

ASSEMBLY BILL NO. 293—ASSEMBLYMEN MORTENSON,
GIUNCHIGLIANI, KOIVISTO, GUSTAVSON, HETTRICK,
BEERS, CONKLIN, LESLIE, MCCLEARY AND SHERER

MARCH 13, 2003

Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Revises provisions relating to ballot questions and appointment of committees to prepare arguments advocating and opposing certain ballot questions. (BDR 24-312)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to elections; providing for the appointment of committees to prepare arguments for and against, and rebuttals for, certain statewide ballot questions; revising the population used to determine whether a board of county commissioners or city council is required to appoint committees to prepare arguments and rebuttals for certain ballot questions voted upon in the county or city; providing that, in certain counties and cities, if a ballot question is placed on the ballot by specified entities, committees must be appointed to prepare arguments advocating and opposing the ballot question; requiring the specified entities to submit timely a copy and explanation of the ballot question to the county clerk or city clerk, as applicable; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:



* A B 2 9 3 R 3 *

1 **Section 1.** Chapter 293 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. For each constitutional amendment or statewide measure*
4 *proposed by initiative or referendum to be placed on the ballot by*
5 *the Secretary of State, the Secretary of State shall, pursuant to*
6 *subsection 4, appoint two committees. Except as otherwise*
7 *provided in subsection 2, one committee must be composed of*
8 *three persons who favor approval by the voters of the initiative or*
9 *referendum and the other committee must be composed of three*
10 *persons who oppose approval by the voters of the initiative or*
11 *referendum.*

12 *2. If the Secretary of State is unable to appoint three persons*
13 *who are willing to serve on a committee, he may appoint fewer*
14 *than three persons to that committee, but he must appoint at least*
15 *one person to each committee appointed pursuant to this section.*

16 *3. With respect to a committee appointed pursuant to this*
17 *section:*

18 *(a) A person may not serve simultaneously on the committee*
19 *that favors approval by the voters of an initiative or referendum*
20 *and the committee that opposes approval by the voters of that*
21 *initiative or referendum.*

22 *(b) Members of the committee serve without compensation.*

23 *(c) The term of office for each member commences upon*
24 *appointment and expires upon the publication of the sample ballot*
25 *containing the initiative or referendum.*

26 *4. The Secretary of State shall consider appointing to a*
27 *committee pursuant to this section:*

28 *(a) Any person who has expressed an interest in serving on the*
29 *committee; and*

30 *(b) A person who is a member of an organization that has*
31 *expressed an interest in having a member of the organization*
32 *serve on the committee.*

33 *5. A committee appointed pursuant to this section:*

34 *(a) Shall elect a chairman for the committee;*

35 *(b) Shall meet and conduct its affairs as necessary to fulfill the*
36 *requirements of this section;*

37 *(c) May seek and consider comments from the general public;*

38 *(d) Shall, based on whether the members were appointed to*
39 *advocate or oppose approval by the voters of the initiative or*
40 *referendum, prepare an argument either advocating or opposing*
41 *approval by the voters of the initiative or referendum;*

42 *(e) Shall prepare a rebuttal to the argument prepared by the*
43 *other committee appointed pursuant to this section;*

44 *(f) Shall address in the argument and rebuttal prepared*
45 *pursuant to paragraphs (d) and (e):*



