




**Explanation of Impact:** n/a

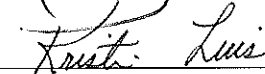
**Funding Source:** n/a

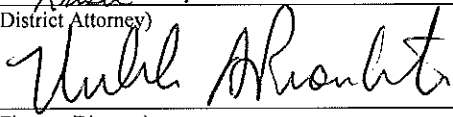
**Alternatives:** Do not adopt

**Supporting Material:** Resolution

**Prepared By:** Janet Busse, Office Supervisor

**Reviewed By:**  Date: 6/9/10  
(City Manager)

 Date: 6/10/10  
(District Attorney)

 Date: 6/9/10  
(Finance Director)

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION ESTABLISHING AN ADVISORY QUESTION FOR THE GENERAL ELECTION BALLOT REGARDING THE CONSENT OF THE AFFECTED LOCAL GOVERNMENT BE REQUIRED BEFORE THE LEGISLATURE CAN USE REVENUES OR RESERVES OF LOCAL GOVERNMENT, OR IMPOSE FEES OR NEW SERVICE MANDATES ON THE LOCAL GOVERNMENT IN ORDER TO BALANCE THE STATE'S BUDGET, ESTABLISHING THE EXPLANATION FOR THE BALLOT QUESTION, DIRECTING THE CARSON CITY CLERK TO BRING TO THE BOARD OF SUPERVISORS A RECOMMENDATION REGARDING WHO SHOULD BE APPOINTED TO THE COMMITTEES TO PREPARE ARGUMENTS FOR AND AGAINST THE BALLOT QUESTION, REQUIRING THE CITY CLERK TO SET THE LENGTH OF AN ARGUMENT AND REBUTTAL AND THE DATE BY WHICH IT MUST BE SUBMITTED TO THE CLERK, AND OTHER MATTERS PROPERLY RELATED THERETO.

**WHEREAS**, NRS 293.482 allows the Carson City Board of Supervisors to ask the advice of the registered voters within its jurisdiction on any question which it has under consideration; and,

**WHEREAS**, NRS 295.121 requires the Board of Supervisors in consultation with the Carson City Clerk to appoint two committees, one committee to be composed of three persons who favor approval by the voters of the ballot question and the other committee to be composed of three persons who oppose approval by the voters of the ballot question; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Carson City Board of Supervisors, hereby proposes that the following question be placed on the November 2, 2010 general election ballot:

Shall the consent of the affected local government be required before the Legislature can use revenues or reserves of local government, or impose fees or new service mandates on the local government in order to balance the State's budget?

**BE IT FURTHER RESOLVED** that the Explanation of the Question shall be as follows:

This ballot question will serve to advise the Nevada Legislature of whether the majority of the voting public in this County believes that the consent of the affected local government should be required before the Legislature can use revenues or reserves of local government, or impose fees or new service mandates on the local

government in order to balance the State's budget. "Local government" means every political subdivision or other entity which has the right to levy or receive money from ad valorem or other taxes or any mandatory assessments, and includes, without limitation, counties, cities, towns, boards, school districts and other districts organized pursuant to Nevada Revised Statute, and any agency or department of a county or city which prepares a budget separate from that of the parent political subdivision. Examples of other districts organized pursuant to Nevada Revised Statute are water and sewer general improvement districts, and library districts. Examples of an agency or department of a county or city which prepares a budget separate from that of the parent political subdivision are district health departments and district courts.

"Local revenues" include taxes, fees, intergovernmental transfers and other revenues that are used by local governments to provide services and programs, and to construct, operate and maintain facilities. Examples of fees that the State has or may impose are administrative fees for collecting sales taxes (increased by the 2009 Legislature) and a mandatory fee per employee to fund the administration of the state run Local Government Employee Management Relations Board. New service mandates without commensurate funding are often referred to as "unfunded mandates." The consent of the local government would be considered and acted upon in a public meeting noticed and conducted in conformance with Nevada's Open Meeting Law.

The question is purely advisory and does not place any legal requirement on the County Commission, any member of the County Commission, any officer of the county or the Nevada Legislature.

**BE IT FURTHER RESOLVED** that pursuant to NRS 295.121, the Carson City Board of Supervisors hereby directs the Carson City Clerk to prepare a recommendation of three persons to serve on the committee who favors approval of the ballot question and three members to serve on the committee who oppose approval of the ballot question.

