

1. Each referendum petition and initiative petition shall include the full text of the measure proposed. Each signer shall affix thereto his or her signature, residence address and the name of the county in which he or she is a registered voter. The petition may consist of more than one document.

2. The Legislature may authorize the Secretary of State and the other public officers to use generally accepted statistical procedures in conducting a preliminary verification of the number of signatures submitted in connection with a referendum petition or an initiative petition, and for this purpose to require petitions to be filed no more than 65 days earlier than is otherwise required by this Article.

[Added in 1912, amended in 1958, 1962, and 1988. The addition was proposed and passed by the 1909 legislature; agreed to and passed by the 1911 legislature; and approved and ratified by the people at the 1912 general election. See: Statutes of Nevada 1909, p. 347; Statutes of Nevada 1911, p. 446. The first amendment was proposed by initiative petition and approved and ratified by the people at the general election of 1958. The second amendment was proposed and passed by the 1960 legislature; agreed to and passed by the 1961 legislature; and approved and ratified by the people at the 1962 general election. See: Statutes of Nevada 1960, p. 512; Statutes of Nevada 1961, p. 813. The third amendment was proposed and passed by the 1985 legislature; agreed to and passed by the 1987 legislature; and approved and ratified by the people at the 1988 general election. See: Statutes of Nevada 1985, p. 2365; Statutes of Nevada 1987, p. 2349.]—(Proposed amendment passed by the 2007 Legislature; effective November 23, 2010, if agreed to and passed by the 2009 Legislature and approved and ratified by the voters at the 2010 General Election. See Statutes of Nevada 2007, p. 3612.)

Sec. 4. Powers of initiative and referendum of registered voters of counties and municipalities. The initiative and referendum powers provided for in this article are further reserved to the registered voters of each county and each municipality as to all local, special and municipal legislation of every kind in or for such county or municipality. In counties and municipalities initiative petitions may be instituted by a number of registered voters equal to 15 percent or more of the voters who voted at the last preceding general county or municipal election. Referendum petitions may be instituted by 10 percent or more of such voters.

[Added in 1962. Proposed and passed by the 1960 legislature; agreed to and passed by the 1961 legislature; and approved and ratified by the people at the 1962 general election. See: Statutes of Nevada 1960, p. 512; Statutes of Nevada 1961, p. 813.]

Sec. 5. Provisions of article self-executing; legislative procedures. The provisions of this article are self-executing but the legislature may provide by law for procedures to facilitate the operation thereof.

[Added in 1962. Proposed and passed by the 1960 legislature; agreed to and passed by the 1961 legislature; and approved and ratified by the people at the 1962 general election. See: Statutes of Nevada 1960, p. 512; Statutes of Nevada 1961, p. 813.]

Sec. 6. Limitation on initiative making appropriation or requiring expenditure of money. 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.

[Added in 1972. Proposed and passed by the 1969 Legislature; agreed to and passed by the 1971 Legislature; and approved and ratified by the people at the 1972 General Election. See: Statutes of Nevada 1969, p. 1720; Statutes of Nevada 1971, p. 2262.]

[CONGRESSIONAL TERM LIMITS ACT OF 1996.]

[Added in 1998. Proposed by initiative petition and approved and ratified by the people at the 1996 and 1998 general elections.]

SECTION A. BALLOT TITLE

THE CONGRESSIONAL TERM LIMITS ACT OF 1996. THIS AMENDMENT TO THE CONSTITUTION OF NEVADA INFORMS CITIZENS ON THE VOTING RECORD OF INCUMBENT STATE AND FEDERAL LEGISLATORS AND ON A FEDERAL CONSTITUTIONAL AMENDMENT LIMITING THE MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES TO THREE TERMS AND MEMBERS OF THE UNITED STATES SENATE TO TWO TERMS. THIS AMENDMENT ALSO INFORMS THE VOTERS ABOUT THE POSITION OF NON-INCUMBENT CANDIDATES TOWARD THE SAME CONGRESSIONAL TERM LIMITS. THIS AMENDMENT INSTRUCTS STATE LEGISLATORS TO APPLY TO THE CONGRESS TO CONVENE AN ARTICLE 5 CONVENTION UPON THE APPLICATIONS OF TWO-THIRDS OF THE STATES (34) FOR THE PURPOSE OF PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO LIMIT CONGRESSIONAL TERMS TO THREE TERMS IN THE UNITED STATES HOUSE OF REPRESENTATIVES AND TWO TERMS IN THE UNITED STATES SENATE. THIS AMENDMENT INSTRUCTS MEMBERS OF CONGRESS FROM NEVADA TO WORK TO PROPOSE A CONGRESSIONAL TERM LIMITS AMENDMENT TO THE CONSTITUTION. A TERM LIMITS AMENDMENT PROPOSED EITHER BY CONGRESS OR BY AN ARTICLE 5 CONVENTION WOULD BECOME PART OF THE UNITED STATES CONSTITUTION UPON RATIFICATION BY THREE-FOURTHS OF THE STATES (38).