- 1 (1) *The fiscal impact of the initiative or referendum;*
2 (2) *The environmental impact of the initiative or*
3 *referendum; and*
4 (3) *The impact of the initiative or referendum on the public*
5 *health, safety and welfare; and*
6 (g) *Shall submit the argument and rebuttal prepared pursuant*
7 *to paragraphs (d), (e) and (f) to the Secretary of State not later*
8 *than the date prescribed by the Secretary of State pursuant to*
9 *subsection 6.*
10 6. *The Secretary of State shall provide, by rule or regulation:*
11 (a) *The maximum permissible length of an argument and*
12 *rebuttal prepared pursuant to this section; and*
13 (b) *The date by which an argument and rebuttal prepared*
14 *pursuant to this section must be submitted by a committee to the*
15 *Secretary of State.*
16 7. *Upon receipt of an argument or rebuttal prepared pursuant*
17 *to this section, the Secretary of State:*
18 (a) *May consult with persons who are generally recognized by*
19 *a national or statewide organization as having expertise in the*
20 *field or area to which the initiative or referendum pertains; and*
21 (b) *Shall reject each statement in the argument or rebuttal that*
22 *he believes is libelous or factually inaccurate.*
23 *Not later than 5 days after the Secretary of State rejects a*
24 *statement pursuant to this subsection, the committee that prepared*
25 *the statement may appeal that rejection to the Attorney General.*
26 *The Attorney General shall review the statement and the reasons*
27 *for its rejection and may receive evidence, documentary or*
28 *testimonial, to aid him in his decision. Not later than 3 business*
29 *days after the appeal by the committee, the Attorney General shall*
30 *issue his decision rejecting or accepting the statement. The*
31 *decision of the Attorney General is a final decision for the*
32 *purposes of judicial review.*
33 8. *The Secretary of State may revise the language submitted*
34 *by a committee pursuant to this section so that it is clear, concise*
35 *and suitable for incorporation in the sample ballot, but shall not*
36 *alter the meaning or effect of the language without the consent of*
37 *the committee.*
38 **Sec. 2.** NRS 293.250 is hereby amended to read as follows:
39 293.250 1. The Secretary of State shall, in a manner
40 consistent with the election laws of this state, prescribe:
41 (a) The form of all ballots, absent ballots, diagrams, sample
42 ballots, certificates, notices, declarations, applications to register to
43 vote, lists, applications, pollbooks, registers, rosters, statements and
44 abstracts required by the election laws of this state.



- 1 (b) The procedure to be followed when a computer is used to
2 register voters and to keep records of registration.
- 3 2. The Secretary of State shall prescribe with respect to the
4 matter to be printed on every kind of ballot:
- 5 (a) The placement and listing of all offices, candidates and
6 measures upon which voting is statewide, which must be uniform
7 throughout the State.
- 8 (b) The listing of all other candidates required to file with him,
9 and the order of listing all offices, candidates and measures upon
10 which voting is not statewide, from which each county or city clerk
11 shall prepare appropriate ballot forms for use in any election in his
12 county.
- 13 3. The Secretary of State shall place the condensation of each
14 proposed constitutional amendment or statewide measure near the
15 spaces or devices for indicating the voter's choice.
- 16 4. The fiscal note for , ~~[and]~~ explanation of , *arguments for*
17 *and against, and rebuttals to such arguments of* each proposed
18 constitutional amendment or statewide measure ~~[, including~~
19 ~~arguments for and against it.]~~ must be included on all sample
20 ballots.
- 21 5. The condensations and explanations for constitutional
22 amendments and statewide measures proposed by initiative or
23 referendum must be prepared by the Secretary of State, upon
24 consultation with the Attorney General. *The arguments and*
25 *rebuttals for or against constitutional amendments and statewide*
26 *measures proposed by initiative or referendum must be prepared*
27 *in the manner set forth in section 1 of this act.* The fiscal notes for
28 constitutional amendments and statewide measures proposed by
29 initiative or referendum must be prepared by the Secretary of State,
30 upon consultation with the Fiscal Analysis Division of the
31 Legislative Counsel Bureau. The condensations, explanations ,
32 *arguments, rebuttals* and fiscal notes must be in easily understood
33 language and of reasonable length, and whenever feasible must be
34 completed by August 1 of the year in which the general election is
35 to be held.
- 36 6. The names of candidates for township and legislative or
37 special district offices must be printed only on the ballots furnished
38 to voters of that township or district.
- 39 7. A county clerk:
- 40 (a) May divide paper ballots into two sheets in a manner which
41 provides a clear understanding and grouping of all measures and
42 candidates.
- 43 (b) Shall prescribe the color or colors of the ballots and voting
44 receipts used in any election which the clerk is required to conduct.



1 **Sec. 3.** NRS 293.253 is hereby amended to read as follows:

2 293.253 1. The Secretary of State shall provide each county
3 clerk with copies of any proposed constitution, constitutional
4 amendment or statewide measure which will appear on the general
5 election ballot, together with the copies of the condensations,
6 explanations , *arguments, rebuttals* and fiscal notes prepared
7 pursuant to NRS 218.443 and 293.250 ~~[-] and section 1 of this act.~~

8 2. Whenever feasible, he shall provide those copies on or
9 before the first Monday in August of the year in which the proposals
10 will appear on the ballot. Copies of any additional proposals must be
11 provided as soon after their filing as feasible.

