

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GROWTH AND INFRASTRUCTURE**

**Seventy-Third Session
April 5, 2005**

The Committee on Growth and Infrastructure was called to order at 1:48 p.m. on Tuesday, April 5, 2005. Chairman Richard Perkins presided in Room 4100 of the Legislative Building, Carson City, Nevada, and, via simultaneous videoconference, in Room 4401 of the Grant Sawyer State Office Building, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Mr. Richard Perkins, Chairman
Ms. Chris Giunchigliani, Vice Chairwoman
Ms. Francis Allen
Mr. Bernie Anderson
Mr. Tom Grady
Mrs. Marilyn Kirkpatrick
Ms. Sheila Leslie
Mr. Harry Mortenson
Mr. David Parks
Ms. Peggy Pierce
Mr. Scott Sibley
Ms. Valerie Weber

COMMITTEE MEMBERS ABSENT:

Mr. Lynn Hettrick (excused)

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Brenda Erdoes, Legislative Counsel
Susan Scholley, Committee Policy Analyst
Russell Guindon, Deputy Fiscal Analyst

James Cassimus, Committee Attaché
Casey Bales, Committee Aide

OTHERS PRESENT:

Stan Olsen, Lieutenant, Executive Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department, Las Vegas, Nevada
Bill Young, Sheriff, Las Vegas Metropolitan Police Department, Las Vegas, Nevada
Michael Mayberry, Chief of Police (ret.), Henderson Police Department, City of Henderson, Nevada
Karen Keller, Executive Director, Office of Finance, Las Vegas Metropolitan Police Department, Las Vegas, Nevada
Oscar Goodman, Mayor, City of Las Vegas, Nevada
Rory Reid, County Commissioner, Clark County, Las Vegas, Nevada
Bill Nicholes, Mayor, City of Mesquite, Nevada
Mark Paresi, Chief of Police, North Las Vegas Police Department, North Las Vegas, Nevada
Doug Law, Chief of Police, Mesquite Police Department, Mesquite, Nevada
Bill Turk, Chief of Police, Boulder City Police Department, Boulder City, Nevada
David Kallas, Executive Director, Las Vegas Police Protective Association
Rusty McAllister, President, Professional Fire Fighters of Nevada
Danny Thompson, Executive Secretary-Treasurer, Nevada State AFL-CIO
Philip Speight, City Manager, City of Henderson, Nevada
Gregory Rose, City Manager, City of North Las Vegas, Nevada
Steve Houchens, Deputy City Manager, City of Las Vegas, Nevada
James Spinello, Assistant Director, Administrative Services, Clark County, Nevada
Joseph Bifano, Lobbyist, Fraternal Order of Police, Lodge No. 1, Las Vegas, Nevada
Irene Porter, Executive Director, Southern Nevada Home Builders Association
Carole Vilardo, President, Nevada Taxpayers Association
Dan Musgrove, Director, Intergovernmental Affairs, Clark County, Nevada
Sandy Norska, Director, Real Property Management, Clark County, Nevada
Santana Garcia, Legislative Advocate, City of Henderson, Nevada
John Slaughter, Director, Management Services, Washoe County, Nevada
Pamela Wilcox, Administrator and State Land Registrar, Division of State Lands, Nevada Department of Conservation and Natural Resources

Chairman Perkins:

[Meeting called to order. Roll called.] We'll get started by opening the hearing on Assembly Bill 418.

Assembly Bill 418: Authorizes Board of County Commissioners of Clark County to increase sales tax to employ and equip additional police officers. (BDR S-413)

Stan Olsen, Lieutenant, Executive Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department, Las Vegas, Nevada (Metro):

The issue of this initiative (slide 2 of [Exhibit B](#)) came up when we started looking at a better way to fund law enforcement in the southern Nevada area. We did an advisory question to the voters, and this measure was passed by a majority of the voters. It raises funds that will only be used to hire and equip new police officers. This is enabling legislation. If it passes, the Legislature would authorize Clark County to enact a tax that would be levied by July 2005.

In approaching this, we had budgetary challenges (slide 3 of [Exhibit B](#)). The police department has struggled to meet the needs associated with the growth that has occurred in southern Nevada. The normal budget process was creating some real problems for us as a result.

There were questions raised about revenues involving traffic citations and why that couldn't fund it. Speaking for law enforcement in Las Vegas, none of the monies raised from citations goes to law enforcement. Most of the money goes to the general fund and is used to fund other aspects of government in southern Nevada.

Growth has severely impacted southern Nevada. On the PowerPoint (slide 4 of [Exhibit B](#)), there are four photographs of high-rise towers. In addition to the hundreds of homes that are approved in the Las Vegas area, there are also more than 75 high-rise towers at various stages of approval or construction in the southern Nevada area. At minimum, half of those will go forward. They are anywhere from 36- to 73-story towers, which will change the way police will have to operate in southern Nevada.

It is important to point out that, on any given day in southern Nevada, a population equal to the entire population of Washoe County visits southern Nevada. In a year, a population equal to the entire population of the Carson City area moves into the Las Vegas area.

[Stan Olsen, continued.] Next (slide 5 of [Exhibit B](#)), we have the officer ratios. In the United States, the national average set down by the U.S. Department of Justice is 2.5 police officers per 1,000. Boulder City is at 1.9, Henderson is at 1.0, Metro is at 1.7, Mesquite is at 2.0, and North Las Vegas is at 1.4.

Some have asked why we would limit the jurisdiction to these primary agencies listed above. We feel that the other limited jurisdiction agencies, such as the Clark County School Police, Clark County Park Police, and City Marshals have a critical part in the law enforcement arena, and to remove them from their operations would be detrimental to those areas that they now currently policing.

If we did include their numbers in the numbers in southern Nevada, we would raise from 1.7 officers per 1,000 throughout the entire county to 1.8 officers per 1,000 in the Clark County area.

Many asked why we chose to do a sales tax (slide 6 of [Exhibit B](#)). We looked at several different options, including property tax, which would unfairly burden property owners. It would only hire police officers for the Las Vegas Metropolitan Police Department and hire 25 percent fewer officers for Metro than a sales tax would.

A sales tax would allow for police officers to be hired at all the primary agencies in Clark County, which are Boulder City, Mesquite, North Las Vegas, Henderson, and the Las Vegas Metropolitan Police Department. It would also raise 25 percent more police officers for Metro in addition to the several hundreds for the other entities.

What would be the cost of this (slide 7 of [Exhibit B](#))? Beginning in July 2005, should this measure pass, sales tax would rise to 7.75 percent. It would go up one-quarter of a cent, with a second request taking place in July 2009 for a full one-half cent, bringing the sales tax in Clark County to an even 8 percent. In looking at this, we decided to pick a dollar amount to analyze the impact to the community. We picked a dollar amount of \$5,000 in taxable purchases per year. At that amount, for the first quarter-cent, it would cost the general public about \$12.50 per year. When we went to the full half-cent—the second quarter-cent and the original quarter-cent—the cost would be about \$25.00 per year on the same \$5,000 of taxable purchases. Another way to look at this is the tax on the purchase of a \$40,000 car; the additional sales tax would be about \$200.00.

Another advantage to sales tax is that it will not impact groceries, medicines, prescriptions, prescription supplies, or gasoline. These are all significant issues that would affect low-income people and seniors.

[Stan Olsen, continued.] Who pays for this (slide 8 of [Exhibit B](#))? By using sales tax as opposed to property tax, the cost is divided in three ways: business, about 30 percent; residents, about 40 percent; and tourists, about 30 percent. Tourists are using the services and we felt it was important that they help fund some of the services, which is another reason why we felt sales tax was a better way to go.

Who would get the additional (slide 9 of [Exhibit B](#))? We did a conservative estimate over a 10-year period. Boulder City would gain 16 officers; Henderson, about 227 officers; Mesquite, about 14 officers; Metro, about 1,278 officers; and North Las Vegas, about 151 officers. This is based on very conservative growth over the 10-year period. This also works out to having 726 more officers at a lower cost to the citizens over property tax.

A final advantage to this is that, in southern Nevada, for the first time, law enforcement would grow simultaneously and have a simultaneous approach to the crime problem in southern Nevada—without one agency growing and another not growing and pushing crime from one entity to another.

Another step we took was to contact all the area governments and ask them to do two things (slide 10 of [Exhibit B](#)): to pass a resolution stating they would not usurp the existing law enforcement budget—you have those in your packet ([Exhibit C](#)); each entity has passed that—and all agree that the distribution of revenues would be based on the certified numbers put down by the State Demographer. We did not count tourism in this because, if we did, obviously Las Vegas Metro would take up all the populations, all the monies, from the other entities. We all agreed we would move forward based on the resident population set down by the State Demographer. All the entities have passed resolutions ([Exhibit C](#)) in support of this.

This measure does not hire support personnel (slide 11 of [Exhibit B](#)) such as dispatchers, administrative support personnel, 911 and 311 operators, scientists, and crime scene analysts. It will only be used to hire police officers, equip those officers, and field them.

Crime Levels (slide 12 of [Exhibit B](#)): In 2004, officers in Clark County from all the entities responded to 148 murders, 650 sexual assaults, 3,900 robberies, more than 16,000 burglaries, more than 33,000 larcenies, more than 18,000 auto thefts, and more than 37,000 traffic accidents. None of this counts the number of reports filed at police station; those are just what the field units responded to. In 2004, Las Vegas Metro Police alone responded to more than 20,000 domestic violence calls.

[Stan Olsen, continued.] From 2003 to 2004 (slide 13 of [Exhibit B](#)), by entity, there has been an increase in the demand for calls for service in each one of the entities. The average has been a 14.3 percent increase when you include all the entities. The largest increases are in Mesquite, Henderson, and North Las Vegas. That is the number of calls for service from 2003 to 2004.

This is an officer safety issue. Many times, officers are responding to calls they should not respond to alone, but there are no available units to respond with them.

Illegal narcotics use and trade are on a rise, which lead to other felony crime impacts on county lifestyle. Response times are increasing at each of the agencies.

If this should pass, when should the taxpayers see results (slide 14 of [Exhibit B](#))? From the numbers we've run, we figure we can begin hiring officers in the fall of 2005. These would be the first officers hired and going through the academy. It takes us better than a year to get through the testing, training, and field training of a police officer. Even though the officers may be coming on in the fall of 2005, it will take us at least twelve months to see the first officers in the field.

