



NEVADA LEGISLATURE LEGISLATIVE COMMISSION'S COMMITTEE TO STUDY POWERS DELEGATED TO LOCAL GOVERNMENTS

(Senate Bill 264, Chapter 462, *Statutes of Nevada 2009*)

SUMMARY MINUTES AND ACTION REPORT

The first meeting of the Legislative Commission's Committee to Study Powers Delegated to Local Governments was held on Thursday, February 18, 2010, at 9 a.m. in Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at <http://www.leg.state.nv.us/interim/75th2009/committee/>. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Senator John J. Lee, Chair
Assemblywoman Marilyn Kirkpatrick, Vice Chair
Senator Terry Care
Assemblyman Tick Segerblom

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator Mike McGinness

COMMITTEE MEMBER EXCUSED:

Assemblyman Pete Goicoechea

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Michael J. Stewart, Supervising Principal Research Analyst, Research Division
Heidi A. Chlarson, Principal Deputy Legislative Counsel, Legal Division
Natalee M. Binkholder, Deputy Legislative Counsel, Legal Division
Janice McClure, Senior Administrative Assistant, Research Division

OPENING REMARKS AND INTRODUCTIONS

- Senator John J. Lee, Chair, welcomed members and presenters, and addressed the goals of the Committee.

REVIEW OF SENATE BILL 264 (CHAPTER 462, *STATUTES OF NEVADA 2009*) AUTHORIZING AN INTERIM STUDY CONCERNING THE POWERS OF LOCAL GOVERNMENTS AND DISCUSSION OF THE SCOPE AND ACTIVITIES OF THE COMMITTEE TO STUDY POWERS DELEGATED TO LOCAL GOVERNMENTS

- Michael J. Stewart, Supervising Principal Research Analyst, Research Division, Legislative Counsel Bureau (LCB), introduced staff and provided an overview of S.B. 264 ([Exhibit B](#)). Mr. Stewart stated that the Interim Technical Advisory Committee for Intergovernmental Relations (ACIR) will review a number of issues and is required to provide a report to this Committee by June 1, 2010. Mr. Stewart cited April 22, 2010, and June 23, 2010, as the Committee's future meeting dates and noted that the Committee is allocated five bill draft requests (BDRs), which are due for submission by June 30, 2010.
- Senator Terry Care discussed "Home Rule" and the intention of S.B. 264.

OVERVIEW OF CERTAIN LOCAL GOVERNMENT POWERS AND "HOME RULE" IN NEVADA

- Nicolas C. Anthony, Senior Principal Deputy Legislative Counsel, Legal Division, LCB, provided a Microsoft PowerPoint presentation ([Exhibit C-1](#)) discussing: (1) the levels of government; (2) "Home Rule" versus Dillon's Rule; (3) the types of home rule powers; (4) arguments for and against "Home Rule"; (5) the history of "Home Rule" in Nevada; and (6) the possible approaches to address "Home Rule." Mr. Anthony also submitted a document titled "A Discussion of Home Rule in Nevada" ([Exhibit C-2](#)), which contains an analysis of "Home Rule" and Dillon's Rule.

Discussion ensued among Committee members and Mr. Anthony regarding the different authorities of charter cities, general law cities, and counties; and working on the issues that similarly impact all local governments.

BRIEF OVERVIEW OF CERTAIN LOCAL GOVERNMENT POWERS AND STRUCTURES IN OTHER STATES

- Michael J. Stewart, previously identified, provided an overview highlighting certain local government powers, government structure, and “Home Rule” provisions in Nevada and other states ([Exhibit D](#)). He pointed out that it would be difficult to classify with 100 percent accuracy each of the 50 states based upon Dillon’s Rule or the various forms of “Home Rule” because the system in many of these states is a blend of the various systems. Therefore, it is difficult to put all the states in a specific category because of the way their courts may interpret the issue. Mr. Stewart stated that the application of Dillon’s Rule is varied, and it is clear that the level of autonomy granted to local governments varies from state to state.
- Vice Chair Kirkpatrick asked Mr. Stewart to research how many of the ten states that practice “Home Rule” possess the ability to have public quasi agencies since there are many such agencies within the State of Nevada.

