

NOTICE OF INTENT TO CIRCULATE STATEWIDE INITIATIVE OR REFERENDUM PETITION

FILED MAR 1 2022
SOS/MS/505

State of Nevada



Secretary of State Barbara K. Cegavske

Pursuant to NRS 295.015, before a petition for initiative or referendum may be presented to registered voters for signatures, the person who intends to circulate the petition must provide the following information:

NAME OF PERSON FILING THE PETITION

Tedman Getschman

NAME(S) OF PERSON(S) AUTHORIZED TO WITHDRAW OR AMEND THE PETITION (provide up to three)

1. Tedman Getschman

2. Robin Rowe

3.

NAME OF THE POLITICAL ACTION COMMITTEE (PAC) ADVOCATING FOR THE PASSAGE OF THE INITIATIVE OR REFERENDUM (if none, leave blank)

Common Sense for Uniting Nevada

Please note, if you are creating a Political Action Committee for the purpose of advocating for the passage of the initiative or referendum, you must complete a separate PAC registration form.

Additionally, a copy of the initiative or referendum, including the description of effect, must be filed with the Secretary of State's office at the time you submit this form.

X

Signature of Petition Filer

Date

1 MAR 2022

State of Nevada - Initiative Petition - Constitutional Amendment

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

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

Section 1. Article 5, Section 4 of the Nevada Constitution is hereby amended to read as follows:

Section 4. Returns of general election transmitted to secretary of state; canvass by supreme court; declaration of election. The returns of every election for United States senator and member of Congress, district and state officers, and for and against any questions submitted to the electors of the State of Nevada, voted for at the general election, shall be sealed up and transmitted to the seat of government, directed to the secretary of state, and the chief justice of the supreme court, and the associate justices, or a majority thereof, shall meet at the office of the secretary of state, on a day to be fixed by law, and open and canvass the election returns for United States senator and member of Congress, district and state officers, and for and against any questions submitted to the electors of the State of Nevada, and forthwith declare the result and publish the names of the persons elected and the results of the vote cast upon any question submitted to the electors of the State of Nevada. The persons having the highest ***average score*** ~~[number of votes]~~ for the respective offices ***as provided for and governed by Nevada law and/or Section 17 of Article 15 of this Constitution*** shall be declared elected, but in case any two or more have an equal ***average score*** ~~[and the highest number of votes]~~ for the same office, the legislature shall, by joint vote of both houses, elect one of said persons to fill said office.

Section 2. Article 15, Section 14 of the Nevada Constitution is hereby amended to read as follows:

Sec: 14. Election by plurality. A plurality of votes given at an election by the people, shall constitute a choice, ***except as provided in Section 17 of Article 15 or*** where not otherwise provided by this Constitution.

Section 3. Article 15 of the Nevada Constitution is hereby amended by adding thereto a new section to be designated as Section 17, to read as follows:

Section 17. Division Free Voting for general elections

- 1. All general elections shall be conducted using Division Free Voting.***
- 2. The general election ballots shall be designed so that a voter is instructed to give each candidate they choose a number of points between 0 and 7 [0, 1, 2, 3, 4, 5, 6, or 7] to indicate how much that candidate represents the voter's own views and opinions where "0" indicates candidates who are least representative of that voter and "7" indicates candidates who are most representative of that voter.***
- 3. Marking any number of points, to include "0," for a candidate makes that voter a "contributing voter of that candidate".***
- 4. Voters can mark any point value but only one point value for each candidate. Marking more than one point value for a candidate results in an overvote.***
- 5. Voters are not required to mark any point value for a candidate. If they choose not to mark any score for a candidate, they are considered "abstaining voters of***

State of Nevada - Initiative Petition - Constitutional Amendment

that candidate.”

6. (a) *Except as provided in subsection (b), to determine a candidate’s average score, the Registrar, County Clerk, or chief election official (as applicable) shall first add up the total number of points identified to that candidate by all voters to find a candidate’s total score and then divide that total score by the total number of that candidate’s contributing voters. Abstaining voters of that candidate or overvotes are not used in calculating that candidate’s average score.*

(b) Where an office comprises more than one county, the Registrar, County Clerk, or chief election official (as applicable) shall transmit the raw total number of contributing voters and raw total score of each candidate to the Secretary of State who shall make the calculation as described in subsection (a).

