

218B-appendix04

1 Case No. 11 OC 00042 1B

2 Dept. No. I

REC'D & FILED

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ALAN GLOVER
CLERK

BY Alan Glover REPUTY

6 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR CARSON CITY

9 DORA J. GUY, an individual; LEONEL
10 MURRIETA-SERNA, an individual; EDITH
11 LOU BYRD, an individual; and SAMANTHA
12 STEELMAN, an individual;

11 Plaintiffs,

12 and

13 KEN KING, an individual; SANCY KING, an
14 individual; ALLEN ROSOFF, an individual; B.
15 ESTELA MOSER VADEN, an individual; and
16 the NEVADA REPUBLICAN PARTY,

16 and

17 ALEX GARZA, an individual,

18 and

19 THE LEAGUE OF WOMEN VOTERS OF
20 LAS VEGAS VALLEY,

20 Plaintiff-Intervenors

21 vs.

22 ROSS MILLER, in his capacity as Secretary of
23 State for the State of Nevada,

23 Defendant.

**ADDENDUM TO OCTOBER 27, 2011
ORDER ADOPTING AND
APPROVING SPECIAL MASTERS'
REPORT AND REDISTRICTING
MAPS AS MODIFIED BY THE
COURT**

24 _____ /
25 This Addendum to the Court's October 27, 2011 Order serves to facilitate the
26 transitional period from the date of the Court's Order Adopting and Approving Special
27 Masters' Report and Redistricting Maps as Modified by the Court until the date on which
28 Representatives will commence serving in the four (4) Congressional Districts approved

1 by the Court and Members will commence serving in the forty-two (42) Nevada Assembly
2 Districts and the twenty-one (21) Nevada Senate Districts approved by the Court.

3 On November 16, 2011, this Court issued an Order requiring objections and/or
4 comments in regard to the request received by the Court from the Legislative Counsel
5 Bureau to consider an addendum to this Court's Order of October 27, 2011 to facilitate the
6 transition to the new districts. The only Objection received by the Court was from
7 Defendant, Ross Miller, in his capacity as Secretary of State for the State of Nevada. It is
8 important to note that the Legislative Counsel Bureau is not a party to this action and that
9 the issue raised thereby as to the use of the term "re-elect", was not an issue adjudicated in
10 this action. Based on the Objection filed by the Defendant, Secretary of State, this Court
11 agrees therewith that it would be improper for this Court to address the issue as to the use
12 of term, "re-elect"; and as such, it will not be addressed.

13 I.

14 **CONGRESSIONAL DISTRICTS**

15 IT IS HEREBY ORDERED that the four Congressional Districts approved by the
16 Court on October 27, 2011:

- 17 1. Become effective on January 1, 2012 only for the purpose of filing for
18 office, and for nominating and electing Representatives in the Congress of the United
19 States;
- 20 2. Become effective at 9:00 a.m. on January 3, 2013 for all other purposes;
- 21 3. Except as otherwise provided herein, Nevada's three Congressional Districts
22 set forth in NRS 304.100, 304.110 and 304.120 remain in effect until 9:00 a.m. on
23 January 3, 2013, when pursuant to U.S. Const. Amend. XX § 1, four (4) Representatives of
24 Nevada in the Congress of the United States who are elected on November 6, 2012, take
25 office to represent the four (4) Congressional Districts approved by the Court.

26 IT IS HEREBY FURTHER ORDERED that if any area of this State is omitted
27 from the Congressional Districts approved by the Court, the county clerk, the Carson City
28 clerk, or the Director of the Legislative Counsel Bureau, upon discovery of the omission,

1 shall notify the Secretary of State of the omission. The Secretary of State shall attach that
2 area to the appropriate Congressional District as follows:

3 1. If the area is surrounded by a Congressional District, the area must be
4 attached to that district.

5 2. If the area is contiguous to two or more Congressional Districts, the area
6 must be attached to the district that has the least population.

7 Any such attachments must be certified in writing and filed with the Director of the
8 Legislative Counsel Bureau and with the Secretary of State and no change may be made in
9 any attachments until the Congressional Districts are again reapportioned.

10 **II.**

11 **ASSEMBLY DISTRICTS**

12 IT IS HEREBY FURTHER ORDERED that Nevada's forty-two Assembly
13 Districts set forth in NRS 218B.600 to 218.805, inclusive, remain in effect through 11:59
14 p.m. on November 6, 2012, the date of the 2012 General Election, and that the forty-two
15 Assembly Districts approved by the Court become effective on January 1, 2012, only for
16 the purpose of filing for office, and for nominating and electing members of the Nevada
17 Assembly, and on November 7, 2012 for all other purposes.