REVIEW OF THE ACTIVITIES AND SCOPE OF THE INTERIM TECHNICAL ADVISORY COMMITTEE FOR INTERGOVERNMENTAL RELATIONS (ACIR) AND CONSIDERATION OF POSSIBLE RECOMMENDATIONS FROM THE ACIR

- Chair Lee encouraged county and city officials to work individually with the Committee on requests providing for additional local government responsibility. This will allow the Committee to review the requests and present any viable issues to the Legislature.
- Jeff Fontaine, Executive Director, Nevada Association of Counties (NACO), outlined the ACIR’s background.

Responding to Chair Lee’s question regarding whether the ACIR is accomplishing its goal in keeping an ongoing dialogue through the interim and into the next legislative session among the State, county and city representatives, Mr. Fontaine stated that in S.B. 375 of the 2009 Legislative Session it was intended that the ACIR be a permanent committee meeting year-round for the purpose of identifying and resolving important local government issues so there would not be a “scramble” during the next legislative session to find solutions to complex problems. He said when S.B. 375 was amended into S.B. 264, the ACIR became a temporary committee. Further, Mr. Fontaine was of the opinion that the ACIR is interested in making the ACIR a permanent body.

In reply to Chair Lee’s query regarding if the ACIR plans to provide a BDR to the Committee to continue its effort to become a permanent committee, J. David Fraser, Executive Director, Nevada League of Cities and Municipalities (NLCM), responded that is the intent of the ACIR.

- Debra March, Vice Chair, ACIR, and Councilwoman, City of Henderson, discussed the ACIR’s membership and function ([Exhibit E](#)).

Discussion ensued between Chair Lee and Ms. March as to whether homeowners' associations (HOAs) are under the jurisdiction of the ACIR.

Responding to Chair Lee's question regarding the ACIR's purview of HOAs, Heidi A. Chlarson, Principal Deputy Legislative Counsel, Legal Division, LCB, stated that S.B. 264, Section 9, provides a definition of local governments that relates to the powers of the ACIR, and she was of the opinion that an HOA would not be included under that definition. Ms. Chlarson further stated that the ACIR has jurisdiction to review the allocation of local government resources. Therefore, if discussing an issue regarding how the local governments are setting forth their resources, that would probably be under the ACIR's jurisdiction, but the ACIR would not have broad jurisdiction to discuss issues relating to an HOA or common-interest community.

- Senator McGinness pointed out that the economic downturn could be a problem for HOAs, which could bring financial responsibility to counties and cities.
- Senator Care expressed concern about the role of municipalities when an HOA faces bankruptcy.

CONTINUATION OF DISCUSSION OF LOCAL GOVERNMENT POWERS AND "HOME RULE" MATTERS IN NEVADA

- Warren B. Hardy II, former State Senator and Assemblyman, and Past Chair of the Senate Committee on Government Affairs, provided his background and experience with the "Home Rule" issue. He discussed the differences between "Home Rule" and Dillon's Rule and the difficulty in overturning Dillon's Rule because of Nevada's tax distribution system. Senator Hardy suggested the granting of administrative "Home Rule" so the local governments would not require the Legislature's approval on every issue. He further suggested making all cities charter cities instead of some being general law cities, as well as making all counties charter counties. Senator Hardy offered that Dillon's Rule could be overturned on a statute-by-statute basis.

General discussion ensued among Committee members and former Senator Hardy regarding the ability of charter counties and cities to raise revenues versus the general law counties and cities that are not chartered and the challenges that have prevented Dillon's Rule from being overturned.

- Assemblyman Segerblom asked if the Legislature passes "Home Rule" legislation, would it still have the ability to address local government issues.
- Ms. Chlarson, previously identified, replied that if the Legislature made the policy decision to adopt "Home Rule," it would not be prohibited from passing legislation that affected the powers of counties, cities, or other local governments.

