
**Constitutional Amendments To Be Voted
Upon in the State of Nevada at the
General Election, November 7, 1972**

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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 Constitutional Amendments and Other Propositions are to appear on the 1972 General Election Ballot:

QUESTION NO. 1

Amendment to the Constitution

Senate Joint Resolution No. 7 of the 55th Session—File Number 66—1969
File Number 33—56th Session—1971

Shall—Senate Joint Resolution proposing to amend section 2 of article 19 of the constitution of the State of Nevada; relating to initiative petitions; and advancing the deadline for filing initiative petitions concerning the constitution.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That section 2 of article 19 of the constitution of the State of Nevada be amended to read as follows:

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 day, 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] 90 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.—be approved?

Yes 109717 ☒
No 42219 ☐

Statements for the Printed Ballots and Voting Machines

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

Question No. 1.

Amendment to the Constitution.

Shall—Senate Joint Resolution No. 7 of the 55th Session (1969), approved by the 56th Session (1971), proposing to amend Sec. 2

of Article 19 of the Constitution of the State of Nevada, relating to initiative petitions, by advancing the deadline for filing initiative petitions proposing amendments to the constitution, from sixty (60) days to ninety (90) days before the general election at which the question of approval or disapproval of such amendment will be voted on by the people, be approved?

Yes...109,717.....☐
No...42,219.....☐

(Explanation of Question No. 1)

A majority vote of "yes" would amend the state constitution by changing the deadline for filing initiative petitions proposing to amend the state constitution, from sixty (60) days to ninety (90) days before the general election at which the proposed amendments may be voted upon by the people.

QUESTION NO. 2

Amendment to the Constitution

Senate Joint Resolution No. 22 of the 55th Session—File Number 116—1969
File Number 36—56th Session—1971

Shall—Senate Joint Resolution proposing to amend section 32 of article 4 of the constitution of the State of Nevada, relating to county officers, by abolishing the provision for certain county officers.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That section 32 of article 4 of the constitution of the State of Nevada be amended to read as follows:

[Section thirty-two.] *Sec. 32.* The Legislature shall have power to increase, diminish, consolidate or abolish the following county officers: County Clerks, County Recorders, Auditors, Sheriffs, District Attorneys **[, County Surveyors,]** and Public Administrators. **[and Superintendents of Schools.]** The Legislature shall provide for their election by the people, and fix by law their duties and compensation. County Clerks shall be ex officio Clerks of the Courts of Record and of the Boards of County Commissioners in and for their respective counties.—be approved?

Yes...98697.....☒
No...52450.....☐

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—Senate Joint Resolution No. 22 of the 55th Session (1969), approved by the 56th Session (1971), proposing to amend Sec. 32 of Article 4 of the Constitution of the State of Nevada, relating to

the Legislature's power over various county offices, by eliminating the offices of county surveyors and superintendents of schools from the section, be approved?

Yes 98,697 ☐
No 52,450 ☐

(Explanation of Question No. 2)

A majority vote of "yes" would amend the state constitution by curtailing the power of the Legislature over the offices of county surveyor and superintendent of schools and thus place the administration of these offices under the control of the various local governments.

QUESTION NO. 3

Amendment to the Constitution

Assembly Joint Resolution No. 45 of the 55th Session—File Number 90—1969
File Number 49—56th Session—1971

Shall—Assembly Joint Resolution proposing to repeal section 3 and amend section 2 of article 2 of the constitution of the State of Nevada, relating to voting rights, by broadening the voting rights of persons in the service of the United States.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 3 of article 2 of the constitution of the State of Nevada be repealed and that section 2 of article 2 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] Sec. 2. For the purpose of voting, no person shall be deemed to have gained or lost a residence *solely* by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of the United States or of the high seas; nor while a student of any **[Seminary]** *institution* of learning; **[Nor]** *nor* while kept at any **[Alms-house or other asylum]** *charitable institution or medical facility* at public expense; **[Nor]** *nor* while confined in any public prison.—be approved?

Yes 121,576 ☒
No 3,096 ☐

Statements for the Printed Ballots and Voting Machines

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

Question No. 3.

Repeal and Amendment of Various Sections in the Constitution.

