

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON TAXATION**

**Seventy-Seventh Session
April 2, 2013**

The Committee on Taxation was called to order by Chairwoman Irene Bustamante Adams at 1:07 p.m. on Tuesday, April 2, 2013, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at nelis.leg.state.nv.us/77th2013. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblywoman Irene Bustamante Adams, Chairwoman
Assemblywoman Peggy Pierce, Vice Chairwoman
Assemblywoman Teresa Benitez-Thompson
Assemblyman Jason Frierson
Assemblyman Tom Grady
Assemblyman Crescent Hardy
Assemblyman Pat Hickey
Assemblyman William C. Horne
Assemblywoman Marilyn K. Kirkpatrick
Assemblyman Randy Kirner
Assemblywoman Dina Neal
Assemblyman Lynn D. Stewart

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None



STAFF MEMBERS PRESENT:

Russell Guindon, Principal Deputy Fiscal Analyst
Michael Nakamoto, Deputy Fiscal Analyst
Gina Hall, Committee Secretary
Colter Thomas, Committee Assistant

OTHERS PRESENT:

Sonya Horsford, Ed.D., Senior Resident Scholar of Education, The Lincy Institute, University of Nevada, Las Vegas
Jo Cato, Private Citizen, North Las Vegas, Nevada
Joyce Haldeman, Associate Superintendent, Community and Government Relations, Clark County School District
Ted Olivas, representing the City of Las Vegas
Douglas C. Gillespie, Sheriff, Clark County
Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department
Karen Keller, Chief Financial Officer, Office of Finance, Las Vegas Metropolitan Police Department
Mark R. Vincent, CPA, Chief Finance Officer, City Manager's Office, City of Las Vegas
Joseph Chronister, Chief of Police, City of North Las Vegas
Troy Tanner, Chief of Police, City of Mesquite
Patrick E. Moers, Police Chief, City of Henderson
Chris Collins, Executive Director, Las Vegas Police Protective Association
Virginia Douglas, Private Citizen, Las Vegas, Nevada
Chantal McAtee, Private Citizen, Las Vegas, Nevada
Frank Hawkins, President, National Association for the Advancement of Colored People, Las Vegas Branch #1111
Lisa Mayo-DeRiso, Private Citizen, Las Vegas, Nevada
Allen Lichtenstein, General Counsel, American Civil Liberties Union of Nevada
Richard Boulware, First Vice President, National Association for the Advancement of Colored People, Las Vegas Branch #1111
D. Eric Spratley, Lieutenant, Washoe County Sheriff's Office
Yolanda T. King, Director, Budget and Financial Planning, Department of Finance, Clark County
Carole Vilardo, President, Nevada Taxpayers Association
Steve Sanson, President, Veterans in Politics International, Incorporated
Brian McAnallen, representing the Las Vegas Metro Chamber of Commerce

Chairwoman Bustamante Adams:

We have two bills today, Assembly Bill 308 and Assembly Bill 496. We will open the hearing on A.B. 308.

Assembly Bill 308: Revises provisions relating to the Southern Nevada Enterprise Community. (BDR S-557)

Assemblywoman Dina Neal, Clark County Assembly District No.7:

Assembly Bill 308 is a bill that is being brought forth by an interim committee I have been assigned to. It was previously chaired by Congressman Steven Horsford, former state senator. I now chair the Interim Committee of the Southern Nevada Enterprise Community (SNEC).

I will give you a brief history of SNEC, go over the bill, then will have Dr. Sonya Horsford give her presentation.

The Southern Nevada Enterprise Community is located partly in State Senatorial District No. 4 and was declared a designated enterprise community in 1994 by former President Clinton. There were nine census tracts designated as the urban core of the Las Vegas Enterprise Community. When those were designated in 2005, it became codified in statute. There were census tracts that were selected based on the highest levels of unemployment, lack of home ownership, business ownership, and other criteria included in the federal designation.

The initiative designated 104 distressed communities across the nation as empowerment zones and enterprise communities. Its purpose was to be a catalyst for change in those communities. In 2005, the SNEC area encompassed 51,000 residents, covered 10 square miles, and had 33 percent of its population living below the poverty level. It was 41 percent African American and 28 percent Hispanic. I looked at the data to find out where the population was for those ZIP codes. The estimates now show the population has grown to 79,000 residents within the SNEC area.

The bill we are getting ready to discuss, A.B. 308, allows the SNEC Board to move within the envisioned direction still under the enterprise zone created under President William J. Clinton in 1994. The other areas the enterprise zone created, it set aside that an enterprise zone could assist families and youth, health care, community, and policing, along with the other issues of home ownership, business ownership, and economic development.

I will go over the amended portion of the bill, because it lays out the new functions and purpose of the SNEC Board ([Exhibit C](#)). We will start with section 1, subsection 12.5.

Section 1 lists the areas SNEC is going to be taking on. We have shifted to focus more on human infrastructure. The list ranges from doing economic development, expansion and job training, revitalization of communities, the provision of assistance to persons applying for participation in revitalization programs, prisoner reentry, development of programs that encourage community engagement and community leadership, and the development of a Promise Neighborhood within the community. It also lists some other health issues: obesity, childhood development programs, English language learner (ELL) programs, and some kindergarten through twelfth grade (K-12) programs. I know this seems like a laundry list of things, and we may be encroaching on other interim education committees, but because the enterprise community was designated and set up under federal statute to allow this kind of latitude, the whole purpose is to focus specifically on a targeted community, which are those nine census tracts. We are trying to bring them up to an equitable level that fits the rest of the state.

When you look at section 2, subsection 18.5, this part of the bill clarifies that a general law cannot be applicable in terms of changing the infrastructure of SNEC because it is specifically related to an economically and geographically diverse group that has unique growth patterns and special conditions in the City of Las Vegas. It gives some clarifying language on how we expect to be treated within the law, and until our issues are ameliorated, we would like to have the ability, under the SNEC interim committee, to be able to deal with these issues without some level of interference.

The changes to the membership of the interim committee include expanding the board. If you go to the bottom of page 3 [line 41 of ([Exhibit C](#))], there were 9 members, now we have 11. The new member [beginning on lines 10 and 11, page 4 ([Exhibit C](#))] is one member from the Board of Trustees of the Clark County School District. The original language had Stop the F Street Closure residents, which is being deleted. We are now including a representative from the local housing council and a parent of a child enrolled in a school within the zone. We added an actual representative from the Board of Regents. We still have our congressional member, which before came from Senator Harry Reid's office. It is still open for either one of the congressional representatives, Congressman Steven Horsford or Senator Harry Reid.

Beginning on line 19 of section 3, the only additional change was in terms of a designee. In previous history there was trouble getting a quorum with some of the elected officials, so I allowed a member to appoint a designee for temporary absences, but not to have a designee vote for them through a proxy vote.

In section 4, lines 35 and 36, if we were getting gifts, grants, or donations for the purpose of preparing, developing, and carrying out the project, we added "or such additional projects as may be directed by the Legislature." That was additional language to deal with if we had additional projects to deal with, projects that could be designated to us from the Legislature.

This is a pretty short bill. The most important integral part of what Dr. Horsford is getting ready to discuss is where we are moving now. I have been chairing this since December 2012. My first meeting was in January 2013. Under former Senator Horsford, we started to move toward this Promise Neighborhood Initiative. That is what Dr. Sonya Horsford is going to talk about. That is the next level of where we are getting ready to go, and one of our issues that falls under the federal designation of assisting family and youth.

