

2020 Ballot Questions

Nevada Families for Freedom

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Answers to Questions on the Ballot

Question 1 YES. Board of Regents: This Constitutional Amendment will not change the day to day operations of higher education. Nevada law will still require that the Board of Regents be elected and oversee higher education. But it will provide accountability and transparency through independent oversight by the Legislature.

The Board of Regents for the system of higher education is established in the Constitution as a separate entity. Century-old law prevents the people's branch of government, the Legislature, from checking and balancing the Board of Regents, leading to government waste and mismanagement. Time and time again, even with bipartisan consensus for reform, accountability, and transparency, the Board of Regents has remained insulated from any real accountability and typical checks and balances.

States with similar populations, including Virginia, have five times the number of colleges, but about *one-third* the number of employees at the system level compared to the Nevada System of Higher Education. Even now, in the midst of one of the most fiscally challenging times in our state's history, the Board of Regents approved a large six-figure salary and yearly allowances in the thousands of dollars for housing, a car, and a "host account" for the new chancellor. By the terms of the contract, the "host account" can be used for meals and lodging (including for spouses in some cases) when "representing" NSHE. Meanwhile, even though Nevada spends \$1 billion per biennium on higher education, placing it 16th nationally in per-student funding, we rank *46th in student attainment*. And the graduation rates at all of Nevada's colleges are *below the national average*.

From the ballot question: The Nevada System of Higher Education (NSHE) controlled by the Board of Regents in a legislative study in 2017-2018, testimony indicated NSHE's lack of an overall compensation philosophy contributed to a faculty pay imbalance that will cost approximately \$90 million to address initially and will remain as an ongoing annual financial obligation. This drives up the cost of higher education which hurts taxpayers and students.

The Board of Regents, if this Constitutional Amendment is approved, will become a statutory entity like all others such as the State Board of Education. There is a risk that at some time in the future, the Legislature could pass a law which would make the Board of Regents an appointed body. However, because of the need for accountability, oversight and transparency, this proposal is needed to protect taxpayer investments in higher education.

The ballot measure would revise the provisions under the federal Morrill Land Grant Act of 1862, however, because the State of Nevada must administer the funding in the manner required by the federal law, this ballot measure would not change the purpose or use of the funding under the federal law.

The measure also requires the Legislature to provide by law reasonable academic freedom for individual students, employees and contractors of Nevada's higher education. This may or may not be necessary since there is some federal protection. But the state could provide additional protections.

This Constitutional Amendment is important to hold those spending millions of taxpayer dollars accountable and to insure oversight and accountability.

Question 2 NO! Marriage between a man and a woman: This Constitutional amendment repeals the Constitutional Amendment passed twice by over 70% of Nevada's voters to recognize marriages only between a man and a woman. The Nevada Legislature already passed this repeal twice so if the people vote yes it will be repealed.

A 2015 U.S. Supreme Court decision made inoperable our state's definition of marriage, essentially forcing recognition of same-sex marriages. However, our laws were founded on Biblical principles in order to safeguard American liberty and prosperity. Once we vote as a people to reject God's law we are open to his wrath.

The proposed amendment minimally protects religious organizations and members of the clergy recognizing their right to refuse to solemnize a marriage. But, what about church volunteers, employees and members? The U.S. Supreme Court in 2018 stated that it can be assumed that a member of the clergy who objects to same-sex marriages on moral and religious ground could not be compelled to perform same-sex marriages without denial of the clergy member's right to the free exercise of religion guaranteed by the First Amendment. So the proposed amendment really provides no additional protections beyond what the Supreme Court has said.

However this proposed amendment does jeopardize individual citizen's rights to religious liberty. Christians will be subjected to government sanctioned discrimination & *persecution*.

When I asked the question during the Assembly hearing in 2017, which Constitutional Amendment will take precedence, AJR2 the same sex marriage Constitutional Amendment or the Nevada Constitutional Declaration of Rights Art. 1 Section 4 protecting Religious liberty...the Legislative Counsel Bureau (attorney for Legislature) said in Committee that the newest Constitutional Amendment, gender marriage, would take precedent over religious Liberty. Goodbye religious liberty!!!

This Constitutional Amendment will supersede the religious protections in the Nevada Constitution.

The **Nevada Constitution** in Article 1 Section 4 states: "Liberty of conscience. The free exercise and enjoyment of religious profession and worship without discrimination or preference shall forever be allowed in this State... but the liberty of conscience [conscience] hereby secured..."

The **Nevada Constitution Ordinance** provides "That *perfect toleration of religious sentiment* shall be secured, and no inhabitant of said state shall ever be molested, in person or property, on account of his or her mode of religious worship."

The **Preamble of the Nevada Constitution** states: "We the people of the State of Nevada Grateful to Almighty God for our freedom in order to secure its

blessings, insure domestic tranquility, and form a more perfect Government, do establish this Constitution.

This proposed Constitutional Amendment will have more damaging effects than at first glance. We need to vote for what is according to God's law, not what is politically correct.