Shall—Assembly Joint Resolution No. 45 of the 55th Session (1969), approved by the 56th Session (1971), proposing that Section 3 of Article 2 of the Constitution of the State of Nevada, providing that persons in the armed services of the United States may vote so long as the votes so cast apply to the county and township such persons resided in at the time of their entry into the armed services

of the United States, be repealed, and that Section 2 of Article 2 of the Constitution of the State of Nevada, relating to voting residence while in the armed services of the United States, be amended to provide that a person in the armed services of the United States will not gain or lose residency solely because of that service, be approved?

Yes 121,576 ☐
No 28,960 ☐

(Explanation of Question No. 3)

A majority vote of "yes" would broaden the voting rights of U.S. servicemen and women by repealing that part of the state constitution which limits the voting privileges of U.S. servicemen and women in Nevada to those U.S. servicemen and women who were residents of Nevada when they entered the service, and by amending the state constitution to provide that voting residence will not be gained or lost solely because a person is in the armed services of the United States.

QUESTION NO. 4

Amendment to the Constitution

Senate Joint Resolution No. 23 of the 55th Session—File Number 99—1969
File Number 57—56th Session—1971

Shall—Senate Joint Resolution proposing to change the state's constitution to create a simplified and unified court system, by amending article 6 of the constitution in its entirety, amending section 2 of article 7, sections 8 and 12 of article 15 and section 22 of article 17 of the constitution, and repealing sections 15, 16 and 17 of article 17 of the constitution.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That sections 15, 16 and 17 of article 17 of the constitution of the State of Nevada be repealed, and that article 6 in its entirety and section 2 of article 7, sections 8 and 12 of article 15 and section 22 of article 17 of the constitution of the State of Nevada be amended to read, respectively, as follows:

[ARTICLE. 6.

Judicial Department.

Section 1. The judicial power of this State shall be vested in a Supreme Court, District Courts, and in Justices of the Peace. The Legislature may also establish Courts for municipal purposes only in incorporated cities and towns.

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.

Sec: 3. The Justices of the Supreme Court, shall be elected by the qualified electors of the State at the general election, and shall hold office for the term of Six Years from and including the first Monday of January next succeeding their election; Provided, that there shall be elected, at the first election under this Constitution, Three Justices of the Supreme Court who shall hold Office from and including the first Monday of December AD. Eighteen hundred and Sixty four, and continue in Office thereafter, Two, Four and Six Years respectively, from and including the first Monday of January next succeeding their election. They shall meet as soon as practicable after their election and qualification, and at their first meeting shall determine by lot the term of Office each shall fill, and the Justice drawing the shortest term shall be Chief Justice, and after the expiration of his term, the one having the next shortest term shall be Chief Justice, after which the Senior Justice in Commission shall be Chief Justice; and in case the commission of any two or more of said Justices shall bear the same date, they shall determine by lot, who shall be Chief Justice.

Section 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 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: 5. The State is hereby divided into 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 (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 of Grand Juries and the presentment and trial on indictment, under such rules and regulations as may be prescribed by law.

Sec: 6. The District Courts in the several Judicial Districts of this State shall have original jurisdiction in all cases in equity; also in all cases at law which involve the title or the right of possession to, or the possession of real property, or Mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, and in all other cases in which the demand (exclusive of interest) or the value of the property in controversy, exceeds Three Hundred Dollars, also in all cases relating to the estates of deceased persons, and the persons and estates of Minors and insane persons, and of the action of forcible entry and unlawful detainer; and also in all criminal cases not otherwise provided for by law; They shall also have final appellate jurisdiction in cases arising in Justices Courts, and such other inferior tribunals as may be established by law. The District Courts, and the Judges thereof shall have power to issue writs of Mandamus, Injunction, Quo-Warranto, Certiorari, and all other writs proper and necessary to the complete exercise of their jurisdiction; and also shall have power to issue writs of Habeas Corpus on petition by, or on behalf of any person held in actual custody in their respective districts.

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; 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.