12 3. Each county clerk shall cause a copy of the full text of any
13 such constitution, amendment or measure and its condensation,
14 explanation, ~~[including arguments for and against it,]~~ *arguments,*
15 *rebuttals* and fiscal note to be published, in conspicuous display
16 advertising format of not less than 10 column inches, in a newspaper
17 of general circulation in the county three times at intervals of not
18 less than 7 days, the first publication to be on or before the first
19 Monday in October. If no such newspaper is published in the
20 county, the publication may be made in a newspaper of general
21 circulation published in the nearest Nevada county.

22 4. If a copy is furnished by the Secretary of State too late to be
23 published at 7-day intervals, it must be published three times at the
24 longest intervals feasible in each county.

25 5. The portion of the cost of publication which is attributable to
26 publishing the questions, explanations , *arguments, rebuttals* and
27 fiscal notes of proposed constitutions, constitutional amendments or
28 statewide measures is a charge against the State and must be paid
29 from the Reserve for Statutory Contingency Account upon
30 recommendation by the Secretary of State and approval by the State
31 Board of Examiners.

32 **Sec. 4.** NRS 293.565 is hereby amended to read as follows:

33 293.565 1. Except as otherwise provided in subsection 2,
34 sample ballots must include:

35 (a) The fiscal note, as provided pursuant to NRS 218.443 or
36 293.250, for each proposed constitutional amendment or statewide
37 measure;

38 (b) An explanation, as provided pursuant to NRS 218.443 ~~[-] or~~
39 *293.250*, of each proposed constitutional amendment or statewide
40 measure ~~[-, including arguments];~~

41 (c) *Arguments* for and against ~~[it; and~~
42 ~~—(e)] each proposed constitutional amendment or statewide~~
43 *measure and rebuttals to each argument, as provided pursuant to*
44 *NRS 218.443 or section 1 of this act; and*

45 (d) The full text of each proposed constitutional amendment.



1 2. Sample ballots that are mailed to registered voters may be
2 printed without the full text of each proposed constitutional
3 amendment if:

4 (a) The cost of printing the sample ballots would be significantly
5 reduced if the full text of each proposed constitutional amendment
6 were not included;

7 (b) The county clerk ensures that a sample ballot that includes
8 the full text of each proposed constitutional amendment is provided
9 at no charge to each registered voter who requests such a sample
10 ballot; and

11 (c) The sample ballots provided to each polling place include the
12 full text of each proposed constitutional amendment.

13 3. At least 10 days before any election, the county clerk shall
14 cause to be mailed to each registered voter in the county a sample
15 ballot for his precinct with a notice informing the voter of the
16 location of his polling place. If the location of the polling place has
17 changed since the last election:

18 (a) The county clerk shall mail a notice of the change to each
19 registered voter in the county not sooner than 10 days before
20 mailing the sample ballots; or

21 (b) The sample ballot must also include a notice in bold type
22 immediately above the location which states:

23

24 **NOTICE: THE LOCATION OF YOUR POLLING PLACE**
25 **HAS CHANGED SINCE THE LAST ELECTION**

26

27 4. Except as otherwise provided in subsection 5, a sample
28 ballot required to be mailed pursuant to this section must:

29 (a) Be printed in at least 12-point type; and

30 (b) Include on the front page, in a separate box created by bold
31 lines, a notice printed in at least 20-point bold type that states:

32

33 **NOTICE: TO RECEIVE A SAMPLE BALLOT IN**
34 **LARGE TYPE, CALL (Insert appropriate telephone number)**

35

36 5. A portion of a sample ballot that contains a facsimile of the
37 display area of a voting device may include material in less than
38 12-point type to the extent necessary to make the facsimile fit on the
39 pages of the sample ballot.

40 6. The sample ballot mailed to a person who requests a sample
41 ballot in large type by exercising the option provided pursuant to
42 NRS 293.508, or in any other manner, must be printed in at least
43 14-point type, or larger when practicable.