SECTION B. PREAMBLE

The People of the State of Nevada want to amend the United States Constitution to establish Term Limits on

Congress that will ensure representation in Congress by true citizen lawmakers. The President of the United States is limited by the XXII Amendment to two terms in office. Governors in forty (40) states are limited to two terms or less. Voters have established term limits for over 2,000 state legislators as well as over 17,000 local officials across the country. Nevada voters have supported such limits.

Nevertheless Congress has ignored our desire for Term Limits not only by proposing excessively long terms for its own members but also by utterly refusing to pass an amendment for genuine Congressional term limits. Congress has a clear conflict of interest in proposing a term limits amendment to the United States Constitution. A majority of both Republicans and Democrats in the 104th Congress voted against a constitutional amendment containing the term limits passed by a wide margin of Nevada voters.

The People, not Congress, should set Term Limits. We hereby establish as the official position of the Citizens and State of Nevada that our elected officials should enact by Constitutional Amendment congressional Term Limits of three (3) terms in the United States House of Representatives, and of two (2) terms in the United States Senate.

The career politicians dominating Congress have a conflict of interest that prevents Congress from being what the Founders intended, the branch of government closest to the people. The politicians have refused to heed the will of the people for term limits; they have voted to dramatically raise their own pay; they have provided lavish million dollar pensions for themselves; and they have granted themselves numerous other privileges at the expense of the people. Most importantly, members of Congress have enriched themselves while running up huge deficits to support their spending. They have put the government nearly \$5,000,000,000,000.00 (five trillion dollars) in debt, gravely threatening the future of our children and grandchildren.

The corruption and appearance of corruption brought about by political careerism is destructive to the proper functioning of the first branch of our representative government. Congress has grown increasingly distant from the People of the States. The People have the sovereign right and a compelling interest in creating a citizen Congress that will more effectively protect our freedom and prosperity. This interest and right may not effectively be served in any way other than that proposed by this initiative.

We hereby state our intentions on behalf of the People of Nevada, that this Amendment lead to the adoption of the following Constitutional Amendment:

CONGRESSIONAL TERM LIMITS AMENDMENT

Section 1. No person shall serve in the office of the United States Representative for more than three terms, but upon ratification of this amendment no person who has held the office of United States Representative or who then holds the office shall serve for more than two additional terms.

Section 2. No person shall serve in the office of United States Senator for more than two terms, but upon ratification of this amendment no person who has held the office of United States Senator or who then holds the office shall serve for more than one additional term.

Section 3. This article shall have no time limit within which it must be ratified by the legislatures of three-fourths of the several States.

Therefore, We, the People of the State of Nevada, have chosen to amend the state constitution to inform voters regarding incumbent and non-incumbent federal and state legislative candidates' support for the above proposed CONGRESSIONAL TERM LIMITS AMENDMENT.

SECTION C. VOTER INSTRUCTION ON TERM LIMITS FOR MEMBERS OF CONGRESS

1. We, the Voters of Nevada, hereby instruct each member of our congressional delegation to use all of his or her delegated powers to pass the Congressional Term Limits Amendment set forth above.

2. All primary and general election ballots shall have printed the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" adjacent to the name of any United States Senator or Representative who:

- a. fails to vote in favor of the proposed Congressional Term Limits Amendment set forth above when brought to a vote or;
- b. fails to second the proposed Congressional Term Limits Amendment set forth above if it lacks for a second before any proceeding of the legislative body or;
- c. fails to propose or otherwise bring to a vote of the full legislative body the proposed Congressional Term Limits Amendment set forth above if it otherwise lacks a legislator who so proposes or brings to a vote of the full legislative body the proposed Congressional Term Limits Amendment set forth above or;
- d. fails to vote in favor of all votes bringing the proposed Congressional Term Limits Amendment set forth above before any committee or subcommittee of the respective house upon which he or she serves or;
- e. fails to reject any attempt to delay, table or otherwise prevent a vote by the full legislative body of the proposed Congressional Term Limits Amendment set forth above or;
- f. fails to vote against any proposed constitutional amendment that would establish longer term limits than those in the proposed Congressional Term Limits Amendment set forth above regardless of any other actions in support of the proposed Congressional Term Limits Amendment set forth above or;
- g. sponsors or cosponsors any proposed constitutional amendment or law that would establish longer term limits than those in the proposed Congressional Term Limits Amendment set forth above, or;
- h. fails to ensure that all votes on Congressional Term Limits are recorded and made available to the public.