We talk about how sales tax compares to other cities. On this graph (slide 15 of [Exhibit B](#)), the asterisks indicate these are cities or states that also have state income tax in addition to the sales tax. We looked at cities that were similarly sized. We looked at St. George, Utah, because of its proximity to Mesquite and the people who come from St. George to buy their groceries in Mesquite. With this increase, you see that we are comparable to other cities of our size.

Clark County is the fastest-growing county in the nation (slide 16 of [Exhibit B](#)). Major crime continues to increase, calls for service continue to increase, police services are stretched to their absolute limit across the county, and it is compromising officers' safety. We believe the sales tax is the most reasonable solution to solve the manpower issues. The cost is shared by resident, business, and tourist alike. This allows each of the agencies to grow simultaneously and have an equal, simultaneous impact on crime, instead of just shifting it from one point in the valley to another.

Assemblywoman Weber:

Regarding the amount of calls for service (slide 13 of [Exhibit B](#)), was that both 911 and 311, or is that other lines that may be non-emergency?

Stan Olsen:

That is all calls for service that the officers are responding to.

Assemblywoman Giunchigliani:

Do you have a breakout of the administrative versus detectives versus patrol?

Stan Olsen:

Sheriff Young [of Metro] has made the commitment that 80 percent of the people hired by Metro police will go to uniform operations, which includes patrol and traffic. The other 20 percent will go to the detective-type operations to support the work that is going to be generated by the additional field units.

Assemblywoman Giunchigliani:

Do you currently have a breakout of the number of women and minorities in uniform patrol and traffic versus administrative?

Stan Olsen:

I don't have that with me, but I can get that for you.

Assemblywoman Giunchigliani:

That would be helpful to see. I would anticipate there a goal for hiring purposes to broaden your ranks, especially with the Hispanic population and bilingual and so forth.

Bill Young, Sheriff, Las Vegas Metropolitan Police Department, Las Vegas, Nevada:

I appreciate this opportunity for myself and some of my staff to talk about this very important issue. Stan flooded you with a lot of statistical information. There is no question, statistically, that we need these cops. If you are into empirical data, the information is there. The crime rate is too high; we do not have enough police officers.

When we compare ourselves to the rest of the United States, in Clark County, we are way below average. Yet, we project ourselves all over the world as the number-one tourist destination in America. The last time the U.S. Department of Justice released their statistics, we were 185th in cities comparable to us in ratio of police officers per 1,000 citizens. For the number-one tourist destination, it is not good to be number 185 in police protection.

From a historical perspective, I am the third sheriff in succession who has gone to the taxpaying, voting public with this very same issue. Sheriff Moran, sheriff in Clark County from 1984-1996, was the first; in 1986, he went to the first public ballot for a property tax increase, and we hired 200 police officers. He

was successful getting it done and sold that ballot initiative as the answer and the fix for Clark County for many years to come.

[Bill Young, continued.] By the time Jerry Keller took office in 1996, our ratio of police officers was once again far below the national average. He went, once again, to the taxpaying, voting public with a ballot initiative, and he too was successful in getting over 650 additional officers added to our staffing through another property tax increase.

In 2003, when I took office, I inherited a department that was in decline as far as our ratio of police officers per 1,000 citizens, far below the national average at 1.7 per 1,000 citizens. The crime rate was going up; I asked for substantial increases in funding through the normal funding process. Both times, I was turned away far short of what I believed, and what other police administrators in my agency believed, we need to keep southern Nevada safe.

We did a lot of research, talked with a lot of folks, thought about a lot of different ways. We started looking at the sales tax increase.

We went to the voters with an advisory question in November and asked them if they would be willing to pay a quarter of a cent more sales tax and then another quarter of a cent, to create new positions. In Metro, in the first year, you'd get almost 1,300 more police officers. In Henderson, you'd get a couple hundred. In North Las Vegas, you'd get a couple hundred. Boulder City would get a few. Mesquite would get a few. We would create a stable funding source specifically for police officers—not administrators, buildings, fancy cars, but putting a cop in a patrol car on the streets, in your neighborhood, responding to your calls. That's where we're short; that's why the crime rate has done what it has.

Cops make a difference. We can prevent crime before it occurs, and that's what the goal is, proactive policing. That is what we are not doing right now.

Cops nowadays, instead having a little time to go patrol their neighborhood district with their window rolled down, stopping and talking to the neighbors, get to their cars with five, six, or seven calls stacked up on their computer screen, and they go from call to call to call to call. The days of doing proactive, or preventive, policing are over. It is reactive. Our police officers in southern Nevada have to get back to doing proactive policing. We have to have that time built in. They just can't be going from call to call. We don't prevent crime that way. We are just responding after the fact.

[Bill Young, continued.] I have never seen an area as fast-growing as southern Nevada. It is impacting everything in infrastructure. When you go to the people on the street, to the neighborhoods, go to people running businesses, they tell you the most important thing we do is public safety. That is the one they care about the most. That is why, even in the most divisive time ever about taxes in this state, the people of Clark County voted yes to this advisory question.

Twenty-three of 26 districts voted yes, they want more police officers and are willing to pay for it. The question was very narrow: cops, their cars, and their equipment. That should send a strong message to us in elective office; that is our system, having the public say that to us loud and clear allows us to do this today and bring this forward.

Sales tax is deductible which means that we are these police officers deducting from our income tax. That wasn't even in the equation when these people voted yes. A lot of people will be happy when they realize this when they do their taxes this year.

There are all sorts of naysayers out there who say if we hire all these cops, we are going to need more judges, more jails. A lady up here who runs a prison said we are sending too many people to prison. Who doesn't want their community safe? Who doesn't want bad guys locked up in jail away from your family? Just ask the families of victims of crimes in Las Vegas who wished there were more traffic officers. Why does it take 3 hours for a response? That's what it takes for our cops to get to minor fender-benders in southern Nevada.

I essentially run a large business. I have 4,500 employees, and, sitting at the top, I get a feel when I do not have enough employees. If you know you are not providing the service your customers desire, or your product isn't what it used to be, you get that feeling. Our product in law enforcement is service, our ability to fight crime, and to respond to crime and the public's cry for help.

Our response times are going up. The number and types of calls we are able to respond to are down. We are telling people, "We can't come to an auto theft anymore; we don't have time. All we are looking at is an empty oil spot on the road, anyway. Call the station and make a report." We don't have enough cops to send in a timely manner. It hurts all of us when we are not able to send a police officer on those types of crimes.

There are others who say we are going to need more courts, more jails, and more prisons. We can prevent crimes; that's the goal here. We can lower the number of crimes in our community if we give our police officers the time to go there and do proactive policing.

[Bill Young, continued.] Others say there are so many competing needs we can't justify more cops because we have social issues, et cetera. I read an article in yesterday's *Las Vegas Sun*. It says, "County sees spike in number of displaced children." There is a quote by Susan Klein-Rothschild, director of the county's Family Services Department. She says, "What's going on in our community? Why aren't kids safe at home?" There was a 29 percent increase in the number of kids that had to be removed from homes in Clark County because of methamphetamine use. There are too many drugs, too many dopers, too much crime. A social problem traces back to too much crime. The only people who are going to root that out are the men and women wearing that badge in your neighborhood.

In 2002, the crime rate in Clark County went up 12 percent. I thought to myself, we are a smart team, we are going to turn this around. In 2003, my first year as sheriff, the crime rate went up 13 percent more. It was very difficult for me to absorb that we couldn't turn that crime rate around with smart policing, improving where we were placing our officers, trying to work smarter and harder at the same time. There was 25 percent more crime at the end of 2003 than there was in 2001 in the economic engine of our state—Clark County.

We are in the tourism business. That's what we do. Whether you teach, treat somebody, or sell something, when you connect the dots and that tourism industry goes away, we are all in tough shape north or south. All it will take is one terrorism act or a period of time, like in south Florida when they were known as a high-crime area, and it's going to hurt us all.

The difference between having a safe environment and an unsafe environment are those men and women riding around in those patrol cars wearing that badge.

Assemblyman Mortensen:

When you were talking about the large skyscraper condos, you mentioned that police work would never be the same. Don't those condos hire their own security forces? Why would this be a big factor to you?

Stan Olsen:

There are two reasons why. They really haven't come online yet. We don't know what kind of security they are or are not going to hire and the limits that the security can do. The second thing is, with high-rise towers, we can end up with an entire area command, which handles about 125,000 people, handling people in about 8 or 10 towers in the same region. We'd have to 125 officers just to police those buildings and be reactive to those high-rise towers.

Assemblyman Mortensen:

Would you literally patrol inside the building?

Stan Olsen:

No, sir. We could not.

Assemblyman Mortenson:

That certainly would be the responsibility of the entity that owned it.

Bill Young:

We have been studying the "Manhattanization" of Clark County, and there are about 100 of these projects in some stage of planning, approval, or construction.

New York City's ratio of police officers per 1,000 citizens is 4.63 officers for every 1,000 citizens. In Las Vegas, the ratio is 1.7 officers per 1,000 citizens. Traditionally, we respond to a call, like a family fight, which is our single largest number of calls, we pull up to the neighborhood, drive right up to the house, and step out. When you have 10,000 or 12,000 people living up, that patrol car isn't going to be able to pull right up to that door.

We are going to have whole neighborhoods living up, and consequently, you deploy a lot more officers. That is why they have foot patrols in those large cities, because so many of their calls are up in these high-rise residential areas. When we get clusters of these, while we won't be providing the security inside, it will be entirely appropriate for us to have more officers deployed in those neighborhoods, particularly on bicycles and on foot. We are still going to have to go on family fights and settle those disputes. We are still going to have to take the crime reports that occur in there. We are still going to have to investigate crimes in there. It is much like the casino-tourism corridor. The hotels provide security, but we still need our police officers there.

Assemblywoman Leslie:

Do you have a more in-depth analysis planned on the crime rate? You justified more cops because the crime rate has been going up. We know that when you hire more police officers, they are going to find more things wrong and the crime rate is going to go up. Then you said having more police officers would actually prevent crime. Those statements are in conflict. Do you have a way to rationalize that?

As for the methamphetamine problem, that is the scourge of the whole state. It is not just officers. Our state has the lowest rates of substance abuse treatment. You can have all the officers you want arresting every meth addict in

the state, but you are not going to get to the root of the problem until you treat the problem itself.

Bill Young:

Crime rate is not controlled by the police. Crime rate is entirely victims of crime reporting to the police that they have been victimized. That is what that statistic means. It has nothing to do with us finding more prospectively.

