**As the text chapters demonstrate, the settlement of Nevada and its ultimate acceptance as a state was often linked to external events. Outline how the Mexican-American War, the movement of the Mormons into the West, and the search for mineral wealth first brought settlers into what is now Nevada.**

**1.** While there had been travel through and exploration of the territory of Nevada in the previous decades, a confluence of events in the 1840s led to a large influx of permanent settlers into the territory.

One of these events was the conclusion of the Mexican-American War in 1848. The Treaty of Guadalupe Hidalgo, which ended the war, ceded the territory that would become Nevada to the United States. This treaty disambiguated the legal status of the land, which had seen various American incursions (especially from fur trappers and travelers to California), together with small skirmishes with the Mexican authorities, in the previous decades. With the land securely defined as United States territory, settlers could establish themselves on the land without fear of international incident.

Another event was the movement of Mormons into the West, fleeing a period of persecution in the eastern United States that had culminated in the death of their founder, Joseph Smith, in 1844. Mormons had numerous reasons to initially settle in the territory that would become Nevada, including access to mineral wealth, to proselytize the Mormon faith, to take advantage of the movement of gold seekers and emigrants through Nevada into California, and to justify the large territorial claims of the prospective Mormon State of Deseret and later the Utah territory.

California’s gold rush began near Sacramento in 1849. The rush of seekers after fortune towards California meant more traffic through Nevada. This increased the economic feasibility of settling in Nevada and serving the needs of such travelers by offering resupply and succor from the difficult journey. Additionally, upon initial settlement mineral wealth began to be found in Nevada itself, drawing settlers seeking after that wealth, including the Mormons.

All of these factors contributed to drawing permanent settlers to the land that would become Nevada.

**What factors contributed to Nevada becoming one of the first western territories to gain statehood? (Pay particular attention to the efforts of national politicians such as Senator Doolittle.)**

**2.** Following a long period of strife between settlers in what would become Nevada and their nominal government in Utah, which led to general disorder and lawlessness, the United States Congress finally acted to carve a separate Nevada Territory out of western Utah in 1861. The election of Abraham Lincoln and the secession of the pro-slavery states from the Union removed a legislative logjam over slavery that had long inhibited such action.

Having become a territory, Nevada then entered into the process of becoming a state, which was initiated in 1862 and completed in 1864. Some factors contributing to this speedy process were local to Nevada, and some could be attributed to national politics in the United States in that period.

Various issues of strategy in national politics in the Civil War-era Union led to a national government that was anxious for Nevada to become a state as quickly as possible. As mentioned, the southern states had seceded at the onset of the Civil War, leading to a Republican-dominated Congress in the remaining Union which was eager to further secure that dominance. The admittance of Nevada as a solidly Republican state would firm up Republican control of Congress and Abraham Lincoln’s chances of reelection to his second term. To these ends, Republican Senator James Doolittle of Wisconsin introduced the 1864 act which prompted a U.S. sanctioned constitutional convention for Nevada and several other western territories in the hopes of moving them speedily towards statehood.

There were also local factors. 1863 had seen the defeat of a first attempt at drafting a state constitution for Nevada, and the 1864 effort which ultimately succeeded addressed many of the problems that had led to the defeat of the first effort. Namely changes were made concerning the taxation of mines and the mining industry, as well as separating the approval of state officials and the ratification of the constitution into distinct votes- the 1863 effort had divisively tied the approval of the constitution and the slate of first officers for the state into a single yes or no vote. These changes contributed to a decisive victory for the 1864 constitution, which led to speedy statehood.

**Describe the three aspects of direct democracy found in Nevada. Be sure to discuss the petition process linked to each provision and give an example of how one of these provisions has been used in Nevada political history.**

**2.** Direct democracy in Nevada encompasses three special types of elections: initiative, referendum, and recall, which were introduced in the late nineteenth and early twentieth centuries.

