointing authority shall fill the vacancy for the unexpired term. The additional members of a temporary commission shall be appointed when a vacancy occurs, and their terms shall expire when the nominations for such vacancy have been transmitted to the governor.

7. An appointing authority shall not appoint to the permanent commission more than:

- (a) One resident of any county.*
- (b) Two members of the same political party.*

No member of the permanent commission may be a member of a commission on judicial discipline.

8. After the expiration of 30 days from the date on which the commission on judicial selection has delivered to him its list of nominees for any vacancy, if the governor has not made the appointment required by this section, he shall make no other appointment to any

public office until he has appointed a justice or judge from the list submitted.

If a commission on judicial selection is established by another section of this constitution to nominate persons to fill vacancies on the supreme court, such commission shall serve as the permanent commission established by subsection 3 of this section.

【Sec:】 Sec. 22. In case the office of any **【Justice of the Supreme Court, District Judge or other】** State officer, *except a judicial officer*, shall become vacant before the expiration of the regular term for which he was elected, the vacancy may be filled by appointment by the Governor until it shall be supplied at the next general election, when it shall be filled by election for the residue of the unexpired term.—be approved?

Yes 111232 ☐

No 63432 ☐

Statements for the Printed and Punchcard Ballots

The following language should appear on the printed and punchcard ballots:

Question No. 5

Amendment to the Constitution.

Shall—Assembly Joint Resolution No. 14 of the 57th Session (1973), approved by the 58th Session (1975), proposing to amend article 6 of the Nevada Constitution by adding a new section, and also amending section 22 of article 17 of the Nevada Constitution, be approved?

Yes ☐

No ☐

(Explanation of Question No. 5)

A majority vote of “yes” would amend article 6 of the Constitution by providing that vacancies in the office of Supreme Court Justice or district judge shall be filled by the Governor choosing from a list of three (3) nominees selected for such a vacancy by a commission on judicial selection. Justices or judges filling such vacancies would hold office until the first Monday of January following the next general election. Nominations for vacancies in the Supreme Court would be made by a permanent commission composed of the Chief Justice or an Associate Justice of the Supreme Court, three (3) members of the State Bar of Nevada, and three (3) persons, not members of the legal profession, appointed by the Governor. Nominations for vacancies in the office of district judge would be made by a temporary commission composed of the permanent commission, a member of the State Bar residing in the judicial district in which the vacancy occurs and a resident of such a judicial district, not a member of the legal profession, appointed by the Governor. Members of the permanent commission would hold office for four (4) years. Members of the temporary commission would hold office until such time as nominations were transmitted to the Governor.

If the Governor did not make an appointment from the list of nominees for a vacancy in the Supreme Court or office of district judge within thirty (30) days after the list of nominees is delivered to him, the Governor could not make an appointment to any other public office until he has appointed a justice or a judge from the list submitted.

This resolution would also amend section 22, article 17 of the Constitution which currently provides that the Governor *alone* shall fill vacancies in the offices of Justice of the Supreme Court, district judge or other state officers. Section 22 of article 17 would be amended to conform with the proposed new section in article 6 by excluding Justices of the Supreme Court and district judge from section 22 of article 17, thereby permitting nominations to vacancies to those positions by the commissions established by the new section in article 6. A majority vote of "no" would defeat the amendment.

QUESTION NO. 6

Amendment to the Constitution

Assembly Joint Resolution No. 18 of the 57th Session—File No. 108
File No. 113—58th Session

Shall—Assembly Joint Resolution proposing to change the State Constitution to provide for a central administration of the court system.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 1 of article 6 of the constitution of the State of Nevada be amended, and article 6 of the constitution of the State of Nevada be further amended by adding thereto a new section to be designated section 19, provided that:

1. If Assembly Joint Resolution 17 of the 57th session is agreed to and passed, this new section shall be designated as section 20, 21 or 22, as determined by the secretary of state, depending on whether Assembly Joint Resolution 14 or Assembly Joint Resolution 16 of the 57th session, or both, are agreed to and passed.

