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RIGHT TO VOTE

Good afternoon.

The citizen's petition to prevent the train trench project was challenged by Reno city management and the Nevada Supreme Court nullified the citizen's successful petition process. This legislature can now act to plug the loopholes in the existing law. When a petition is certified the public must be allowed to express their opinion at the polls for at least two reasons. 1. Local governments need to know the public's wishes even if they intend to ignore those wishes. 2. The vote creates a record and that is the first step in establishing accountability for actions.

Legal action taken by the City of Reno and also by Harrah's, the El Dorado, Circus Circus & Silver Legacy, along with the Reno-Sparks Chamber of Commerce Political Action Committee, was very costly to the Committee for a Public Train Trench Vote, a citizen's group who only wanted to allow the public a vote on the largest public works project ever in northern Nevada. I would ask that you consider adding to AB 292 a provision for the awarding of attorneys fees when citizens petition groups are sued unsuccessfully as it is quite costly to be in court today.

In 1980 the public defeated a project similar to ReTRAC by a vote of 2 to 1. It is my opinion that a concerted effort was initiated sometime in the late 1980's or early 90's to ram this project through without a vote of the public. And that is exactly what happened. The 1997 legislature passed a bill allowing for a sales tax increase to fund projects in Washoe and Clark counties. The bill allowed for a public vote to approve the tax increase. Unfortunately, the bill also allowed for a super majority of the county commission to approve the tax without a public vote. Clark County taxpayers were allowed to approve their sales tax increase, but the taxpayers of Washoe County were denied that opportunity. The super majority loophole is, in my opinion, bad legislation.

Pleadings during the ReTRAC petition trial in District Court included statements to the Nevada legislature from Stuart Schillinger, who was at that time Reno Budget Manager. Reading of his testimony revealed that Mr. Schillinger had misrepresented to the Nevada legislature the value of the Union Pacific properties as being assessed at

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about \$9 million and therefore would have an appraised value of around \$25 million. This is incorrect as the properties had an assessed value of approximately \$3 million and therefore an appraised value of \$9 million. Mr. Schillinger's overstatement by \$16 million was most important because the legislation for the sales tax and the ReTRAC project required 50% funding from other sources.

That is not the only time Reno management has misrepresented the facts to the state legislature. During hearings for SB 221 for Reno's downtown events center, members of the stakeholders group, a group enabled by previous legislation, gave testimony. This testimony, in answer to questions from some of you, misleadingly indicated that the project was a public private partnership with the downtown hotel casinos investing \$20 million. It was also represented that the events center would not compete with the main Convention Facility. Both representations proved to be false when the hotel-casinos pocketed their \$20 million with the city of Reno backing the bonds with their general fund and today, even before ground has been broken, there is competition between the Convention Center and the downtown events center.

The public will is often defeated by organized, well funded, special interests. AB 292 will help guarantee that the public's voice is heard. By including the potential for legal costs you could improve the public's interest even more.

Thank you,



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