Sec: 8. The Legislature shall determine the number of Justices of the Peace to be elected in each city and township of the State, and shall fix by law their powers, duties and responsibilities, Provided, that such Justices Courts shall not have jurisdiction of the following cases, Viz: First, of cases in which the matter in dispute is a money demand, or personal property, and the amount of the demand (exclusive of interest) or the value of the property exceeds Three Hundred Dollars; Second, of cases wherein the title to real estate, or mining claims, or questions of boundaries to land, is or may be involved; or of cases that in any manner shall conflict with the jurisdiction of the several courts of Record in this State; And Provided further, that Justices Courts shall have such criminal jurisdiction as may be prescribed by law; and the Legislature may confer upon said courts jurisdiction concurrent with the District Courts, of actions to enforce Mechanics liens, wherein the amount (exclusive of interest) does not exceed Three hundred dollars; and also of Actions for the possession of lands and tenements where the relation of Land lord and Tenant exists, or when such possession has been unlawfully or fraudulently obtained or with-held. The Legislature shall also prescribe by law the manner, and determine the cases in which appeals may be taken from Justices and other courts. The Supreme Court, the District Courts, and such other Courts, as the Legislature shall designate, shall be Courts of Record.

Sec: 9. Provision shall be made by law prescribing the powers, duties and responsibilities of any Municipal Court that may be established in pursuance of Section One, of this Article; and also fixing by law the jurisdiction of said Court so as not to conflict with that of the several courts of Record.

Sec: 10. No Judicial Officer, except Justices of the Peace and City Recorders shall receive to his own use any fees or perquisites of Office.

Sec. 11. The justices of the supreme court and the district judges shall be ineligible to any office, other than a judicial office, during the term for which they shall have been elected or appointed; and all elections or appointments of any such judges by the people, legislature, or otherwise, during said period, to any office other than judicial, shall be void.

Sec: 12. Judges shall not charge juries in respect to matters of fact, but may state the testimony and declare the law.

Sec: 13. The style of all process shall be "The State of Nevada" and all prosecutions shall be conducted in the name and by the authority of the same.

Sec: 14. There shall be but one form of civil action, and law and equity may be administered in the same action.

Section 15. The Justices of the Supreme Court and District Judges shall each receive for their services, a compensation to be fixed by law and paid in the manner provided by law, which shall not be increased or diminished during the term for which they shall have been elected, unless a Vacancy occurs, in which case the successor of

the former incumbent shall receive only such salary as may be provided by law at the time of his election or appointment; and provision shall be made by law for setting apart from each year's revenue a sufficient amount of Money, to pay such compensation.

Sec: 16. The Legislature at its first Session, and from time to time thereafter shall provide by law, that upon the institution of each civil action, and other proceedings, and also upon the perfecting of an appeal in any civil action or proceeding, in the several Courts of Record in this State, a special Court fee, or tax shall be advanced to the Clerks of said Courts, respectively by the party or parties bringing such action or proceeding, or taking such appeal and the money so paid in shall be accounted for by such Clerks, and applied towards the payment of the compensation of the Judges of said Courts, as shall be directed by law.

Sec: 17. The Legislature shall have no power to grant leave of absence to a Judicial Officer, and any such Officer who shall absent himself from the State for more than Ninety consecutive days, shall be deemed to have vacated his Office.

Sec: 18. No Judicial Officer shall be superceeded nor shall the Organization of the several Courts of the Territory of Nevada be changed until the election and qualification of the several Officers provided for in this article.】

ARTICLE 6

Judicial Department

Section 1. The judicial power of this state is vested in a unified court system, comprising a supreme court, a district court and county courts. The legislature may provide by law for:

1. The creation and modification from time to time of geographical divisions within the district court.

2. The assignment of one or more judges of the district court to one or more specialized functions, throughout the district court or in one or more divisions.

3. The appointment or election of justices of the peace to serve as magistrates of any one or more county courts.

Sec. 2. 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.

3. The justices of the supreme court shall elect one of themselves

to be chief justice for a term of 3 years, beginning on the 1st Monday of January in the appropriate years. A vacancy shall be filled for the unexpired term. In making their election, the justices shall consider fitness for the duties prescribed by section 8 of this article. A chief justice shall not succeed himself.

Sec. 3. 1. When a vacancy occurs for any reason in the supreme court or among the judges of the district court or county courts, the governor shall appoint a justice or judge from among three nominees selected for such individual vacancy by the commission on judicial selection.

2. 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.

3. Each nomination for the district court or a county 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 geographical division, if any, in which the vacancy occurs, appointed by the board of governors of the State Bar of Nevada; and
- (c) A resident of such division, if any, not a member of the legal profession, appointed by the governor.

4. 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.

5. 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 the commission on judicial discipline.

6. After the expiration of 30 days from the date on which the committee 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.