2. If Assembly Joint Resolution 17 of the 57th session is not agreed to and passed, this new section shall be designated as section 19, 20 or 21, as determined by the secretary of state, depending on whether Assembly Joint Resolution 14 or Assembly Joint Resolution 16 of the 57th session, or both, are agreed to and passed, to read respectively as follows:

Section 1. The Judicial power of this State shall be vested in a court system, comprising a Supreme Court, District Courts, and [in] Justices of the Peace. The Legislature may also establish, as part of the system, Courts for municipal purposes only in incorporated cities and towns.

Sec. 19. 1. The chief justice is the administrative head of the court system. Subject to such rules as the supreme court may adopt, the chief justice may:

(a) Apportion the work of the supreme court among justices.

(b) Assign district judges to assist in other judicial districts or to specialized functions which may be established by law.

(c) Recall to active service any retired justice or judge of the court system who consents to such recall and who has not been removed

or retired for cause or defeated for retention in office, and may assign him to appropriate temporary duty within the court system.

2. In the absence or temporary disability of the chief justice, the associate justice senior in commission shall act as chief justice.

3. This section becomes effective July 1, 1977.—be approved?

Yes 101860 ☐

No 70520 ☐

Statements for the Printed and Punchcard Ballots

The following language should appear on the printed and punchcard ballots:

Question No. 6

Amendment to the Constitution.

Shall—Assembly Joint Resolution No. 18 of the 57th Session (1973), approved by the 58th Session (1975), proposing to amend section 1 of article 6 of the Constitution of the State of Nevada, and by adding a new section to article 6, be approved?

Yes ☐

No ☐

(Explanation of Question No. 6)

A majority vote of “yes” would amend section 1, article 6 of the Constitution by providing that the Supreme Court, the district courts and the justices of the peace shall constitute a court system. The amendment would also allow the Legislature to establish, as part of this court system, municipal courts. The resolution would also add a new section to article 6 which would provide that the Chief Justice of the Supreme Court would be the administrative head of such a court system. The Chief Justice would be given the power to apportion the work of the Supreme Court among justices, to assign district judges to assist in other judicial districts or to specialized functions which may be established by law, and to recall to active service any retired justice or judge of the court system who consents to such recall and who has not been otherwise removed or retired for cause or defeated for retention in office. The Chief Justice could assign such a retired justice or judge to appropriate temporary duty within the court system. In the absence or temporary disability of the Chief Justice, the senior Associate Justice on the Supreme Court would act as Chief Justice. The new section would take effect July 1, 1977. A majority vote of “no” would defeat the amendment.

QUESTION NO. 7

Amendment to the Constitution

Senate Joint Resolution No. 30 of the 57th Session—File No. 104
File No. 170—58th Session

Shall—Senate Joint Resolution proposing to amend sections 2, 4 and 7 of article 6 of the Constitution of the State of Nevada, relating to the

Supreme Court, by authorizing the Legislature to expand membership of the Supreme Court, and by authorizing the Legislature to provide the Supreme Court with authority to divide into panels to hear certain cases.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That sections 2, 4 and 7 of article 6 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] Sec. 2. **[The Supreme Court shall consist of a Chief Justice and two Associate Justices, a majority of whom shall constitute a quorum; Provided, that the Legislature by a majority of all the members elected to each branch thereof may provide for the election of two additional Associate Justices, and if so increased three shall constitute a quorum. The concurrence of a Majority of the whole Court shall be necessary to render a decision.]**

1. The supreme court consists of the chief justice and two or more associate justices, as may be provided by law. In increasing or diminishing the number of associate justices, the legislature shall provide for the arrangement of their terms so that an equal number of terms, as nearly as may be, expire every 2 years.

2. The legislature may provide by law:

(a) If the court consists of more than five justices, for the hearing and decision of cases by panels of no fewer than three justices, the resolution by the full court of any conflicts between decisions so rendered, and the kinds of cases which must be heard by the full court.

(b) For the places of holding court by panels of justices if established, and by the full court.

[Section] Sec. 4. The supreme court shall have appellate jurisdiction in all cases in equity; also in all cases at law in which is involved the title, or the right of possession to, or the possession of, real estate or mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, or in which the demand (exclusive of interest) or the value of the property in controversy, exceeds three hundred dollars; also in all other civil cases not included in the general subdivisions of law and equity, and also on questions of law alone in all criminal cases in which the offense charged is within the original jurisdiction of the district courts. The court shall also have power to issue writs of mandamus, certiorari, prohibition, quo warranto, and habeas corpus and also all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the justices shall have power to issue writs of habeas corpus to any part of the state, upon petition by, or on behalf of, any person held in actual custody, and may make such writs returnable, before himself or the supreme court, or before any district court in the state or before any judge of said courts.