Sonya Horsford, Ed.D., Senior Resident Scholar of Education, The Lincy Institute, University of Nevada, Las Vegas:

As Assemblywoman Neal discussed, I am here to talk about an initiative at the Lincy Institute at the University of Nevada, Las Vegas (UNLV), launched back in September of 2011, in our efforts to secure a planning grant through the U.S. Department of Education Promise Neighborhoods Program ([Exhibit D](#)).

In short, this is a federal funding opportunity from the U.S. Department of Education, Office of Innovation and Improvement. It is designed to create a place-based education reform project where various sectors can come together to help with school improvement. This affords providing cradle-to-career services that are designed to improve not only the educational but the developmental needs and outcomes for students in our country's most impoverished and distressed communities. The goal is to get agencies, stakeholders, residents, students, and parents to work collaboratively to leverage existing resources and assets, to make sure we are meeting the needs and actually improving the opportunities of children. The federal grant really requires and depends on strong local elected official leadership and coordination. In many ways, SNEC provides that support since the neighborhood really transcends multiple cities, counties, jurisdictions, school boards, et cetera.

The Prime Six Schools Attendance Zone is the attendance zone that is primarily located in historic West Las Vegas, which has a significant overlay with the SNEC neighborhood. There have been lots of needs assessments and research

conducted in the area. It shows that based on the demographics, the growth in the area, and the different populations that have entered the area, there needs to be additional support and coordinated services for the children in the Prime Six Schools Attendance Zone.

A study conducted by Dr. Gary Orfield at the University of California, Los Angeles (UCLA) showed that 45 percent of students in the Prime Six area are black, 45 percent are Latino, and nearly one-third are ELL. Overall, the students in the zone perform at lower levels, even compared to poor African American, Latino, and ELL students in other parts of the district. There is also limited access to early childhood education, and 86 to 100 percent free and reduced-cost lunch in the neighborhood schools, so there is great need there. It was a perfect area to begin to target and saturate services in one area, based on the existing assets and resources that are there. A youth mapping study conducted by Jeremy Aguero with Applied Analysis showed a disproportionate share of child abuse and neglect, children in poverty, juvenile arrests, low school attendance, and lower graduation rates when compared to other parts of the valley. That is why we felt it was important to identify the Prime Six schools area, and the schools in that community for this project.

The mission is, quite simply, to provide cradle-to-college-and-career support services to students and families through what we know works. That is strong families, coordinated community building efforts, and making sure that every child has an opportunity to succeed. The vision for the zone is that all children in the Las Vegas Promise Neighborhood will attend school ready to learn, graduate high school ready for life, and to enter into college or career.

We have had great success in aligning and working with several partners. Page 6 of [\(Exhibit D\)](#) shows a list of the partners we started with back in 2011. We have maintained regular convenings and meetings to discuss how we can better serve what is oftentimes the same population. The goal of the Promise Neighborhood is to really know at the student and family level who the students are, who the high system users are, how we can work better as agencies to meet the needs of those students, and save money in the process.

The Promise Neighborhood concept really requires an investment in strong families and neighborhoods. Looking at education across the pipeline, for everything from family formation and parenting classes, to early childhood education, strong K-12 schools, and making sure that students are then ready to succeed when they enter college or a profession. The use of data is very important. By coordinating data systems across agencies so we are not duplicating efforts, we can actually track the outcomes of children as they enter systems and when they exit. It would also introduce a longitudinal

study, so we can actually see if the money that we are investing in early childhood, K-12 schools, or college readiness is doing what we want it to do, which is very important. A program evaluation component is important so we can adjust our investments accordingly.

This model was adapted from the Brookings Institution, Center on Children and Families. They have developed a Social Genome Model for policymakers so that states, particularly when they have limited resources, can determine where they can get the best bang for their buck. This continuum shows investments across a lifespan. The goal is to have individuals become middle class by middle age, making sure we provide those supports along the way to keep students and families on track for success.

Lastly, governance is a key part of this. It is a collaboration, which requires shared accountability, making sure partners are able and fulfilling their obligations as part of this agreement. The Southern Nevada Enterprise Community structure provides a wonderful venue because it demonstrates local elected community investment. It also provides a public venue where we can post open meetings, make sure we are getting input from the residents, and implement the types of programs and services they feel they need. It also provides transparency throughout the process. Part of this will require the Las Vegas Promise Neighborhood Community Leadership Council, which will again bring in representatives from the sectors, the different agencies, so we can work smarter, save, and leverage resources in the process. We will need a lead agency that will essentially serve as the quarterback. All the agencies will need to play a critical role, but we, of course, need one leader to help keep the direction of the group moving forward.

The University of Nevada, Las Vegas has been committed to this work, to serve as a data advocate, to help build the data systems we can access, and to again make sure the investments we are making are actually resulting in positive outcomes.

The next steps we are working on now are in anticipation of the grant being released in April, as it has been in times past, making sure we have a strong grant team together with representatives from each agency and preparing the strongest and most competitive application we can. An implementation grant will award a grantee \$4 million to \$6 million per year for up to five years. We think that through a small investment on the front end, we can garner up to \$30 million for the community, which will not only help this community but develop best practices data systems that can be used throughout the state.

Assemblywoman Neal:

There were two things I did forget to mention. In section 2, if you look at lines 28 through 30 [page 2 of ([Exhibit C](#))], it talks about special conditions experienced in the City of Las Vegas. What is going to be added, and that was a typographical error, is that the City of North Las Vegas is also a part of that. In section 5, I forgot to mention that the enterprise community board is seeking the sum of \$200,000, because it shows gravitas in terms of the relationship to the Promise Neighborhood Initiative, which is at 1 percent, which could gain, as Dr. Horsford said, the potential of \$30 million. It just shows that the board has an interest, as the elected officials, because we have at least five elected officials that sit on the board, from local to state. I did fail to mention that. I am not trying to ignore it, but I am asking for money.

Chairwoman Bustamante Adams:

We will entertain questions from the Committee members.

Assemblyman Kirner:

Am I correct in understanding that this started in the mid-1990s?

Assemblywoman Neal:

The designation came in 1994, under President William J. Clinton, but Congressman Horsford brought a bill in 2005 when he was first serving as a state senator. As he went through the process he brought a bill in 2005 and 2007. In 2007 he created the advisory board, which was the SNEC advisory board. That had the initial nine members. In 2009 he brought legislation to try to do a sustainable energy component. That went forward and at that time the Governor's Office of Economic Development (GOED) had the ability to do some type of grant. Is that too much information?

Assemblyman Kirner:

Have we measured progress? Is there some measure of progress to date, or are we still fumbling along and trying to get this thing organized to where we can roll it out?

Assemblywoman Neal:

It was my understanding, in reading the history, that although there was a designation in 1994, and it was a county initiative through Yvonne Atkinson Gates, not much happened. The next time I saw something pop up was in 1996, where there was a discussion via the *Las Vegas Review-Journal* and Steve Sebelius, talking about how we might get some federal dollars designated to do certain economic activities. It is my understanding this has been a long road trying to get this established. Congressman Horsford made it legislative, taking it out of the county initiative

and trying to put statute behind it to then move things forward. I think because the initiatives fell within the recession that largely hampered a lot of the activities. It is really hard to come forward and ask for money for a specific enterprise community knowing that the state is in the hardest recession that ever hit. I think that played a large role in why it is stumbling along and why we are here now saying, Let us shift. Let us see if we can get some roots and see what we can do.