Sec. 4. 1. The initial term of office of each judge of the district court appointed pursuant to section 3 of this article expires on the 1st Monday of January next following the first general election held after the year in which such judge was appointed. The initial term of office of each justice of the supreme court so appointed expires at the end of the full term of the justice whom he succeeds. The term of office of

each justice or judge who succeeds himself is 6 years, beginning and ending on the 1st Monday of January in the respectively appropriate years.

2. Each justice of the supreme court who desires to succeed himself shall, on or before July 1 next preceding the expiration of his term of office, declare his candidacy in a manner which shall be provided by law. With respect to each justice who so declares, the question shall be presented at the next general election, in a form which shall be provided by law, whether such justice shall succeed himself. If a justice does not declare his candidacy, or if a majority of the votes cast on the question are cast against his succeeding himself, a vacancy is created at the expiration of his term which shall be filled by appointment pursuant to section 3 of this article.

3. Except when a judge is appointed to fill a vacancy:

(a) District judges shall be elected by the registered voters of the respective geographical divisions of the district court.

(b) Judges of the county courts shall be elected by the registered voters of the respective counties.

Sec. 5. No justice or judge may be removed from office by any alteration of the number of justices of the supreme court or judges of the district court, or by any alteration of a geographical division. The salary of a justice or judge shall not be diminished during his term of office. No justice or judge, during his tenure as such, is eligible for election or appointment to any nonjudicial office.

Sec. 6. 1. A justice of the supreme court or a judge of the district court or a county court may, in addition to the provisions 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. 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 the permanent commission on judicial selection.

4. 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.*

5. *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.*

6. *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.*

7. *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 judge of the district court or a county court, no judge from the same geographical division of the district court 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.*

8. *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.*

Sec. 7. 1. *The legislature shall provide by law the limits of the jurisdiction of the county courts, according to the amount in controversy, the nature of the case, the penalty provided, or any combination of these.*

2. *The district court has original jurisdiction of all matters judicial in nature outside the jurisdiction of the county courts, and final*

appellate jurisdiction of appeals from the county courts, as the legislature shall provide by law. The special jurisdiction of judges assigned to specialized functions shall be provided by law.

3. An action properly brought in one geographical division of the district court may be transferred to another division under such conditions as the legislature may provide by law.

4. The supreme court has jurisdiction:

(a) Of all appeals from the district court, as the legislature shall provide by law.

(b) To issue writs of mandamus, certiorari, prohibition, quo warranto and other writs appropriate to the exercise of its appellate jurisdiction and of its supervisory power over the court system.

(c) To answer a question of law certified to it by a court of another jurisdiction, under such conditions as the legislature may provide by law or the supreme court may provide by rule not inconsistent with any such law.

5. A justice of the supreme court may issue writs of habeas corpus to any part of the state, and may make such writs returnable before him or before any established division or judge of the district court, or established panel within the supreme court.

6. The legislature may provide by law for the trial and punishment of offenses in the militia.

Sec. 8. 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 or panels.

(b) Assign judges of the district court to geographical divisions or specialized functions which have been 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. The supreme court may appoint an administrator of the court system and such other personnel as are appropriate to assist the chief justice in the performance of his administrative duties and to perform such other duties as may be prescribed by law or by rule of the supreme court.

3. In the absence or temporary disability of the chief justice, the associate justice who has served longest in the supreme court shall act as chief justice.

Sec. 9. 1. On the 1st Monday of January next following the approval of this article by the people, unless otherwise provided by law or rule consistent with this article and continuing until thus otherwise provided:

(a) The several justices of the peace become magistrates of the several county courts.

(b) The several judicial districts become geographical divisions of the district court, and the several district judges constitute the judges of the district court.

(c) *The justices of the supreme court shall first elect a chief justice pursuant to this article.*

2. *Every justice of the supreme court and judge of a district court who is incumbent on the effective date of this article or who has been elected to a term of office beginning on such effective date shall be deemed to have been initially appointed pursuant to this article and shall thereafter be removed from or retained in office, and assigned to duty, pursuant to this article.*

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 article to be occupied by members of the State Bar of Nevada.*

[Sec:] Sec. 2. The Governor and other State and Judicial Officers **[, except Justices of the Peace]** shall be liable to impeachment for Misdemeanor or Malfeasance in Office; but judgment in such case shall not extend further than removal from Office and disqualification to hold any Office of honor, profit, or trust under this State. The party whether convicted or acquitted, shall, nevertheless, be liable to indictment, trial, judgment and punishment according to law.

