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Debate / Forum
November 19, 2003

Be It Resolved Should Government Employees Be Prohibited From Holding Elective Office.

Proponents

Janine Hansen
Dave Schuman
Brendan Trainor

Opponents

Martha Gould
John Mayeroff
Shane Piccinini

Initiative Petition

State of Nevada

The People of the State of Nevada do enact as follows:

Article 3 of the Constitution of the State of Nevada is hereby amended by adding thereto a new section to read as follows:

Section 3: No employee of the Government of the State of Nevada or any of its political subdivisions including but not limited to: Counties, Cities, The State University and Community College Systems and School Districts; whether full or part-time employees or whether on leave of absence from such employment; may hold elective office. This section is not applicable to Federal employees or offices. This section shall take effect immediately upon final approval of the voters.

ARTICLE 3.

DISTRIBUTION OF POWERS.

SEC. 1. Three separate departments; separation of powers; legislative review of administrative regulations.

Section 1. Three separate departments; separation of powers; legislative review of administrative regulations.

1. The powers of the Government of the State of Nevada shall be divided into three separate departments,—the Legislative,—the Executive and the Judicial; and no persons charged with the exercise of powers properly belonging to one of these departments shall exercise any functions, appertaining to either of the others, except in the cases expressly directed or permitted in this constitution.

2. If the legislature authorizes the adoption of regulations by an executive agency which bind persons outside the agency, the legislature may provide by law for:

(a) The review of these regulations by a legislative agency before their effective date to determine initially whether each is within the statutory authority for its adoption;

(b) The suspension by a legislative agency of any such regulation which appears to exceed that authority, until it is reviewed by a legislative body composed of members of the Senate and Assembly which is authorized to act on behalf of both houses of the legislature; and

(c) The nullification of any such regulation by a majority vote of that legislative body, whether or not the regulation was suspended.