Assemblyman Kirner:

From my perspective, as an individual, you are asking for funding, and this will have to go to the Ways and Means Committee. It seems to me if we are going to do this then we need to have something specific; here is how we know we have been successful or here is how we know we are halfway there. Do you have goals?

Assemblywoman Neal:

We actually have a theory of change document the advisory board created. It is what the SNEC board discussed over the interim, of what our proposed goals were and how we were going to measure them. There was a big discussion from the elected members that we were not moving forward without being able to measure what we do, and being able to produce a report. Accountability is huge for me, and being able to account for how the dollars were spent and what outcomes you actually achieve from those dollars is a huge issue. I am not ignoring it. It is something I will upload to the members after the meeting. It will explain where we are going. Part of our first project is the Promise Neighborhood.

Assemblyman Hickey:

To the extent that it exists already, where has the money previously come from? During the time that Congressman Horsford was shepherding things, had the Legislature ever allocated money? Does it come from federal or local money?

Assemblywoman Neal:

I believe from the minutes I read, in 2007 there were grant dollars through GOED. It was not GOED, but Economic Development, that awarded between \$150,000 and \$300,000 for the sustainable energy site. At the time there was legislation coming down from Senator Reid's office which was going to create a sustainable energy center off Carey Avenue and Simmons Street. I think there were plans made and then something happened. That is where the record stops for me. I have not had the benefit of actually asking Congressman Horsford what happened.

Assemblyman Hickey:

It sounds like it has been more of a plan on paper. The board has not been active in any way. You are adding to it, but has a working board existed? It says the City of Las Vegas will help you with administrative help. I am assuming the money will go to help administer the plan. Have they been helping here, or has there really been an active board?

Assemblywoman Neal:

Here is how it worked. When he brought this bill in 2007 he took it out of the purview of the legislative staff. Normally an interim committee would be staffed by the Legislature. Because he felt the City of North Las Vegas should be an integral part in the administration, I think they did the administration for the first three or more years. It then shifted to the City of Las Vegas, who became the administrator. They took the minutes, they took the notes, and that part is actually stricken out of the bill and the amendment. I am shifting it back to legislative staff. There was actually a component where they did the minutes and helped with the public notices. Maybe Mr. McGeachy, the City of Las Vegas or one of their lobbyists, or the City of North Las Vegas, has knowledge on what happened in 2007. One of those two entities was doing the notes and minutes. They are the only ones who could speak to what happened to the allocation. I did not have the benefit of getting a chance to read those minutes. That is pretty much what has happened.

To your other question, there were members who were there and were active for a while, then they fell off. Then the F Street issue came up, it became reactivated, but activated on F Street. Now that that has been somewhat taken care of, I am trying to shift this in a new direction that makes sense, a direction that has stronger roots, lays a better foundation that is not centrally focused on one political activity but is actually focused on the real things that are happening within that community. Is that helpful?

Assemblywoman Kirkpatrick:

I probably know a little bit more history than most, because this has been a longstanding issue we have been trying to resolve. There is a particular corridor that abuts North Las Vegas and Las Vegas that the residents have been trying to get up to par and do different things. They have had a lot of challenges. They have had the soils issue on one side, in North Las Vegas, and then they had the problem with trying to develop some on the other side in Las Vegas. It is located with the Martin Luther King Boulevard thoroughfare, encompassing the whole part. I do not disagree with trying to put the Promise Neighborhood in there. I have been with you to those meetings, where you have been very articulate and very good explaining how people need to get involved. Unless you are on the Committee on Government Affairs, you would not know that

there are plans within the City of Las Vegas for certain areas within that area, but in the past the problem was we could not get any buy-in from North Las Vegas. It goes back to what I have been saying for a long time about turf wars. Just because the right side of the street belongs to Las Vegas and the left side belongs to North Las Vegas does not mean that if something happens in between that everybody stands, and that is a true statement. For years, on Decatur Boulevard, when there was an accident they would sit there and decide who was going to take care of it instead of working together. It was out of frustration that the original SNEC board came together and included North Las Vegas on it. I know that Congressman Horsford has tried different ways to get folks engaged, to revitalize that area. I have been to a few of those meetings. One time we talked about redevelopment dollars and how we could utilize those dollars. We have talked at great length about workforce, and how we could build those areas up to create the workforce within that area. I would not want the Committee to think that there has not been any success, because there have been some successes. There are some great pieces on Lake Mead Boulevard and Martin Luther King Boulevard, that now have a federal building there. They have Cox Communications. There are some things that have come to fruition. I think what happened is it got stalled, like everything else did with the economy.

I want to be clear, it is your bill, and I do not want to speak for you, but what I am hearing you say is there are some additional federal grant opportunities available, but you have to be designated as a Promise Neighborhood based on the grant. Is that what I heard, and that there are some changes that have to be made? I will say personally I am a little concerned with all the elected officials on the board. The whole reason we created the SNEC Board is because we could not get them to work together.

Could you explain a little bit on the designee piece? What does that mean? I thought that there was a lot of action taken most of the time, as far as direction, so I want to understand that. What I would not want to do is not move forward on the amendment piece because of the money. I want to know how important each one of them is, because if it is about the language and getting \$30 million-plus in grants, then we need to move forward to make sure we can do that. If it is the dollars-to-paper administrative costs, we need to be concerned about that, because I do not know where it comes from.

Assemblywoman Neal:

You are correct. I was treading lightly. There was a turf war and Congressman Horsford did create it at first in order to hold the City of North Las Vegas' feet to the fire, to make them play. He explained that to me, but I was not sure how public that was. I am sure eventually they understood, after they were being

told what to do, that their feet were being held to the fire to focus on development.

In the City of North Las Vegas we had a community that literally waited 20 years to get a sidewalk on one of the most traveled streets, which was Carey Avenue. It made no sense to stagnate development in an area where you knew you had consistent residents, or the same population, and you refused to actually do something as simple as community enhancement of a sidewalk, so I understood his impetus.

The turf war is real, because he shifted it then to the City of Las Vegas, who was somewhat reluctant, and so they got a part of it. They wanted to be let loose, and that is why we are taking them off, because I think the lesson was learned that you needed to help and assist, not be in your own world, and realize that that community was a central part of what was going on.

I am going to tread lightly again regarding the political entities that are on the board. We all have personality quirks. We all like certain leadership and some of us do not. Commitments and interests might have waned at certain points, but now that everyone has moved on and hashed their issues out, everyone is on board.

The political bodies—Commissioner Lawrence Weekly, Councilman Ricki Barlow, and Pamela Goynes-Brown from the City of North Las Vegas—are now willing to serve. Some people say it is because I am chairing. Let us hope it stays that way, but that is the truth. There is no dog in the fight with me. I am just putting it out there on the record.

Assemblywoman Kirkpatrick:

Just because we like the people in office now, do not write something that is the worst-case-scenario person in policy. This does not preclude them from participating, whether or not you put that in there, right?

Assemblywoman Neal:

No. What it does is create. Say there is a conflict for our 5:30 meeting and they need to send someone else. It allows them to send someone else so we can have a quorum. This came from the City of Las Vegas, from some of the people who have been to the meetings in past years, saying you might want to put that language in there to prevent a situation from occurring. They could appoint a designee, so you can have a quorum and then move forward with business. There may be better wording. The money is also flexible. I just want people to understand that the 1 percent contribution, whether it be \$100,000, but showing we have a contribution when we move forward with the

Promise Neighborhood grant, shows that we are committed. So let us just treat it as the commitment money.