In case of the disability or disqualification, for any cause, of the chief justice or **[either]** one of the associate justices of the supreme court, or any two of them, the governor is authorized and empowered to designate any district judge or judges to sit in the place or places of such disqualified or disabled justice or justices, and said judge or judges so designated shall receive their actual expense of travel and otherwise while sitting in said supreme court.

[Sec:] Sec. 7. The times of holding the Supreme Court and District Courts shall be as fixed by law. The terms of the Supreme

Court shall be held at the seat of Government [.] *unless the Legislature shall provide otherwise by law*; and the terms of the District Courts shall be held at the County seats of their respective counties; Provided, that in case any county shall be hereafter divided into two or more districts, the Legislature may by law, designate the places of holding Courts in such Districts.—be approved?

Yes 97839 ☐

No 74924 ☐

Statements for the Printed and Punchcard Ballots

The following language should appear on the printed and punchcard ballots:

Question No. 7

Amendment to the Constitution.

Shall—Senate Joint Resolution No. 30 of the 57th Session (1973), approved by the 58th Session (1975), proposing to amend sections 2, 4 and 7 of article 6 of the Constitution of the State of Nevada, be approved?

Yes ☐

No ☐

(Explanation of Question No. 7)

A majority vote of “yes” would amend section 2, article 6 of the Constitution which currently provides that the Supreme Court shall consist of a Chief Justice and two (2) Associate Justices and that the Legislature may also provide for the election of two (2) additional Associate Justices. This resolution would amend section 2 by providing that the Supreme Court shall consist of a Chief Justice and two (2) or more Associate Justices as may be provided by law. In other words, the Supreme Court would consist of a minimum of a Chief Justice and at least two (2) Associate Justices, with the maximum number of Associate Justices to be determined by the Legislature. In addition, section 2 would be amended to provide that if the court consists of more than five (5) justices, the Legislature may provide for the hearing and deciding of cases by panels of no fewer than three (3) justices, with the full court resolving certain cases which the Legislature may provide must be heard by the full court or with the full court resolving any conflicts between panels. The Legislature may also determine the places where the Supreme Court or its panels may hear cases.

Section 4 currently provides that the Governor may designate any district judge or judges to sit in the place of the Chief Justice or “either” of the Associate Justices of the Supreme Court who may be disabled or disqualified from hearing a case. The resolution would eliminate the word “either” and substitute the word “one” in its place.

Section 7 of article 6 currently provides that the terms of the Supreme Court shall be held at the seat of government. This resolution would amend that section by providing that the terms of the Supreme Court shall be held at the seat of government unless the Legislature shall provide otherwise by law. A majority vote of “no” would defeat the amendment.

QUESTION NO. 8

Amendment to the Constitution

Assembly Joint Resolution No. 16 of the 57th Session—File No. 106
File No. 112—58th Session

Shall—Assembly Joint Resolution proposing to amend the judicial article of the State Constitution by providing for the discipline of incumbent judges.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 5 of article 6 of the constitution of the State of Nevada be amended, and article 6 of the constitution of the State of Nevada be further amended by adding thereto a new section to be designated section 19, provided that:

1. If Assembly Joint Resolution 17 of the 57th session is agreed to and passed, this new section shall be designated as section 20, 21 or 22, as determined by the secretary of state, depending on whether Assembly Joint Resolution 14 or Assembly Joint Resolution 18 of the 57th session, or both, are agreed to and passed.