3. The information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" shall not appear adjacent to the name of any incumbent candidates for Congress if the Congressional Term Limits Amendment set forth above is before the states for ratification or has become part of the United States Constitution.

SECTION D. VOTER INSTRUCTION ON TERM LIMIT PLEDGE FOR NON-INCUMBENTS

1. Non-incumbent candidates for United States Senator and Representative, and the Nevada Legislature shall be given an opportunity to take a "Term Limits" pledge regarding term Limits each time he or she files to run for such office. Any such candidate who declines to take the "Term Limits" pledge shall have the information "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS" printed adjacent to his or her name on every primary and general election ballot.

2. The "Term Limits" pledge shall be offered to non-incumbent candidates for United States Senator and Representative, and the Nevada Legislature until a Constitutional Amendment which limits the number of terms of United States Senators to no more than two and United States Representatives to no more than three shall have become part of our United States Constitution.

3. The "Term Limits" pledge that each non-incumbent candidate, set forth above, shall be offered is as follows:

I support term limits and pledge to use all my legislative powers to enact the proposed Constitutional Amendment set forth in the Term Limits Act of 1996. If elected, I pledge to vote in such a way that the designation "DISREGARDED VOTER INSTRUCTION ON TERM LIMITS" will not appear adjacent to my name.

Signature of Candidate

SECTION E. VOTER INSTRUCTION ON TERM LIMITS FOR STATE LEGISLATORS

1. We, the Voters of Nevada, hereby instruct each member of the Nevada Legislature to use all of his or her delegated powers to pass the Article 5 application to Congress set forth herein, and to ratify, if proposed, the Congressional Term Limits Amendment set forth above.

2. Application:

We, the People and Legislature of the State of Nevada, due to our desire to establish term limits on Congress, hereby make application to Congress, pursuant to our power under Article 5, to call a convention for proposing amendments to the Constitution.

3. All primary and general election ballots shall have the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" printed adjacent to the name of any respective member of the Nevada

Legislature who:

- a. fails to vote in favor of the application set forth above when brought to a vote or;
- b. fails to second the application set forth above if it lacks for a second or;
- c. fails to vote in favor of all votes bringing the application set forth above before any committee or subcommittee upon which he or she serves;
- d. fails to propose or otherwise bring to a vote of the full legislative body the application set forth above if it otherwise lacks a legislator who so proposes or brings to a vote of the full legislative body the application set forth above or;
- e. fails to vote against any attempt to delay, table or otherwise prevent a vote by the full legislative body of the application set forth above or;
- f. fails in any way to ensure that all votes on the application set forth above are recorded and made available to the public or;
- g. fails to vote against any change, addition or modification to the application set forth above or;
- h. fails to vote in favor of the amendment set forth above if it is sent to the states for ratification or;
- i. fails to vote against any term limits amendment, with longer terms if such an amendment is sent to the states for ratification.

4. The information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" shall not appear adjacent to the names of candidates for the Nevada Legislature as required by any of subsections 3 (a) through 3 (g) if the State of Nevada has made an application to Congress for a convention for proposing amendments to the Constitution pursuant to this act and such application has not been withdrawn or, the Congressional Term Limits Amendment set forth in this act has been submitted to the states for ratification.

5. The information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" shall not appear adjacent to the names of candidates for the Nevada Legislature as required by any of subsections 3 (h) through 3 (i) if the State of Nevada has ratified the proposed Congressional Term Limits Amendment set forth in this act.

6. The information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" shall not appear adjacent to the names of candidates for the Nevada Legislature as required by any of subsections 3 (a) through 3 (i) if the proposed Congressional Term Limits Amendment set forth above has become part of the United States Constitution.

SECTION F. DESIGNATION

1. The Secretary of State shall be responsible to make an accurate determination as to whether a candidate for the federal or state legislature shall have placed adjacent to his or her name on the election ballot the information "DISREGARDED VOTERS' INSTRUCTION ON TERM LIMITS" OR "DECLINED TO PLEDGE TO SUPPORT TERM LIMITS."