REVIEW AND DISCUSSION OF SPECIFIC LOCAL GOVERNMENT OPERATIONS AND POWERS

Local Elected Official Salaries

- Michael J. Stewart, previously identified, provided background information regarding salaries of local elected county officials ([Exhibit F](#)). Mr. Stewart noted that Assembly Bill 23 (Chapter 444, *Statutes of Nevada 2003*) removed the office of county commissioner from *Nevada Revised Statutes* (NRS) 245.043 and gave each board of county commissioners in Nevada the authority to increase their own salaries. He further noted that Senate Bill 516 (Chapter 455, *Statutes of Nevada 2007*) authorized each board to increase the annual salaries of county commissioners to a maximum of 4 percent per year. Mr. Stewart reviewed past legislation highlighting the Legislature's efforts to relinquish its power to set the salaries of certain county officers as set forth in the *Nevada Constitution*.
- Senator Care commented on the inequity of salaries within local governments, namely the Office of the Clark County District Attorney, whereby the deputy district attorneys often receive a higher salary than the district attorney. He suggested the Committee might want to consider a BDR for the 2011 Legislative Session giving local governments the responsibility to set the salaries of local government officials. Senator Care said that he supports a constitutional amendment which would take this task away from the Legislature.
- Chair Lee, Vice Chair Kirkpatrick, Senator Care, and Senator McGinness expressed their opinions that local governments should have the responsibility of setting the salaries for their elected government officials.
- Jeff Fontaine, Executive Director, NACO, stated that there has been no consistency in: (1) how salaries for local government officials have been set; (2) who proposes the salaries; (3) the length of time between salary adjustments; or (4) the basis of the salary adjustments.

Responding to Chair Lee, Mr. Fontaine explained that under S.B. 516, the county commissioners have to vote on their salaries annually. He indicated that a few counties have voted not to increase salaries by the 4 percent established in S.B. 516. Mr. Fontaine was of the opinion that the county commissioners are not prohibited from giving back a portion of their salary, but that there is no specific mechanism in S.B. 516 that would allow a board of county commissioners to reduce their salaries.

- Bill Deist, Administrator, Humboldt County, recalled a period of time when the Legislature did not raise salaries for elected officials. He indicated that this caused some equity issues at the local level between appointed officials and elected officials because appointed officials were receiving raises at that time. Mr. Deist pointed out that one of Humboldt County's elected officials tried to reject his salary increase last

year on the basis that his employees were not going to receive the same increased percentage and the county could not find the ability in statute for the elected official to reject his salary increase.

- Vice Chair Kirkpatrick asked Ms. Chlarson to provide legal clarification at a future Committee meeting regarding elected officials rejecting their salary increase.
- Mr. Deist explained that the county commissioners as a whole can decide not to take an increase in compensation, but he is unaware of how other elected officials can legally choose not to accept a raise. He added that last year the Humboldt County Commissioners did not take a salary increase.

Naming Rights

- Constance Brooks, Senior Management Analyst, Clark County, addressed naming rights as it relates to the authority that would be given to local governments. Ms. Brooks pointed out that under Dillon's Rule, Nevada counties are only allowed to exercise the power and authority expressly granted to them by the Nevada Legislature. She said that if local governments had the authority to sell naming rights for certain parks, programs, and recreational facilities, they could better maintain those facilities and programs without drawing from their general fund. She added that any funds generated from the sale of naming rights would be designated to an enterprise fund that would be solely dedicated to that facility, allowing for general funds to be utilized in other capacities, which is the case for the Clark County Shooting Park. Referring to S.B. 497 (Chapter 444, *Statutes of Nevada 2007*), Ms. Brooks noted that the "Clark County Shooting Park" ordinance was added to Clark County's Code of Ordinances in 2008. Ms. Brooks explained that the park was built with public funds and can be maintained with funds which are generated from a capital naming program. She further explained that to date, Clark County does not have any designated donors or people who have come forward in an official capacity to provide additional funds for naming the park.

Ms. Brooks provided a synopsis of Clark County's ordinance with regard to the selection of naming rights:

1. Names must be considered in accordance with appropriate and acceptable community standards.
2. Clark County, through its Board of County Commissioners, has reserved the right to reject any name at any time and there is specific selection criteria within the ordinance that would identify how names can be rejected or accepted.
3. The purchaser of the naming rights can only use names over which they have legal control.