Assemblywoman Leslie:

I thought it was based on arrests.

Bill Young:

Crime rate is the victimization of our public. Arrest statistics are something else.

Assemblywoman Leslie:

If we add cops, we should see the crime-reporting rate go down.

Bill Young:

That is our hope. We want to prevent crime before it happens. What I anticipate happening, and most criminal justice people will tell you the same, is initially we will be making more arrests. There are going to be more cops out there. You will see more arrests.

Assemblywoman Leslie:

That's what I would expect to happen.

Bill Young:

Criminals know where the easy pickings are and, if they see good proactive policing, they are going to go elsewhere. We may displace crime to other cities. Las Vegas, unlike Reno, has a lot more transient people that are coming through the area.

Assemblywoman Leslie:

I'm not against this; it's just that you can't have it both ways. You can't say we need more cops because we have a high crime rate. We get more cops and the crime rate goes up. You can't use that on both ends of the equation.

Bill Young:

We are talking about two different things. The arrest and crime rates are two different things.

Chairman Perkins:

When you have a lack of personnel, your crime rate is going to go up because the pickings are easy and some belief by the criminal that they can get away with those crimes. As you add officers, the crime rate is going to continue to rise, because you are going to deal with that criminal public. As additional officers come on board and as the criminals become more in tune with the aggressive policing that goes on in an area, the rate starts to drop. It is a semantic argument.

There will be a spike to begin with, but until you get over the hump of 2 officers per 1,000 in Metro's scenario, we are not going to have the positive effect that you just pointed out—a corresponding decrease after you get control of the community.

Bill Young:

Very well put. A lot of what our officers are seeing is that a lot of criminals are getting the word out that we are not actively investigating some crimes. As an example, we stopped responding to auto theft calls about 5 or 6 years ago, because the crime has already been committed. We don't send a cop out there. We ask the citizen to give the report over the phone and we put the information in the computer.

In 2005, Clark County is going to be the number-one auto theft county in the United States. We are on track to have more cars stolen per capita than any county in the United States. We would like to try sending police officers back on those calls for service, see if we can get information from witnesses, talking to the people, and see if we can get some leads on how those cars were stolen. What we have been doing isn't working. We just don't have the manpower to do it. It is some of those subtle things we'd like to do with this additional manpower to improve our service to the public.

Assemblyman Anderson:

I have the opportunity to look at the FBI's statistical summary book. The clearance rate in this book for Clark County, particularly in vehicular, is very low as compared to other states and cities. Some of the statistical information we need is in the Crime and Justice Report [*Crime and Justice in Nevada*] that we put out through the Central History Repository.

Bill Young:

You are correct. The Department of Justice information we get comes out in October for the year before. The statistics that Stan [Olsen] quoted are crimes that occurred in 2003 as reported in October 2004. At Las Vegas Metro, we keep track of our own crime rate. We are able to do that through the computer

system we log our reports into. We know we are not doing well this year with auto thefts. The data for 2005 won't officially hit the books until October 2007.

Assemblyman Anderson:

The net outcome of what you are proposing, then, is going to increase the ratio of uniformed officers on the street by 80 percent and detectives are going to go up by additional 20 percent.

Bill Young:

Yes, we made the commitment at Metro that, of the new officers hired through this sales tax initiative, we would put 8 out of 10 of them in uniform. That means in our patrol cars or in our traffic division, which in southern Nevada are the cops who enforce and investigate traffic crimes.

Assemblyman Anderson:

The other 20 percent of those are going to be closing the gap on crime, because those are the after-the-fact reports.

Bill Young:

The other 20 percent in our department work the investigative functions. For example, 60 to 70 percent of our workforce is made up of patrol. Those are the officers who work in the neighborhood substations. They wear uniforms every day and are very visible. We have 135 officers who ride motorcycles in Las Vegas Metro. Their mission is to respond to traffic accidents.

The other 20 percent are the plainclothes officers who work the detective bureau, such as homicide, robbery, burglary, gang crimes, vice and narcotics, juvenile division, and other areas. Those cops we call detective, and generally they wear plainclothes. Their responsibilities are not to respond to crimes but to investigate crime after the fact. After we take all these reports from the police officers in the field, the paperwork flow ends up on a detective's desk, and they follow it up and close the case out or appear in court.

Assemblyman Anderson:

I was concerned that the closing part of that—in rape, arson, murder investigations—was going to take only 20 percent of the new officers rather than a larger percentage of the new officers. Since you are concerned about filling up the prisons, why are you only putting 20 percent into that?

Bill Young:

We feel a lot of our need is in the response. With our burgeoning population, what we are having the most difficult time with is getting police officers to the scene of the crime or a citizen's call for help in a timely manner. We have made

tremendous strides the last couple years at Metro that relates to our ability to answer 911 calls. What I would like to see is officers arriving quicker on the scene and catching criminals in the act or assisting citizens when they need us.

[Bill Young, continued.] The cop who is visible in the neighborhood has a deterrent effect on crime. Our staffing levels have been about 70 to 80 percent in uniform as first responders, and 25 to 35 percent in investigative assignments dealing with the cases afterward.

Assemblyman Anderson:

What is the percentage your first responder catches somebody in the act?

Bill Young:

It varies by shift and assignment. When our cops get to the scene of the crime, maybe 50 percent of the time there is a crime in progress or a suspect present. I don't want to mislead you, but not every call a police officer goes on is a crime call.

Police work has changed dramatically in the last 25 years. A lot of the work we do is not necessarily crime fighting. We all hire on as crime fighters, but we end up dealing with a myriad of problems related to the homeless population, to the mentally ill, to settling civil disputes. We respond to society's ills. There isn't a bad guy in every scenario. But they are all still calls for service and they are important to the public.

Assemblywoman Giunchigliani:

Ms. Leslie's point was well taken. More police will generate and you'll see crime going up. Do you have a differential that shows what the actual crime rate is that we hear about in the press? Is it murder versus certain types of arrests? I thought our rate in Clark County was down. Could you get for us what types of arrests, if that is the better term versus crime rate, that you are seeing in southern Nevada so we can see by jurisdiction what is going on?

I would like to see, based on that, what your plan anticipates. Community policing is the best way to go. Many of us want to support you, but it has to be cops in our neighborhoods. If you want to do community policing on the Strip, then let's add a room tax that goes specifically to paying for officers based on the tourist-driven complaints. I need to see some information that helps me make a better judgment on where taxpayer money is going to be used on the sales tax side of it.

Bill Young:

The *Uniform Crime Reports* are our bible in crime fighting and published by the U.S. Department of Justice. Stan can get you all the information as to the specific seven crimes that we are mandated to keep track of. Concerning deployment, in our jurisdiction, we have a substation model system. We divide our jurisdiction into seven different area commands, each headed by a captain. He or she has the individual responsibility for policing that area of Las Vegas or the unincorporated Clark County, depending upon the neighborhood. There is a completely different type of policing, for example, that goes on in the Strip than there would be in the downtown area command or the northeast area command.

Some people think we want to put these cops on the Strip. That is not true. It is an area in our community that bears a lot of safety measures. Our deployment strategies are to tailor the Metro to the neighborhoods to ensure kids get to and from school, traffic accidents are investigated, parks are safe, crime problems are dealt with in business corridors. We base our deployment on population and calls for service, a combination thereof.

We have a very unique police department; we are part city and part county. There is some rivalry between the city and county. They each pay an equal share of our budget based on population and calls for service. There is a funding formula created by the Legislature when they created Metro in 1973. We take that funding formula factor and we push that down to our substations to ensure that everybody gets a fair number of police officers in their neighborhood.

Michael Mayberry, Chief of Police (ret.), Henderson Police Department, City of Henderson, Nevada:

Assemblywoman Leslie is absolutely correct. When we put additional police officers on the street, initially you will see a rise in the crime rate because the police officers are out there finding crime. You will also see an equally important reduction in response times. Our response times in Henderson and in the Metro are reaching unacceptable levels. When we start getting to the crimes on time, then ultimately, over a couple-year period, you will see the reduction in crime.

Karen Keller, Executive Director, Office of Finance, Las Vegas Metropolitan Police Department, Las Vegas, Nevada:

I want to give you some of the fiscal perspective of how we put the numbers together for the More Cops initiative. As the sheriff discussed, we considered several options to fund the additional officers.

Once sales tax was selected as the best option to proceed with, we began working with all the local jurisdictions and mutually came to the agreement that

the population of each jurisdiction would be the most appropriate way to distribute the new sales tax revenue collected. Page 1 of the handout (page 2 of [Exhibit C](#)) that you've been given shows the percentages that would break down to each of the individual entities. This is based on the July 2003 State Demographer's numbers. Each of the entities passed a resolution ([Exhibit C](#)) demonstrating their agreement to this distribution formula. Should the Legislature pass this bill enabling the Clark County Commission to levy the tax, formal interlocal agreements stipulating the distribution methodology will be completed between all of the affected agencies.

[Karen Keller, continued.] Knowing that sales tax revenue can be unstable, we took a very conservative approach when we were projecting revenue stream, using an annual growth rate of 3 percent. While historically sales tax revenue has grown at a considerably higher rate, we did not want to assume that this higher rate would be able to continue over the long term. We also assumed that there would be some years expenses would be higher and we would have a surplus of revenues; other years, there would be a deficit. We projected the good years would carry us through the lean years to provide the sufficient revenue for the long haul. We did factor in an interest rate on the funds of 2 percent for any funds that were carried over year to year. We had a cost per officer of \$90,000, which includes salary, benefits, standard issue equipment, and one vehicle with the necessary equipment, fuel, and maintenance for every 3 officers.

Page 2 of your handout (page 3 of [Exhibit C](#)) illustrates the estimated revenue countywide for each entity, based on their population percentages, at the one-quarter cent level, and page 3 (page 4 of [Exhibit C](#)) illustrates the same breakdown at the one-half cent level. I want to stress again, this was on a 3 percent growth rate. These figures came from 2003 with projection growth outward from there.

Based on our conservative revenue projections, we would need a quarter cent effective July 1, 2005, and an increase of an additional quarter cent on July 1, 2009. Once the revenues begin, we may find we can wait longer than July 2009 for the additional tax to be imposed, or we need a lesser increase. Should the sales tax rate of growth actually continue at the rates that they are, both of those cases could be true.

