

Question No. 2 was removed from the ballot by order of the District Court No. 1 for the reason that the original petition didn't contain sufficient valid signatures.

Propositions To Be Voted Upon In State of Nevada at General Election, November 4, 1958



CARSON CITY, NEVADA
STATE PRINTING OFFICE - - JACK MCCARTHY, SUPERINTENDENT
1958

Propositions To Be Voted Upon in State of Nevada at the General Election, November 4, 1958.

I, JOHN KOONTZ, the duly elected, qualified and acting Secretary of State of the State of Nevada, do hereby certify that the following are true, full, and correct copies of the original texts of Initiative Petitions:

"An Act of the People of the State of Nevada amending Section 3 of Article 19 of the Constitution of the State of Nevada."

An Act repealing an Act entitled: "An Act relating to employment; prohibiting the denial of employment because of nonmembership in a labor organization; prohibiting agreements excluding any person from employment because of nonmembership in a labor organization, prohibiting strikes or picketing to induce violation of this Act; making illegal compelling or attempting to compel a person to join a labor organization or leave his employment against his will; prohibiting conspiracies to cause the discharge of any persons because of nonmembership in a labor organization; and prescribing penalties for the violation thereof."

and

Assembly Joint Resolutions amending the Constitution

Assembly Joint Resolution No. 26 of the Forty-Seventh Session proposing an amendment to repeal Section 29 of Article IV of the Constitution of the State of Nevada;

Assembly Joint Resolution No. 27 of the Forty-Seventh Session proposing an amendment to Section 33 of Article IV of the Constitution of the State of Nevada;

Assembly Joint Resolution No. 28 of the Forty-Seventh Session proposing an amendment to Section 2 of Article IV of the Constitution of the State of Nevada.

QUESTION NO. 1

Initiative Petition

Shall—"An Act of the People of the State of Nevada amending Section 3 of Article 19 of the Constitution of the State of Nevada."

The People of the State of Nevada do enact as follows:

SECTION 1—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 provision of this section shall be self-executing, but legislation may be especially enacted to facilitate its operation.

SECTION 2. This amendment to the Constitution of the State of Nevada shall be in full force and effect from and after its enactment by the legislature and approval by the governor, or from and after its approval by a majority of the electors voting thereon and the official declaration of the vote. — be approved?

Yes 37,651 ☐
No 23,168 ☐

(Explanation of Question No. 1)

Relating to the proposed amendment to Section 3, Article XIX, Constitution of Nevada, as it will be presented in Question No. 1 on the 1958 ballot, the following is a statement of added and deleted matter together with a synopsis of the proposition to be transmitted by the Secretary of State to the several County Clerks for publication in compliance with NRS 296.125:

STATEMENT OF PROPOSED ADDED AND DELETED MATTER

The proposed amendment to Section 3, Article XIX of the Nevada Constitution would add thereto the requirement that an initiative petition must bear signatures of ten percent of the qualified electors of each of the seventy-five percent of the counties in the State; that the total number of petitioners shall not be less than ten percent of all the qualified electors in the State, and that the total vote cast at the last preceding general election is to be the basis upon which the qualified electors required to sign are to be counted.

The addition above referred to would be added in substitution for the existing requirement that not more than ten percent of the qualified electors shall be required to propose any measure by initiative petition, and that the whole number of votes cast for justice of the supreme court at the last general election shall be the basis on which the number of qualified electors required to sign shall be counted. This existing requirement would, by the proposed amendment, be stricken or deleted from the Constitution.

This proposed amendment to Section 3, Article XIX of the Nevada Constitution would also add thereto the requirement that each signer of the initiative petition in addition to affixing his own signature shall designate his place of residence and county in which he is a qualified elector; that each document comprising the initiative petition shall bear an affidavit under oath of one of the signers to each document or to the petition attesting the genuineness of the signatures and that each signer was at the time of signing a bonafide qualified elector of the respective county and State of Nevada.