4. If there is competition for names, the application best meeting the selection criteria will be recommended to the Board of County Commissioners for approval and the Board will then award the naming rights.
5. Naming privileges will not exceed a maximum duration of more than 20 years. For the duration of the naming privileges they are subject to fees and charges that are approved by the Board of County Commissioners.
6. Naming privileges for activities, events, and programs will last for the duration of those activities.
7. The approval of names and all fees are established by the Board of County Commissioners and subject to their approval.

Continuing, Ms. Brooks explained that A.B. 52 (Chapter 469, *Statutes of Nevada 2009*) allows for the sale of naming rights but is specific to hospitals. Currently, the University Medical Center (UMC) has drafted an ordinance, which must be approved before adding it to Clark County's code of ordinances. The language and regulations are similar to that of the shooting park, however, there is specific language addressing the need for a name change. The Board of County Commissioners has the ultimate authority to revoke any privileges it deems necessary.

In closing, Ms. Brooks expressed that giving local governments naming rights power: (1) is financially beneficial to local governments; (2) supports the community and other organizations to be involved and actively participate in social capital; and (3) gives residents and organizations the opportunity to participate in the development of local government activities and programs.

- Chair Lee explained that one of the concerns of S.B. 497 was that only people with the financial means to purchase a naming right would have places named after them, and other people without financial means who put a lot of work into bringing a place or program into existence, would not have the opportunity to be named or remembered.
- Vice Chair Kirkpatrick indicated that the Nevada Assembly is also concerned with the unintended consequences and unforeseen circumstances that could transpire due to naming rights that could prevent the public from participating in the program.
- Chair Lee queried regarding counties and cities being held to a different standard on the naming rights issue. Ms. Brooks replied that cities have authority which counties do not. Responding further to Chair Lee's and Vice Chair Kirkpatrick's concerns, Ms. Brooks stated that the Clark County Board of Commissioners would not want to have a facility, program, or event named after someone that would inhibit the public from being participatory with that facility, program, or event. She added that the Commissioners reserve the right to revoke a name at any time based on recommendations from their constituents, as well as department directors and other

officials within the county. Ms. Brooks was of the opinion that although the county's ordinance is broad, the Board of County Commissioners has the ultimate authority to make changes.

Identification and Discussion of Issues of Parity Between County and City Governments

- Jeff Fontaine, previously identified, spoke on the functional, physical, and structural differences and similarities in terms of personnel issues between county and city governments. Mr. Fontaine explained that:

1. Cities and towns have more statutes than counties.
 2. Article 4, Section 25 of the *Nevada Constitution* establishes county and township governments and Article 8, Section 8 of the *Nevada Constitution* addresses municipal corporations. Both Articles are similar except that the Legislature may authorize electors of any city or town to frame, adopt, and amend a charter for its government.
 3. *Nevada Revised Statutes* 267.020 allows cities to adopt a commission form of government, whereas, there is no parallel statute for counties.
 4. Article 4, Section 32 of the *Nevada Constitution* allows the Legislature to increase, diminish, and consolidate county officers. There is no similar constitutional provision for cities; however, NRS 266.390 and 266.405 allow the city council to create offices and fill vacancies of elected and appointed officers.
 5. Fiscal issues are handled similarly by counties and cities. Each can: (a) levy property taxes and impact fees; and (b) create a special tax in districts for improvements and maintenance.
- Mr. Fontaine outlined some of the functional powers of counties and cities. He indicated that both counties and cities:

1. Are empowered to enact ordinances regarding planning and zoning and codes regarding public nuisances; and
2. Have the ability to exercise eminent domain and license and regulate businesses.