18 IT IS HEREBY FURTHER ORDERED that if any area of this State is omitted
19 from the Assembly Districts approved by the Court, the county clerk, the Carson City
20 clerk, or the Director of the Legislative Counsel Bureau, upon discovery of the omission,
21 shall notify the Secretary of State of the omission. The Secretary of State shall attach that
22 area to the appropriate Assembly District as follows:

23 1. If the area is surrounded by an Assembly District, the area must be attached
24 to that district.

25 2. If the area is contiguous to two or more Assembly Districts, the area must
26 be attached to the district that has the least population.

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1 Any such attachments must be certified in writing and filed with the Director of the
2 Legislative Counsel Bureau and with the Secretary of State and no change may be made in
3 any attachments until the Assembly is again reapportioned.

4 **III.**

5 **SENATE DISTRICTS**

6 IT IS HEREBY FURTHER ORDERED that Nevada's twenty-one Senate Districts
7 set forth in NRS 218B.300 to 218.390, inclusive, remain in effect through 11:59 p.m. on
8 November 6, 2012, the date of the 2012 General Election, and that the twenty-one Senate
9 Districts approved by the Court become effective on January 1, 2012 only for the purpose
10 of filing for office, and for nominating and electing members of the Nevada Senate, and on
11 November 7, 2012 for all other purposes.

12 IT IS HEREBY FURTHER ORDERED that to facilitate the transition to the new
13 Senate Districts while maintaining the staggering of the terms of the members of the
14 Nevada Senate pursuant to Nev. Const. Art. 17, § 10, at the General Election held on
15 November 6, 2012, a member of the Senate must be elected for a term of four years in the
16 new Senate Districts 1, 3, 4, 5, 6, 7, 11, 15, 18, and 19. At the General election held on
17 November 4, 2014, a member of the Senate must be elected for a term of four years in the
18 new Senate Districts 2, 8, 9, 10, 12, 13, 14, 16, 17, 20, and 21. Each Nevada Senator who
19 was elected on November 2, 2010 shall, commencing on November 7, 2012, represent the
20 new Senate District approved by the Court in which he or she resided on the date of this
21 Order until the expiration of the Senator's current term of office on November 4, 2014,
22 provided the Senator otherwise remains eligible for the office.

23 IT IS HEREBY FURTHER ORDERED that if any area of this State is omitted
24 from the Senate Districts approved by the Court, the county clerk, the Carson City clerk, or
25 the Director of the Legislative Counsel Bureau, upon discovery of the omission, shall
26 notify the Secretary of State of the omission. The Secretary of State shall attach that area
27 to the appropriate Senate District as follows:

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1 1. If the area is surrounded by a Senate District, the area must be attached to
2 that district.

3 2. If the area is contiguous to two or more Senate Districts, the area must be
4 attached to the district that has the least population.

5 Any such attachments must be certified in writing and filed with the Director of the
6 Legislative Counsel Bureau and with the Secretary of State and no change may be made in
7 any attachments until the Senate is again reapportioned.

8 IV.

9 STATE BOARD OF EDUCATION

10 IT IS HEREBY FURTHER ORDERED that the Congressional Districts approved
11 by the Court also constitute the districts for the elected members of the State Board of
12 Education in accordance with NRS 385.021.

13 V.

14 PETITION DISTRICTS

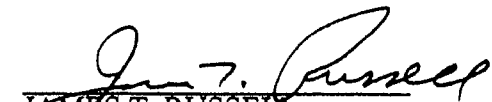
15 IT IS HEREBY FURTHER ORDERED that the Congressional Districts approved
16 by the Court also constitute the Petition Districts, as defined in NRS 293.069, from which
17 signatures for a petition for an initiative that proposes a statute, an amendment to a statute
18 or an amendment to the Constitution of this State must be gathered. These Petition
19 Districts are effective as of October 27, 2011.

20 VI.

21 MISCELLANEOUS

22 This Addendum to the Court's October 27, 2011 order is entered *nunc pro tunc* to
23 that date, and shall not extend or start a new period to file a notice of appeal under Rule 4
24 of NRAP.

25 Dated this 8th day of December, 2011.

26 
27 JAMES T. RUSSELL
28 District Court Judge