The language of the bill allows for up to one-half of one cent. There would be flexibility rather than a mandated amount when we were looking at that second quarter cent. We went before the Clark County Commission to demonstrate the need and to justify any increase needed for the additional quarter cent.

Metro plans on utilizing a separate, special revenue fund for the sales tax revenue so that it is accounted for apart from our regular operating budget and so we can assure that these funds are only used for the stated purpose of hiring and equipping additional officers.

[Karen Keller, continued.] Page 4 (page 5 of [Exhibit C](#)) gives a breakdown of the estimated number of officers by agency that would be funded through the More Cops Initiative. The actual number of officers hired each year will be commensurate with the revenue collected to support those salary, benefits, and equipment. A surplus is built into the first few years due to the limited amount of officers that can be successfully recruited, hired, and trained. For Metro's purposes, we are estimating a maximum of about 150-200 officers will be hired in any given year.

Assemblywoman Giunchigliani:

Would you be able to do a breakdown based on what the sheriff mentioned regarding patrol versus where your detectives are? I don't see civilian support staff. I don't want to see us try to put officers out on the street, then wind up having them do their own paperwork because there is no one else to back them up. What is the plan for financing more of that domino effect that we see in many of these instances?

Karen Keller:

The civilian personnel are not included in this sales tax initiative. They will be funded through the normal budgetary processes of each of the entities as we go forward. You are correct. Additional civilian support staff will be needed to support these additional police officers.

Assemblywoman Giunchigliani:

Do you feel comfortable now that property tax is being rolled back? There was some flush money that the local government center enjoyed for a period of time. With the bill we just passed, that's going to be an impact. Do you still feel comfortable that you won't be coming back to either the voters or the local government saying that we don't actually have the money to pay for those support staff, jails, judges, and so forth? Can that be accommodated within the budget with that reduction?

Karen Keller:

We do believe we will be able to handle our support personnel through our budget. We are dealing with both the city and the county for Metro's budget since we are funded mutually by two entities. We do go to them each year with our funding request. The jail budget is separately done and is paid 100 percent by the county.

Assemblywoman Giunchigliani:

That doesn't come into your formula that you mentioned?

Karen Keller:

No, it is not connected to the formula.

Assemblywoman Giunchigliani:

Neither are the judges, then? You are always going to have those additional pieces that are affected when, unfortunately, you have more crime. All of that will be local government-generated that they will have to offset. Do you know if they have computed this?

Chairman Perkins:

We have several elected officials of Clark County who can answer that.

Assemblywoman Giunchigliani:

Does anybody have the breakdown by jurisdiction of what we intended to collect such as which areas generate more sales tax? Do they do it by region? Okay, they don't do it. Other than what is in that original packet ([Exhibit C](#)), there is no other information that we have?

Assemblywoman Kirkpatrick:

Since we are talking about cities other than Metro, can you explain how the money will be divvied up? Does it go into the city's general budget? I live in North Las Vegas; would it be divvied up into North Las Vegas' general budget and then earmarked?

Chairman Perkins:

Chief Paresi [of North Las Vegas] is standing by in Las Vegas. When we get to him, he will be able to answer that question for you.

Before I go to Chief Mayberry for his presentation, then go to Las Vegas for the elected officials, it is important and crucial to this Committee for us to have an understanding that there is going to be an ongoing support from each of the entities you come from that is not going to be supplanted or diminished by anything this Legislature might do. There has to be some comfort level for us that all these other needs are going to be met, that the funding is going to be there, and that this isn't going to be an additional revenue stream for a municipality.

It is going to be important for the Committee to understand why, Sheriff, you had this diminishing ratio. Where are the revenues going? Why isn't public safety a higher priority for the City of Las Vegas, the County of Clark, the City

of Henderson, and the City of North Las Vegas? I don't think those are questions for the four of you [police chiefs]. As they come up, it is going to be important for us to hear that.

Michael Mayberry:

Until yesterday, I was the chief of the Henderson Police Department. This initiative is so important to me that on my first day of retirement I am here.

The Henderson Police Department is thankful for the leadership of Sheriff Young in this initiative for Clark County. It is extremely important to us down south because our cities have all grown together. In years gone by, there was a geographic separation between the City of Henderson, the City of North Las Vegas, the City of Las Vegas, and the unincorporated part of Clark County. Now we have become just one big valley. Crime has no boundaries.

In Henderson, we have been fighting a losing battle with growth. We are running at one officer per 1,000 citizens. The Southern Nevada Regional Planning Commission made a recommendation for the Las Vegas Valley of 2 officers per 1,000 citizens. We have not been able to keep up with that growth. Because of the number of officers we have on the street, on any given evening, they may all be tied up on a call. We may have 14 or 15 calls in stack, all prioritized by danger. In Henderson, our response time on priority one calls is approaching 10 minutes. That is absolutely unacceptable. We need to get that down.

For the last five years, I have served on the board of the Nevada Sheriffs' and Chiefs' Association. I am addressing you as the immediate past president of that organization. We have brought this before the sheriffs and chiefs for the entire state of Nevada. They are in full support.

Chairman Perkins:

Are there further questions from the Committee? Thank you, we appreciate your testimony. Let's go to Las Vegas to the elected officials who wanted to address the Committee.

Oscar B. Goodman, Mayor, City of Las Vegas:

It has to be perfectly clear that the City of Las Vegas Council has adopted two resolutions, one on December 1, 2004 (page 10 of [Exhibit C](#)), and the other on February 16, 2005 (page 13 of [Exhibit C](#)), supporting the use of these funds for the purpose of hiring and equipping more police officers to protect the citizens of the city, and the funds will not be used to supplant or replace existing or future budgetary funding for police services.

[Oscar Goodman, continued.] Approximately 60 percent of the City of Las Vegas budget is for public safety, and our operating budget is \$450 million. Metro receives about 25 percent of the City of Las Vegas' budget, with a fiscal year budget request of approximately \$111 million. Those are the empirical facts which perhaps may answer some of questions you posed to Sheriff Young and his crew up there.

You have been spending much of your time during this legislative session in debating the issue of property taxes and have devoted a tremendous amount of energy in relation to that. This quarter-cent sales tax is really a very inexpensive form of insurance to protect us.

We are undergoing a tremendous revitalization in downtown Las Vegas. It was important to make sure that it was economically successful and was not going to be a blight, which would have a reverberating effect on the rest of the area. The only way that is going to continue is to have a police presence.

On the issue if more police contribute to more crime, I would say absolutely not. From my experience, the police presence is sufficient to make a dent in those who are about to commit a crime. As a defense lawyer, I can tell you that the only thing a criminal is really concerned about is whether or not he will be caught. He doesn't think of whether he is going to prison or go to trial. It is a question as to whether he's going to be caught. The mere presence of a police officer or a patrol car will go a long way to make sure that a crime would not take place.

There has been a change of demographics in southern Nevada. In the old days, the adage went with the Mob that if you were going to kill somebody, you certainly didn't do it in Las Vegas. You make sure they got over to Arizona or California, and then you'd have them whacked. That was for a reason. The folks who lived in the community then recognized that they didn't want anything there that would hurt the goose that laid the golden egg that made this a very vibrant community.

Now, we have folks coming in from the outside—the gang bangers. They have no respect for what we are all about. It is a whole new element that we have to contend with in law enforcement. It is critical that this bill be passed and we have a thousand more police officers on the street. I never thought in my life, after defending reputed mobsters, that I would be asking for more police officers.

Assemblywoman Giunchigliani:

I would ask this of each of the local governments. I would like to see a copy of what your budget is for Metro. I believe the local governments have made a commitment that they would not backdoor whatever money they get, if you get these new dollars, and change the budget accordingly or supplant it. Do you know offhand? It's 10 percent and it is still going to be 10 percent?

Oscar Goodman:

We have Steve Houchens with us today, our deputy city manager. He is the fellow who is responsible for those kinds of figures. He might be able to answer your question.

Assemblywoman Giunchigliani:

Maybe after the other mayors make their presentations, I could have the staff come up and deal with that.

Chairman Perkins:

Depending on the time, we'll just ask the various municipalities to submit those documents in writing.

Rory Reid, Chairman, Clark County Commission:

On behalf of Clark County, I want to state our support for this bill. We have a lot of responsibilities in Clark County. We can't fund every request that is made of us. We have to prioritize. We are proud that we worked with the sheriff to make public safety a priority.

For the past 10 years, the county has increased its contribution to Metro by an average of 14 percent each year. That indicates how highly we prioritize public safety. Because of our historical commitment to Metro, it would be difficult in the future to sustain the other county services we are required to provide. That is why we were pleased to support the advisory question and subsequently this bill.

The additional resources made possible by A.B. 418 will not be used by the county to shift resources. As evidence of that, in November 2004, we passed a resolution (page 7 of [Exhibit C](#)) similar to the one Mayor Goodman mentioned. It says, "Any increase in the sales and use tax in Clark County will be used solely for the purpose of hiring and equipping more police officers to protect the citizens of Clark County, and will not be used to supplant or replace existing or future budgetary funding for police services." That is very clear and it is a statement of our policy. It was passed unanimously by the commission.

[Rory Reid, continued.] We expect that the county will continue to provide budget increases to Metro to pay for items not eligible for funding under the proposed sales tax that we have been discussing here this afternoon, such as salary and benefit increases resulting from collective bargaining, hiring new civilian employees, or increases in the cost of operating supplies, capital equipment, and facilities.

I need to address one category of questions that was asked by various members of the Committee. That was, how will this affect the other components of the criminal justice system that the county is asked to fund? We recognize that if there are additional police officers on the street, it may have an impact on the components of the justice system.

We have formed, in conjunction with the sheriff, a criminal justice advisory council that meets on a periodic basis to make sure that those impacts are met and that we properly prioritize the needs, not just of Metro, but of the courts, the district attorney's office, public defender's office, and the social services that we are required to provide as a county.

We had a preliminary budget hearing this morning. We directed our staff to ask the sheriff, the district attorney, the public defender, the courts, the detention center staff, and all those involved in our justice system to meet and to tell us what their needs are going to be in the future. We also want them to help us prioritize those needs.

Bill Nicholes, Mayor, City of Mesquite, Nevada:

I met with Sheriff Young early last year and asked him to help with supporting this as far as the outlying communities are concerned. The City of Mesquite in the last four years has doubled in geographic size. Since 1999, we have increased our population by over 80 percent. The ratio of officers per 1,000 of population is a little less than 1 per 1,000.