2. The Secretary of State shall consider timely submitted public comments prior to making the determination required in subsection (1) of this section and may rely on such comments and any information submitted by the candidates in making the determination required in subsection (1).

3. The Secretary of State, in accordance with subsection (1) of this section shall determine and declare what information, if any, shall appear adjacent to the names of each incumbent federal legislator if he or she was to be a candidate in the next election. In the case of United States Representatives and United States Senators, this determination and declaration shall be made in a fashion necessary to ensure the orderly printing of primary and general election ballots with allowance made for all legal action provided in section (5) and (6) below, and shall be based upon each member of Congress's action during their current term of office and any action taken in any concluded term, if such action was taken after the determination and declaration was made by the Secretary of State in a previous election. In the case of incumbent state legislators, this determination and declaration shall be made not later than (30) days after the end of the regular session following each general election, and shall be based upon legislative action in the previous regular session and any action taken in any concluded term, if such action was taken after the determination and declaration was made by the Secretary of State in a previous election.

4. The Secretary of State shall determine and declare what information, if any, will appear adjacent to the names of non-incumbent candidates for the state and federal legislatures, not later than five (5) business days after the deadline for filing for the office.

5. If the Secretary of State makes the determination that the information “DISREGARDED VOTERS’ INSTRUCTION ON TERM LIMITS” or “DECLINED TO PLEDGE TO SUPPORT TERM LIMITS” shall not be placed on the ballot adjacent to the name of a candidate for the federal or state legislature, any elector may appeal such decision within five (5) business days to the Nevada Supreme Court as an original action or shall waive any right to appeal such decision; in which case the burden of proof shall be upon the Secretary of State to demonstrate by clear and convincing evidence that the candidate has met the requirements set forth in this Act and therefore should not have the information “DISREGARDED VOTERS’ INSTRUCTION ON TERM LIMITS” or “DECLINED TO PLEDGE TO SUPPORT TERM LIMITS” printed on the ballot adjacent to the candidate’s name.

6. If the Secretary of State determines that the information “DISREGARDED VOTERS’ INSTRUCTION ON TERM LIMITS” or “DECLINED TO PLEDGE TO SUPPORT TERM LIMITS” shall be placed on the ballot adjacent to a candidate’s name, the candidate may appeal such decision within (5) business days to the Nevada Supreme Court as an original action or shall waive any right to appeal such decision; in which case the burden of proof shall be upon the candidate to demonstrate by clear and convincing evidence that he or she should not have the information “DISREGARDED VOTERS’ INSTRUCTION ON TERM LIMITS” or “DECLINED TO PLEDGE TO SUPPORT TERM LIMITS” printed on the ballot adjacent to the candidate’s name.

7. The Supreme Court shall hear the appeal provided for in subsection (5) and issue a decision within 60 days. The Supreme Court shall hear the appeal provided for in subsection (6) and issue a decision not later than 61 days before the date of the election.

SECTION G. AUTOMATIC REPEAL

At such time as the Congressional Term Limits Amendment set forth above has become part of the U.S. Constitution, sections A through Section I of this Article automatically shall be repealed.

SECTION H. JURISDICTION

Any legal challenge to this amendment shall be filed as an original action before the Supreme Court of this state.

SECTION I. SEVERABILITY

If any portion, clause, or phrase of this initiative is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, the remaining portions, clauses, and phrases shall not be affected, but shall remain in full force and effect.

[ELECTION ORDINANCE.]

Whereas,

The enabling act passed by Congress and approved March Twenty first A.D. Eighteen Hundred and Sixty four, requires that the convention charged with the duty of framing a Constitution for a State Government “shall provide by ordinance for submitting said Constitution to the People of the Territory of Nevada, for their ratification or rejection” on a certain day prescribed therein; therefore this Convention organized in pursuance of said enabling act, do establish the following:

ORDINANCE.

Section 1. **Proclamation by territorial governor; general election.** The Governor of the Territory of Nevada is hereby authorized to issue his proclamation for the submission of this Constitution to the people of said Territory for their approval or rejection on the day provided for such submission, by Act of Congress; and this Constitution shall be submitted to the qualified electors of said Territory, in the several counties thereof, for their approval or rejection, at the time provided by such Act of Congress; and further, on the first Tuesday after the first Monday of November A. D. Eighteen hundred and Sixty four, there shall be a general election in the several counties of said Territory for the election of State Officers, Supreme and District Judges, members of the Legislature, Representative in Congress and three Presidential Electors.