Question 3 YES. Board of Pardons: We believe in redemption. People who have paid their debt to society should have the opportunity to have their rights restored. This Constitutional amendment improves the processes of the State Board of Pardons, which will continue to be composed of the Governor, the seven members of the Nevada Supreme Court and the Attorney General.

Right now under state law the Board of Pardons is supposed to meet twice a year. However, in six out of the last ten years, the Board has only met once per year, creating a backlog of applications. This Constitutional Amendment requires the Board of Pardons to meet four times a year, once every calendar quarter. It also allows any member of the Board to submit matters for consideration.

Currently, the Governor has the power to block any pardon or other clemency decision even if the majority of the Board favors it. This proposal removes the Governor's power to block a decision by the majority of the Board and instead allows a majority vote to prevail. A Constitutional Amendment is necessary because the powers of the Board of Pardons are identified in the Constitution.

The State Board of Pardons may: remit fines and forfeitures, commute punishments and grant pardons, after convictions. However, this excludes those who have been sentenced to death or life imprisonment. Pardons and other clemency grants are relatively rare.

Assemblyman Ohrenschall in the hearing in the Assembly in 2017, made an important point. "The Pardons Board really looks at correcting the very rare instances where there has been a manifest injustice or where someone has changed his life and changed things around. If it is a community case where the person has finished his sentence of imprisonment and parole, has turned his life around, and is seeking to have his right restored to bear arms, it is changing the sentence, and there is no denying that....I believe this is a safety valve that is needed by Nevada and the other states... Are pardons granted very frequently? No, they are not."

"Someone who is seeking a pardon or a sentence commutation, whether they are in custody or someone in a *community case* (which are most of the cases for those who have completed their sentence and parole, and have been in his community now for years or decades) who is seeking a pardon or the restoration of rights, has to apply to get on the agenda. That in itself is a very challenging process because there is an application process."

According to the 2017 hearing in the Assembly, in 2015 the Pardons Board only heard five inmate cases, three of which were denied, one was granted release, and one was changed to run the sentences concurrently. They also heard 24 *community cases*, most of which they commuted the sentences. Only a full, unconditional pardon can restore the right to bear arms to a person convicted of certain offenses. (NRS 213.0)

We believe in redemption. This improves the process for those deserving to get some redemption through the State.

Question 4: NO. Voting Rights: The provisions of this proposed Constitutional Amendment to protect voting rights are already in State law. There is no need to change the Constitution. In addition, when I requested during the Legislative hearing that “religion” be added as an amendment to the list of groups protected from discrimination in voting which included “race, age, disability, military service, employment or oversea residence” my request was rejected by leftist Democrat Senator Spearman and religion is not included or protected from discrimination in voting by this proposal.

Also a request was made for amendments to be added from Todd Bailey of Nevada Accountability which were rejected. They included the right, “To challenge the results of any electronic voting machine and the electronic systems that count votes.” Because *there is no paper trail which by law can be used to check the accuracy of electronic voting machines there is no way to check them in court when the results are challenged.* His other amendment was “To protect the integrity of their vote by requiring validation of identity at the time of casting a ballot” (voter identification). You can tell more about this amendment from what it does not include than what it does include.

We recommend a No vote. This Constitutional amendment does not make anything better and it does not fix anything because it does not address the real problems with our voting system. We recommend that we continue to work to protect the integrity of our elections.

There is no Question 5.

Question 6: NO! Mandates 50% Renewable Energy. The passage of this question will require that all providers of electricity for retail consumers beginning in 2022 will increase their reliance on renewable energy (wind, solar, geothermal, hydro and biomass) until it reaches 50% of their Renewable Portfolio Standard in 2030. This puts this *unreasonable and inflexible mandate* into the Nevada Constitution making it almost impossible to change, requiring a Constitutional Amendment to change it.

Currently, Nevada law (NRS) passed by the Legislature and which can be changed by the Legislature, requires 20% of the total amount of electricity providers sell to retail customers be from renewable sources. This increases to 22% for 2020-2024, to 25% for 2025. *Continued on outside.*

Consider California’s reliance on renewable energy and their **rolling blackouts**. In 2018 renewables provided almost 50% of California’s instate power generation. In addition, California is one of the largest importers of electric power. Almost one-third of their electric power comes from other states. California has mandated an increasing reliance on renewable energy since 2006.

<https://www.eia.gov/state/analysis.php?sid=CA>

Tom Steyer from California and former Democrat Presidential candidate was one of the foremost megadonors to Question 6 and the left’s war on cheap and abundant energy. 93% of the funding, some \$10 million, to the PAC supporting Question 6 in 2018 was contributed by Steyer. He is in favor of the “Green New Deal” and believes we should call a state of emergency over so called “climate change.” <https://capitalresearch.org/article/tom-steyers-war-on-affordable-energy->

[and-america/](#) Do we want a billionaire climate-crazy environmental wacko determining energy policy in Nevada?

If renewables are cost effective, the market will increase its reliance on renewables. Rain or shine fossil fuels are reliable and inexpensive. Question 6 will jeopardize the affordable and abundant supply of energy in Nevada imposing unreasonable and inflexible mandates through a Constitutional Amendment.

"If my people, which are called by my name, shall humble themselves and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land." 2 Chronicles 7:14 KJV