

STATE OF NEVADA  
1983 SPECIAL ELECTION

June 7, 1983

	CARSON CITY	CHURCHILL	CLARK	DOUGLAS	ELKO	ESMERALDA	EUREKA	HUMBOLDT	LANDER	LINCOLN	LYON	MINERAL	NYE	PERSHING	STOREY	WASHOE	WHITE PINE	TOTAL	PLURALITY
QUESTION NO. #1. Shall the constitution of the State of Nevada be amended to establish staggered terms for district judges?																			
YES	850	1157	16757	328	2108	46	56	789	162	155	381	134	680	400	43	2001	840	26887	
NO ✓	580	782	27530	287	2049	96	119	476	137	380	694	385	664	339	54	1838	788	37198	10311
QUESTION NO. #2. Shall the sales and Use Tax Act be amended to provide for collection of the tax on the sale to or use of personal property by a governmental contractor and to impose the use tax wherever an out-of-state sale would be taxable if made in Nevada?																			
YES	1060	1026	19973	366	1514	59	73	553	133	171	387	253	857	359	58	1802	691	29335	
NO ✓	362	923	24262	249	2608	80	103	693	165	361	683	263	490	366	39	2040	929	34616	5281

Election Returns of

SPECIAL

Election Held

NAME OF CANDIDATE AND OFFICE

Carson City

Churchill

Clark

Douglas

Elko

Esmeralda

QUESTION NO. 1

SENATE JOINT RESOLUTION—Proposing amendments to articles 6 and 15 of the Nevada constitution to establish staggered terms for district judges and provide other matters incidental thereto.

*Resolved by the Senate and Assembly of the State of Nevada, jointly,* That sections 5 and 15 of article 6 and section 9 of article 15 be amended to read respectively as follows:

Sec. 5. [The state is hereby divided into 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 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 of Grand Juries and the presentment and trial on indictments, under such rules and regulations as may be prescribed by law.]

1. The legislature may provide by law for the division of the state into judicial districts and may alter the boundaries of, or the number of judges regularly assigned to, any judicial district, but no judge may be removed from office by any such alteration.

2. The district judges regularly assigned to each judicial district shall be elected by the registered voters of that district for a term of 6 years except as otherwise provided in this subsection. Each term begins on the 1st Monday of January next after the appropriate general election. On or before the 1st Monday of January in 1985, the judges elected in the general election in 1984 shall by lot divide themselves into three classes as nearly equal in number as possible. The terms of the first and second classes expire on the 1st Monday of January 1989 and the terms of the third class expire on the 1st Monday of January in 1991. The successors of the first class shall be elected at the general election in 1988 for terms expiring on the 1st Monday of January in 1993. If the legislature increases or diminishes the number of district judges regularly assigned to any judicial district, it shall provide an effective date for the alteration such that the number of district judges elected from that district at each general election remains as nearly equal as may be.

3. The judges regularly or temporarily assigned to each judicial district have coextensive and concurrent jurisdiction.

[Sec:] Sec. 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. The legislature may provide by law for increasing at the same time the salaries of all justices of the supreme court or all district judges or both, but any decrease must not take effect during the term for which a justice or judge was elected.

[Sec:] Sec. 9. The Legislature may, at any time, provide by law for increasing or diminishing the salaries or compensation of any of the Officers, whose original salaries or compensation is fixed in this Constitution; [Provided,] but no such change of Salary or compensation shall apply to any Officer, except a judicial officer, during the term for which he may have been elected.

and be it further

*Resolved,* That the ratification of this amendment be submitted to the registered voters of this state at a special election on June 7, 1983; and be it further



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QUESTION NO. 1, Continued

*Resolved*, That as far in advance of the special election as is practicable, the secretary of state shall issue a proclamation giving notice of the special election; and be it further

*Resolved*, That as far in advance of the special election as is practicable, the secretary of state shall prepare and transmit by mail to the county clerk of each county in this state a sufficient number of certified copies of the proclamation of the special election for the county clerk to carry out the duties imposed upon him by the provisions of this resolution. Not less than 10 days before the date of the special election, each county clerk shall cause one certified copy of the proclamation of the special election to be posted within the county outside of incorporated cities; and be it further

*Resolved*, That registration of qualified electors to vote in the special election closes at 9 p.m. on Saturday, May 7, 1983; and be it further

*Resolved*, That each county shall bear the cost of any paper for ballots which must be purchased and for the printing of ballots for the special election. Sample ballots may be printed and distributed to all registered voters; and be it further

*Resolved*, That the ballot page assemblies and the paper ballots to be used in voting on the question must present the question in substantially the following form:

Shall the constitution of the State of Nevada be amended to establish staggered terms for district judges?