[Sec:] Sec. 8. The Legislature shall provide for the speedy publication of all Statute laws of a general nature, **[and such decisions of the Supreme Court, as it may deem expedient;]** and all laws and judicial decisions shall be free for publication by any person. **[; Provided, that no judgment of the Supreme Court shall take effect and be operative until the Opinion of the Court in such case shall be filed with the Clerk of said Court.]**

[Sec:] Sec. 12. The Governor, Secretary of State, State Treasurer **[,]** and State Controller **[,]** and Clerk of the Supreme Court, **[]** shall keep their respective offices at the seat of Government.

[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 56944 ☐
No 92159 ☒

Statements for the Printed Ballots and Voting Machines

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

Question No. 4.

Amends and Repeals Various Sections of the Constitution.

Shall—Senate Joint Resolution No. 23 of the 55th Session (1969), approved by the 56th Session (1971), proposing to amend Article

6 of the Constitution of the State of Nevada in its entirety, and to amend Sec. 2 of Article 7, Secs. 8 and 12 of Article 15 and Sec. 22 of Article 17, and to repeal Secs. 15, 16, and 17 of Article 17 of the Constitution of the State of Nevada, all of which relate to the state judiciary, to change the method of selecting justices and judges of the state judiciary, and to otherwise provide for the unification and simplification of the state judiciary, be approved?

Yes 56,944 ☐
No 92,159 ☐

(Explanation of Question No. 4)

A majority vote of "yes" would amend the state constitution by changing the method of selecting Justices of the Supreme Court from direct election by the voters to appointment by the Governor from nominees named by a permanent commission, composed of members fixed by law and also appointed by the Governor. A justice who desired to succeed himself in office would have his name put on the ballot at the end of his term of office for approval by the voters. If approval was not granted for another term, the office would be declared vacant and a new justice would be appointed from nominees named by the permanent commission. District judges, who still would be subject to direct election by the voters, would be appointed by the Governor from nominees named by a temporary commission if a district judge's office should fall vacant during mid-term. A majority vote of "yes" will also result in amendment and repeal of various sections in the state constitution resulting in simplifying the administration of the state judiciary.

QUESTION NO. 5

Amendment to the Constitution

Senate Joint Resolution No. 1 of the 55th Session—File Number 110—1969
File Number 68—56th Session—1971

Shall—Senate Joint Resolution proposing to amend article 19 of the constitution, relating to the initiative and referendum, by limiting the operation of the initiative.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That section 2 of article 19 of the constitution of the State of Nevada be amended, and article 19 of the constitution of the State of Nevada be further amended by adding thereto a new section to be designated section 6, to read collectively as follows:

Sec. 2. 1. Notwithstanding the provisions of section 1 of article 4 of this constitution, *but subject to the limitations of section 6 of this article*, 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 preceeding 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. 6. This article does not permit the proposal of any statute or statutory amendment which makes an appropriation or otherwise requires 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.

—be approved?

Yes 85663 ☒
No 59880 ☐

Statements for the Printed Ballots and Voting Machines

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

Question No. 5.

Amends the Constitution.

Shall—Senate Joint Resolution No. 1 of the 55th Session (1969), approved by the 56th Session (1971), proposing to amend Article 19 of the Constitution of the State of Nevada, relating to initiative petitions and referendums, by adding a provision that no statute may be proposed by initiative which deals with appropriations or the expenditure of money, unless such a statute also proposes a sufficient and constitutional tax to raise the necessary revenue, be approved?

Yes 85663 ☐
No 59880 ☐

(Explanation of Question No. 5)

A majority vote of “yes” would amend the state constitution to prohibit an initiative petition proposing any statute which makes an appropriation or requires an expenditure of money, unless the same proposal contains a sufficient valid tax to raise the necessary revenue.

QUESTION NO. 6

Amendment to the Constitution

Senate Joint Resolution No. 14 of the 55th Session—File Number 124—1969
File Number 74—56th Session—1971

Shall—Senate Joint Resolution proposing to amend section 1 of article 16 of the Nevada constitution, relating to constitutional amendments, by providing for the disposition of concurrent or consecutive amendments to the same provision.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That section 1 of article 16 of the constitution of the State of Nevada be amended to read as follows:

Section **[.]** 1. *1. Any amendment or amendments to this Constitution may be proposed in the Senate or Assembly; and if the same shall be agreed to by a Majority of all the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their respective journals, with the Yeas and Nays taken thereon, and referred to the Legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice. And if in the Legislature next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people, in such manner and at such time as the Legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the Legislature voting thereon, such amendment or amendments shall, unless precluded by subsection 2, become a part of the Constitution.*

2. If two or more amendments which affect the same section of the constitution are ratified by the people at the same election:

(a) If all can be given effect without contradiction in substance, each shall become a part of the constitution.