SYNOPSIS OR EXPLANATION OF PURPOSE OF PROPOSED AMENDMENT

The proposed amendment to Section 3, Article XIX of the Nevada Constitution would make the requirements to commence and carry through an initiative petition more strict. Generally, more signatures derived from at least thirteen counties of the State would be necessary.

If the County Clerks desire it, the following can serve as the brief statement of the purport of Question No. 1 as required to appear on the written ballot in compliance with NRS 296.190:

“If approved, the Nevada Constitution will be changed to make the requirements to commence and carry through an initiative petition more strict. Generally, more signatures derived from at least thirteen counties of the State would be necessary.”

QUESTION NO. 2

Initiative Petition

Shall—*An Act repealing an Act entitled: “An Act relating to employment; prohibiting the denial of employment because of nonmembership in a labor organization; prohibiting agreements excluding any person from employment because of nonmembership in a labor organization; prohibiting strikes or picketing to induce violation of this Act; making illegal compelling or attempting to compel a person to join a labor organization or leave his employment against his will; prohibiting conspiracies to cause the discharge of any persons because of nonmembership in a labor organization; and prescribing penalties for the violation thereof.”*

The People of the State of Nevada do enact as follows:

SECTION 1. That certain Act enacted pursuant to direct vote of the People, General Election, November 14, 1952, entitled “An Act relating to employment; prohibiting the denial of employment because of nonmembership in a labor organization; prohibiting agreements excluding any person from employment because of nonmembership in a labor organization; prohibiting strikes or picketing to induce violation of this Act; making illegal compelling or attempting to compel a person to join a labor organization or leave his employment against his will; prohibiting conspiracies to cause the discharge of any persons because of nonmembership in a labor organization; and prescribing penalties for the violation thereof,” is hereby repealed.

SECTION 2. This act shall be in full force and effect from and after its enactment by the legislature and approval by the governor, or from and after its approval by a majority of the electors voting thereon and the official declaration of the vote. — be approved?

Yes 41,383 ☐
No 18,201 ☐

(Explanation of Question No. 2)

Approval of this petition would repeal Chapter 1, 1953 Statutes, which is the commonly known "Right to Work Law."

QUESTION NO. 3

Amendment to the Constitution

Shall—*Assembly Joint Resolution—Repealing section 29 of Article IV of the Constitution of the State of Nevada.*

Resolved by the Assembly and Senate of the State of Nevada, jointly,
That Section 29 of Article IV of the Constitution of the State of Nevada is hereby repealed. — be approved?

Yes 41,684 ☐
No 17,420 ☐

(Explanation of Question No. 3)

Relating to the proposed repeal of Section 29, Article IV, Constitution of Nevada as it will be presented in Question No. 3 on the 1958 ballot, the following is a statement of deleted matter together with a synopsis of the proposition to be transmitted by the Secretary of State to the several County Clerks for publication in compliance with NRS 296.125:

STATEMENT OF PROPOSED DELETED MATTER

Section 29, Article IV of the Nevada Constitution provides as follows:

"The first regular session of the legislature under this constitution may extend to ninety days, but no subsequent regular session shall exceed sixty days, nor any special session convened by the governor exceed twenty days."

The proposed repeal would remove the above-quoted section in its entirety from the Constitution; thereby removing the time limits on legislative sessions.

SYNOPSIS OR EXPLANATION OF PURPOSE OF PROPOSED REPEAL

The proposed repeal of Section 29, Article IV of the Nevada Constitution would remove from the Constitution the sixty- and twenty-day time limits placed upon the regular and special sessions of the Legislature. The purpose is to eliminate the dilemma of covering the

clock on the sixtieth day and continuing the session thereafter as though the sixtieth day had not yet passed. This question is closely related to Question No. 4.