Initiatives, introduced in 1912, allow citizens of Nevada to propose amendments to the state constitution as well as new laws without action from the state legislature. An initiative begins with a petition, which must be signed by 10% of the number of voters in the previous general election. Throughout the history of the initiative process, various rules have been made (and thrown out) concerning the geographical diversity which the signatures must have, such as which proportion must come from the various counties in the state. In the modern day, signatures must come from 10% of voters who participated in the previous election in each of the state’s congressional districts. An initiative can send a statute to the legislature, which can then either approve the new law or send it to the ballot for voters to decide. An initiative can also propose an amendment to the state constitution, which is then approved or denied on the ballot by the state’s voters.

Referendums, introduced in 1904, allow voters to approve or disapprove laws that the state legislature has passed. The legislature can refer a law directly to voters, or voters can demand a referendum via petition. The petition simply requires signatures from 10% of the number of voters in the previous general election. In either case, the law is then voted on. If the law receives a simple majority’s support then it is affirmed and remains in force, and if the law fails to receive a simple majority then it is revoked. A law approved by a voter-initiated referendum cannot be repealed or amended by the legislature- it can only be changed by another direct vote.

This quality of referendums was used by pro-choice activists in Nevada in 1990. They initiated and won a referendum for a statute affirming abortion rights along the lines of the Roe v. Wade decision, which generated a protection for abortion rights in the state that will last even if Roe v. Wade were to be overturned, until and unless another referendum overturning the statute could be created and passed.

The first provisions for recall of elected officials in Nevada were introduced in 1912. Voters can choose to remove a state or local official from office earlier than their term would normally expire. A recall is initiated by a petition, which requires the signature of 25% of the number of voters who voted in the office holder’s election. Therefore a statewide official requires 25% of the number of participants in the statewide election to sign the petition, but a mayor would only require 25% of the participants in his city’s election. When the signatures have been collected, the official can resign or submit to a recall election, where candidates run against the recalled official and the winner of the most votes serves out the remainder of the term. If no one runs against the recalled candidate, there is simply a recall/no recall vote, and the office remains vacant until the next election if the recall succeeds. In general the hurdle to recall an official in Nevada is very high and the process has succeeded rarely at the local level and never at the statewide level.

**What is reapportionment and how has reapportionment changed the balance of power between regions in Nevada?**

**2.** Reapportionment is the redistribution of representation within a legislature. This could consist, for example, of redefining the geographical boundaries in which voters will decide on their particular representative to the legislature.

Reapportionment has had an important role in shifting the balance of power in Nevada’s legislature. For a long period districts were apportioned such that rural voters were greatly overrepresented in the legislature and urban voters were underrepresented. This especially limited the power of populous, urban Clark County.

In 1964 the US Supreme Court mandated that Nevada undergo reapportionment such that the seats in the both houses of the state legislature should be based on population. Eventually this process led to a more equal apportionment of seats in the state, giving more power to urban areas and especially Clark County at the cost of rural regions. A new reapportionment every ten years is required to continually update the distribution of seats to correspond to changes in the population.

**Describe the basic duties of the six elected executive officers in Nevada.**

1. The executive branch of Nevada contains six elected officers. I will describe the basic duties of each.

The governor is responsible for seeing that the laws of the state are faithfully executed. To do so he can unilaterally appoint officials to a number of departments, boards, commissions, and committees in addition to serving on some of them himself. Unlike on the federal level, the governor cannot issue pardons, though he does serve on a committee that can issue pardons by majority vote. Other powers of the governor include the ability to appoint some officials in cases of vacancy and temporarily suspend a fine. He must sign all state grants and commissions. The governor serves a variety of ceremonial roles as head of state.

The governor also has important roles owing to his relationship with the legislature. The governor can propose bills to the legislature through mandatory State of the State addresses. The governor also proposes the state budget to the legislature, which is usually adopted with few changes. The governor has some powers related to convening and adjourning the legislature in special sessions. Finally, the governor also exercises the ability to veto bills, though that veto can then be overridden by a supermajority in the legislature.

The governor also is the commander-of-chief of the Nevada National Guard, and customarily is the leader of his party within the state.

