



Office of the Governor

JIM GIBBONS
GOVERNOR

May 25, 2009

The Honorable Steven Horsford
Senate Majority Leader
Legislative Building
401 South Carson Street
Carson City, NV 89701

RE: Senate Bill 283 of the 75th Legislative Session

Dear Senator Horsford,

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Senate Bill 283, which is entitled:

AN ACT relating to domestic relations; providing for the registration and dissolution of domestic partnerships in the State of Nevada; setting forth the rights and responsibilities attendant to such partnerships; and providing other matters properly relating thereto.

Senate Bill 283 would extend to domestic partners nearly all of the rights, protections, benefits and privileges currently available only to married persons. Article 1, Section 21 of the Nevada Constitution, enacted by vote of the people less than a decade ago, provides that "[o]nly a marriage between a male and a female person shall be recognized and given effect in this state." Senate Bill 283 would effectively bypass that constitutional mandate by allowing the rights and privileges of marriage to be bestowed upon non-married persons.

Notwithstanding the suspect constitutionality of Senate Bill 283, I believe that because the voters have determined that the rights of marriage should apply only to married couples, only the voters should determine whether those rights should equally apply to domestic partners.

May 25, 2009

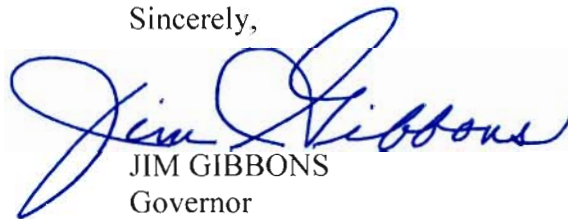
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Furthermore, many of the rights granted in Senate Bill 283 are readily available today by way of private contracts. For example, estate planning allows a person to bequeath their assets to anyone of their choosing, including a domestic partner. Similarly, living wills allow individuals to designate responsibility for healthcare decisions to others, including a domestic partner. Finally, amendments to leases or deeds of trust allows individuals to ensure that others have a right to access property in the event of death or disability, and such amendments can be made regardless of whether the individuals are married. I also recently signed Senate Bill 314 which streamlines and eases the laws pertaining to powers of attorney, which will benefit all Nevadans.

My disapproval of this bill should not be taken to suggest that domestic partners are in any way undeserving of rights and protections. I recently signed Senate Bill 207, which prohibits discrimination in Nevada based on sexual orientation. However, I believe that Senate Bill 283 represents a fundamental departure from the will of the voters expressed in Article 1, Section 21 of the Nevada Constitution, and only the voters should have the right to undo or amend constitutional mandates.

For these reasons, I hereby exercise my constitutional grant of authority and veto Senate Bill 283.

Sincerely,



JIM GIBBONS
Governor

JG/kjc

Enclosure

Cc: The Honorable Barbara Buckley, Speaker of the Assembly (without enclosure)
The Honorable Ross Miller, Secretary of State (without enclosure)
Claire J. Clift, Secretary of the Senate (without enclosure)
Susan Furlong Reil, Chief Clerk of the Assembly (without enclosure)
Brenda Erdoes, Esq., Legislative Counsel (without enclosure)