Continuing, Mr. Fontaine commented on NRS 266.010, "Home rule granted; limitations," which allows cities, through the charter process, to have certain authority that counties do not have. He further outlined several bills that passed changing various county procedures, including:

1. Senate Bill 516, which allows counties to pay employees on a per diem basis for travel;

2. Assembly Bill 489 (Chapter 298, *Statutes of Nevada 2007*), which allows counties to obtain authority to tow cars from county-owned parking lots; and
3. Assembly Bill 139 (Chapter 440, *Statutes of Nevada 2007*), which allows the Department of Aviation to make small refunds without prior approval from the Board of County Commissioners.

In closing, Mr. Fontaine noted that both counties and cities have mandates placed upon them by the Legislature that cover a variety of areas, including personnel and functional responsibility. However, in the case of county government there is a broad mandate for items such as the medically indigent and providing indigent defense, whereas, the same mandates are not found for city government.

- Vice Chair Kirkpatrick said it appears that cities have the ability to give away a lot more money, while counties are required to pay for services. She indicated that the “Home Rule” topic needs more in-depth discussion during future Committee hearings.
- Kent Maher, City Attorney, City of Lovelock and City of Winnemucca, concurred with Mr. Fontaine’s remarks and discussed some differences from the cities’ perspective. He discussed the resource differences between the counties and the cities and indicated that:
 1. Revenues for cities are more limited than counties.
 2. Counties have the ability to levy a tax of 3 cents per \$100 of assessed valuation, whereas the cities have no similar ability.
 3. Gas tax revenues are available to counties and not cities.

Mr. Maher noted that the cities would support a global review of counties and cities to identify any problems and to obtain more equality between both forms of government.

Responding to Senator Care’s question regarding if the City of Winnemucca has an allotment of BDRs and if it is required to go through its legislator to request legislation, Mr. Maher said that the City of Winnemucca would go through the NLCM to request a BDR. He explained that the smaller cities such as Lovelock and Winnemucca often have different needs than the larger cities and it is not always possible to get all the cities as a whole to agree on specific needs.

Further responding to Senator Care regarding how an analysis is made to determine what legislation should be requested, Mr. Maher said that he tends to first analyze the statutory authority the city already has in place and then will determine whether or not it is feasible for the city to make a request for new legislation.

In reply to Chair Lee regarding the differences in counties in terms of population, Mr. Maher explained that it is difficult to have one rule that is suitable for all the counties, especially in Nevada.

The Charter Process: City Charters, City Charter Amendments, and Possible Creation of Local “Charter Committees”

- J. David Fraser, previously identified, made a few introductory remarks about the distinction between charter cities and general law cities. He explained that a charter brings a different set of specific rules to a city, which does not necessarily mean greater autonomy, except for the ability to individually petition the Legislature for changes to a specific charter. In closing, Mr. Fraser mentioned that the City of Sparks is doing an “outstanding” job using the charter committee process.
- Stephen Driscoll, Assistant City Manager, City of Sparks, mentioned that he has been the City’s liaison to the Legislature for the past six years. Outlining the charter process for the City of Sparks, Mr. Driscoll commented that:
 1. The membership of the Sparks Charter Committee is appointed by elected officials and is subject to Open Meeting Laws for all their proceedings.
 2. The charter committee’s membership is a partnership between the State and the City.
 3. Five members of the charter committee are appointed by the Legislature, five are appointed by the Sparks City Council, and one by the mayor.
 4. The charter committee is very independent and the members can address, discuss, or take whatever position they wish, and are not beholden to their appointee.
 5. The charter committee is required to meet a minimum of one time prior to each legislative session. The Sparks Charter Committee meets about six months prior to each session to perform a review from both the State and City’s point of view to determine what changes may be needed inside the charter. The charter committee will then decide if operational or policy issues will need to be changed and formulate a BDR.

Mr. Driscoll outlined several changes made to city charters in the past and who was responsible for the changes. For example, in the 1990s, the Legislature precluded any future development of utilities in cities. Therefore, it became difficult for charter cities to develop new business relationships.

Concluding his testimony, Mr. Driscoll said that local entities work closely with the Legislature to keep it informed of what is needed by the local entities to ensure they

have the ability to progress in the future and govern themselves under the rules set by the Legislature.