The situation we are in with this tremendous growth cycle is when we grow 5,000 people, that is a 25 percent increase in our population. We are projected to grow 18,000 people in the next 10 years. Since 1999, we have had a net increase of 2 law enforcement officers in the community.

This bill becomes vitally important to us as an outlying community. We are at 60 minutes for an officer to respond to Mesquite for backup for any major incident.

We also have a proclamation that we will not use any of these funds for anything other than the increased law enforcement for our streets.

Mark Paresi, Chief of Police, North Las Vegas Police Department, City of North Las Vegas, Nevada:

North Las Vegas would like to express its gratitude for the perseverance and diligence of Sheriff Young for recognizing this issue and carrying it forward for the County of Clark.

One of the things you discussed was the impact of police on crime. One of the things we have not discussed, which Assemblywoman Giunchigliani addressed, was community policing. With the current staffing levels we have, we are unable to engage on a regular basis the forming of partnerships, problem-solving, and building relationships critical to the foundation of a community. The police are the major ambassadors of any city government.

Let me talk about density in North Las Vegas. We are dealing with density on a whole new scale with small lots and increased density in housing to a level that will redefine policing in the Las Vegas Valley. We also have the second-fastest growing city in the United States over 100,000 in population. We are being outstripped of our resources.

On any Friday or Saturday night, I have no cars available to take an emergency or regular call. Calls are stacking in excess of ten minutes on an emergency basis. If it was not for Sheriff Young's assistance in a recent incident, my officers would have been overwhelmed in a near-riot situation at one of the casinos. We responded with every car we had and every car from his Bolton station assisted us; a total of 72 officers had to respond to that incident. We can't by ourselves solve these problems.

This tax increase will allow us to staff at a level that will provide the deterrence to crime. I agree with Mayor Goodman that crime will not necessarily go up. Will the reporting of crime go up? Quite possibly. The major impact we will have will be to deter the occurrence of crime and provide an image of police in a different dimension. Rather than blowing down your street with red lights roaring, we will be able to stop and interact and do what police are supposed to do: represent and serve the community on a more regular basis.

What are we going to do with this tax? We are going to increase our diversity. We are going to hire people who are representative of the communities we serve. I would encourage you to support this measure.

Assemblywoman Kirkpatrick:

As a supporter of Safe Streets 2000, I am wondering how the money is going to be disbursed as far as for the residents of North Las Vegas. Is it going into your general fund? Can you give me more detail on that?

Mark Paresi:

It is my understanding that it will be a separate fund and not added into the general fund. We currently have a budget of \$80 million for the police and detention in North Las Vegas.

Doug Law, Chief of Police, Mesquite Police Department, City of Mesquite, Nevada:

As you have heard, we have had a huge growth in southern Nevada in the last few years. I came to Mesquite six years ago from Idaho. I was told that due to revenue limitations, we had to do more with less. And we did more with less. In the six years that I have been here, we have only been able to add an additional net two officers to our department. But now we are at a point that we need more to do more.

Also mentioned was the geographical growth of the City of Mesquite. We are also going to a substation model as Sheriff Young has done in order to continue with the response times that the public expects from us. We have watched our response time increase. We have enjoyed the luxury of having a clearance rate in the City of Mesquite much higher than the national average. But in the last year or two, we have watched that fall because we haven't been able to add the officers to the streets to follow up on crime and haven't been able to add investigators from the ranks of our patrol officers to investigate those crimes.

More important, as Chief Paresi and others have addressed, is the issue of community policing, which is a model we have adopted not only throughout southern Nevada but the country. We have had the luxury of continuing with that model in Mesquite because we have been able to get out and know those in our community. But as calls increase, we have much less time to do that.

When the public knows we are there, and that we have the authority to enforce the laws that have been enacted to protect them and their property, they are more apt to get involved in helping us do our job. Therefore, we will see crime go down.

Bill Turk, Chief of Police, Boulder City Police Department, City of Boulder City, Nevada:

We are kind of unique. We have slow growth, but we continue to see problems. Those we are seeing are with the tourist traffic and the fact that we are sitting between Las Vegas, Lake Meade, Hoover Dam, and U.S. 95 going out to Laughlin.

In the last few years, we've had to pull officers off low-priority calls to take high-priority calls. When we get an accident 20 miles out on 95, which is our

jurisdiction, it takes the whole shift to go out and work it. We continually see all these problems that everyone else is seeing.

[Bill Turk, continued.] We try to continue to do more with less; it's not working. I am spending half the time with my detectives on the streets answering calls instead of doing follow-up investigations. The last couple of years, we've had to reorganize; we continually put more officers on the street. We are closest to 2.5 officers per 1,000 with 1.9 officers. Those numbers are still not accurate when most departments are never fully staffed. I have two officers in the police academy, and I have one position I am trying to fill. That means that instead of 29 officers, I have 26 officers. It is a continuous problem just trying to get officers trained and put on the streets.

I have been in law enforcement for 20 years. I can remember when we did spend time out there talking to citizens, walking up and down the business area. Officers now don't have time to do that. We really support this. Thank you for your time.

Chairman Perkins:

Thank you, Chief Turk. I don't think we have any questions. Thank you for your testimony. Let me now ask the proponents to come to the table in Carson City.

David Kallas, Executive Director, Las Vegas Police Protective Association:

I am here representing my organization, Nevada Conference of Police and Sheriffs, and Las Vegas Police Managers and Supervisors Association. Between all three groups, we represent, other than Boulder City and Mesquite, every single first responder, rank-and-file police officers, and supervisors in southern Nevada. I appreciate the comments and statements made by the administrators and Sheriff Young who we've been in concert with regarding this issue. As a former officer on the street for 26 years, I know there is a desperate need to put more police officers in patrol cars.

When I go to any briefing on a Friday afternoon, I see 4 to 5 uniformed officers ready to start their patrol duties at 3 o'clock. They are covering a 6-mile-square residential area. The reality is, if they have two calls for services—two domestic violence calls, which are the predominant calls—they are going to be off the air from 30 minutes to an hour. That means that all the residents in that 6-mile area have no police support if they have a problem, whether high priority or a crime in progress or some other issue. When you talk to these police officers, you know we need it. From the rank-and-file perspective, if we don't get it now, we are never going to get it.

[David Kallas, continued.] We had this ballot issue. We sat down with the administrations of all the different agencies and spoke about the best way to address this issue. The sales tax was the most palatable of all the ways to them. When we sat down to talk about this, we realized that if the voters in Clark County approved, we would come to the Legislature and ask them to enable the county commission to impose the sales tax increase that the voters approved.

I know there was some discussion that this advisory measure just narrowly passed. But, in a democratic society, it doesn't make a difference if it passes by 0.1 percent or 25 percent. It passed and the voters have spoken. I would ask this Committee, on behalf of those 3,500 officers who I represent, to give us the help now. If we don't get it now, we will never get it and will continue to fall behind that curve. Listen to the voters of southern Nevada and enable the Clark County Commission to increase our sales tax by a quarter percent effective July 2005 and another quarter percent in four years.

Rusty McAllister, President, Professional Fire Fighters of Nevada:

I couldn't pass an opportunity to say something on the behalf of all my police brothers and sisters. This is focused on the ability to hire more police officers. It has a wide-ranging effect, not only for them but for us as well. I took a couple of statistics that Stan Olsen had given you: 37,000 vehicle accidents and 20,000 domestic violence calls. We respond to all those calls as well. A lot of the domestic violence calls involve injuries.

What we find, overwhelmingly, is we will respond and, on a domestic violence call, we hold short. If somebody is injured, we hold short until Metro arrives. Unfortunately, because of the situation that is currently in southern Nevada, we will get a report back from the dispatchers that, "Metro has calls standing; we have no one available to respond to that call and we will notify you when they do." Once it gets in the queue, they may say, "We have 12-15 calls waiting; that one is in the queue." So we just wait. We wait with our engines sitting or our rescue for sometimes for as much as a half hour to an hour for a unit to arrive because they are backed up.

For motor vehicle accidents, it is the same thing. We will respond to the call, start the emergency medical treatment, but we will have to wait on the scene for an officer to arrive to do the investigation and turn the scene over to them. That has a big effect on us.

In Assemblywoman Allen's district, we were called for a fire in a building. We responded with three fire engines, a ladder truck, et cetera. We all rushed out there. I am the first on the scene. I go to the front door and a woman is

standing there with two small children. I walk up to her, don't see any smoke, and ask, "What's going on?" She starts crying and says, "You've got to stop him." I look into the living room and there is a gentleman sitting on the floor with his legs crossed with a .357 Magnum looking me in the eye. I pulled the woman and the kids out and asked, "Why did you call us? Why didn't you call the police?" She said, "Because they take too long and I knew if I called you guys, you have a station close by, and you'd be here quicker if I called 911 and asked for fire instead of police." Anything you can do to improve the number of police officers helps our response and helps their response.

Chairman Perkins:

Mr. McAllister, it is important for the Committee to understand that firefighters stay on hold because you have to have a safe environment before you can go in and offer emergency medical care. The officers come in, stabilize the environment, and then you can care for the injured.

Danny Thompson, Executive Secretary-Treasurer, Nevada AFL-CIO:

Last year, at our political convention, Sheriff Young came and made a presentation about how serious this need is. The unions at that convention represented 145,000 workers in Nevada, and they unanimously supported this increase in sales tax to fund this critical need. We publicly support this effort.

One of the things evident in a sales tax scenario is that the tourists are going to pay a large portion of this bill. Also, I am a member of the Clark County Growth Task Force. Something that we found out, and you dealt with it, was that the issue of property tax increases was driven by price of land, which got out of hand in Clark County. From the Growth Task Force hearings, we learned that vertical growth in Clark County is the only place that growth is going to occur because of the price of land. If we don't do something now, it is going to get worse once that vertical growth takes hold.

We wholeheartedly support Sheriff Young's effort in this sales tax increase.

Rusty McAllister:

I just wanted to address a concern that Assemblywoman Leslie had about the domino effect. We know that if you put more police officers on the street, you will arrest more people. I don't know if there is a percentage or a correlation to it, but I'd rather spend 50 or 60 percent of my time driving through people's neighborhoods or be on the corner of an intersection of a busy street where we know the cars generally run the red lights and be out there deterring crime.

[Rusty McAllister, continued.] More so than arresting people or writing tickets, the biggest job we do in law enforcement is deterring crime. If we can put more people in police cars and have them drive those neighborhoods just so those people who are considering committing burglary, auto thefts, larcenies, running red lights or anything else, will stop from doing it because they see those redheads [light rack] on those black-and-whites [police patrol cars]. Then we will have accomplished what we intended to do: keep our communities safe and make the people who live there feel comfortable in their homes.