1 7. If a person requests a sample ballot in large type, the county
2 clerk shall ensure that all future sample ballots mailed to that person
3 from the county are in large type.

4 8. The county clerk shall include in each sample ballot a
5 statement indicating that the county clerk will, upon request of a
6 voter who is elderly or disabled, make reasonable accommodations
7 to allow the voter to vote at his polling place and provide reasonable
8 assistance to the voter in casting his vote, including, without
9 limitation, providing appropriate materials to assist the voter.

10 9. The cost of mailing sample ballots for any election other
11 than a primary or general election must be borne by the political
12 subdivision holding the election.

13 **Sec. 5.** NRS 295.121 is hereby amended to read as follows:

14 295.121 1. In a county whose population is ~~100,000~~ 40,000
15 or more, for each initiative, referendum or other question to be
16 placed on the ballot by ~~the~~ :

17 (a) *The* board or county clerk, including, without limitation,
18 pursuant to NRS 293.482, 295.115 or 295.160 ~~4~~ ;

19 (b) *The governing body of a school district, public library or*
20 *water district authorized by law to submit questions to some or all*
21 *of the qualified electors or registered voters of the county; or*

22 (c) *A metropolitan police committee on fiscal affairs*
23 *authorized by law to submit questions to some or all of the*
24 *qualified electors or registered voters of the county,*

25 the board shall, in consultation with the county clerk pursuant to
26 subsection ~~4~~ 5, appoint two committees. Except as otherwise
27 provided in subsection 2, one committee must be composed of three
28 persons who favor approval by the voters of the initiative,
29 referendum or other question and the other committee must be
30 composed of three persons who oppose approval by the voters of the
31 initiative, referendum or other question.

32 2. If, after consulting with the county clerk pursuant to
33 subsection ~~4~~ 5, the board is unable to appoint three persons who
34 are willing to serve on a committee, the board may appoint fewer
35 than three persons to that committee, but the board must appoint at
36 least one person to each committee appointed pursuant to this
37 section.

38 3. With respect to a committee appointed pursuant to this
39 section:

40 (a) A person may not serve simultaneously on the committee
41 that favors approval by the voters of an initiative, referendum or
42 other question and the committee that opposes approval by the
43 voters of that initiative, referendum or other question.

44 (b) Members of the committee serve without compensation.



1 (c) The term of office for each member commences upon
2 appointment and expires upon the publication of the sample ballot
3 containing the initiative, referendum or other question.

4 4. *The county clerk may establish and maintain a list of the*
5 *persons who have expressed an interest in serving on a committee*
6 *appointed pursuant to this section. The county clerk, after*
7 *exercising due diligence to locate persons who favor approval by*
8 *the voters of an initiative, referendum or other question to be*
9 *placed on the ballot or who oppose approval by the voters of an*
10 *initiative, referendum or other question to be placed on the ballot,*
11 *may use the names on a list established pursuant to this subsection*
12 *to:*

13 (a) *Make recommendations pursuant to subsection 5; and*
14 (b) *Appoint members to a committee pursuant to subsection 6.*
15 5. Before the board appoints a committee pursuant to this
16 section, the county clerk shall:

17 (a) Recommend to the board persons to be appointed to the
18 committee; and

19 (b) Consider recommending pursuant to paragraph (a):

20 (1) Any person who has expressed an interest in serving on
21 the committee; and

22 (2) A person who is a member of an organization that has
23 expressed an interest in having a member of the organization serve
24 on the committee.

25 ~~5.~~ 6. If the board of a county whose population is ~~100,000~~
26 *40,000* or more fails to appoint a committee as required pursuant to
27 this section, the county clerk shall appoint the committee.

