



# Ballot Initiative STRATEGY CENTER

## Ballot Initiative Overview

2008 Election

### Nevada

Nevada is unusually inactive this year with only four measures officially on the ballot, only one of which is a citizen petitioned initiative - eminent domain. There were 10 measures on the ballot in 2006 and eight in 2004 covering a wide range of issues, from education to medical malpractice.

Of most significance is the property-tax initiative, sponsored by Former Assemblywoman Sharron Angle, R-Reno, who recently lost in a Republican primary for state senate. Angle has attempted to qualify this proposal in two previous elections. Angle's measure is similar to California's Proposition 13, and would limit property tax increases to two percent a year. A state law passed in 2005 limits property tax increases to 3 percent a year for resident-occupied homes, and 8 percent for commercial properties. A new study by the Tax Foundation shows that residents actually have the second-lowest state and local tax burden in the nation.

Angle almost failed to qualify because she submitted signatures late, but later challenged the recent changes to the initiative process. A May deadline was established by the 2007 Legislature. Angle contended that the new requirement clashed with the Nevada Constitution and her group actually had until June 17 to file the signatures. The high court agreed, saying the signature verification process should proceed. That process included the signatures filed on May 20 in Las Vegas as well as names submitted on June 17 to election officials in Reno.

Historically, ballot measures in Nevada have not been used frequently for a broader political agenda, but that has changed somewhat in the last few cycles. Progressive forces, led by the Nevada labor movement, used the minimum wage increase as both a political tool and for policy improvements. The Right has not had a successful systematic approach to qualifying ballot measures that have a broader effect on elections, but there have been some signs in recent cycles that there is movement in that direction.

Nevada has a unique system for approving ballot measures. Initiatives by the people must be approved in two consecutive elections in order to become law. Legislative referrals, which are fairly common, have been even more common in the last few cycles.

The environment in Nevada makes the landscape for initiatives particularly challenging given the presence of new voters and thus constantly fluctuating demographics, which requires a high level of voter education. Five thousand to 7,000 people move to Nevada each month. Furthermore, three of the country's fastest growing counties are in rural Nevada. The state faces many of the same challenges around water, land use and immigration as other Southwestern and Rocky Mountain states, which may increasingly play out in contentious ballot measure fights. Positive job growth and a healthy economy also mean that some of the fights around economic populism work less well compared to states with larger economic tensions.

**Four measures were on the statewide ballot (two passed).**

**One was a citizen-petitioned initiative.**

**Three were legislative referenda.**

### **1 Constitutional Amendment Qualified**

#### **Question 2: Eminent Domain**

Shall Article 1 of the Nevada Constitution be amended in order: to provide that the transfer of property from one private party to another private party is not considered a public use; to provide that property taken for a public use must be valued at its highest and best use; to provide that fair market value in eminent domain proceedings be defined as the -highest price the property would bring on the open market;" and to make certain other changes related to eminent domain proceedings?

Proponents: People's Initiative to Stop the Taking of Our Land (PISTOL)

Opponents: No Committee Identified

PASSED 61% - 39%

### **2 Constitutional Amendments Were Referred**

#### **Question 1: Administration of Government**

Assembly Joint Resolution No. 10 of the 73rd Session: Shall the Nevada Constitution be amended to eliminate an unconstitutional requirement that a person must reside in Nevada for 6 months prior to an election in order to be eligible to vote in that election?

FAILED 47% - 53%

#### **Question 3: Investment/Taxes**

Assembly Joint Resolution No. 16 of the 73rd Session: Shall the Nevada Constitution be amended to require that, before it can enact an exemption from property tax or from sales and use tax, the Nevada Legislature must: (1) make certain findings regarding the social or economic purpose and benefits of the exemption; (2) ensure that similar classes of taxpayers must meet

similar requirements for claiming exemptions; and (3) provide a specific date on which the exemption will expire?

PASSED 60% - 40%

### **1 Statutory Initiative Was Referred**

#### **Question 4: Administration of Government**

Senate Bill No. 502 of the 74th Session: Shall the Sales and Use Tax Act of 1955 be amended to authorize the Legislature to amend or repeal any provision of this Act without an additional direct vote of the people whenever necessary to carry out any federal law or interstate agreement for the administration, collection or enforcement of sales and use taxes, and to repeal an exemption from the taxes imposed by this Act on certain aircraft and aircraft components?

FAILED 27% - 73%

*For additional information please check with the Nevada Secretary of State:*

*<http://sos.state.nv.us/>*