Assemblywoman Leslie:

I am just suggesting that a better indicator may be response time, as Chief Mayberry said. The crime rate gets used a lot when it is convenient for people's arguments. I am still not clear. I have heard both things today: it's the arrest; no, it's the reports and it's what report you are looking at and which crime rate. After we add the police, we have to have a more sophisticated way of tracking what effect that has on the community. It is too simplistic to say the crime rate will go down. I don't think it will. We are on the same page. My comments should not be taken as anti-police.

I slow down when I see a cop in my neighborhood; I look around, I'm more careful. Everybody does, and that is a good thing. But let's not use the crime rate just to make a political argument. Let's make sure that we are tracking the deterrent factor. I know that police have a lot of research organizations and great people who can track that kind of analysis. I would like to see a more sophisticated analysis.

Rusty McAllister:

I understand that; that's why I said I wasn't going to bore you with statistics. I am just looking at it from a realistic perspective. We will let the statisticians do what they want with their numbers because they can make them look any way they want to. The reality of it is I'd rather be in your neighborhood driving up and down your street for 80 percent of my shift rather than spending that time answering calls. I know that way I am helping more people.

Assemblywoman Giunchigliani:

This is more of an observation. The dilemma here is that many of us do not support sales taxes because it is very regressive, but that was the question that was floated. Generally, a sales tax affects your middle-income and lower-income people more adversely than anybody else. A property tax is a more stable tax, and that was the other factor that was there. Again, the advisory question that was floated dealt with sales tax.

[Assemblywoman Giunchigliani, continued.] We have an obligation to make sure that we know that the police truly do go into the neighborhoods. I represent downtown Las Vegas. I see cops on the Strip, on Fremont Street, on bikes, and in cars. They are not, generally, in the neighborhoods. That is the ultimate goal. We want some assurances that that's where they are going to go so our constituents feel that it is a deterrent.

I grew up in Chicago and we had beat cops. Part of the methodology of community policing is to have kids, neighbors, and individuals know their police officers who are assigned to that area so there is a respect. They know who they are, they don't run from them. There is a whole different mentality change that comes under community policing. We talk it; we are not doing it. If we are, you have to show us that you are and that it will continue. That is where some of these questions are coming from. If you are diverting a good deal of your patrol to the Strip for tourists, let's make the tourist pay, not just through a general sales tax. There are other ways to capture revenues.

We are just trying to explore some other ways. We have an obligation and responsibility to ask these questions. I would love to see more bike patrols in certain neighborhoods rather than just police cars. Those are things that can be debated down the road. We have to have assurances that we know where they are going, where the money is being used currently, and where it is going to be used in the future. Those are questions we are trying to probe.

To the local governments, I hope we get a picture of what the budgets they committed to Metro or their police in 2003 versus 2004, not just by percentage but by dollar amount. I want to make sure they are not going to divert the additional revenue to offset other budget areas. I hope those in the audience will be able to provide that information to us.

Philip Speight, City Manager, City of Henderson, Nevada:

The City of Henderson has likewise passed Resolution No. 3152 (page 18 of [Exhibit C](#)), which would not supplant budget numbers and amount of money currently funding the Henderson Police Department. We support this measure primarily because it will allow us to have the police department not compete for general fund dollars. It will provide a dedicated stream of revenue to the police department for police officers, and the money we would normally be spending on police officers will be used for support personnel.

We are constantly being asked by the police department command staff to provide police officers, dispatchers, records people, and additional people who support the police department in the criminal justice system—in the jail, et cetera. This will provide us with an opportunity to fund those positions with the

monies that are currently being utilized to fund police officers out of the general fund and allow a dedicated stream for that.

As requested, we will provide you with a copy of our budgeted amounts for our public safety departments from 2002 up to 2006, which has been prepared and will show our projected amount for our upcoming 2006 fiscal year.

Gregory Rose, City Manager, City of North Las Vegas, Nevada:

The City is in support of A.B. 418 for two primary reasons: our residents, by majority vote, passed the initiative, and it makes Clark County a safer community.

In response to Assemblywoman Kirkpatrick's question regarding how we would identify this funding source, this would be placed in its own separate fund. It will be clear to the residents how the funds were being used. The City Council also passed a resolution (page 16 of [Exhibit C](#)) indicating that we would not use these funds to supplant the funding that we are currently providing to the police department.

Steve Houchens, Deputy City Manager, City of Las Vegas, Nevada:

With regard to Assemblywoman Giunchigliani's request, the city will provide that information. I have one chart that I brought with me, which I would also be glad to provide. It shows that over the last four years, the budget of the Las Vegas Metropolitan Police Department (Metro) has grown 10 percent per year. That is scheduled to continue during fiscal year 2006. The amount between the city and county varies depending upon the funding formula. The combined resources of those two sustain that growth and will sustain it in this coming year.

James Spinello, Assistant Director, Administrative Services, Clark County:

We will make sure that our finance department provides that information to the Committee.

Assemblywoman Giunchigliani:

I appreciate that from the local governments. I saw in your packet ([Exhibit C](#)) that you have the number of officers you plan on hiring. It doesn't show anywhere what that number equates to in your trying to get to that ratio you spoke of.

Bill Young:

You are right. We took the best-guess estimates based on these projected revenues and plugged in those numbers. For Metro the first 10 years, we figured it would be at 1,265 police officers that we would be able to hire.

I mentioned that our ratio was 1.6 per 1,000 right now, which puts us at less than 400 police officers short of having that 2.0 ratio. If all things stood as they were, we'd need about 420 officers in 2005 to get to that 2.0 ratio. With our current growth rate in our population and the finite number of officers we can hire, it would take us about 10 years at Metro to get to that ratio.

[Bill Young, continued.] You were correct about recruiting. This is an issue at Las Vegas Metro. We are trying to make our department reflective of our community. We need Latino officers in particular. We can safely hire about 175-200 police officers in our organization. That is what we can absorb on a yearly basis. That includes finding them, recruiting them, testing them, hiring them, and getting them qualified. We want to make sure every officer we hire is qualified. We are not rushing this through; we are not going to lower our standards; we are going to keep the same high standards we've always had at Metro. We did not want to increase our academy size and our staff.

There is going to come a time when Clark County stops growing. I have been waiting for 40 years, but we might run out of water. Some sheriff or Legislature is going to deal with this issue again. If we get to the 2.0 officers per 1,000 citizens, and we were safely there, I suggest we cap this thing or stand it down.

Assemblywoman Giunchigliani:

You are thinking a 10-year period to actually hit 2.0 in the Metro. You think that Mesquite is already there and a few of the other ones?

Bill Young:

They are in the smaller jurisdictions, because they are dealing with a much smaller number of officers that needs to be hired. It will be easier for them to achieve that. It is tough for us.

Assemblywoman Giunchigliani:

Maybe Stan can help us out with just a breakout on how we do that. You are absolutely correct; there might be a time when you sunset or something along those lines.

Joseph Bifano, Lobbyist, Fraternal Order of Police, Lodge No. 1, Las Vegas, Nevada:

We are in favor of A.B. 418. I know what the legislators are going through, and I know what the sheriff is going through. I am a 20-year veteran of the Cook County, Illinois, sheriff's department. We are going to come to a great solution. That solution is going to be that we are going to serve the people of

Clark County to the very best of everyone's ability, whether it is in law enforcement or legislation.

[Joseph Bifano, continued.] I have to reiterate why there is such a need for more police officers. I will give you an example. Toward the end of the year, my neighbor, his daughter, and her child were killed. When I heard the police car siren, I stepped out and a patrolman said, "Stay right where you are; don't move." After that, four more officers arrived. They found the three bodies in the home. They proceeded to protect the crime scene and notify the various departments as to what was going on; supervisors came out, et cetera. The point is that there were five uniformed officers on that scene. While one officer was interviewing me, I heard seven calls, just in that area, for police assistance. They had no police officers to answer those calls. Officers had to come from the east end of the valley to substitute for that sector. The need is there. How fast and how soon can we mitigate that need to serve the people of Clark County?

How much longer are we going to put the strain on the present men and women of the Metro police department? They put in 40 hours or more a week, whether in patrol duties, appearing in court, or filling in on their days off to protect our airports and other government buildings. We have to consider for those serving now their opportunity to promote within the department. We have to look at that and how fast are we going to be able to provide the service and the protection.

We all realize the shortage is there. The rapid way of doing this is we get behind this bill and our sheriff. Then, each of you can go to your constituents and say, "We're here to serve you." I hope we can pass this bill unanimously out of your Committee.

Irene Porter, Executive Director, Southern Nevada Home Builders Association:

You have heard from a great many people, particularly in the public sector. Our perspective may be a little different. I am here to support this bill on behalf of the Home Builders Association. In May 2004, the deputy chief came before our board of directors—a cross-section of homebuilders, title companies, trade contractors, utility companies, and other businesspeople—and presented this to us. He was grilled for an hour with many of the questions that you have asked today of Metro. How is the money going to be used? Are officers going to be put in our neighborhoods? Is it just going to be used to supplant other funds?

We have an independent municipal financial consultant for the Association, who reviewed all the material. At the end of June 2004, they came back to our board. At that time, the board felt confident that what was being presented was

what they were going to get; they had the independent analysis, and they voted to fully back the ballot question. We are here today to support it. This is extremely important for our community in southern Nevada. We hope you will act on this measure.

Carole Vilardo, President, Nevada Taxpayers Association:

We have no position on the bill. Our board did not take a position on the ballot question nor on any local ballot questions. I do have two suggestions. People in taxation committees have heard these before, and I did share them with Stan Olsen. The first one is, as you know, property tax for operating overrides and other sales tax issues that you'd had before since 1995. We have asked the committee, and the committee has agreed that property taxes for overrides expire after 30 years and are then renewed. We asked for dollar amounts when they are for hard infrastructure or for 30 years, and the committees have granted them. I would ask this Committee to consider putting a 30-year expiration on this amount.

The second part of the property tax Sheriff Young asked for and was passed in 1996 or 1998 had a 30-year restriction on it. The first part of the property tax, under Sheriff Moran, did not, because that section dealing with property tax had not been changed. The problem with trying to put this into general sales tax statutes is that we never get there because we keep adding exemptions. It has been a case-by-case basis of asking Legislative Committees' indulgence with putting that on.