28 ~~6.~~ 7. A committee appointed pursuant to this section:

29 (a) Shall elect a chairman for the committee;

30 (b) Shall meet and conduct its affairs as necessary to fulfill the
31 requirements of this section;

32 (c) May seek and consider comments from the general public;

33 (d) Shall, based on whether the members were appointed to
34 advocate or oppose approval by the voters of the initiative,
35 referendum or other question, prepare an argument either advocating
36 or opposing approval by the voters of the initiative, referendum or
37 other question;

38 (e) Shall prepare a rebuttal to the argument prepared by the other
39 committee appointed pursuant to this section; ~~and~~

40 (f) *Shall address in the argument and rebuttal prepared*
41 *pursuant to paragraphs (d) and (e):*

42 (1) *The fiscal impact of the initiative, referendum or other*
43 *question;*

44 (2) *The environmental impact of the initiative, referendum*
45 *or other question; and*



1 ***(3) The impact of the initiative, referendum or other***
2 ***question on the public health, safety and welfare; and***
3 (g) Shall submit the argument and rebuttal prepared pursuant to
4 paragraphs (d) , (e) and ~~(e)~~ (f) to the county clerk not later than the
5 date prescribed by the county clerk pursuant to subsection ~~7-] 8.~~
6 ~~7-] 8.~~ 8. The county clerk of a county whose population is
7 ~~[100,000]~~ **40,000** or more shall provide, by rule or regulation:
8 (a) The maximum permissible length of an argument or rebuttal
9 prepared pursuant to this section; and
10 (b) The date by which an argument or rebuttal prepared pursuant
11 to this section must be submitted by the committee to the county
12 clerk.
13 ~~8-] 9.~~ 9. Upon receipt of an argument or rebuttal prepared
14 pursuant to this section, the county clerk:
15 (a) May consult with persons who are generally recognized by a
16 national or statewide organization as having expertise in the field or
17 area to which the initiative, referendum or other question pertains;
18 and
19 (b) Shall reject each statement in the argument or rebuttal that he
20 believes is libelous or factually inaccurate.
21 Not later than 5 days after the county clerk rejects a statement
22 pursuant to this subsection, the committee may appeal that rejection
23 to the district attorney. The district attorney shall review the
24 statement and the reasons for its rejection and may receive evidence,
25 documentary or testimonial, to aid him in his decision. Not later
26 than 3 business days after the appeal by the committee, the district
27 attorney shall issue his decision rejecting or accepting the statement.
28 The decision of the district attorney is a final decision for the
29 purposes of judicial review.
30 ~~9-] 10.~~ 10. The county clerk shall place in the sample ballot
31 provided to the registered voters of the county each argument and
32 rebuttal prepared pursuant to this section, containing all statements
33 that were not rejected pursuant to subsection ~~8-] 9.~~ 9. The county clerk
34 may revise the language submitted by the committee so that it is
35 clear, concise and suitable for incorporation in the sample ballot, but
36 shall not alter the meaning or effect without the consent of the
37 committee.
38 ~~10-] 11.~~ 11. In a county whose population is less than ~~[100,000-]~~
39 **40,000:**
40 (a) The board may appoint committees pursuant to this section.
41 (b) If the board appoints committees pursuant to this section, the
42 county clerk shall provide for rules or regulations pursuant to
43 subsection ~~7-] 8.~~
44 ***12. Except as otherwise provided in this subsection, if a***
45 ***question is to be placed on the ballot by an entity described in***



1 *paragraph (b) of subsection 1, the entity must provide a copy and*
2 *explanation of the question to the county clerk at least 30 days*
3 *earlier than the date required for the submission of such*
4 *documents pursuant to subsection 1 of NRS 293.481. This*
5 *subsection does not apply to a question if the date that the question*
6 *must be submitted to the county clerk is governed by subsection 2*
7 *of NRS 293.481.*

8 **Sec. 6.** NRS 295.217 is hereby amended to read as follows:
9 295.217 1. In a city whose population is ~~[60,000]~~ 10,000 or
10 more, for each initiative, referendum or other question to be placed
11 on the ballot by the ~~[council,]~~:

12 (a) *Council*, including, without limitation, pursuant to NRS
13 293.482 or 295.215 ~~[,]~~; or

14 (b) *Governing body of a public library or water district*
15 *authorized by law to submit questions to some or all of the*
16 *qualified electors or registered voters of the city,*

17 the council shall, in consultation with the city clerk pursuant to
18 subsection ~~[4,]~~ 5, appoint two committees. Except as otherwise
19 provided in subsection 2, one committee must be composed of three
20 persons who favor approval by the voters of the initiative,
21 referendum or other question and the other committee must be
22 composed of three persons who oppose approval by the voters of the
23 initiative, referendum or other question.

