

**State of Nevada**  
**Ballot Questions**  
**2000**



**Ballot Questions That Will Appear on the  
November 7, 2000 General Election Ballot**

Issued by  
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OFFICE OF THE  
SECRETARY OF STATE

Dear Fellow Nevadan:

As a part of ensuring an informed, knowledgeable electorate, before each General Election the Secretary of State prepares a compilation of the statewide ballot questions. This booklet is provided as a vehicle to inform and to educate voters about the questions that will appear on the Tuesday, November 7, 2000, General Election Ballot.

Ballot Questions are an important part of the electoral process. As a voter, your actions can make laws or amend the Nevada Constitution. I encourage you to invest the time to read this booklet and become a more informed voter.

There are three statewide questions for your consideration. Ballot Question Number 1 exists through action by the Nevada State Legislature. Ballot Question Number 2 qualified this year through the initiative petition process. Ballot Question Number 9, which also qualified through the initiative petition process, passed at the 1998 General Election and appears for the second and last time on the 2000 General Election Ballot.

This booklet includes a copy of each ballot question. Each question contains a condensation, an explanation, arguments for and against the passage, a fiscal note, and the complete text of the measure. The fiscal note is meant to explain direct adverse impacts on state and local governments. However, there is either no fiscal impact or none that can currently be determined for Questions 1, 2, and 9.

These Ballot Questions are also available on our web site: <http://sos.state.nv.us>. Please do not hesitate to contact this office if you need additional information.

Respectfully,

A handwritten signature in cursive script that reads "Dean Heller".

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QUESTION NO. 1

Amendment to the Nevada Constitution

Senate Joint Resolution No. 12 of the 69<sup>th</sup> Session

CONDENSATION (ballot question)

Shall the Nevada Constitution be amended to allow the investment of State money in a company, association, or corporation to assist economic development and the creation of new high-quality jobs?

Yes 234104   
No 341288

EXPLANATION

The Nevada Constitution currently prohibits the State from investing its money in any company, association, or corporation, except for corporations formed for educational or charitable purposes. The proposed amendment would enable the Legislature to authorize the prudently managed investment of State money subject to the following conditions:

1. That the investment is for the economic diversification or development of Nevada or for the creation of new high-quality employment opportunities in Nevada;
2. That the State can expect a reasonable rate of return on the investment, adjusted for the relative degree of risk;
3. That any legislation authorizing such an investment must be approved by a two-thirds vote of each house of the Nevada Legislature and also by the Governor;
4. That the State's participation must be made in cooperation with knowledgeable private investors on terms that are the same as or more favorable than those of the private investors; and
5. That revenue received from these investments may be reinvested under the same conditions.

## ARGUMENTS FOR PASSAGE

The restrictions under the Nevada Constitution, which were established based on conditions existing in the 1800s, have prevented the Legislature from considering laws to permit managed investments. Capital investment is needed to diversify Nevada's economy, contribute to the growth of high-quality, job-creating businesses, and improve the standard of living for Nevadans. Emerging competition in other states threatens Nevada's long-term economic stability. Nevada must remain competitive with other states in providing the necessary financial tools to attract the types of businesses and industries that would diversify the State's economic base and improve the standard of living for its residents.

The proposed amendment allows the Legislature, with the approval of two-thirds of its members in each house and the Governor, to authorize investments in economic diversification projects. The amendment requires that each proposed investment be structured so that the State can expect to achieve a reasonable rate of return.

A "Yes" vote would permit the Legislature to authorize the investment of State money to stimulate economic diversification or create new jobs.

## ARGUMENTS AGAINST PASSAGE

The State of Nevada should not use tax dollars for investment in private companies, associations, or corporations. Traditionally, the State of Nevada has left any risk of loss associated with investments involving private businesses to private investors.

The State of Nevada may already invest in educational or charitable organizations and is authorized to provide other financial incentives to encourage economic development.

A "No" vote would retain the prohibition against investing the State's money or its credit in companies, associations, or corporations, except for educational or charitable purposes.

## FISCAL NOTE

Financial Impact – Cannot be determined.

The proposal does not require any investment to be made. The amendment would simply permit the Legislature to consider proposals for investments subject to the terms and conditions in the amendment. Until specific legislation is enacted authorizing an investment, there would be no fiscal impact.

FULL TEXT OF THE MEASURE

Senate Joint Resolution No. 12 of the 69th Session—Committee on Finance

FILE NUMBER 129

SENATE JOINT RESOLUTION—Proposing to amend the Nevada constitution to allow the investment of state money to stimulate economic development.

