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SCENIC NEVADA

Assembly Committee on Elections, Procedures, and Ethics
Thursday, March 27, 2003
3:45 PM Room 3138, Legislative Building

Chairman Giunchigliani and Members of the Committee:

My name is Doug Smith and I represent Scenic Nevada. Scenic Nevada is a non-profit, non-partisan organization that works to preserve, protect and enhance the scenic character of Nevada. Our principle activity is to educate the general public of the economic, social, and cultural benefits of scenic preservation by means of encouraging billboard and sign control, smart growth, sensitive placement of telecommunication towers, as well as maintaining Nevada's unique quality of life by protecting it's scenic byways.

We support AB 292, the legislation that prohibits political subdivisions from challenging initiative petitions, referendums or recalls under certain circumstances.

The first amendment to the Constitution of the United States of America states "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech...and to petition the Government for a redress of grievances".

If a volunteer citizens group, such as Scenic Nevada, files an Initiative Petition which states: "Off-premise advertising displays/billboards in the City of Reno are prohibited, and the City of Reno may not issue permits for their construction" then it holds that the City of Reno should not incur any expenses or make any expenditures to thwart the will of the people as protected by the First Amendment to the U.S. Constitution.

Once concerned citizens file an Initiative Petition or circulate petitions and gather signatures, political subdivisions should not file or have the option to commence a legal action or SLAPP (Strategic Litigation against Public Participation) lawsuit. . In other words the political subdivision is using taxpayer dollars to defeat an Initiative Petition which they do not want the people to be able to exercise their right to vote on.

In conclusion, citizen participation in our government is on the decline because ordinary citizens believe it makes no difference because government is going to do whatever they want whether dedicated individuals collect enough signatures and follow the rules or not.

Thanks very much for your kind attention and I urge you support AB-292.

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ASSEMBLY ELECTIONS, PROCEDURES, & ETHICS
DATE: 3-27-03 ROOM: 3138 EXHIBIT J
SUBMITTED BY: Doug Smith