7. *As used in this section:*

- a. *“Abstaining Voters of that Candidate” means voters who did not mark any value for a candidate to include “0.”*
- b. *“Average Score” means the total number of points a candidate receives divided by the total number of voters who contributed point values to that candidate.*
- c. *“Contributing Voter of that Candidate” means a voter who marked their ballot by a candidate’s name giving that candidate either 0, 1, 2, 3, 4, 5, 6, or 7 points.*
- d. *“Division Free Voting” means this voting method where each voter can each give each candidate either 0, 1, 2, 3, 4, 5, 6, or 7 points, where the winner of the election is candidate with the highest average score, and where number of voters who do not mark any point value for a candidate are not used to calculate the average score of that candidate.*
- e. *“Overvote” means an instance where a voter indicated two different point values for the same candidate.*
- f. *“Point Value” means the number of points a candidate receives from a voter when that bubble is marked on the ballot.*
- g. *“Total Score” means the sum of all point values received from all contributing voters of that candidate.*

8. *The certification of results shall be conducted as provided by Nevada law.*

9. *Implementation*

- a. *Not later than July 1, 2025, the Legislature shall by law for provisions consistent with this constitutional amendment, including providing for disclosure of all candidates’ total scores, number of contributing voters to that candidate and average score.*
- b. *Upon enactment of any law by the Legislature pursuant to this constitutional amendment before July 1, 2025, and not later than that date, any laws, regulations, regulatory orders or other provisions which conflict with this constitutional amendment will be void. However, the Legislature may enact legislation, in whole or in part, consistent with this constitutional amendment before July 1, 2025.*

State of Nevada - Initiative Petition - Constitutional Amendment

Section 4.

Severability.

If any provision of this act, or its application is held invalid or unconstitutional by a court of competent jurisdiction, these provisions are severable, and any such invalidity or unconstitutionality shall not affect the validity or constitutionality of this act as a whole or any provision or application of this act which can be given effect without the invalid or unconstitutional provision or application.

State of Nevada - Initiative Petition - Constitutional Amendment

DESCRIPTION OF EFFECT

If enacted, this initiative changes Articles 5 and 15 of Nevada's Constitution for all elected offices to use Division Free Voting for general elections. Division Free Voting instructs each voter to give from 0 to 7 points to each candidate to indicate how much that candidate represents the views of that voter. Division Free Voting awards the election to the candidate with the highest average score.

Voters need not score all candidates. Voters only contribute to a candidate's average score if they indicate a number of points (to include "0") on the ballot.

The Legislature shall adopt implementing legislation by July 1, 2025.

County of _____
Petition District: _____

(Only registered voters of this county may sign below)
(Only registered voters of this petition district may sign below)

This Space for
Office Use Only

1	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE DATE / /	CITY	COUNTY	PETITION DISTRICT	
2	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE DATE / /	CITY	COUNTY	PETITION DISTRICT	
3	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE DATE / /	CITY	COUNTY	PETITION DISTRICT	
4	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE DATE / /	CITY	COUNTY	PETITION DISTRICT	
5	PRINT YOUR NAME (first name, initial, last name)	RESIDENCE ADDRESS ONLY			
	YOUR SIGNATURE DATE / /	CITY	COUNTY	PETITION DISTRICT	

_____ County

THE FOLLOWING AFFADVIT MUST BE COMPLETED AND SIGNED:

AFFIDAVIT OF CIRCULATOR
(TO BE SIGNED BY CIRCULATOR)

STATEOFNEVADA)

)

County of _____,

I, _____, (print name), being first duly sworn under penalty of pejury, depose and say:
(I) that I reside at _____ (print street, city and state); (2) that I am 18 years of age or older; (3) that I personally circulated this document; (4) that all signatures were affixed in my presence; (5) that the number of signatures affixed there on is _____ and (6) that each person who signed had an opportunity before signing to read the full text of the act or resolution on which the initiative or referendum is demanded.

Signature of Circulator

Subscribed and sworn to or affirmed before me this

_____ day of _____, by _____

Notary Public or person authorized to administer oath