Responding to Chair Lee regarding the reporting process of the charter committee, Mr. Driscoll indicated that the committee always discusses its changes to the Sparks City Charter with the Sparks City Council and presents the proposed changes. The Council will decide if it is something that should be approved. Mr. Driscoll further explained that since the charter committee is an independent body, it could bring suggested charter changes or other policy matters to the Legislature on its own.

The Carson City Experience as a Chartered Combined Municipality

- Bob Crowell, Mayor, Carson City, expressed Carson City's views as a consolidated municipality. Mayor Crowell informed the Committee that Carson City has been a consolidated municipality and county since 1969. Outlining the structure of Carson City, he mentioned that the City has been engaged in some regional infrastructure improvements and has recently entered into an agreement with Douglas and Lyon Counties to extend a water system between Carson, Douglas, and Lyon Counties.

Mayor Crowell indicated that Carson City has a Charter Review Committee which meets biennially to coincide with the Legislature ([Exhibit G](#)). The Review Committee meets in a public forum to discuss any necessary changes to the governing charter. Once the public process is complete, the Review Committee will meet jointly with the Carson City Board of Supervisors to discuss recommendations to be made to the Legislature.

Discussion of Charters for Counties and Possible Constitutional Amendment Authorizing County Charters in Nevada

- Heidi A. Chlarson, identified earlier, clarified that if the Committee wanted to go forward with a BDR authorizing charter committees, a constitutional amendment would be required.
- Wes Henderson, Government Affairs Coordinator, NACO, provided a brief overview of how the structure of county charters varies throughout the western United States ([Exhibit H](#)). Outlining a few major points, he stated that county charters can differ from state to state. However, most charters have to be approved by the state's legislature, and he noted in the State of Arizona, the governor's approval is required.

Discussion ensued between Chair Lee and Mr. Henderson regarding what might be required by the counties to become equal with the cities. Mr. Henderson noted that the counties have a good working relationship with the NLCM and the ACIR is working to further the relationship between counties and cities.

BRIEF OVERVIEW OF CONSOLIDATION EFFORTS IN CLARK COUNTY AND WASHOE COUNTY

- Ted Olivas, Director of Administrative Services, City of Las Vegas, provided a brief Microsoft PowerPoint presentation on A.B. 494 (Chapter 473, *Statutes of Nevada 2009*). He indicated that Clark and Washoe Counties are required to submit a report to the LCB, by September 1, 2010, identifying functions that are being considered for consolidation or reorganization ([Exhibit I](#)). Mr. Olivas outlined the requirements of A.B. 494 to be reviewed and included in the report:
 1. Functions that are currently consolidated.
 2. Functions that are being considered for consolidation or reorganization.
 3. Functions that are not currently consolidated but may be appropriate for consolidation or reorganization.
 4. Recommendations on consolidation or reorganization.
 5. Estimates of the cost to consolidate or reorganize.
 6. Estimates of the long-term savings.
 7. Benefits of creating a permanent committee to discuss consolidation and reorganization.
- John Slaughter, Management Services Director, Washoe County, continued with the presentation and reviewed examples of consolidated/shared service efforts presently used by Washoe County ([Exhibit I](#)). He also explained the process used by Washoe County to determine what functions would benefit by sharing services. Mr. Slaughter informed the Committee of a consolidation through an interlocal agreement of the Reno Fire Department and Truckee Meadows Fire Protection District, which began approximately ten years ago and has been a “huge” success both in terms of financial savings and improved efficiency and service. In closing, he briefly explained the process being used by Clark and Washoe Counties to prepare the report required by A.B. 494.

DISCUSSION OF FUTURE MEETING SCHEDULE AND DIRECTIONS TO COMMITTEE STAFF

- Chair Lee informed the Committee that the next meeting is scheduled for April 22, 2010, and the final meeting and work session is planned for June 23, 2010.

- Michael Stewart, identified earlier, noted that the goal for the April 22, 2010, meeting, is to: (1) review previously discussed issues and provide responses to any unanswered questions; (2) receive testimony from the ACIR regarding recommendations of issues discussed at its meetings; and (3) focus on the work session and BDR topics since the Committee is limited to a total of three meetings.