2. If Assembly Joint Resolution 17 of the 57th session is not agreed to and passed, this new section shall be designated as section 19, 20 or 21, as determined by the secretary of state, depending on whether Assembly Joint Resolution 14 or Assembly Joint Resolution 18 of the 57th session, or both, are agreed to and passed, to read respectively as follows:

[Sec:] *Sec. 5.* The State is hereby divided in to Nine Judicial Districts of which the county of Storey shall constitute the First; The county of Ormsby the Second; the county of Lyon the Third; The county of Washoe the Fourth; The counties of Nye and Churchill the Fifth; The county of Humboldt the Sixth; The county of Lander the Seventh; The county of Douglas the Eighth; and the county of Esmeralda the Ninth. The county of Roop shall be attached to the county of Washoe for judicial purposes until otherwise provided by law. The Legislature may, however, provide by law for an alteration in the boundaries or divisions of the Districts herein prescribed, and also for increasing or diminishing the number of the Judicial Districts and Judges therein. But no such change shall take effect, except in case of a vacancy, or the expiration of the term of an incumbent of the Office. At the first general election under this Constitution there shall be elected in each of the respective Districts (except as in this Section hereafter otherwise provided) One District Judge, who shall hold Office from and including the first Monday of December AD. Eighteen hundred and Sixty four and until the first Monday of January in the year Eighteen hundred and Sixty seven. After the said first election, there shall be elected at the General election which immediately precedes the expiration of the term of his predecessor, One District Judge in each of the respective Judicial Districts (except in the First District as in this Section hereinafter provided.) The District Judges shall be elected by the qualified electors of their respective districts, and shall hold office for the term of **[four Years]** *6 years* (excepting those elected at said first election) from and including the first Monday of January, next succeeding their

election and qualification; Provided, that the First Judicial District shall be entitled to, and shall have Three District Judges, who shall possess co-extensive and concurrent jurisdiction, and who shall be elected at the same times, in the same manner, and shall hold office for the like terms as herein prescribed, in relation to the Judges in other Judicial Districts, any one of said Judges may preside on the empanneling [empaneling] of Grand Juries and the presentment and trial on indictments, under such rules and regulations as may be prescribed by law.

Sec. 19. 1. A justice of the supreme court or a district judge may, in addition to the provision of article 7 for impeachment, be censured, retired or removed by the commission on judicial discipline. A justice or judge may appeal from the action of the commission to the supreme court, which may reverse such action or take any alternative action provided in this subsection.

2. The commission is composed of:

- (a) Two justices or judges appointed by the supreme court;*
- (b) Two members of the State Bar of Nevada, a public corporation created by statute, appointed by its board of governors; and*
- (c) Three persons, not members of the legal profession, appointed by the governor.*

The commission shall elect a chairman from among its three lay members.

3. If at any time the State Bar of Nevada ceases to exist as a public corporation or ceases to include all attorneys admitted to practice before the courts of this state, the legislature shall provide by law, or if it fails to do so the court shall provide by rule, for the appointment of attorneys at law to the positions designated in this section to be occupied by members of the State Bar of Nevada.

4. The term of office of each appointive member of the commission, except the first members, is 4 years. Each appointing authority shall appoint one of the members first appointed for a term of 2 years. If a vacancy occurs, the appointing authority shall fill the vacancy for the unexpired term. An appointing authority shall not appoint more than one resident of any county. The governor shall not appoint more than two members of the same political party. No member may be a member of a commission on judicial selection.

5. The supreme court shall make appropriate rules for:

(a) The confidentiality of all proceedings before the commission, except a decision to censure, retire or remove a justice or judge.

(b) The grounds of censure.

(c) The conduct of investigations and hearings.

6. No justice or judge may by virtue of this section be:

(a) Removed except for willful misconduct, willful or persistent failure to perform the duties of his office or habitual intemperance; or

(b) Retired except for advanced age which interferes with the proper performance of his judicial duties, or for mental or physical disability which prevents the proper performance of his judicial duties and which is likely to be permanent in nature.

7. Any person may bring to the attention of the commission any matter relating to the fitness of a justice or judge. The commission

shall, after preliminary investigation, dismiss the matter or order a hearing to be held before it. If a hearing is ordered, a statement of the matter shall be served upon the justice or judge against whom the proceeding is brought. The commission in its discretion may suspend a justice or judge from the exercise of his office pending the determination of the proceedings before the commission. Any justice or judge whose removal is sought is liable to indictment and punishment according to law. A justice or judge retired for disability in accordance with this section is entitled thereafter to receive such compensation as the legislature may provide.

8. If a proceeding is brought against a justice of the supreme court, no justice may sit on the commission for that proceeding. If a proceeding is brought against a district judge, no judge from the same judicial district may sit on the commission for that proceeding. If an appeal is taken from an action of the commission to the supreme court, any justice who sat on the commission for that proceeding is disqualified from participating in the consideration or decision of the appeal. When any member of the commission is disqualified by this subsection, the supreme court shall appoint a substitute from among the eligible judges.