YES..... NO.....

and be it further

*Resolved*, That the explanation of the question which must appear on each paper ballot and sample ballot and in every publication and posting of notice of the question must be in substantially the following form:

If this amendment is adopted, the constitution of the State of Nevada will be amended to establish staggered terms for district judges and to make appropriate changes in the provisions for the salaries of judicial officers.

and be it further

YES.....	850	1157	16757	328	2108	46
NO .....	580	782	27530	287	2049	96

QUESTION NO. 2

Notice is hereby given that at the special election on June 7, 1983, a question will appear on the ballot for the adoption or rejection by the registered voters of the state of the following proposed act:

AN ACT to amend an act entitled "An Act to provide revenue for the State of Nevada; providing for sales and use taxes; providing for the manner of collection; defining certain terms; providing penalties for violation, and other matters properly relating thereto," approved March 29, 1955, as amended.

THE PEOPLE OF THE STATE OF NEVADA  
DO ENACT AS FOLLOWS:

Section 1. Section 34 of the above-entitled act, being chapter 397, Statutes of Nevada 1955, at page 769, is hereby amended to read as follows:

Sec. 34. 1. An excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased from any retailer on or after July 1, 1955, for storage, use, or other consumption in this state at the rate of 2 percent of the sales price of the property.

2. The tax is imposed with respect to all property which was acquired out of state in a transaction that would have been a taxable sale if it had occurred within this state.

Sec. 2. Section 51 of the above-entitled act, being chapter 397, Statutes of Nevada 1955, at page 771, is hereby amended to read as follows:

Sec. 51. [Notwithstanding any other provision of law the tax imposed under this act shall apply to the gross receipts from the sale of any tangible personal property to contractors purchasing such property either as the agents of the United States or for their own account and subsequent resale to the United States for use in the performance of contracts with the United States for the construction of improvements on or to real property, not including, however, contractors qualified to issue and who do issue resale certificates to vendors for tangible personal property for subsequent incorporation into real property outside this state in the performance of a contract to improve the out-of-state realty.] The taxes imposed under this chapter apply to the sale of tangible personal property to and the storage, use or other consumption in this state of tangible personal property by a contractor for a governmental, religious or charitable entity which is otherwise exempted from the tax unless the contractor is a constituent part of that entity.

Sec. 3. Section 8 of the above-entitled act, being chapter 397, Statutes of Nevada 1955, at page 763, is hereby repealed.

Sec. 4. This act shall become effective on July 1, 1983.

We, the Justices of the Supreme Court, acting as a State Board of Canvassers, hereby certify the above to be a true and correct list of votes cast at an election held on the 7th day of JUNE, A. D. 1983, for offices as enumerated as above, as returned by the Clerk of the Board of County Commissioners for several counties in the State.

WITNESS our hands this 22nd day of JUNE, A. D. 1983.

[illegible]

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NAME OF CANDIDATE AND OFFICE

QUESTION NO. 2, Continued

Shall the Sales and Use Tax Act be amended to provide for collection of the tax on the sale to or use of personal property by a governmental contractor and to impose the use tax wherever an out-of-state sale would be taxable if made in Nevada?

YES ☐ NO ☐

Sec. 8. The explanation of the question which must appear on each paper ballot and sample ballot and in every publication and posting of notice of the question must be in substantially the following form:  
(Explanation of Question)

The proposed amendment to the Sales and Use Tax Act would provide for collecting the tax on the materials and other tangible personal property sold to or used by a contractor for a governmental or other entity even though that entity is itself exempted from the tax. It would also impose the use tax on out-of-state sales whenever the sale would be taxable if it had been made in Nevada. The legislature has amended the Local School Support Tax Law and the City-County Relief Tax Law to provide the same imposition of the taxes. A "Yes" vote is to provide for collecting the sales and use tax on these contractors and imposing the use tax wherever the sales tax would have applied. A "No" vote is a vote to maintain the exemptions.

Sec. 14. NRS 374.190 is hereby amended to read as follows:

374.190 1. An excise tax is hereby imposed on the storage, use or other consumption in a county of tangible personal property purchased from any retailer for storage, use or other consumption in the county at the rate of 1 percent of the sales price of the property.

2. The tax is imposed on all property which was acquired out of state in a transaction which would have been a taxable sale if it had occurred within this state.

Sec. 15. NRS 374.345 is hereby amended to read as follows:

374.345 [Notwithstanding any other provision of law the tax imposed under this chapter shall apply to the gross receipts from the sale of any tangible personal property to contractors purchasing such property either as the agents of the United States or for their own account and subsequent resale to the United States for use in the performance of contracts with the United States for the construction of improvements on or to real property, not including, however, contractors qualified to issue and who do issue resale certificates to vendors for tangible personal property for subsequent incorporation into real property outside this state in the performance of a contract to improve the out-of- state realty.] The taxes imposed under this chapter apply to the sale to and the storage, use or other consumption in this state of tangible personal property by a contractor for a governmental, religious or charitable entity which is otherwise exempted from the tax, unless the contractor is a constituent part of that entity.

Sec. 16. NRS 374.105 is hereby repealed.

Sec. 17. This section and sections 1 to 12, inclusive, of this act shall become effective upon passage and approval. Sections 13 to 16, inclusive, of this act shall become effective on July 1, 1983.

YES .....	1060	1026	19973	366	1514	59
NO .....	362	923	24262	249	2608	80