**BE IT FURTHER RESOLVED** that the Carson City Clerk shall consider recommending to the Carson City Board of Supervisors those persons who have expressed an interest in serving on the committees and persons who are members of organizations that have expressed an interest in

having a member of their organizations serve on the committee.

**BE IT FURTHER RESOLVED** that the Carson City Clerk shall provide by rule or regulation:  
(a) the maximum permissible length of an argument or rebuttal and (b) the date by which an argument or rebuttal must be submitted by the committee to the Carson City Clerk.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

AYES: Supervisors \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAYES: Supervisors \_\_\_\_\_

ABSENT: Supervisors \_\_\_\_\_

\_\_\_\_\_  
Robert L. Crowell, Mayor

ATTEST:

\_\_\_\_\_  
Alan Glover, Clerk/Recorder

## **LOCAL REVENUE ADVISORY QUESTION**

Shall the consent of the governing body of the local government be required before the State Legislature can act to decrease revenues or reserves collected by, distributed to, or held by the local government, or impose fees on or mandate new or different services be performed by the local government in order to balance the State's budget?

### **EXPLANATION**

This ballot question will serve to advise the Nevada Legislature of whether the majority of the voting public in this County believes that the consent of the affected local government should be required before the Legislature can use revenues or reserves of local government, or impose fees or new service mandates on the local government in order to balance the State's budget. "Local government" means every political subdivision or other entity which has the right to levy or receive money from ad valorem or other taxes or any mandatory assessments, and includes, without limitation, counties, cities, towns, boards, school districts and other districts organized pursuant to Nevada Revised Statute, and any agency or department of a county or city which prepares a budget separate from that of the parent political subdivision. Examples of other districts organized pursuant to Nevada Revised Statute are water and sewer general improvement districts, and library districts. Examples of an agency or department of a county or city which prepares a budget separate from that of the parent political subdivision are district health departments and district courts.

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The question is purely advisory and does not place any legal requirement on the County Commission, any member of the County Commission, any officer of the county or the Nevada Legislature.

### **GENERAL FISCAL NOTE FOR ALL COUNTIES**

If the Legislature is required to obtain the consent of the affected local government before it can use revenues or reserves of local government, or impose fees or new service mandates on the local government in order to balance the State's budget, it would have a positive financial effect on local government by potentially eliminating the need for local governments to adjust their adopted budgets and possibly reducing services or laying off employees due to the loss of local revenue.

### **Arguments Advocating Passage and Opposing Passage of the Question**

(For use in counties not required to create committees to write these arguments which includes Nye, Lyon, Churchill, Humboldt, White Pine, Pershing, Lander, Mineral, Lincoln, Storey, Eureka and Esmeralda Counties (population less than 40,000 according to the 2000 United States Decennial Census)).

#### **Argument Advocating Passage**

Local governments provide services such as fire and police protection, courts, water and sewer systems, libraries, parks and recreation programs, and state mandated services such as indigent medical care and defense. The Nevada Association of Counties has estimated that since July 2008 the Legislature has taken over \$265 million in revenues collectively from the 17 Nevada Counties to balance the State's budget. (Add specific information about the individual county). The loss of these revenues has impacted the Counties' ability to provide essential services. Many local governments are experiencing declining revenues and have balanced their budgets by reducing or eliminating services and employees. (Add specific information about budget reductions in the individual county). Using the revenues and reserves of local government, imposing fees or new mandates on local governments in order to balance the State's budget is a disservice to the public. If approved, this question would send the message to the Nevada Legislature that the voters of this County want their local taxes to fund the provision of services by their local government and that the State should balance its budget without taking revenue from local governments.

#### **Argument Opposing Passage**

The State of Nevada is a sovereign entity. Local governments are created by, and for the convenience of, the State. The primary responsibility of providing government services remains with the State, therefore it is the duty of the State to use available revenue regardless of the source to balance its budget and carry out its responsibilities. In addition, the taxes and fees that make up local government revenues must first be authorized by the Legislature. The right of the Legislature to use local revenues to balance its budget should not be abrogated. According to studies prepared by the Nevada Department of Administration, Budget Office in 2009 local government revenues increased at a faster rate than the State's. Also according to these studies the salaries of certain local government employees are higher than their counterparts who work for the State. Therefore, local governments should be required to help the State balance its budget by contributing a portion of their revenues, paying higher State administrative fees and taking on additional services previously provided by the State.