

ASSEMBLY JOINT RESOLUTION NO. 3—ASSEMBLYMEN SEALE, GIUNCHIGLIANI, CONKLIN, PERKINS, MCCLEARY, ALLEN, ANDERSON, ARBERRY JR., ATKINSON, BUCKLEY, CARPENTER, CHRISTENSEN, CLABORN, DENIS, GANSERT, GERHARDT, GOICOECHEA, GRADY, HARDY, HETTRICK, HOGAN, HOLCOMB, HORNE, KIRKPATRICK, KOIVISTO, LESLIE, MABEY, MARVEL, MCCLAIN, MUNFORD, OCEGUERA, PARKS, PARNELL, PIERCE, SHERER, SIBLEY, SMITH AND WEBER

FEBRUARY 25, 2005

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JOINT SPONSORS: SENATORS RHOADS, TIFFANY AND TITUS

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Referred to Committee on Elections, Procedures, Ethics,  
and Constitutional Amendments

SUMMARY—Proposes to amend Nevada Constitution to revise provisions governing certain constitutional officers. (BDR C-947)

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.

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ASSEMBLY JOINT RESOLUTION—Proposing to amend the Nevada Constitution to eliminate the Office of State Controller and transfer the duties of that Office to the Office of State Treasurer.

**Legislative Counsel's Digest:**

- 1 Existing law establishes the position of State Controller as an elected State
  - 2 officer and prescribes the duties of the State Controller. (Nev. Const., Art. 5, § 19,
  - 3 Art. 9, § 3)
  - 4 This resolution proposes to amend the Nevada Constitution to eliminate the
  - 5 position of State Controller and transfer the Controller's duties to the State
  - 6 Treasurer.
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1 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF  
2 NEVADA, JOINTLY, That Section 19 of Article 5 of the Nevada  
3 Constitution be amended to read as follows:

4 Sec. 19. 1. A secretary of state, a treasurer, ~~[a-controller,]~~  
5 and an attorney general, shall be elected at the same time and  
6 places, and in the same manner as the governor. The term of  
7 office of each shall be the same as is prescribed for the  
8 governor.

9 2. Any elector shall be eligible to any of these offices,  
10 but no person may be elected to any of them more than twice,  
11 or more than once if he has previously held the office by  
12 election or appointment.

13 ↳ And be it further

14 RESOLVED, That Section 22 of Article 5 of the Nevada  
15 Constitution be amended to read as follows:

16 ~~[Section]~~ Sec. 22. The secretary of state, state treasurer,  
17 ~~[state-controller,]~~ attorney general, and superintendent of  
18 public instruction shall perform such other duties as may be  
19 prescribed by law.

20 ↳ And be it further

21 RESOLVED, That Section 3 of Article 9 of the Nevada  
22 Constitution be amended to read as follows:

23 Sec. 3. The state may contract public debts; but such debts  
24 shall never, in the aggregate, exclusive of interest, exceed the  
25 sum of two per cent of the assessed valuation of the state, as  
26 shown by the reports of the county assessors to the state  
27 ~~[controller,]~~ *treasurer*, except for the purpose of defraying  
28 extraordinary expenses, as hereinafter mentioned. Every such  
29 debt shall be authorized by law for some purpose or purposes,  
30 to be distinctly specified therein; and every such law shall  
31 provide for levying an annual tax sufficient to pay the interest  
32 semiannually, and the principal within twenty years from the  
33 passage of such law, and shall specially appropriate the  
34 proceeds of said taxes to the payment of said principal and  
35 interest; and such appropriation shall not be repealed nor the  
36 taxes postponed or diminished until the principal and interest  
37 of said debts shall have been wholly paid. Every contract of  
38 indebtedness entered into or assumed by or on behalf of the  
39 state, when all its debts and liabilities amount to said sum  
40 before mentioned, shall be void and of no effect, except in  
41 cases of money borrowed to repel invasion, suppress  
42 insurrection, defend the state in time of war, or, if hostilities  
43 be threatened, provide for the public defense.

44 The state, notwithstanding the foregoing limitations, may,  
45 pursuant to authority of the legislature, make and enter into



1 any and all contracts necessary, expedient or advisable for the  
2 protection and preservation of any of its property or natural  
3 resources, or for the purposes of obtaining the benefits  
4 thereof, however arising and whether arising by or through  
5 any undertaking or project of the United States or by or  
6 through any treaty or compact between the states, or  
7 otherwise. The legislature may from time to time make such  
8 appropriations as may be necessary to carry out the  
9 obligations of the state under such contracts, and shall levy  
10 such tax as may be necessary to pay the same or carry them  
11 into effect.

12 ➔ And be it further

13 RESOLVED, That Section 12 of Article 15 of the Nevada  
14 Constitution be amended to read as follows:

15 ~~{See:}~~ **Sec.** 12. The Governor, Secretary of State, State  
16 Treasurer, ~~{State-Controller,}~~ and Clerk of the Supreme  
17 Court, shall keep their respective offices at the seat of  
18 Government.