9. The commission may:

(a) Designate for each hearing an attorney or attorneys at law to act as counsel to conduct the proceeding;

(b) Summon witnesses to appear and testify under oath and compel the production of books, papers, documents and records;

(c) Grant immunity from prosecution or punishment when the commission deems it necessary and proper in order to compel the giving of testimony under oath and the production of books, papers, documents and records; and

(d) Exercise such further powers as the legislature may from time to time confer upon it.—be approved?

Yes 93590 ☐

No 81507 ☐

Statements for the Printed and Punchcard Ballots

The following language should appear on the printed and punchcard ballots:

Question No. 8

Amendment to the Constitution.

Shall—Assembly Joint Resolution No. 16 of the 57th Session (1973), approved by the 58th Session (1975), proposing to amend section 5 of article 6 of the Constitution of the State of Nevada, and also adding a new section to article 6, be approved?

Yes ☐

No ☐

(Explanation of Question No. 8)

A majority vote of "yes" would amend article 6 by adding a new section to the article. The new section would provide for the establishment of a Commission on Judicial Discipline which would be empowered to

censure, retire, or remove justices or judges. Grounds for censuring justices or judges would be determined by rules by the Supreme Court. Justices and judges could not be removed except for willful misconduct, willful or persistent failure to perform the duties of their offices or habitual intemperance. Justices or judges could not be retired except for advanced age which interferes with the proper performance of their judicial duties, or for mental or physical disabilities which prevent the proper performance of their judicial duties and which are likely to be permanent in nature. The Commission on Judicial Discipline would be composed of two (2) justices or judges appointed by the Supreme Court, two (2) members of the State Bar of Nevada, and three (3) persons, not members of the legal profession, appointed by the Governor. Each member of the commission would serve for a term of four (4) years. The new section also provides for hearing procedures, with the commission, in its discretion, having the authority to suspend a justice or a judge from the exercise of his office pending a determination of the proceedings before the commission. This resolution would also amend section 5 of article 6 of the Constitution by increasing the elective term of office of district judges from four (4) years to six (6) years. A majority vote of "no" would defeat the amendment.

QUESTION NO. 9

Amendment to the Constitution

Assembly Joint Resolution No. 10 of the 57th Session—File No. 86
File No. 27—58th Session

Shall—Assembly Joint Resolution proposing to amend section 7 of article 6 of the Constitution of the State of Nevada to permit the Supreme Court of this State to hear oral argument outside of the seat of government.

Resolved by the Assembly and the Senate of the State of Nevada, jointly, That section 7 of article 6 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] Sec. 7. Terms of court. The times of holding the Supreme Court and District Courts shall be as fixed by law. The terms of the Supreme Court shall be held at the seat of Government **[; and the]**, *except that the Supreme Court may hear oral argument at other places in the state.* The terms of the District Courts shall be held at the County seats of their respective counties; Provided, that in case any county shall be hereafter divided into two or more districts, the Legislature may by law, designate the places of holding Courts in such Districts.—be approved?

Yes 109565 ☐
No 62787 ☐

Statements for the Printed and Punchcard Ballots

The following language should appear on the printed and punchcard ballots:

Question No. 9

Amendment to the Constitution.

Shall—Assembly Joint Resolution No. 10 of the 57th Session (1973),

approved by the 58th Session (1975), proposing to amend section 7, article 6 of the Constitution of the State of Nevada, be approved?

Yes.....☐

No.....☐

(Explanation of Question No. 9)

A majority vote of "yes" would amend section 7, article 6 of the Constitution which provides that the terms of the Supreme Court shall be held at the seat of government. This resolution would amend section 7 by providing that the terms of the Supreme Court shall be held at the seat of government except that the Supreme Court may hear oral argument at other places in the State.

This question differs from ballot question No. 7 in that the discretion to hear oral argument in other places in the State would vest with the Supreme Court. In ballot question No. 7, however, the discretion to allow the Supreme Court to hear cases in places other than the seat of government would vest with the Legislature. A majority vote of "no" would defeat the amendment.