Assemblywoman Kirkpatrick:

Sure, we will tell 2 million people in Nevada that it is commitment money.

From my perspective, and I am pretty consistent, I do not like designees unless there is a hammer. Otherwise they will send their designee every single time and that defeats the purpose. I was consistent with GOED, so I want to be consistent there.

Where does it say that the City of Las Vegas no longer is going to provide the services? I am wondering with our Legislative Counsel Bureau staff how we would get them to do that? That also costs on top of the commitment money.

Assemblywoman Neal:

It is in section 3 [line 28, page 4 of ([Exhibit C](#))]. It is in the amendment, where it says "The City of Las Vegas shall provide administrative support for the Board." Since this is an interim committee, it was my understanding it would automatically revert back to the Legislature. If I have to put that language in there I will add it.

Assemblywoman Kirkpatrick:

It is not so easy, but I am happy to help you look into it. There are standing interim committees. There is a certain allocation of dollars that goes to those. Each one of them costs and they are divided up. We have to allocate staff. I can work with Assemblywoman Carlton to see what the budget already is for that, but I will tell you we cut that budget as a whole for ourselves.

Does the language for promise mean something more than money? Do you have to have the money in order to get that other stuff? I know you would like both, but can we leverage the new definitions for more?

Sonya Horsford:

For the grant we do not need money necessarily from SNEC. The grant requires a 100 percent match. That can be through staff, cash, private or public dollars, and leveraging public dollars. In terms of it being directly from a local elected agency, no.

Assemblyman Hardy:

Boy, am I confused, so I am going to need some help here. We have talked about sidewalks. We have talked about communities. We have talked about data. Is this a shepherding program? Is it an infrastructure program? The

dollars you are looking for, where does it go and how does it work? We have talked about ages from birth to age 40. I guess I am really confused on what this bill actually does, or what it is trying to do. Somebody has to help me catch up with this program because I am from the rural counties.

Assemblywoman Neal:

Take the sidewalks out of your mind. That was just a historical viewpoint about why the City of North Las Vegas initially was the administrator on this bill for certain years. That was historical.

What this bill is doing is a theory of change for the actual SNEC interim committee. It has some economic development but is now focusing on human infrastructure issues. What kind of policies could we put forward to help that particular community grow? This is what that represents. The Promise Neighborhood is an additional opportunity that came our way. It allowed us to say this was something we would like to take on because it overlaps what the human issues are that we would like to deal with. The \$200,000 is an amount that would show we are committed to the Promise Neighborhoods, but it is not needed. The way that the federal grant reads, you can have in-kind contributions that amount to \$200,000, and that is your match. There is no requirement to have the money. We are asking for it, but if we cannot get it, fine, delete it. How the grant works is you can have many different in-kind contributions. It makes it a good grant because you do not have to have a dollar match. You have to have a service match. That is pretty much where this is going and where it is leaning.

In section 1, I know you look at this list and are saying those are a lot of things. This was what was envisioned by Congressman Horsford. He wanted to make sure that under the theory of change that I assume was addressed with the board members before session, we were inclusive to all of those things that had been discussed. He included obesity [line 12, page 3 of ([Exhibit C](#))], teen pregnancy [line 9, page 3 of ([Exhibit C](#))], and decreasing rates of incarceration for youths [line 6, page 3 of ([Exhibit C](#))] because I was already doing that work. I had been working on teen pregnancy for a year. I started working on reentry issues probably about six months before that. I wrote a grant for childhood obesity with the Tonopah Community Garden, and it actually was a grant that went through the Nevada Heart Association to try to do a food program within the schools. It was basically community gardens within schools. He included a lot of that because I was already doing that work. With the K-12 information, I believe he had already envisioned one of the school board trustees being a part of that. Dr. Horsford discussed the study on the Prime Six schools, which happened to be inside of the SNEC area. These education issues of early childhood development programs, ELL, and K-12

had already come up over a period of seven years. Once we got that study, which showed that it was still an issue, he decided to include it as it directly affected the Prime Six schools, which were elementary and some magnet schools that were still in that area. He was trying to be inclusive to that.

To further explain, go to lines 28 and 29 on page 2 ([Exhibit C](#)), dealing with prison reentry. Currently this was just an overlay of the issues. Look at the gang violence and some of the other ones—of this development of community engagement and community leadership and support programs [(lines 30 and 32, page 2 of ([Exhibit C](#))). I started a youth safety program at the end of the school year. This will be my second year doing it. I do a program that helps students figure out how they should interact with the police. The last program I did there was about 75 students. I included the Las Vegas Bar Association, Supreme Court Justice Michael Douglas, and some of the other local judges. They participated in a half-day seminar where we engaged, did peer mentoring, and also some classroom groups. I do not know if that helps.

Assemblyman Hardy:

Basically it is an education program. You have set up some kind of a community education program. Is Dr. Horsford's side of this a data program where you are tracking the results? That is my understanding. Am I completely lost?

Sonya Horsford:

The Promise Neighborhood acknowledges that there are a lot of federal, state, and local dollars being put into distressed communities. There are a lot of streams of funding that are going into the same communities across the country. What it is trying to do is bring agencies together to work smart and strategically, so they are not duplicating services and are using that money to the best of their ability to serve children. Part of doing that is conducting a needs assessment to know exactly where children are, from early childhood through college, and making sure that the money that is going to help that student is actually resulting in outcomes: whether it is knowing they are learning at grade level, we have fewer students that are obese, or we have more students who are actually able to access health care because of those dollars. It is creating an umbrella. Rural communities are doing it as well.

Berea College in Kentucky is one example. The university and service providers were able to bring in all seven school districts they have across a large area to serve the same families in a more efficient and effective way.

Assemblyman Hardy:

That is what I was looking for. It is a needs assessment, and we are also tracking the results at the end.

Sonya Horsford:

Right. We are actually implementing it and then evaluating it.

Chairwoman Bustamante Adams:

In your opening statements you said that this area now covers 79,000 residents. Is that correct?

Assemblywoman Neal:

That is a rough estimate; I looked at the census and then added the two together.

Chairwoman Bustamante Adams:

Dr. Horsford, you said the demographics have changed a little, and now it is 45 percent African American and 45 percent Hispanic. Correct?

Sonya Horsford:

Yes, that is correct for the school age population in the Prime Six schools. It is a little different than the SNEC boundaries.

Chairwoman Bustamante Adams:

If you could go back to your map [page 4 of ([Exhibit D](#))], tell me, what am I looking at? Maybe you could help me by Assembly district, then I could get a visual picture.

Sonya Horsford:

Someone will have to help me with the Assembly districts. I can tell you the yellow area is the Las Vegas Promise Neighborhood, and that is the Prime Six Schools Attendance Zone. It is an attendance zone established by the Clark County School District. It was part of a school desegregation plan.

Chairwoman Bustamante Adams:

Can you tell me what schools are in that area?

Sonya Horsford:

Kermit Booker Elementary School, Matt Kelly Elementary School, Kit Carson Elementary School, H. P. Fitzgerald Elementary School, Mabel Hoggard Elementary School, Quannah McCall Elementary School, West Prep Academy Elementary School, Andre Agassi Charter Elementary School, Rainbow Dreams

Academy Elementary School, and 100 Academy of Excellence Elementary School.

