

Addendum 1

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No. XV.—*Senate Joint and Concurrent Resolution No. 9, relative to the just consideration to be accorded those wearing the uniform of the United States whether in the army or navy, regardless of rank.*

[Approved March 22, 1909.]

WHEREAS, The American people regard those who have enlisted in the army and navy of the United States as most worthy of their respect and consideration; and

Uniform of United States soldier or sailor a badge of honor.

WHEREAS, The uniform of a soldier or sailor in the service of this Government, regardless of rank, is a badge of honor; and

WHEREAS, It has come to the notice of the people of this country that certain misguided persons have seen fit to refuse admittance to social or other functions, soldiers and sailors who were not of official rank, solely because of their uniform and inferiority in rank; therefore be it

Resolved, That we condemn such conduct as un-American, and we commend the vigorous action of President Roosevelt in endeavoring to discourage further action of similar character.

President Roosevelt commended.

No. XVI.—*Senate Substitute for Assembly Joint and Concurrent Resolution No. 7, proposing to amend article nineteen of the Constitution by adding to said article section three, relating to the initiative and referendum and the powers thereby conferred upon the qualified electors.*

[Approved March 22, 1909.]

Resolved by the Senate, the Assembly concurring, That section three be added to article nineteen of the Constitution of the State of Nevada, said section so added to read as follows:

To amend Constitution by adding Sec. 3 to Art. XIX. Initiative.

Section 3. The people reserve to themselves the power to propose laws and the power to propose amendments to the Constitution, and to enact or reject the same at the polls, independent of the Legislature, and also reserve the power at their option to approve or reject at the polls, in the manner herein provided, any Act, item, section or part of any Act or measure passed by the Legislature, and section one of article four of the Constitution shall hereafter be construed accordingly. The first power reserved by the people is the initiative, and not more than ten per cent (10%) of the qualified electors shall be required to propose any measure by initiative petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions, for all but municipal legislation, shall be filed with the Secretary of State not less than thirty (30) days before any regular session of the Legislature; the Secretary of State shall transmit the same to the Legislature as soon as it convenes and organizes. Such

The provisions of this section shall be self-executing, but legislation may be especially enacted to facilitate its operation.

No. XVII.—*Assembly Concurrent Resolution No. 3, relative to amending Section 3, Article XV of the Constitution of the State of Nevada.*

[Passed March 12, 1909.]

Resolved by the Assembly and the Senate, conjointly, That section three, article fifteen, of the Constitution of the State of Nevada be amended so as to read as follows:

Section 3. No person shall be eligible to any office who is not a qualified elector under this Constitution. No person who, while a citizen of this State, has, since the adoption of this Constitution, fought a duel with a deadly weapon, sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State, or who has acted as second, or knowingly conveyed a challenge or aided or assisted in any manner in fighting a duel, shall be allowed to hold any office of honor, profit or trust, or enjoy the right of suffrage under this Constitution. The Legislature shall provide by law for giving force and effect to the foregoing provisions of this section; *provided*, that females over the age of twenty-one years, who have resided in this State one year, and in the county or district six months, next preceding any election to fill either of said offices, or the making of such appointment, shall be eligible to the office of Superintendent of Public Instruction, Deputy Superintendent of Public Instruction, School Trustee, and Notary Public.

No. XVIII.—*Senate Substitute for Assembly Joint and Concurrent Resolution No. 11, relating to the free coinage of silver.*

[Approved March 24, 1909.]

WHEREAS, For thousands of years gold and silver had, until the year 1873, been the two standard money metals of the world, used interchangeably in nearly or quite every nation pretending to advanced civilization; and

WHEREAS, In the above-named year the United States and Germany both demonetized silver and made gold alone their monetary standard, which action has been followed by other nations until, at the present time, silver is, throughout most of the commercial world, merely a subordinate and subsidiary money metal; and