24 2. If, after consulting with the city clerk pursuant to subsection
25 ~~[4,]~~ 5, the council is unable to appoint three persons willing to serve
26 on a committee, the council may appoint fewer than three persons to
27 that committee, but the council must appoint at least one person to
28 each committee appointed pursuant to this section.

29 3. With respect to a committee appointed pursuant to this
30 section:

31 (a) A person may not serve simultaneously on the committee
32 that favors approval by the voters of an initiative, referendum or
33 other question and the committee that opposes approval by the
34 voters of that initiative, referendum or other question.

35 (b) Members of the committee serve without compensation.

36 (c) The term of office for each member commences upon
37 appointment and expires upon the publication of the sample ballot
38 containing the initiative, referendum or other question.

39 4. *The city clerk may establish and maintain a list of the*
40 *persons who have expressed an interest in serving on a committee*
41 *appointed pursuant to this section. The city clerk, after exercising*
42 *due diligence to locate persons who favor approval by the voters of*
43 *an initiative, referendum or other question to be placed on the*
44 *ballot or who oppose approval by the voters of an initiative,*



1 *referendum or other question to be placed on the ballot, may use*
2 *the names on a list established pursuant to this subsection to:*

- 3 (a) *Make recommendations pursuant to subsection 5; and*
4 (b) *Appoint members to a committee pursuant to subsection 6.*

5 5. Before the council appoints a committee pursuant to this
6 section, the city clerk shall:

7 (a) Recommend to the council persons to be appointed to the
8 committee; and

9 (b) Consider recommending pursuant to paragraph (a):

10 (1) Any person who has expressed an interest in serving on
11 the committee; and

12 (2) A person who is a member of an organization that has
13 expressed an interest in having a member of the organization serve
14 on the committee.

15 ~~5.1~~ 6. If the council of a city whose population is ~~60,000~~
16 *10,000* or more fails to appoint a committee as required pursuant to
17 this section, the city clerk shall appoint the committee.

18 ~~6.1~~ 7. A committee appointed pursuant to this section:

19 (a) Shall elect a chairman for the committee;

20 (b) Shall meet and conduct its affairs as necessary to fulfill the
21 requirements of this section;

22 (c) May seek and consider comments from the general public;

23 (d) Shall, based on whether the members were appointed to
24 advocate or oppose approval by the voters of the initiative,
25 referendum or other question, prepare an argument either advocating
26 or opposing approval by the voters of the initiative, referendum or
27 other question;

28 (e) Shall prepare a rebuttal to the argument prepared by the other
29 committee appointed pursuant to this section; ~~and~~

30 (f) *Shall address in the argument and rebuttal prepared*
31 *pursuant to paragraphs (d) and (e):*

32 (1) *The fiscal impact of the initiative, referendum or other*
33 *question;*

34 (2) *The environmental impact of the initiative, referendum*
35 *or other question; and*

36 (3) *The impact of the initiative, referendum or other*
37 *question on the public health, safety and welfare; and*

38 (g) Shall submit the argument and rebuttal prepared pursuant to
39 paragraphs (d) , (e) and ~~(e)~~ (f) to the city clerk not later than the
40 date prescribed by the city clerk pursuant to subsection ~~7.1~~ 8.

41 ~~7.1~~ 8. The city clerk of a city whose population is ~~60,000~~
42 *10,000* or more shall provide, by rule or regulation:

43 (a) The maximum permissible length of an argument or rebuttal
44 prepared pursuant to this section; and



1 (b) The date by which an argument or rebuttal prepared pursuant
2 to this section must be submitted by the committee to the city clerk.
3 ~~[8.]~~ 9. Upon receipt of an argument or rebuttal prepared
4 pursuant to this section, the city clerk:

5 (a) May consult with persons who are generally recognized by a
6 national or statewide organization as having expertise in the field or
7 area to which the initiative, referendum or other question pertains;
8 and

9 (b) Shall reject each statement in the argument or rebuttal that he
10 believes is libelous or factually inaccurate.

11 Not later than 5 days after the city clerk rejects a statement pursuant
12 to this subsection, the committee may appeal that rejection to the
13 city attorney. The city attorney shall review the statement and the
14 reasons for its rejection and may receive evidence, documentary or
15 testimonial, to aid him in his decision. Not later than 3 business days
16 after the appeal by the committee, the city attorney shall issue his
17 decision rejecting or accepting the statement. The decision of the
18 city attorney is a final decision for the purposes of judicial review.