If the County Clerks desire it, the following can serve as the brief statement of the purport of Question No. 3 as required to appear on the written ballot in compliance with NRS 296.190:

“If approved the limitations of sixty and twenty days upon the length of the regular and special sessions of the legislature will be removed. This would eliminate the dilemma of covering the clock on the sixtieth and twentieth day. This proposition is closely related to Question No. 4.”

QUESTION NO. 4

Amendment to the Constitution

Shall—*Assembly Joint Resolution—Proposing an amendment to section 33 of Article IV of the Constitution of the State of Nevada.*

Resolved by the Assembly and Senate of the State of Nevada, jointly,
That Section 33 of Article IV of the Constitution of the State of Nevada be amended to read as follows:

Section 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 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	36,634	<input type="checkbox"/>
No	24,919	<input type="checkbox"/>

(Explanation of Question No. 4)

Relating to the proposed amendment to Section 33, Article IV, Constitution of Nevada as it will be presented in Question No. 4 on the 1958 ballot, the following is a statement of added and deleted matter together with a synopsis of the proposition to be transmitted by the Secretary of State to the several County Clerks for publication in compliance with NRS 296.125:

STATEMENT OF PROPOSED ADDED AND DELETED MATTER

The proposed amendment to Section 33, Article IV, Constitution of Nevada would add thereto a restriction on the payment of legislators for service beyond sixty or twenty days in each regular or special session. The proposed amendment deletes no part of the existing text of the Constitution.

SYNOPSIS OR EXPLANATION OF PURPOSE OF PROPOSED AMENDMENT

The proposed amendment to Section 33, Article IV, Constitution of Nevada would limit the salary of legislators to a payment for service not in excess of sixty days during regular sessions or twenty days during special sessions irrespective of the length of the sessions. This is closely related to the repeal of Section 29, Article IV, Constitution of Nevada proposed in Question No. 3.

If the County Clerks desire it, the following can serve as the brief statement of the purport of Question No. 4 as required to appear on the written ballot in compliance with NRS 296.190:

“If approved, legislators would be paid for not to exceed sixty or twenty days service during regular or special sessions irrespective of the length of the sessions. Question No. 3 is closely related to this question.”

QUESTION NO. 5

Amendment to the Constitution

Shall—*Assembly Joint Resolution—Proposing an amendment to section 2 of Article IV of the Constitution of the State of Nevada.*

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 2 of Article IV of the Constitution of the State of Nevada be amended to read as follows:

Section 2. The sessions of the legislature shall be [biennial,] *annual*, and shall commence on the third Monday of January [next ensuing the election of members of the assembly,] *in each year*, unless the governor of the state shall, in the interim, convene the legislature by proclamation — be approved?

Yes	54,959	<input type="checkbox"/>
No	16,554	<input type="checkbox"/>

(Explanation of Question No. 5)

Relating to the proposed amendment to Section 2, Article IV of the Constitution of Nevada as it will be presented in Question No. 5 on the 1958 ballot, the following is a statement of added and deleted matter together with a synopsis of the proposition to be transmitted by the Secretary of State to the several County Clerks for publication in compliance with NRS 296.125:

STATEMENT OF PROPOSED ADDED AND DELETED MATTER

The proposed amendment to Section 2, Article IV of the Nevada Constitution would remove from the section the provision that the legislature shall meet once every two years and add instead the requirement that the legislature shall meet annually, or once every year, in regular session.

SYNOPSIS OR EXPLANATION OF PURPOSE OF PROPOSED AMENDMENT

The proposed amendment to Section 2, Article IV of the Nevada Constitution would require that the legislature meet in regular session once every year rather than once every two years.

If the County Clerks desire it, the following can serve as the brief statement of the purport of Question No. 5 as required to appear on the written ballot in compliance with NRS 296.190:

“If approved, the legislature will meet once each year instead of once every two years.”

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of State, at my office in Carson City,
Nevada, this 6th day of August, A.D.
1958.

SEAL

Secretary of State.

By _____
Deputy.