(b) If one or more contradict in substance the other or others, that amendment which received the largest favorable vote, and any other amendment or amendments compatible with it, shall become a part of the constitution.

3. If after the proposal of an amendment, another amendment is ratified which affects the same section of the constitution but is compatible with the proposed amendment, the next legislature if it agrees to the proposed amendment shall submit such proposal to the people as a further amendment to the amended section. If, after the proposal of an amendment, another amendment is ratified which contradicts in substance the proposed amendment, such proposed amendment shall not be submitted to the people.—be approved?

Yes 89455 ☒
No 51563 ☐

Statements for the Printed Ballots and Voting Machines

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

Question No. 6.

Amends the Constitution.

Shall—Senate Joint Resolution No. 14 of the 55th Session (1969), approved by the 56th Session (1971), proposing to amend Sec. 1 of Article 16 of the Constitution of the State of Nevada, relating to constitutional amendments, by providing that nonconflicting

concurrent or consecutive amendments to the same section of the state constitution shall be given effect if ratified by the voters at a general election, but, in the case of conflicting concurrent amendments, only that amendment which receives the largest number of favorable votes shall become part of the constitution, and in the case of conflicting consecutive amendments, once one amendment is ratified by the voters, the other shall not be offered for ratification, be approved?

Yes 99,455 ☐
No 61,563 ☐

(Explanation of Question No. 6)

A majority vote of "yes" would amend the state constitution to provide that if two or more nonconflicting amendments to the same section of the constitution are ratified by the people, both shall be part of the constitution. If such amendments are conflicting, however, the one which receives the largest number of favorable votes will become part of the constitution. In addition, if after the proposal of an amendment to the constitution, another nonconflicting amendment to the same section is ratified by the people, the proposed amendment will also be offered to the people for ratification. But if the proposed amendment conflicts with the later ratified amendment, the proposed amendment will not be offered to the people for ratification.

QUESTION NO. 7

Amendment to the Constitution

Assembly Joint Resolution No. 46 of the 55th Session—File Number 131—1969
File Number 78—56th Session—1971

Shall—Assembly Joint Resolution proposing to amend section 14 of article 5 of the constitution of the State of Nevada, relating to the state board of pardons, by altering the composition of the board.

Resolved by the Assembly and Senate 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,] *and four residents of the State of Nevada, appointed by the governor, who are not members of the judiciary and whose qualifications and term of office shall be fixed by law, may, upon the concurrence of the majority of them, of whom the governor shall be one, and 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 pass laws conferring upon the district 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 64519 ☐
No 82988 ☒

Statements for the Printed Ballots and Voting Machines

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

Question No. 7.

Amends the Constitution.

Shall—Assembly Joint Resolution No. 46 of the 55th Session (1969), approved by the 56th Session (1971), proposing to amend Sec. 14 of Article 5 of the Constitution of the State of Nevada, relating to the State Board of Pardons, by changing the composition of the State Board of Pardons from the Governor, the Justices of the Supreme Court and the Attorney General to the Governor and four residents of the State, none of them members of the judiciary, to be appointed by the Governor, be approved?

Yes 64519 ☐
No 82988 ☐

(Explanation of Question No. 7)

A majority vote of "yes" would amend the state constitution by changing the membership of the State Board of Pardons from the Governor, the Justices of the Supreme Court and the Attorney General to the Governor and four residents of the State, none of them members of the judiciary, to be appointed by the Governor.

(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. 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.

4. 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.

5. 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.

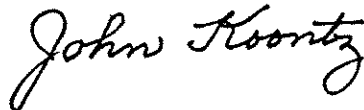
(Added to NRS by 1960, 250; A 1967, 846)

Pursuant to NRS 293.247, the Secretary of State as promulgated rules and regulations for the conduct of elections. Rules 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 3rd day of April, 1972.



Secretary of State

(SEAL)