QUESTION NO. 10

Amendment to the Constitution

Assembly Joint Resolution No. 23 of the 57th Session—File No. 120
File No. 38—58th Session

Shall—Assembly Joint Resolution proposing to amend section 6 of article 19 of the Nevada Constitution, relating to limitations on the operation of the initiative.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 6 of article 19 of the constitution of the State of Nevada, be amended to read as follows:

Sec. 6. This article does not permit the proposal of any statute or statutory amendment which makes an appropriation or [otherwise requires] *which has as its primary purpose the expenditure of money, unless such statute or amendment also imposes a sufficient tax, not prohibited by the constitution, or otherwise constitutionally provides for raising the necessary revenue. If the proposal authorizes or requires a capital expenditure, it may authorize raising the necessary moneys by a borrowing within the constitutional limit, to be repaid within the estimated useful life of the capital improvement. If the proposal is made by the registered voters of a county or municipality, it shall not authorize a borrowing in excess of any applicable charter or statutory limitation.*—be approved?

Yes **668 61**.....☐

No **100 464**.....☐

Statements for the Printed and Punchcard Ballots

The following language should appear on the printed and punchcard ballots:

Question No. 10

Amendment to the Constitution.

Shall—Assembly Joint Resolution No. 23 of the 57th Session (1973), approved by the 58th Session (1975), proposing to amend section 6 of article 19 of the Constitution of the State of Nevada, be approved?

Yes.....☐

No.....☐

(Explanation of Question No. 10)

A majority vote of "yes" would amend section 6, article 19 of the Constitution which currently provides that no initiative question proposing a statute or statutory amendment, which makes an appropriation or which requires the expenditure of money may be proposed unless such a statute or amendment also imposes a valid and sufficient tax to raise the necessary revenue. This resolution would amend that section by limiting such a prohibition only to initiative questions which make an appropriation or which have as their *primary purpose* the expenditure of money. The amendment also provides that if such a proposal authorizes or requires a capital expenditure, the proposal may authorize raising the necessary money by borrowing within the constitutional limit, such a borrowing to be repaid within the estimated useful life of the capital improvement. Furthermore, if such a proposal is made by the registered voters of the county or municipality, such a proposal shall not authorize a borrowing in excess of any applicable charter or statutory limitation. A majority vote of "no" would defeat the amendment.

(End of Form of Ballot Label)

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:

293.253 Constitutional amendments and other questions; duties of secretary of state, county clerk; posting and publication.

1. The secretary of state shall provide each county clerk with copies of any proposed constitution, constitutional amendment or question which will appear on the general election ballot.

2. Whenever feasible, he shall provide such copies on or before the 1st Monday in August of the year in which such proposals will appear on the ballot. Copies of any additional proposals shall be provided as soon after their filing as feasible.

3. Each county clerk shall cause a copy of any such constitution, amendment or question to be published, in conspicuous display advertising format of not less than 10 column inches, in a newspaper of general circulation in the county three times at intervals of not less than 7 days, 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.

4. When a copy is furnished by the secretary of state too late to be published at 7-day intervals, it shall be published three times at the longest intervals feasible in each county.

Pursuant to NRS 293.247, the Secretary of State has promulgated rules and regulations for the conduct of elections. Rules 66a and b read as follows:

66. 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 1st day of March, 1976.


Secretary of State

(SEAL)

**Proposition To Be Voted Upon in the State of Nevada
at the General Election, November 2, 1976**

I, WM. D. SWACKHAMER, the duly elected, qualified and acting Secretary of State of the State of Nevada, do hereby certify that the following proposition is to appear on the 1976 general election ballot:

QUESTION NO. 11

Proposal to Issue Bonds for Protecting Natural Resources

Senate Bill No. 577

Chapter 660—Approved May 21, 1975

An Act relating to natural resources; directing the submission of a proposal to issue state general obligation bonds for park purposes and fish and game habitat acquisition to a vote of the people; providing for the use of the proceeds if such issue is approved; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

SECTION 1. At the general election to be held in the State of Nevada in 1976, there shall be submitted to the voters of the state in the manner prescribed by chapter 349 of NRS a proposal to issue general obligation bonds of the State of Nevada for the purposes of protecting, preserving and obtaining the benefits of natural resources in an amount of not more than \$10,000,000. If the proposal is carried, the bonds may be issued at one time or from time to time.