The lieutenant governor assumes the responsibilities of the governor when the post is vacant, or when the governor is absent (where the definition of absence has been in question over time). The lieutenant governor also serves as the presiding officer in the state Senate and can cast a tiebreaking vote. The lieutenant governor also heads the Commission on Tourism.

The attorney general serves on the Board of State Prison Commissioners, the Board of Examiners, and the Board of Pardons Commissioners. Other duties include obligations to provide legal advice to state agencies, to defend the state in the US Supreme Court and prosecute cases in the Nevada Supreme Court, to oversee the district attorneys in each of Nevada’s counties, and to submit a biennial report to the governor about the state of law enforcement in Nevada.

The secretary of state must sign all grants and commissions of the state. He serves on the Board of State Prison Commissioners and the Board of Examiners. He is required to maintain a record of official acts of government departments and journals of the legislature. He also issues certificates to Nevada businesses, regulates securities issued by these businesses, and commissions notaries public in the state. He also prepares the official state ballot, publishes the election results, and issues a certificate to the winners.

The treasurer receives and distributes money paid to the state upon approval of the controller. He deposits all state funds and assures their safety and earnings at the highest interest rate possible.

The controller issues warrants to distribute money to the treasurer, and keeps the state’s books by making an annual report of state expenditures. He also audits state funds. This role also involves advising the legislature on the appropriation of funds to pay claims against the state.

**Describe the primary duties of each major part of Nevada’s court system. How do the various parts of the system interact in terms of division of court workload?**

**1.** Nevada’s court system has three major parts: the supreme court, the district courts, and the municipal and justice courts.

The primary duty of the Supreme Court is to handle appeals from lower courts, though it can also issue various writs without hearing an appeal. When hearing an appeal, the Supreme Court can only hear questions of law, not questions of fact, and it cannot give advisory opinions.

The district courts have original jurisdiction in all cases where the legislature has not given power to other courts. In general, the district courts hear cases about serious criminal offenses, civil cases over $10,000, hear appeals from state agencies, and can issue the same writs as the supreme court. In appellate jurisdiction, the district courts hear appeals from the municipal and justice courts. Family courts also exist within the district court system.

The municipal and justice courts are the most limited. The justice courts have original jurisdiction over minor criminal and civil matters, and can hold hearings over felonies and misdemeanor cases to decide if the case should go on to the district court. The municipal courts hear traffic cases and cases involving violations of city ordinances.

In terms of workload, the courts interact through a system of appeals that pushes cases up the hierarchy of courts. Justice courts can remand cases to the district courts, the district courts can take justice court cases on appeal, and the supreme court can hear appeals from the district courts. In general the supreme court’s workload has grown greatly over the last 75 years, leading to changes to the court’s size intended to help reduce the workload. The district courts also saw heavy workloads that led to statutory changes intended to streamline the judicial process.

**What are the primary sources of state revenue in Nevada? What are some of the advantages and disadvantages of the state’s revenue generating system?**

**1.** The primary sources of revenue for the state of Nevada in the modern day are gaming taxes, sales taxes, business taxes, and excise taxes. Income taxes are prohibited in the state constitution. Gaming taxes include taxes drawn from slot machines, table games, and live entertainment at casinos, though lotteries are not allowed in Nevada. Sales taxes are exacted at the point of sale and are earmarked for various uses such as school support, county or city-specific relief, and general use. Together these account for more than 50% of the state’s revenue. A business tax that exacts a certain amount from employers based on the number of employees accounts for about 10% of the revenue, and excise taxes on specific items like cigarettes and insurance account for approximately 10% as well.

The state’s revenue generating system has advantages and disadvantages. Some advantages include low rates of property tax and no income tax for residents of the state. Much of the state revenue comes from tourists to Nevada who pay gaming and sales taxes, lowering the tax burden on residents.

Some disadvantages include instability of revenue over time, owing to the sensitivity of the revenue generation structure to economic downturn: if tourism falters, so does state revenue, often to a dramatic and unpredictable extent. Additionally, the low tax burden can translate to low availability and quality of state services, for example those designed to assist the state’s poor and disabled.