

CLARK COUNTY ADVISORY QUESTION NO. 5

Local Revenue Advisory Question

This question is advisory only. 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?

Yes No

EXPLANATION

The use of revenues paid by taxpayers for functions of local government by the State is resulting in the reduction and elimination of services provided by local governments. 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 governing body of the local government should 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. "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 by the governing body of that local government 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 any local government, any member of local government, or any officer of the county or the Nevada Legislature.

FISCAL NOTE

Description of Anticipated Financial Effect: If the Legislature is required to obtain the consent of the governing body of the local government 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, 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.