WHEREAS, Emerging competition in other states and federally regulated territories threatens the long-term growth of the State of Nevada in its vital gaming industry; and

WHEREAS, Financial programs necessary to ensure business expansion and high-quality job growth do not currently provide the business sector of this state with adequate access to the types of money and capital essential to support the growth of a diversified economic base; and

WHEREAS, The Nevada constitution currently contains restrictions, based on conditions existing in the 19th century, that have prevented the Legislature from considering legislation similar to laws enacted in several other states which would permit prudently managed investments in public-private partnerships and corporations designed to provide needed sources of capital for high-quality, job-creating businesses and low-cost housing programs within this state that cannot feasibly obtain such financing from existing private financial markets in an easily accessible and efficient manner; and

WHEREAS, The State of Nevada must remain competitive with other states in providing the necessary financial tools to attract the types of businesses and industries that would diversify the economic base of this state and improve the standard of living for the residents of this state; and

WHEREAS, The benefits to be derived from an effort toward strong economic development throughout this state may be jeopardized if current restrictions in the Nevada constitution are not replaced with more flexible and contemporary standards that both protect public investments in economic development projects and provide access to the type of financing needed to stimulate the growth of businesses and industries throughout this state which will provide the high-quality jobs, increased property values and enhanced standard of living desired by Nevadans; now, therefore, be it

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That section 9 of article 8 of the constitution of the State of Nevada be amended to read as follows:

~~{Sec: 9. The}~~

*Sec. 9. 1. Except as otherwise provided in subsections 2 and 3, the State shall not donate or loan money ~~{}~~ or its credit ~~{}~~ to, or subscribe to or be ~~{}~~ interested in the Stock of any company, association, or corporation. ~~{, except}~~*

*2. The legislature may enact legislation, approved by a vote of two-thirds of the members of each house, to authorize the investment of state money in any company, association or corporation for the purpose of stimulating the economic diversification or development of this state and the creation of new employment opportunities for the residents of this state, subject to the following conditions:*

*(a) Before any such investment is authorized, a determination must be made by a person or entity designated in the authorizing legislation that:*

*(1) The investment is for the economic development of this state or the creation of new employment opportunities in this state; and*

(2) *This state can reasonably expect to achieve a reasonable rate of return on the investment, adjusted for the relative degree of risk.*

(b) *Each such investment by this state must be made through a cooperative venture with private investors of reasonable sophistication who participate in the venture on terms that are the same as or less favorable than the terms on which this state is participating. Revenue received from investments pursuant to this subsection may be reinvested subject to the same conditions.*

3. *The provisions of this section do not apply to corporations formed for educational or charitable purposes.*

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QUESTION NO. 2

Amendment to the Nevada Constitution

An Initiative relating to the definition of marriage

CONDENSATION (ballot question)

Shall the Nevada Constitution be amended to provide that: "Only a marriage between a male and female person shall be recognized and given effect in this state?"

Yes 412,688

No 180,077

EXPLANATION

The proposed amendment, if passed, would create a new section to Article 1 of the Nevada Constitution providing that, "Only a marriage between a male and female person shall be recognized and given effect in this state."

ARGUMENTS FOR PASSAGE

Proponents argue that passage will ensure that Nevada law upholds the definition of marriage as being only between a man and a woman. While a Nevada statute provides that marriage may only be between a male and a female, current law provides that a legal marriage that took place outside Nevada is generally given effect under the "Full Faith and Credit Clause" of the United States Constitution. Proponents argue that if same gender marriages ever become legal in another state, under the Full Faith and Credit Clause Nevada could be required to recognize such marriages entered into legally in another state.

Proponents argue that this constitutional amendment is needed to define Nevada's public policy on marriage being only between a male and a female.

A "Yes" vote means that the Nevada Constitution should be amended to provide that only marriages between a male and a female should be recognized and given effect in this state.

ARGUMENTS AGAINST PASSAGE

Opponents argue that the proposed amendment singles out one group of Nevadans for different treatment in our Constitution. By singling out same gender couples, opponents argue that discrimination occurs because the rights and privileges of marriage are denied to couples of the same gender. They argue that same gender couples are entitled to the same constitutional protections, legal rights and benefits as other couples. In addition,

opponents argue that the proposed amendment is contrary to Nevada's public policy that supports equality and civil rights for all Nevadans.

Opponents argue that a constitutional change is redundant and unnecessary because the definition of marriage as being only between a male and a female is already contained in Nevada Revised Statutes 122.020(1) and federal law.

A "No" vote means that the Nevada Constitution should not be amended to provide that only marriages between a male and a female should be recognized and given effect in Nevada.

#### FISCAL NOTE

Financial Impact- None that can be determined.



FULL TEXT OF THE MEASURE

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

RESOLVED, That a new section designated Section 21 be added to Article 1 of the Constitution of the State of Nevada to read as follows:

“Only a marriage between a male and female person shall be recognized and given effect in this state.”