Chairwoman Bustamante Adams:

That is helpful. Now I understand the visual.

Assemblywoman Neal, concerning our board members, I have the same concerns Assemblywoman Kirkpatrick talked about. In addition, I am concerned if there is a high population of non-African Americans to make sure it is diverse in its nature, because that population has changed. That is my only concern, that it also has an ethnic representation on that board as well.

Dr. Horsford, in your governance you talked about the lead agency. Who would be the lead agency, the local nonprofit to serve as the quarterback?

Sonya Horsford:

The lead agency is a critical part of the application. Again, they are one of many partners. The Lincy Institute served as the lead agency on the original application, but we felt that one of the weaknesses of our application was that we were new and we were not really embedded in the community, or actually located in the community we were seeking to serve. We brought in the director of Promise Neighborhoods Institute at PolicyLink, a facilitator. He walked us through a community process with all of the agencies, to develop a community request for proposal process to identify the lead agency. The lead agency would have to do this because it aligned with their mission. They would not get any money for being selected, but they again would serve as the quarterback for this larger team.

After developing an evaluation committee and having an application process, the evaluation committee selected Nevada Partners as the lead agency for the effort. They will basically be the applicant, because it has to be a nonprofit organization, a higher education institution, or a tribal organization to serve as a lead. They will do that part on paper.

Chairwoman Bustamante Adams:

Can you tell me which one of your partners actually serves the Hispanic population?

Sonya Horsford:

The Clark County School District, City of Las Vegas, Las Vegas Urban League, Clark County Juvenile Justice, Olive Crest, Southern Nevada Regional Housing Authority, Acelero Learning Clark County Head Start, Family Leadership Initiative, and Las Vegas-Clark County Library District. A lot of these serve the

district broadly. Culinary Academy of Las Vegas, UNLV Center for Academic Enrichment and Outreach operate the GEAR UP talent search and Upward Bound programs. Nevada Partners and United Way of Southern Nevada, in terms of giving, I am sure reach some communities. Communities in Schools, through tutoring and computer lab programs. Southern Nevada Health District actually have their immunization outreach individuals who have been a part of this, to increase the number of immunizations, particularly among the African American and Latino Communities. The Smith Center for the Performing Arts broadly serves the region in the area of arts.

Assemblywoman Neal:

I did want to mention we were adding a member of the Latino Chamber to the board. I have not had a chance to schedule those interviews because I am here in session. That is something I will be doing after session is over. That was a part of a vision for the actual advisory board.

Assemblywoman Kirkpatrick:

I do not want to belabor this. I just want to have it clear in my head. This does nothing more but allow the current board and some new members to look at all of these issues. Is that correct? The current board already meets, but this gives them a different direction, so they can have further discussions on things that may already be going on in the community?

Assemblywoman Neal:

Correct. We will not be dealing with them all at once. We will be dealing with them in stages. As I said, for the pieces that are inclusive to what I was already doing, I am already working on the strategic plan for teen pregnancy. We are already planning our strategic plan for youth safety. All of those things will be integrated.

Assemblywoman Kirkpatrick:

I think that too much information is confusing to some. The way I understand it is this just allows that board to continue to have those community topics of conversation, to have some real direction on what the expectation is for them. They are currently already meeting. They are already talking about zoning and planning issues. This just allows them to have further discussions, as well as what they do currently, so they have some direction.

Assemblywoman Neal:

Yes, a plan and a measurement tool.

Chairwoman Bustamante Adams:

In the amendment ([Exhibit C](#)), page 4, beginning on line 16, where it talks about the term years that a board member can serve, do you have it so that it is staggered, so that the entire board is not replaced all at one time?

Assemblywoman Neal:

I believe currently it is staggered, but I can definitely look at that language and bring forth some changes if you have any suggestions.

Chairwoman Bustamante Adams:

I just want to make sure that you guys have consistency, so the whole board is not wiped out and you have to start all over again educating people as to exactly what you are trying to do.

Assemblywoman Kirkpatrick:

I probably have the whole makeup of the board in my office. It is very clear. It is very staggered. That is why I said I think we gave too much information. All of this process has been in place for a long time. When people serve, the Legislature appoints at the end of every interim, so all of that is already done. In my mind I believe we are just adding two more people to it, or a designee, so all of that has been worked out. I think in 2007 Congressman Horsford revisited everything and realigned it, so all of that has been done. I would bet it is in statute, because I think it was a special act or something that we did.

Chairwoman Bustamante Adams:

We will transition. Is there anyone in support of A.B. 308 in Las Vegas or in Carson City?

Jo Cato, Private Citizen, North Las Vegas, Nevada:

I do have a question in regard to the makeup of the board. I might have missed something, and I do apologize, as I was a bit late. On page 4 of the bill, line 12, it refers to two residents of the community, selected by the Stop F Street Closure, LLC. I believe we should have some consideration for change there.

Chairwoman Bustamante Adams:

That is how the bill was introduced, but Assemblywoman Neal did provide an amendment to change that. I would encourage you to speak to her, because the amendment is the one that we should be working off of.

Jo Cato:

I do not have a copy of the amended bill. I do apologize for that. I do support that. If the amendment is there, I am okay.

Chairwoman Bustamante Adams:

It is also up on Nevada Electronic Legislative Information System (NELIS) for the public. I would, however, encourage you to speak with the sponsor.

We will now take those in opposition to A.B. 308. Is there anyone in Las Vegas? [There was no one.] Is there anyone in Carson City? [There was no one.] Is there anyone in the neutral position for A.B. 308 in Las Vegas? [There was no one.] Is there anyone in Carson City in the neutral position for A.B. 308?

Joyce Haldeman, Associate Superintendent, Community and Government Relations, Clark County School District:

We are following this bill with interest. We appreciate that you will add a member of the Board of School Trustees to the members who are on the committee. We are also a little concerned because so many of the topics that are going to be added to the list involve education. We want to make sure we are cognizant of the burden of providing a lot of information that could be expected along with that, but we think it is a good idea.

Ted Olivas, representing the City of Las Vegas:

I actually did not sign in, so I apologize. I was in another committee meeting. I understand that there was a question about administrative support for this board. We actually proposed an amendment prior to finding out that it was going to transition to a state-type agency. What we were going to propose was that it rotate between the City of Las Vegas, City of North Las Vegas, and Clark County, who are all participants on it. It would essentially just rotate every legislative session. It was changed in 2009 via Assembly Bill No. 304 of the 75th Session in section 26, subsection 5. It used to be the responsibility of North Las Vegas. It transferred to us. We would certainly be willing to do that if this somehow changes.

Chairwoman Bustamante Adams:

Seeing no others in the neutral position, I would like the sponsor of the bill to give closing remarks.

Assemblywoman Neal:

I just want to speak to the issue that Ted Olivas brought up. He did offer that amendment to me. As chair of the SNEC advisory board, I rejected it because I did not want the headache as chair of trying to get Clark County on board to

work with me. Congressman Horsford had a different level of gravitas, let us say, in terms of trying to get people to wiggle around. If it is the Committee's will to have Clark County be the administrator, then I will go through the changes of making Clark County be the administrator on this one.

Chairwoman Bustamante Adams:

I will close the hearing on A.B. 308 and open the hearing on Assembly Bill 496. I would like those presenters to come to the witness table. What we are going to do is we have opening remarks, we are going to have a PowerPoint, and then we will take this bill section by section. We will be able to ask questions according to those sections.