19 ~~[9.]~~ 10. The city clerk shall place in the sample ballot provided
20 to the registered voters of the city each argument and rebuttal
21 prepared pursuant to this section, containing all statements that were
22 not rejected pursuant to subsection ~~[8.]~~ 9. The city clerk may revise
23 the language submitted by the committee so that it is clear, concise
24 and suitable for incorporation in the sample ballot, but shall not alter
25 the meaning or effect without the consent of the committee.

26 ~~[10.]~~ 11. In a city whose population is less than ~~[60,000:]~~
27 10,000:

28 (a) The council may appoint committees pursuant to this section.

29 (b) If the council appoints committees pursuant to this section,
30 the city clerk shall provide for rules or regulations pursuant to
31 subsection ~~[7.]~~ 8.

32 *12. If a question is to be placed on the ballot by an entity*
33 *described in paragraph (b) of subsection 1, the entity must provide*
34 *a copy and explanation of the question to the city clerk at least 30*
35 *days earlier than the date required for the submission of such*
36 *documents pursuant to subsection 1 of NRS 293.481. This*
37 *subsection does not apply to a question if the date that the question*
38 *must be submitted to the city clerk is governed by subsection 2 of*
39 *NRS 293.481.*

40 **Sec. 7.** NRS 218.443 is hereby amended to read as follows:

41 218.443 1. As used in this section, "first committee of
42 reference" means the committee to which a bill or joint resolution
43 was first referred in the house of the Legislature into which it was
44 introduced.



1 2. Upon request from the first committee of reference, the
2 Legal, Research and Fiscal Analysis Divisions of the Legislative
3 Counsel Bureau shall prepare, for any proposed constitutional
4 amendment or statewide measure which, if approved by the
5 Legislature, would be submitted to a vote of the people:

6 (a) A condensation of the proposal into a question to be placed
7 on the ballot;

8 (b) An explanation of the proposal, including arguments for and
9 against ~~it; and~~ *the proposal*;

10 (c) *If the Legislature rejects a statewide measure proposed by*
11 *initiative, proposes a different measure on the same subject which*
12 *the Governor approves and includes the measure on the ballot*
13 *with the statewide measure proposed by initiative, rebuttals to each*
14 *argument for and against the proposal; and*

15 (d) A fiscal note for the proposal, including an explanation of
16 any anticipated financial effects on state and local governments.

17 3. The condensation, explanation, *arguments, rebuttals* and
18 fiscal note must be of reasonable length and written in easily
19 understood language.

20 4. After the bill or joint resolution has been approved by both
21 houses of the Legislature, the first committee of reference shall
22 request the preparation of the condensation, explanation,
23 *arguments, rebuttals* and fiscal note, if it has not already done so,
24 and shall review the draft and approve such changes as it deems
25 necessary.

26 5. The first committee of reference shall submit the
27 condensation, explanation, *arguments, rebuttals* and fiscal note, in
28 the form of a simple resolution, to the members of the house in
29 which the proposed constitutional amendment or statewide measure
30 was introduced. After that resolution is approved, it must be entered
31 in the journal in its entirety and the enrolled resolution delivered to
32 the Secretary of State to accompany the bill or joint resolution to
33 which it relates.

34 6. If the Legislature adjourns before the procedures set forth in
35 subsections 4 and 5 have been completed, the Legislative
36 Commission shall review, revise and approve the condensation,
37 explanation, *arguments, rebuttals* and fiscal note for delivery to the
38 Secretary of State on or before July 1 of the year in which the
39 general election is to be held.

40 7. In the case of a joint resolution which proposes a
41 constitutional amendment, the condensation, explanation,
42 *arguments, rebuttals* and fiscal note must be treated in the same
43 manner when the proposal is before the Legislature for its second
44 approval as when the proposal was first approved.



1 8. The Legislative Counsel Bureau shall distribute copies of the
2 condensations, explanations , *arguments, rebuttals* and fiscal notes
3 to members of the Legislature, public libraries, newspapers and
4 broadcasters.

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