WHEREAS, The effect of such demonetization has been to deprive the world of an adequate supply of standard money for business purposes, and also to depress the price of silver to the great and unjustifiable injury of the silver mining

initiative measures shall take precedence over all measures of the Legislature except appropriation bills, and shall be enacted or rejected by the Legislature, without change or amendment, within forty (40) days. If any such initiative measure so proposed by petition as aforesaid, shall be enacted by the Legislature and approved by the Governor in the same manner as other laws are enacted, same shall become a law, but shall be subject to referendum petition as provided in sections one and two of this article. If said initiative measure be rejected by the Legislature or if no action be taken thereon within said forty (40) days, the Secretary of State shall submit same to the qualified electors for approval or rejection at the next ensuing general election; and if a majority of the qualified electors voting thereon shall approve of such measure it shall become a law and take effect from the date of the official declaration of the vote; an initiative measure so approved by the Legislature within three (3) years aside, or repealed by the Legislature within three (3) years from the date said Act takes effect. In case the Legislature shall reject such initiative measure, said body may, with the approval of the Governor, propose a different measure on the same subject, in which event both measures shall be submitted by the Secretary of State to the qualified electors for approval or rejection at the next ensuing general election. The enacting clause of all bills proposed by the initiative shall be: "The People of the State of Nevada enact as follows." The whole number of votes cast for Justice of the Supreme Court at the general election last preceding the filing of any initiative petition shall be the basis on which the number of qualified electors required to sign such petition shall be counted.

The second power reserved by the people is the referendum, which shall be exercised in the manner provided in sections one and two of this article. The initiative and referendum powers in this article provided for are further reserved to the qualified electors of each county and municipality as to all local, special and municipal legislation of every character in or for said respective counties or municipalities. The Legislature may provide by law for the manner of exercising the initiative and referendum powers as to county and municipal legislation, but shall not require a petition of more than ten per cent (10%) of the qualified electors to order the referendum, not [nor] more than fifteen per cent (15%) to propose any municipal measure by initiative.

If the conflicting measures submitted to the people at the next ensuing general election shall both be approved by a majority of the votes severally cast for and against each of said measures, the measure receiving the highest number of affirmative votes shall thereupon become a law as to all conflicting provisions.

Conflicting measures, how settled.

To amend Sec. 3, Art. XV, of Constitution.

Females eligible to certain offices.

Gold and silver standard money metals.

IN THE SUPREME COURT OF NEVADA

NO SOLAR TAX PAC, a Nevada
political action committee,

Appellant,

vs.

CITIZENS FOR SOLAR AND
ENERGY FAIRNESS, a Nevada
political action committee; and,
THE HONORABLE BARBARA K.
CEGAVSKE, in her official capacity as
Secretary of State of the State of Nevada,

Respondents.

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Clerk of Supreme Court

CASE NO. 70146

First Judicial Dist. Ct. 16 OC 00030 1B

NOTICE OF SUPPLEMENTAL AUTHORITIES

Pursuant to NRAP 31(e), Appellant No Solar Tax PAC provides the following notice of pertinent and significant supplemental authorities:

Supplemental Authorities

Citation: Statutes of Nevada 1909, p. 347, a copy is attached hereto as Addendum 1.

Pages being supplemented: Reply Brief, pp. 15-19.

Proposition for which the authority is cited: A referendum on part of a statute does not “conflict” with the initiative process; the legislative history shows that the right to repeal any part of a statute existed before 1962.

Senate Substitute for Assembly Joint and Concurrent Resolution No. 7 was again adopted by the Legislature in 1911, Statutes of Nevada 1911, p. 446, and adopted by the people in the 1912 general election. This measure amended Article 19 of the Nevada Constitution to add a new Section 3. The new Section 3 enacted provisions allowing for initiative petitions. It also extended the right of referendum to county and local measures. Relevant to this case, it provided that the power of referendum extends to “any Act, item, section or part of any Act or measure.” It provides in pertinent part:

“The people reserve to themselves the power to propose laws and the power to propose amendments to the Constitution ... and also reserve the power at their option to approve or reject at the polls, in the manner herein provided, **any Act, item, section or part of any Act or measure** passed by the Legislature, and section one of article four of the Constitution shall hereafter be construed accordingly.”

Id. (emphasis added).

This language existed in the Nevada Constitution until the 1962 amendments reorganized and rewrote Article 19. (Joint Appendix 0142.)

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DATED this 11th day of July, 2016.

WHITE HART LAW, LLC

By: /s/ Kevin Benson
KEVIN BENSON, ESQ.
Nevada Bar No. 9970
2310 S. Carson Street #6
Carson City, NV 89701
Telephone: (775) 461-3780
Email: kbenson@whitehartlaw.com
Attorneys for Appellant