SEC. 2. Of the total bond issue:

1. An amount of \$9,000,000 shall be for park purposes, identified as follows:

(a) An amount of \$3,000,000 for real or personal property acquisition for the state park system.

(b) An amount of \$5,000,000 for real or personal property acquisition for cities and counties under the statewide outdoor recreation plan, on a matching fund basis with cities and counties in the state.

(c) An amount of \$500,000 for acquisition and development of bicycle paths for cities and counties under the Bicycle Pathways Act, on a matching fund basis with cities and counties in the state.

(d) An amount of \$250,000 for historic preservation purposes under the statewide historic preservation plan.

(e) An amount of \$250,000 for historic preservation purposes for cities and counties under the statewide historic preservation plan, on a matching fund basis with cities and counties in the state.

2. An amount of \$1,000,000 shall be for the Nevada department of fish and game for the acquisition of fish and game habitat, including habitat for protected wildlife.

SEC. 3. 1. If, on the application of the administrator of the state park system or the director of the Nevada department of fish and game, the interim finance committee finds that specified real or personal property, or a combination thereof, ought to be acquired for any one of the purposes recited in section 2 of this act, it may direct:

(a) The state board of examiners to issue a sufficient amount of the bonds authorized pursuant to sections 1 and 2 of this act; and

(b) The state park system or the Nevada department of fish and game to acquire such property from the proceeds of such bonds.

2. Neither the administrator of the state park system nor the director of the Nevada department of fish and game may expend more than the amount authorized for the acquisition of specified real or personal property or a combination thereof, unless he has obtained prior approval from the interim finance committee.

3. The legislature finds and declares that the issuance of bonds pursuant to this act is for the protection and preservation of the natural resources of this state and obtaining the benefits thereof, and constitutes an exercise of the authority conferred by the second paragraph of section 3 of article 9 of the constitution of the State of Nevada.

4. The provisions of the State Securities Law, contained in chapter 349 of NRS, apply to the issuance of bonds and the acquisition of property under this act.

Statements for the Printed and Punchcard Ballots

The following language should appear on the printed and punchcard ballots:

Question No. 11.

State Park Bond Question.

Shall—The State of Nevada incur an indebtedness by the issuance of the State's negotiable, coupon, general obligation bonds, in one series or more, in the aggregate principal amount of \$10 million, or so much thereof as may be necessary, for the purposes of protecting, preserving and obtaining the benefits of natural resources by the acquisition of real or personal property for park purposes and outdoor recreation, by the acquisition and development of bicycle paths, by historic preservation projects, and by the acquisition of fish and game habitat, such bonds to bear interest at a rate or rates of not more than nine per centum (9%) per annum, to mature serially ending not later than fifty (50) years from the date or respective dates of the bonds, to be payable from general (ad valorem) taxes, except to the extent other moneys are available therefor?

Yes 107858 ☐

No 72891 ☐

(Explanation of Question No. 11)

A majority vote of "Yes" would authorize the State of Nevada to issue general obligation bonds in an amount not to exceed \$10 million for the purposes of protecting, preserving and obtaining the benefits of natural resources. A majority vote of "No" would defeat the bond proposal.

(End of Form of Ballot Label)

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:

293.253 Constitutional amendments and other questions; duties of secretary of state, county clerk; posting and publication.

1. The secretary of state shall provide each county clerk with copies of any proposed constitution, constitutional amendment or question which will appear on the general election ballot.

2. Whenever feasible, he shall provide such copies on or before the 1st Monday in August of the year in which such proposals will appear on the ballot. Copies of any additional proposals shall be provided as soon after their filing as feasible.

3. Each county clerk shall cause a copy of any such constitution, amendment or question to be published, in conspicuous display advertising format of not less than 10 column inches, in a newspaper of general circulation in the county three times at intervals of not less than 7 days, 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.

4. When a copy is furnished by the secretary of state too late to be published at 7-day intervals, it shall be published three times at the longest intervals feasible in each county.

Pursuant to NRS 293.247, the Secretary of State has promulgated rules and regulations for the conduct of elections. Rules 66a and b read as follows:

66. 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 1st day of April, 1976.


Secretary of State

(SEAL)