Another issue that I would ask you to consider is that—and this one is a little more difficult, but has come up recently—with the Streamlined Sales Tax [National Governors Association Streamlined Sales Tax Agreement] I would ask that the Committee process the first quarter of a cent, then hold your authority until the year 2007 on the second quarter of a cent. If the Streamlined Sales Tax goes through as it's supposed to, with an effective date of January 2006, we would start seeing increased sales. I believe there will be substantial increases, and we would not need that additional quarter of a cent because we could generate an equal amount with the addition of Streamlined Sales Tax.

Chairman Perkins:

For the benefit of those who do not know about the Streamlined Sales Tax, it is about Internet sales.

Carole Vilardo:

It is Internet and catalog sales. But if you put some language in the bill that it had to come back to you in 2007, you would know at that point if there had been any problems, because this is not due to be implemented until 2009. It will

still be sufficient time for the implementation process. I would ask your consideration on those.

Chairman Perkins:

You talked about a 30-year expiration. How do we pay for those people who are hired and on the payroll if that money stream goes away?

Carole Vilardo:

A reauthorization prior to the expiration. That is what has occurred on the property tax now.

Chairman Perkins:

This forces us to go back and revisit the need.

Carole Vilardo:

Yes, circumstances change within 30 years. Ours change every 5 years. One thing I'd like to clarify and I want everybody to help. Please write to Congress; the deduction on the sales tax we are currently enjoying in Nevada expires. It was only granted by Congress for two years; it will expire December 31, 2006. So buy all your big appliances and cars this year so you can get the deduction. We need to convince Congress to extend that.

Assemblywoman Giunchigliani:

I think 30 years is long for a sales tax. I am thinking it should be effective until they hit their ratio or 10 years, or something along those lines, whichever comes first. I am also wondering why in Section 18 we are talking about employing people with general obligation bonds.

Carole Vilardo:

When you said you were waiting for Brenda Erdoes [Legislative Counsel], I assumed that was the issue. The only reason you are seeing bonding in there is because they do have the ability from revenue sources to have a double-barrel bond general obligation, and they are talking about equipment. Equipment could be bonded for. It would be my assumption that is what we are looking at. You don't bond where you don't have a hard resource that, if the bond failed, you could sell it or attempt to sell it.

I would make one comment on the 30 years. It is an ongoing issue that they have because even though it is for new officers, that amount of money is going to continue on and on. At the end of 30 years, for whatever reasons—we may not have had the growth, there may be new policing methods—but, at that point, you reevaluate it so you can go to the voters and say we need the additional money or we don't.

Chairman Perkins:

Brenda, do you want to go over the bill with us and point out to the Committee the challenges that we found?

Brenda Erdoes, Legislative Counsel:

To answer Ms. Giunchigliani's question, I'll start on page 6. Section 17 is a provision that says the entities can use the revenue from the tax to issue bonds. I don't know if you want that in here; that is something that the Committee needs to decide. Section 18 is tied to that authority in Section 17. The reason those two sections are there is that they had been in past provisions like this as an option to you. The idea is that you can use the proceeds from the tax to issue revenue bonds.

Starting back at the beginning of the bill, at the top of page 3, you see that it says, "The proceeds from the tax authorized pursuant to this section, including interest and other income earned thereon, must be: (a) Allocated among the police departments within the County in the same ratio that the population served by each department bears to the total population of the County." It was pointed out to me that we did not indicate what population figures would be used, and that is a good idea. It appears we can use a standard language that we have used in similar provisions to say that you would use the most recent preceding year's population as determined by the State Demographer. That is a proposed change that we might offer to this Committee.

Additionally, if you go down that page, Section 10, line 22, we errantly got some language in here that doesn't really work. If we want to say that the tax must be first imposed, per the testimony, "on July 1, 2005," that is the first quarter-cent, it sounded like you wanted to do that "as of" July 1, 2005. In the second paragraph, (b), I thought they wanted "on July 1, 2009," but it sounds like you might want the flexibility to say "on or after July 1, 2009." Those are also things we should probably make sure are the way that the Committee wants them.

We had tried in Sections 11 and 13 to make parallel sections that would accommodate the Streamlined Sales Tax agreement. Unfortunately, some of those things changed after March when this was drafted. It is my recommendation that Sections 11 and 13 just come out of the bill. I believe that you don't need them any longer. There would be a corresponding change to Section 23 to reflect that you don't have those parallel sections anymore. That section then would become a fairly simple effective date section for the sections that remain in the bill.

[Brenda Erdoes, continued.] The questions for the Committee would be whether to add the population-specific language, when you actually want the quarter-cent to become effective, and if it is okay to take out Sections 11 and 13.

Chairman Perkins:

Thank you, Brenda. It is going to be important for us to define a population; otherwise, it will be an argument over who gets what. Actually, Section 10, subsection 1, paragraph (b) would have allowed the second quarter-cent to come on anytime somebody wanted it to. You could have gone to a half-cent initially. I don't think that was the intention, nor does it mirror the language in the advisory question.

Mr. Olsen, do those suggestions meet with your approval?

Stan Olsen:

Yes, it meets with my approval. When we went through it, we were confused as you get with these tax issues. We were also aware of Ms. Vilardo's suggested amendments, and we have no grief with those whatsoever.

Assemblywoman Giunchigliani:

One of them says a two-thirds vote is required. Which one is the correct one?

Brenda Erdoes:

The one with the asterisk is the correct one. There is not a two-thirds vote required on this bill because it is going to enable the Board of County Commissioners to take a vote and impose the tax. That was an error on our part in the beginning.

Chairman Perkins:

Further comments or questions from the Committee? I can't admonish the local governments strongly enough that they need to be able to show good faith that this is going to be an addition to the funding stream that they would normally provide for public safety. It should not be swallowed up in that; in effect, that would keep with the commitment that was made to the voters when they voted on this in November. The Committee looks forward to receiving the numbers from each of the local governments in Clark County to see that is going to be the case.

Stan Olsen:

Thank you, Mr. Chairman. We appreciate that comment.

Assemblywoman Giunchigliani:

Thanks, Stan, we would appreciate that. Part of the message is—a good example is North Las Vegas’ “Cops 2000” that never got off the ground—we want to act cautiously to make sure whatever program or dollars are out there, that we don’t lose sight of that part of it.

Assemblyman Parks:

I have two quick questions. Having been a budget director, budget officer, and chief financial officer for over two decades, I know that there are many ways to massage a budget and move numbers around. I would like to see something put in the bill that would identify how we expect to make sure that these funds go to the respective police functions in each of the agencies. Sheriff Young made a remark earlier about our Director of Corrections. Having had a conversation with her the day that was printed, it was taken out of context and not a direct quote from what she stated.

Chairman Perkins:

We will close the hearing on Assembly Bill 418.

We will now open the hearing on Assembly Bill 312 and ask Mr. Sibley to open.

Assembly Bill 312: Requires certain governmental entities to conduct certain sales and other disposals of certain public lands and real property by public auction. (BDR 26-1089)

Assemblyman Scott Sibley, Assembly District No. 22, Clark County:

This bill will require the disposal of all surplus government real property be made at public auction. The current law allows for the disposal of public land and private parties through a variety of methods including sealed bids, property trades, and at auction. We’ve seen recently these methods are not serving the public’s best interest. We, as taxpayers, are getting the short end of the stick.

The BLM [U.S. Department of the Interior, Bureau of Land Management] used similar trades but stopped several years ago after similar problems and switched to public auctions as their disposal method. As we saw in Henderson last year, the BLM held a property auction, and the property sold for \$557 million but had only been appraised for \$250 million. In a state with rapidly increasing property values, an appraisal done six months ago is obsolete. Having a public auction with a minimum opening bid is the best bet when you have a rapid increase that could occur between the appraisal and the time of the sale. Thus, at the time of the sale, it will sell for the true market value. The auctions have proved, through

the BLM sales, that they are the only way to go when the government is disposing of real property.

[Assemblyman Sibley, continued.] There are several amendments ([Exhibit D](#), [Exhibit E](#), [Exhibit F](#), [Exhibit G](#)) to this bill from various local governments. I want to work with them to ensure that the changes we make will benefit them while creating more transparency in increasing the values of these transactions to the taxpayers.

Chairman Perkins:

Questions from the Committee? We have a similar bill in Government Affairs. We may want to look at melding the two.

Assemblyman Sibley:

Clark County has an amendment ([Exhibit E](#)) that they have prepared that brings what they had in that bill into this bill. It deals with remnant parcels after they have taken a piece of land.

Assemblyman Grady:

Scott, did you mean to include the state lands in this too, or was this just local government lands?

Assemblyman Sibley:

It is all government lands when they are made available to the public.

Assemblywoman Chris Giunchigliani, Assembly District No. 9, Clark County:

I am offering a potentially friendly amendment ([Exhibit D](#)). I have talked with Mr. Sibley as a sponsor that as we look at the issue of public lands, especially in southern Nevada, there is an area that is kind of a glitch. I am looking at the issue of the appraisers.

If you remember, a great deal of the discussion was that there were only five appraisers that were being used. They did not have any rotational basis; there was no financial disclosure; and we do not segregate, in licensing, a difference between someone who deals with commercial and raw land versus residential land. They simply issue temporary certificates, two types of residential and one general. It is how other states do it and is modeled after a national act.

Originally, I was going to suggest we actually create one that focuses on people becoming specialized in commercial and raw land use. I decided not to go in that direction. I just wanted to give some suggestions that we really should open up the list. It should be rotational. There should be probably two selected, but I'm open to any ideas. Finally, a financial disclosure or partnership

connections should be disclosed, so we would be sure that someone did not have a hidden connection to any of the land pieces that were being appraised.

Chairman Perkins:

Mr. Sibley, do you consider this a friendly amendment and are in agreement?

Assemblyman Sibley:

Yes, Mr. Speaker. Mr. Musgrove would like to go first. He is the spokesperson for local government.

Dan Musgrove, Director, Intergovernmental Affairs, Clark County, Nevada:

While I will be discussing Clark County's amendment ([Exhibit E](#)) and some issues we have, there will be others who have some individual concerns.