Assembly Bill 496: Makes various changes relating to the Clark County Sales and Use Tax Act of 2005. (BDR S-1068)

Douglas C. Gillespie, Sheriff, Clark County:

I am here before you in regard to Assembly Bill 496. At the request of the Chairwoman, we have been asked to give you an overview of this particular legislation from a history standpoint, to where we are today. I have with me the director of intergovernmental services, Chuck Callaway, with whom many of you are familiar. He will work us through this particular part of the process. I also have Karen Keller, my chief financial officer from the Las Vegas Metropolitan Police Department. She can answer any questions that you may have.

Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department:

As Sheriff Gillespie stated, we have a short presentation. We tried to keep it very simple and straightforward out of respect for your time. We realize there will probably be a few questions.

I was asked to very quickly take you through a history of what the Clark County Sales and Use Tax, more commonly known as More Cops, is before we get into what the bill does. There are some folks that are fairly new to the Legislature and may not know the background. I will keep it very simple and straightforward ([Exhibit E](#)).

In 2004 a public safety advisory question was posed to the voters and was approved. It was to allow a 0.5-cent sales tax increase to hire additional police officers. We had to go before the Legislature to get that authorized. In 2005 the Legislature enabled the first 0.25 cent of that 0.50-cent tax, and it was subsequently enacted by the Clark County Commission. We were supposed to come back in 2009 and ask for the second 0.25 cent. As we all

know, the economy was really bad at that time and we were unsuccessful in getting the second 0.25 cent of the tax in 2009.

I believe we hired 580 officers with the revenue from this tax. Currently there are about 510 police officers working the streets as a direct result of the revenue from this tax.

I will give a brief overview of what [A.B. 496](#) does, then talk about a fairly simple amendment we have proposed to the bill.

What it does is allows the second 0.25 cent of the tax to be enabled, so that the local government entities of Mesquite, Las Vegas, North Las Vegas, and Henderson would receive the funds. Their governing bodies and also the Clark County Commission would have to approve with a two-thirds vote. The supplanting language that is in the bill would be lifted for a two-year period of time, until 2015. The supplanting language would go back into place, and at that time we would start to receive the second 0.25 cent of revenue. The bill would readjust the base rate for fiscal year 2015-2016, so that looking into the future it would determine whether or not agencies were supplanting funds based on the newly adjusted base rate.

What our amendment does ([Exhibit F](#)) is it allows for the 0.25 cent to be enacted in two 0.125 cent increments. It would be our request that the first be enacted immediately, upon passage by the Clark County Commission with a two-thirds vote, and the other government bodies would not be required to give a two-thirds vote. We currently have resolutions of support from all of the local government entities that are listed in the bill ([Exhibit G](#), [Exhibit H](#), [Exhibit I](#), [Exhibit J](#), [Exhibit K](#), and [Exhibit L](#)). Those resolutions have been submitted as handouts. Finally, the second 0.125 cent would go into effect in fiscal year 2015-2016. The rest of the bill would remain as written, as far as the supplanting language.

The major problem our agency is facing, that has prompted us to come back to the Legislature and once again ask for this second 0.25 cent, is that we have seen a 36 percent decrease in property tax revenue. That was revenue that came directly to our agency, which equals about a \$61 million annual loss in revenue since 2009. This has had a significant impact on our funding and our operations. We are currently down 355 commissioned police officer positions compared to fiscal year 2009-2010. This puts us at approximately 1.72 officers per 1,000 citizens. At our peak we were at 2.06. A recent survey was done of major city police departments across the country and 1.72 would be fairly well below what most of the other major cities across the nation currently have. These are the lowest staffing levels we have seen at the

Las Vegas Metropolitan Police Department since 2003. In addition to our decreasing numbers, the responsibilities that our agency faces continue to grow. Crime is up. Uniform crime reporting data reported to the Federal Bureau of Investigations, 2012 compared to 2011, was up 12 percent. Already this year we are up 4 percent compared to last year. If that trend keeps moving, we will be above 12 percent this year.

I will turn it over to Sheriff Gillespie for some closing comments.

Douglas Gillespie:

Often this tax is looked upon as the Las Vegas Metropolitan Police Department tax, when actually a number of other police agencies in southern Nevada are impacted by this tax. A number of the chiefs are here with me today, and down south as well, and are available for questions.

In 2003 and part of 2004, Sheriff Bill Young went before the voters and made a case for adding police officers with the assistance of a sales tax increase. I was his undersheriff at the time. We felt under those current revenue streams we would be able to hire roughly 600 police officers at the Las Vegas Metropolitan Police Department. We felt since they would be added to the complement of officers already there we would see a reduction in crime. At that point in time, in our history, we were seeing an increase in crime. The voters agreed. The first 0.25 cent was enabled in 2005. We hired a number of officers over a number of years. About two and a half years into the hiring of those officers, we started to see our crime rates decline. Our ratio of police officers started to rise. Our goal was to get to 2 cops per 1,000 permanent residents, which from an authorized strength we were able to obtain at the peak.

Since that time, because of significant reductions in revenue that have been presented to you, we have had to eliminate a number of positions in order for us to meet the budget we need to run the Las Vegas Metropolitan Police Department. However, we still have a deficit today. We have roughly \$456 million in revenue, but it takes \$502 million to run the police department. We need this additional 0.25 cent to assist us in keeping our staffing levels where they currently are, and also to add some additional positions. I believe we have been good stewards with the money that has been given to us. The Legislature has required us to come back every two years. We have also had an audit done by Clark County in regard to the disbursement of those funds. I cannot speak for those who actually did it personally, but the feedback to me was that our accounting and what we had done with the money is a model for other agencies to use.

We did what we said we were going to do with the funds, and crime went down. Our staffing levels have dropped and crime is coming back. I ask you to please consider not only the bill that is before you, but the amendment as well. As we work through this process I am available to you other members of the Legislature to answer any questions you may have in regard to my organization and what it is we have done with these funds since it was voted in and approved in 2005.

With that, I will be more than happy to answer any questions you may have in regard to our request.

Assemblywoman Kirkpatrick:

I spoke with Sheriff Gillespie at the end of last session and said that I had some concerns on the supplanting language, and that I would offer up a bill to have that discussion. Besides our fiscal staff, Assemblywoman Pierce and I, and maybe Assemblyman Horne, are the only ones who have seen the More Cops language every single session that we have been here. In 2005, we put it in place. We were very clear that we wanted 80 percent of the officers to go to the streets of the residents. The last session we realized North Las Vegas was in a situation where they asked for an attorney general's opinion. We then had to go in and recalculate the base, because everybody was way off because of the depreciation.

I have a couple of questions myself, because I think they will help clear the record and help people understand the supplanting language. For myself, I do not mind taking the supplanting language off if it helps us hire more officers in our streets. I do not know if it solves the long-term problem. I am concerned about a base adjustment somewhere. A few of my constituents have asked if that money in the supplanting is meant to stay there for the long term, to pay the current officers we already have. Could you clarify that for the record?