QUESTION NO. 9

Amendment to the Nevada Constitution

An Initiative relating to the use of a plant of the genus Cannabis for medical purposes

CONDENSATION (ballot question)

Shall the Nevada Constitution be amended to allow the possession and use of a plant of the genus Cannabis (marijuana) for the treatment or alleviation of certain illnesses upon advice of a physician, to require parental consent for such use by minors, and to authorize appropriate methods of supply to patients authorized to use it?

Yes **381,947**

No **202,211**

EXPLANATION

The proposed amendment to the Nevada Constitution would add a new section providing for the use by a patient, upon advice of his or her physician, of a plant of the genus Cannabis for the treatment or alleviation of cancer; glaucoma; acquired immunodeficiency syndrome; severe, persistent nausea or cachexia resulting from these or other chronic or debilitating medical conditions; epilepsy and other disorders characterized by seizure; multiple sclerosis and other disorders characterized by muscle spasticity; or other conditions approved by law for such treatment. The amendment would restrict the medical use by a minor by requiring diagnosis and a written authorization by a physician, parental consent, and parental control of the acquisition and use of the plant.

The proposed amendment would provide for a confidential registry of patients authorized to use the plant which would be available only to law enforcement officials; would authorize appropriate methods of supply to authorized patients; and would protect plant and property related to the plant's use from forfeiture except on conviction or a guilty or nolo contendere plea of unauthorized possession or use.

The proposal does not authorize the use or possession of the plant for use other than medical nor for medical use in a public place. The amendment does not require reimbursement by an insurer for medical use nor accommodation of medical use in a place of employment.

## ARGUMENTS FOR PASSAGE

Proponents of the proposal argue that scientific research indicates that marijuana has medicinal value for some patients with the illnesses enumerated in the proposal. However, current Nevada law classifies possession of marijuana as a felony. The proposal would protect patients from criminal penalties if they use Cannabis with the knowledge and consent of a physician to treat these illnesses. The initiative would require the legislature to impose additional restrictions on the medical use by minors, requiring written authorization by a physician and parental consent. A confidential registry of authorized users shall be created and available to law enforcement agencies to verify a claim of authorization. With the safeguards included to protect the concerns of society, this proposal can make a difference in the lives of thousands of persons suffering from these serious illnesses. The initiative is an attempt to balance the needs of patients with the concerns of society about marijuana use.

## ARGUMENTS AGAINST PASSAGE

Opponents of the proposal dispute the medicinal value of marijuana, arguing that its effects can be achieved with present medications distributed through legal channels. They also cite medical evidence that marijuana is addictive and that its use may cause birth defects. Most law enforcement agencies oppose the proposal based on their belief that its passage will increase the use of marijuana and be an introduction to more harmful and illegal hard drugs. Federal law making the possession or use of marijuana a crime will prevent physicians from prescribing marijuana and suppliers and druggists from dispensing it through legal channels. Thus, its production and distribution will be largely uncontrolled, thereby offering an attractive opportunity for organized crime and gang distribution.

Opponents also argue the fact that because production and distribution of marijuana would still be illegal under federal law, effective regulation will be impossible to enact and enforce.

## FISCAL NOTE

**Financial Impact - None.** This proposal should have no negative fiscal impact.

## FULL TEXT OF THE MEASURE

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

Article 4 of the constitution of the State of Nevada is hereby amended by adding thereto a new section to read as follows:

Sec. 38. 1. The legislature shall provide by law for:

(a) The use by a patient, upon the advice of his physician, of a plant of the genus Cannabis for the treatment or alleviation of cancer, glaucoma, acquired immunodeficiency syndrome; severe, persistent nausea of cachexia resulting from these or other chronic or debilitating medical conditions; epilepsy and other disorders characterized by seizure; multiple sclerosis and other disorders characterized by muscular spasticity; or other conditions approved pursuant to law for such treatment.

(b) Restriction of the medical use of the plant by a minor to require diagnosis and written authorization by a physician, parental consent, and parental control of the acquisition and use of the plant.

(c) Protection of the plant and property related to its use from forfeiture except upon conviction or plea of guilty or nolo contendere for possession or use not authorized by or pursuant to this section.

(d) A registry of patients, and their attendants, who are authorized to use the plant for a medical purpose, to which law enforcement officers may resort to verify a claim of authorization and which is otherwise confidential.

(e) Authorization of appropriate methods for supply of the plant to patients authorized to use it.

2. This section does not:

(a) Authorize the use or possession of the plant for a purpose other than medical or use for a medical purpose in public.

(b) Require reimbursement by an insurer for medical use of the plant or accommodation of medical use in a place of employment.