We appreciate Mr. Sibley, as well as the bipartisan sponsors this bill, for bringing this issue to the Legislature. When the concerns used by the airport hit the press and the public on how they dispose of land, Clark County took immediate action. Since January 29, there has been absolute moratorium on any more of those kinds of transactions, and a thorough investigation was launched. This investigation is complex, tedious, and exhaustive. We have auditors, external CPAs [certified public accountants], appraisers, and real estate experts from both within the state and out of state, so there are no issues as those Ms. Giunchigliani just brought up. It includes the BLM, Inspector General, our D.A. [district attorney], and Metro [Las Vegas Metropolitan Police Department]. The review is going to be extensive, as it involves over 5,000 acres of former BLM land that has been transferred to the County.

First, it is important for us to get a handle on what went wrong. Secondly, we want to improve the process. We truly believe that Mr. Sibley has suggested a way to improve the process. Our county commission wants transparency, a transaction that is open to the public, and that the public can weigh in on. To that end, we have proposed a slight amendment ([Exhibit E](#)) to A.B. 312.

As Speaker Perkins mentioned, there is a companion bill that was requested by Clark County long before this issue came before the news media involving land transactions. That bill, A.B. 479, was scheduled to be heard in Government Affairs.

In discussions with the sponsor of the bill and with the Chairman of Government Affairs, we thought it was important that one Committee hear this issue and decide the merits of it so there aren't two tracks of legislation going through this Body. That might seem disingenuous. We want to make sure that one Committee looks at this issue in total and decides what is the best way to go.

[Dan Musgrove, continued.] We simply offer an amendment ([Exhibit E](#)) to [A.B. 312](#) that would allow—if you look at the amendment on page 2, Section 4—for going outside of the auction process if we want to transfer ownership of property from one governmental entity to another for a public purpose or to transfer ownership to a private nonprofit who will use that property to accomplish a governmental or quasi-governmental purpose, which would include but not be limited to a recreational purpose, that might provide affordable housing or needed social services. As an example, we donated land to Opportunity Village to provide needed social services. They could not compete in an auction process for a piece of property. We have found over the years that nonprofits can do a lot of things for government at much less cost to the taxpayers. To me, that would be an excellent way to avoid the auction process.

The rest of our amendment deals with specifically with [A.B. 479](#). To give you an example of what we are trying to do, we are trying to clean up our process that we have had dealing with remnants of land that have been taken for governmental use. The perfect example is the Beltway. We ended up taking a lot of land to build the Beltway that, after it was constructed, left us remnant parcels—very uniquely configured pieces of land that don't serve much use other than perhaps you, the previous owner, or someone else, who wants to put together a parcel to do some good. Sandy Norska can answer questions on that portion of our amendment that includes [A.B. 479](#) and talk about why we are trying to streamline this process.

Sandy Norska, Director, Real Property Management, Clark County, Nevada:

I support the amendments that have been suggested. They continue to provide an opportunity for public notification and public hearings while providing some flexibility under various circumstances. As the person who shepherds some of those activities, on behalf of Clark County, I appreciate that those are under consideration.

Because we did have illustrations in the past of this having occurred, is that, should the auction process be unsuccessful, I do not read in the bill or the amendments any opportunity for continuing dialogue or future action with regard to those properties. I suggest we consider the possibility for subsequent listing with a broker after it has been through public notification and hearing to describe the difficulties, if any, and the lack of success that we had in the public auction activity. That was my main concern. Other than that, I fully support and agree with the language in amendment, and we respectfully ask for that consideration.

Santana Garcia, Legislative Advocate, City of Henderson, Nevada:

We are opposed to A.B. 312 as written. We have spoken to the author and he has indicated a willingness to work with those who have amendments. We have written testimony as well as our amendment ([Exhibit F](#)) that we want to offer.

Chairman Perkins:

Are you familiar with Clark County's suggested amendment?

Santana Garcia:

Yes, we are. We would prefer our own amendment, and I have shared it with several other chartered cities. I don't know where they are on our particular amendment. I can say that the City of Boulder has indicated that they support our testimony and amendment.

Chairman Perkins:

Your proposed amendment is basically, "Unless a city established under this chapter has a definitive process proscribed by its city charter to ensure that the disposal of municipally-owned property is conducted in an open and public manner..." (page 2 of [Exhibit F](#)). That does not necessarily tell us what that process is, and it is not as detailed as the suggestions that are being made by the county.

The concern that I have is that the City of Henderson could have something great in their charter about openness and being detailed on how it happened, but I am not sure that the other city charters do. This would open it up widely for anybody to even seek a charter change that could circumvent the intent of this Committee. That is why I have heartburn with this language.

Santana Garcia:

In the Henderson city charter (page 4 of [Exhibit F](#)) under section 2.320, "Sale, lease, exchange of real property owned by the City: Procedure; disposition of proceeds," it spells out a very detailed procedure that the city undertakes. When our real property management team looked at all the other 12 chartered cities, the City of Henderson has the most lengthy and elaborate process in this area. The other one that comes close is Boulder City. We are interested in maintaining the use of our charter for exchanges, et cetera.

Assemblywoman Giunchigliani:

I share the Chairman's concern about putting in the charter. The whole point of this legislation is openness. Most of the public wouldn't have a clue what you are talking about by charters, let alone city charters. The intent is to make sure that it is consistent across all the jurisdictions on how they handle public lands,

proper notice, et cetera. I understand what you are trying to get to, but I don't think it got to where the intent of this legislation is.

Chairman Perkins:

Any other comments or questions from the Committee? Thank you, Mr. Garcia. It is the intent of the Chair to handle this in work session next week. Therefore, I would ask both you and Mr. Musgrove work with the sponsor to find something that the Committee will accept.

Santana Garcia:

Yes, sir. Thank you, Mr. Chairman.

John Slaughter, Director, Management Services, Washoe County, Nevada:

Washoe County is officially neutral on this particular bill. We have read and do agree with Clark County's amendments. We would also like to have an opportunity to work with the sponsor on an additional amendment ([Exhibit G](#)) that would help preserve a process set out in an interlocal agreement between the City of Reno, the City of Sparks, and Washoe County to implement the Truckee River Water Quality Settlement Agreement. In that particular process, the local governments are buying parcels of land that have excess water rights on them. We deal with those excess water rights by using those to protect Pyramid Lake, and after that we sell those parcels of land.

Chairman Perkins:

Mr. Slaughter, doesn't that fall under the suggestion that the county made in terms of either swaps or exchange of property between municipalities? Have you seen Clark County's amendment ([Exhibit E](#))?

John Slaughter:

We have, and we would be willing to work with that and see if it does cover that.

Pamela Wilcox, Administrator and State Land Registrar, Division of State Lands, Nevada Department of Conservation and Natural Resources:

I applaud the many sponsors of this bill for taking aggressive action to resolve what certainly is a crisis of public confidence in the way that public agencies are handling some land sales. I was very surprised to see State Lands included in the bill since, as all of you who sit on Ways and Means know, all our land disposals require IFC [Interim Finance Committee] approval. You sit as our land board. You look very closely over our shoulder. In the 22 years that I have been the head of the agency, we have never had a problem.

[Pam Wilcox, continued.] The change requested would take from our statute the authority to sell land by sealed bid. A properly done sealed bid sale is fully as competitive and as open and transparent as is an auction. We use sealed bids infrequently, but we find them valuable, particularly when we are selling land to rural Nevada, where it is sometimes difficult for the prospective buyers to come in for an auction. We offered the same piece of land three times at auction unsuccessfully and finally offered it at sealed bid. The person who had been interested all along but could not come to auction did successfully bid through that method.

It is sometimes in the public interest to have sales by sealed bid as long as they are open, transparent, well publicized, and fully competitive. I would request that the bill be amended to delete Section 1, which would take us out and leave us as we have been with IFC oversight. I would certainly be happy to work with the subcommittee that works on the bill.

Assemblywoman Giunchigliani:

I think we will take that into consideration, Pam. Because nobody has had a problem doesn't mean that we may not want to review the procedures. I didn't realize that you only handled it in the way that you do. You don't do notice.

Pam Wilcox:

We do; we always do notice. The notice requirements are the same.

Assemblywoman Giunchigliani:

What is the difference is between auction and sealed bid?

Pam Wilcox:

The only difference between an auction and sealed bid is that you notice a day when all bids will be opened and give all interested opportunities the chance to mail in their bid, which remains sealed until the moment when all the bids are opened. They both have the same noticing requirements, and both have an appraisal done that establishes the minimum bid that will be accepted. This gives everyone the opportunity to fully compete. In an auction, the procedure is similar, except, rather than mailing in a bid, the person must come to an auction and must compete with whoever else comes to the auction.

The two procedures are equally competitive. They both have the same public notice saying the same minimum bid requirements. The only real difference is which one you feel will work best in that circumstance. We are now looking at a technique that is being tried out in the state of Utah, where they use both. First, they have a sealed bid process. They take the highest 3, 4, or 5 bidders and permit them to come back to an auction. The highest sealed bid becomes

the minimum bid in the auction, which would further maximize the return to the state. It is in the state's advantage to require that there be open, transparent, fully competitive process, while giving the agency a little flexibility in trying to maximize the return to the state.

Assemblywoman Giunchigliani:

You told me that your appraisers are an open book. You do it through rotation and don't keep a magic list of 3 or 4 special people.

Pam Wilcox:

No, we do not.

Chairman Perkins:

Further questions? Anybody else wishing to testify either for or against Assembly Bill 312? Seeing none, we will close the hearing on A.B. 312. Any further business to come before the Committee? Before we adjourn, Mr. Sibley, I would ask that you work with those who have proposed amendments, and we'll take the bill up in work session next week. Keep me apprised of the progress. The Committee is adjourned [at 4:36 p.m.].

RESPECTFULLY SUBMITTED:

James S. Cassimus
Committee Attaché

APPROVED BY:

Assemblyman Richard Perkins, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Growth and Infrastructure

Date: April 5, 2005

Time of Meeting: 1:48 p.m.

Bill	Exhibit	Witness / Agency	Description
A.B. 418	A		Agenda
A.B. 418	B	Stan Olsen/Las Vegas Metropolitan Police Department	PowerPoint Presentation
A.B. 418	C	Stan Olsen/Las Vegas Metropolitan Police Department	Packet of supporting documents/resolutions
A.B. 312	D	Assemblywoman Giunchigliani	Amendment to A.B. 312.
A.B. 312	E	Dan Musgrove/Clark County	Amendment to A.B. 312.
A.B. 312	F	Santana Garcia/City of Henderson	Amendment to A.B. 312.
A.B. 312	G	John Slaughter/Washoe County	Amendment to A.B. 312.