Douglas Gillespie:

In regard to the supplanting language that is currently in the bill, I believe it provides relief to the City of Las Vegas and Clark County. The reason why is because the Las Vegas Metropolitan Police Department's More Cops has a significant fund balance. The discussions I have had with elected leadership at both of those entities are that they would like to gain access to those funds to use toward our current deficit. It has always been our intent that that money stay in that particular account to pay for those officers' positions up through 2025. The majority of officers stay 25 to 28 years at the Las Vegas Metropolitan Police Department. If some of those officers continue to stay into out years and the tax stops at that point in time, because it was enabled for 20 years and we did not hire everyone at once, we want to be able to fund

those positions. We have modeled it with the additional 0.25 cent, as well as the 0.125 and 0.125 cent, and if there are situations where some of that money would be used toward our current deficit I believe we could provide to you a breakout that would show how that money would be used today, as well as how many positions could be added to those currently there today, into the future.

Assemblywoman Kirkpatrick:

I appreciate that explanation. I wanted the record to be clear because there are a lot of misnomers out there. I know the number one goal of our constituents is to have those officers in their neighborhoods.

Douglas Gillespie:

I want to emphasize the funds that would be taken from the initial 0.25 cent and potentially used toward the deficit would cover police officers' positions and their associated equipment. We would not be taking fund balance to purchase other things within the police department. Our commitment to you, as well as to others if we ventured this way, is that that money would go to police officers and their positions.

Assemblywoman Kirkpatrick:

I want to make sure that regardless of whether it is an additional 0.125 of a cent, or regardless if it is the current bill as written, that there is a penalty for people who misuse it. Those dollars are meant for officers, and people are counting officers in their neighborhoods. That is the truth. They have been paying it for a long time and they want to be able to see officers drive through their neighborhoods. I am just as much at fault here because I worked with you on this. I do not see that provision. The thought process for myself on getting everybody to sign off on it was that they have to have some skin in the game too, so they keep their word. I can talk to many local officials who did not keep their word in this whole process, and at the end of the day the constituents do not know the difference. They just want the officers.

I would be curious to hear where other people are on the amendment. I know we have had a lot of discussion about it. We need to talk about what local government has always wanted—was the supplanting money to go to administrative costs. In my mind, absolutely not. I have said for years I would never support that because that is not what the voters voted for.

I just want to make sure that some things are very clear. I would be curious to hear from the rest of the Committee, because for those of you who are here until 2025, I am sure you will hear this every session.

Assemblyman Stewart:

Are the other city entities on board with your amendment? Have you checked with them? If this had not been approved by the voters, you would be down actually between 600 to 700 officers at the present time. Is that correct?

Douglas Gillespie:

Currently we have 510 police officers that are funded under the More Cops, so we would be down those positions today if we did not have the initial 0.25 cent.

I received feedback from all municipalities except Clark County in regard to their approval of our amendment. They were to speak of that today at the County Commission meeting. I have yet to hear back from them.

Assemblyman Hardy:

Just for clarification, upon passage this will go to the County Commission and for the other entities go to their own municipal governing bodies for approval. Is that correct?

Douglas Gillespie:

Under the initial bill that is correct. Our amendment is that it go to the County Commission only for a two-thirds majority vote. They have to enable the tax. We wish to follow similar protocol that was done initially.

Chairwoman Bustamante Adams:

Are there any questions from the members of the Committee? [There were none.] We will now hear from those in the support position. Is there anyone in Las Vegas in support of A.B. 496?

Assemblywoman Kirkpatrick:

When Sheriff Gillespie comes back up can we get some more direct numbers on how many officers we would get from the 0.125 of a cent, or the 0.25 cent.

Chairwoman Bustamante Adams:

Yes.

Mark R. Vincent, CPA, Chief Finance Officer, City Manager's Office, City of Las Vegas:

The City of Las Vegas is in support of the bill. We also support the Las Vegas Metropolitan Police Department's amendment.

We believe the bill as written is more important than the amendment at this stage, and without the A.B. 496 we would be looking at an additional

\$14 million added on to the City of Las Vegas' forecast for fiscal year 2014. That is why we are in support of it.

Assemblywoman Kirkpatrick:

If it is \$14 million more, what happens if you do not have that ability? Property tax values are starting to go back up. What are the other options out there, and how much has the city contributed in lieu of the additional More Cops dollars that have been coming in? Budgets were flat and that is the reason we adjust the base. I get frustrated when I hear that. What part have you done in addition to the More Cops that the residents have been paying?

Mark Vincent:

During the good years we all experienced growth. When we were ramping up, I can tell you our combined growth for both consolidated tax and property tax was averaging 10 percent. As Sheriff Gillespie has already explained, the ramp-down has been very precipitous, particularly with property tax.

So we were down, like everybody else, 40 to 60 percent of our value. We have not yet seen the ramp-up. There is always a delay with property tax, and we are expected to have relatively flat property tax revenues for fiscal year 2014. I believe that is the way the Las Vegas Metropolitan Police Department is budgeting as well.

We are not seeing an increase, a return in property tax, and with the caps that we have in place that is going to be a slower slog. We are looking at combined growth of consolidated tax and property tax in the neighborhood of 2 percent for the immediate future.

In good years, the Las Vegas Metropolitan Police Department was able to have an operating fund balance. So while we were struggling through with our cuts, and I will remind you we are down about 18 percent in full-time employment at the City of Las Vegas and have curtailed and cut back many of our programs, the Las Vegas Metropolitan Police Department was able to use that fund balance they had in their operating fund to get through.

Now we have the issue where we will have to do additional cuts, and so we will be down much deeper than the 18 percent in full-time employment. In all likelihood we will be laying people off. That is just the reality of where we are, and it is through no fault of anyone. It is the economy.

Assemblywoman Kirkpatrick:

When the fiscal board meets, is it their same recommendation that they support this? I did not hear from the elected officials that sit on that fiscal board. I did

not hear them stand out front and support most of this as much as blame the Legislature for the situation they were in. I just want to be clear that if we do our part, the local officials and the fiscal board does their part, because I believe that plays a big key in it. What kind of commitment is there on that?

Mark Vincent:

We have been working very hard with our representatives on the Fiscal Affairs Committee. I believe we have done our part in trying to hold the line as tight as we can. Obviously when we did our cuts, unlike the federal sequester program, we did not cut across the board equally. We understand that public safety is important. We did not cut our fire department or detention department nearly as deeply as we cut others, and we understand that. The reality is we are where we are today in the economy, and so we will continue to work with Sheriff Gillespie through our members in the Fiscal Affairs Committee. Obviously, they are in a pickle as well. People do not like to cut public safety. If you do not cut public safety, it has to be something else.

Chairwoman Bustamante Adams:

Regarding your fiscal affairs person, the chairman, how many years has that person been serving? I know that you just recently went through a switch, is that correct?

Mark Vincent:

I do not know if I am best prepared to answer that. I believe the chairman is a citizen-at-large, and the two county commissioners and the two city council members are not chairpersons.

Chairwoman Bustamante Adams:

Do you know how long the existing chair has been serving?

Mark Vincent:

Off the top of my head I have to believe it has been three years or so.

Douglas Gillespie:

The current chair of the Las Vegas Metropolitan Police Department Fiscal Affairs Committee is James Hammer. I believe he has served two terms, which are two-year terms. He is into his third term, so I believe this is his fifth year.

Chairwoman Bustamante Adams:

Seeing no other questions, I will continue with Las Vegas first, because we will lose the video feed. I want to make sure we get testimony from down south.

Joseph Chronister, Chief of Police, City of North Las Vegas:

I would like to echo what has been provided to you from Sheriff Gillespie. I would like to add the support of the City of North Las Vegas Police Department to A.B. 496, with the proposed changes.

