Editorial

Ballot offers chance to unsnarl gambling muddle
February 2, 2000

Three of the ballot measures before voters on March 7 are concerned with gambling, which its proponents prefer to call "gaming." Two involve Indian reservations and one the raffles and lotteries that charities conduct to raise money. Proposition 20, which appears at first glance to be about the state lottery, actually concerns spending for school textbooks.

Propositions 1A and 29 overlap to a degree. The latter is a referendum on a bill passed in 1998 by the state Legislature, accepting the Pala compact reached by former Gov. Pete Wilson with 11 tribes. Proposition 1A is a proposed state constitutional amendment that would validate the new tribal-state compacts that the Davis administration has negotiated with 57 tribes. It authorizes most of the types of slot machines and card games now allowed in Nevada.

If both measures pass, 1A would take precedence over the narrower Prop 29, which members of the tribes that signed the Pala compact say would be fine with them. If 1A fails and 29 passes, the 46 tribes that rejected the Pala compact may have to accept it. If both fail, we will be back to the pre-Pala political situation, which would benefit only Nevada casino operators.

The most telling argument against Prop 1A is that it would increase the number of slot machines permitted in the state from 19,900 to 111,300, which could create zoning conflicts. Perhaps the poorest is that this would increase the temptations faced by compulsive gamblers.

As we have stated before, gambling is a fool's pastime. But among the privileges of being an adult is the right to play the fool with your own money. And if a person's folly becomes compulsive, that is a problem for a psychiatrist to deal with, not the state.

This being so, we see no reason why gamblers should not blow their money on local Indian reservations rather than in Reno or Las Vegas. On these grounds we supported Proposition 5 in 1998 and assumed, along with other Californians, that its passage settled the matter.

This was not the case, because of a previous clause in the state constitution that prohibits "Nevada-type" slot machines -- an odd early attempt to assign moral significance to variations in the construction of machinery. Proposition 1A essentially restates Proposition 5 as a constitutional amendment, rather than as a statute.

Proposition 17 hardly needs discussion. Schools, churches and other nonprofit groups have been holding raffles for years. They had to maintain the fiction that the dollar you paid for a chance on their cake, quilt or trip to Crescent City was a free donation, and that the tickets you bought were being given away.

Few police officers ever busted ladies selling tickets for a church raffle, but technically the seller is committing a crime punishable by six months in jail, and the officer is knowingly refusing to enforce the law. That is not a position in which either should be placed.

Prop 17 would legalize charitable raffles, with some restrictions on how they are conducted and how much of the money raised goes directly to the charity, rather than to overhead costs. This actually would place more controls on raffles than exist now, when they are illegal but winked-at.

We recommend Yes votes on Propositions 1A, 17 and 29.