PUBLIC COMMENT

- Knight Allen, a private citizen, addressed Agenda Item V and stated that in his opinion the structure of the ACIR could be improved. He suggested that a limited number of elected officials should be members and the Committee should be required to have formal public hearings.

Referring to Agenda Item VIII, Mr. Allen stressed the importance of Dillon's Rule. He referred to past Governor Kenny C. Guinn's Commission on Salaries and stated in his opinion, public employee salaries should not be higher than the average private sector wage.

Mr. Allen further noted his concern regarding "Home Rule," and said it is his opinion that local governments should not be given fiscal responsibility. He referred to *California's Proposition 13* (1978), which occurred because the citizens of the state fought to overturn the increased property taxes that were created by local government.

- Senator Care commented that the Committee's goal is to review structural and personnel issues of the local government and it is doubtful that any fiscal function changes would be made. He further stated that prior to the 2003 Session, it was well-known that the Legislature would cap property taxes, which was not disputed by local governments.

Responding to Mr. Allen, Senator Lee explained that the purpose of the ACIR is to promote effective communication between the State and local governments and to gather information to present to the Legislature.

In response to Senator Lee, Mr. Allen reiterated his concern about providing fiscal responsibility to local governments and the importance of legislative oversight.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:55 p.m.

Respectfully submitted,

Janice McClure
Senior Administrative Assistant

Michael J. Stewart
Supervising Principal Research Analyst

APPROVED BY:

Senator John J. Lee, Chair

Date: _____

LIST OF EXHIBITS

Exhibit A is the “Meeting Notice and Agenda” provided by Michael J. Stewart, Supervising Principal Research Analyst, Research Division, Legislative Counsel Bureau (LCB), dated February, 12, 2010.

Exhibit B is a copy of Senate Bill 264 (Chapter 462, *Statutes of Nevada 2009*), submitted by Michael J. Stewart, Supervising Principal Research Analyst, Research Division, LCB.

Exhibit C-1 is a Microsoft PowerPoint presentation titled “A Discussion of Home Rule in Nevada,” provided by Nicolas C. Anthony, Senior Principal Deputy Legislative Counsel, Legal Division, LCB.

Exhibit C-2 is an outline titled “A Discussion of Home Rule in Nevada,” dated February 18, 2010, provided by Nicolas C. Anthony, Senior Principal Deputy Legislative Counsel, Legal Division, LCB.

Exhibit D is a memorandum addressed to the Committee, titled “Summary Documents Relating to Certain Local Government Powers, Government Structure, and ‘Home Rule’ in Nevada and Other States,” dated February 18, 2010, submitted by Michael J. Stewart, Supervising Principal Research Analyst, Research Division, LCB.

Exhibit E is the testimony of Debra March, Vice Chair, Interim Technical Advisory Committee for Intergovernmental Relations (ACIR), and Councilwoman, City of Henderson, titled “Discussion Points for: Interim Technical Advisory Committee for Intergovernmental Relations (ACIR),” dated February 18, 2010.

Exhibit F is a memorandum to Members, Legislative Commission’s Committee to Study Powers Delegated to Local Governments (Senate Bill 264, Chapter 462, *Statutes of Nevada 2009*), titled “Salaries of Local Elected County Officials—Salary Table and Pertinent Enclosed Materials,” dated February 18, 2010, submitted by Michael J. Stewart, Supervising Principal Research Analyst, Research Division, LCB.

Exhibit G is an outline submitted by Bob Crowell, Mayor, Carson City, titled “Carson City, Consolidated Municipality, Charter Review Committee, Excerpts from the Carson City Municipal Code.”

Exhibit H is a document titled “County Charter Notes” submitted by Wes Henderson, Government Affairs Coordinator, Nevada Association of Counties.

Exhibit I is a Microsoft PowerPoint presentation titled “Powers Delegated to Local Governments (S.B. 264),” dated February 18, 2010, provided by Ted Olivas, Director of Administrative Services, City of Las Vegas, and John Slaughter, Management Services Director, Washoe County.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or telephone: 775/684-6827.