Chairwoman Bustamante Adams:

Are there any questions from the Committee members? [There were none.] Is there anyone else in Las Vegas in the support position? [There was no one.]

Assemblyman Frierson:

I am not entirely sure who this question is for. My question relates to the presentation of the bill we just heard, with some emphasis on reentry programs and things like that. When we hear an effort to increase law enforcement or to increase officers, it is often without a connection to some other things like community policing and diversion and some efforts to actually help. I realize some of this is with parole and probation as far as reentry, but it seems to me that it would be worthwhile to connect an effort with more officers to some of that, so we actually start to address recidivism at the same time. I think if this is going to be a community effort it should be part of the conversation. I was waiting for it to come up, but it has not. Is there any thought to some type of effort, either with parole or even within the department, to maybe consider helping out with that effort?

Douglas Gillespie:

In the original bill, I believe in 2005, there was wording in there regarding community policing and the efforts that all entities would put forth. I believe we have done that, Assemblyman Frierson. There are a number of programs that we have been recognized for locally as well as nationally. We have been recognized for a number of things that we have done in some very tough neighborhoods with the additional personnel we have had. With the additional bodies, it frees up our officers to have more time to participate in programs like that. You are not going from call, to call, to call. One area, in particular, in west Las Vegas, we have what we refer to as the Safe Village Initiative, where we have done a lot of outreach in the Sherman Gardens area, as well as the Matt Kelly Elementary School area.

The reason I tell you about this particular program is we track the crimes that occur on a daily basis. They are reported, and weekly I participate in a meeting where we look at crime within the Valley, not just in the Las Vegas Metropolitan Police Department's jurisdiction, but in all. That particular area has always been what we refer to as a hot spot, where it is red or close to that. For the first time since any of us can remember, it is no longer a red spot. Crime has decreased. That is another reason why we really need this additional 0.25 cent,

so we can stay committed to projects we have seen be very successful for the community we serve.

I would be willing to share with the Committee any of the data on the projects to show that this is not just talk. These are actually things we are doing.

Assemblyman Frierson:

I appreciate the opportunity to get this on record. I think when Sheriff Gillespie is no longer the sheriff we need a record of that, as an issue we want to continue to look at. That is why I indicated I had not heard it as part of this effort, but would like to see it not only now, but long term. I realize you cannot tie the hands of anybody that comes after you, but I think it is important for us to talk about it.

Douglas Gillespie:

I appreciate that as well. I do not want any rumors to start. I am not going anywhere. I like my job.

Assemblywoman Neal:

My colleague's question made me think about something that happened this past year. You had an investigation or an inquiry from the Department of Justice. It dealt with how you were organized, or different issues that came up after a couple of shootings. What happened and what was the end result from that investigation? I know that you were given some credit for the Bolden Area Command and their community policing program. It was recognized. I believe it has some level of national recognition on the type of officers you have over there that are committed to working with the community. What were the findings that came from that investigation?

Douglas Gillespie:

I appreciate your question. Actually it was Community Oriented Policing Services (COPS), which is a branch of the Department of Justice. They came in and took a look at our organization. After a period of time they came back with 75 recommendations on things that we could do to improve. The focus was on our use of force, particularly deadly force. We are in the process of following through on our commitment to meet those recommendations. We are still in the process of doing those. We actually have a matrix made up in regard to the progress that we are making. This was actually reported to the American Civil Liberties Union (ACLU), as well as to Mr. Frank Hawkins, the president of the National Association for the Advancement of Colored People (NAACP) Las Vegas Chapter, last week. I can make that report available to you so you can see as well. It is not just the Bolden Area Command. These programs that I talk about are actually taking place in all eight of our area commands. Bolden

has a good model for where it is, where they police in some areas. The Northeast Area Command is heavily Hispanic and has a good model as well. A number of these programs are in the works that are similar to but not exactly the same as what you see in Bolden. I will get you a copy of that report, as well as the matrix to show where we are.

Assemblyman Hardy:

I am the only legislator sitting here who represents all six municipalities in Clark County. Sheriff Gillespie has been very open about how many officers he has had to eliminate and the percentage of his staff. He has been open about the dollar cost. I want the same thing from all of you. I want to know if it was unanimous support from your city councils or municipality heads. I want to know how much of your budget has been cut since 2009. If you do not mind, that is the question I am asking from everybody that is in Clark County.

Troy Tanner, Chief of Police, City of Mesquite:

We have cut approximately \$1.3 million out of a \$7 million police department budget on our side. There was unanimous support, it was 5 to 0. Our officer ratio is 1.68 per 1,000 citizens.

Patrick E. Moers, Police Chief, City of Henderson:

I have written remarks that I have submitted to you for the record ([Exhibit M](#)). I will briefly summarize my support for this bill today. First, of course, we support the temporary removal of the supplanting language, as proposed in this bill. We are in different times, as Sheriff Gillespie mentioned. When you face unique circumstances, a temporary removal would prove helpful for all of us.

In the City of Henderson, the supplanting language has not been a barrier for us to fully utilize all the police sales tax that has come to us. The City of Henderson has made cuts in every corner of the city. Our city council has maintained public safety as the top budgetary priority for the city. In fact we have contributed more of our funds toward police services, while all the other cities have had to shoulder the greater burden of those cuts and reductions for the City of Henderson. In the less than a year that I have been appointed the chief of police in my department, we have faced a series of citywide cuts year to year, but also a tremendous loss in experienced law enforcement due to retirements. We attritioned out about 90 officers at about the peak of our tax today. Today we support about 60 to 62 officers in the tax fund; that currently will support it. In the City of Henderson crime rates have crept up about 6 percent for reporting purposes. One of the things of concern is our clearance rate, which is our solvability rate. It has decreased by 20 percent. Basically that is our ability to clear crimes and solve cases. We have had to cannibalize specialized units and detective positions to keep patrol spots filled.

What I think is important, though, since the initiation of the More Cops legislation back in 2004, the City of Henderson has been nationally recognized as being one of the safest cities in America. I think that is not only a credit to the employees of the City of Henderson, but the partnering agencies we work with to solve regional problems, and also a credit to the Legislature, because I think that is the payoff. I think that is what we have tried to achieve through More Cops, to have safe cities recognized in the state of Nevada.

To speak to your point Assemblyman Hardy, we started out at 1.8 officers at the peak. Today we are 1.2 officers in the City of Henderson. I hope that answers your questions.

Assemblyman Hardy:

Did you have unanimous support from your council?

Patrick Moers:

Yes, unanimous.

Assemblywoman Kirkpatrick:

In 2005 we had a document that showed how many officers our communities were going to be getting. Some entities got really close to that, and some entities did not. That information would be helpful to the Committee, to know what the expectation is. I am the first to call you on the expectation if you do not do it. I guess I did not read the amendment, I just said, okay bring it. Regarding the supplanting language and the 0.125 cent, I thought that the supplanting language was supposed to stay for the long term and the 0.125 cent would go forward. I do not know who should address that, but I am wondering just from the entities what the expectation is. For myself, I want to know the numbers. I want to be able to say to my constituents you are going to get 50 new officers in five years, or they are going to be back here and it goes away. I think that is helpful.

Patrick Moers:

The original projections for the City of Henderson were approximately 120 officers that would come from the tax fund. We were able to reach just about 90 officers in those positions before the economy made the turn. We have a fund balance that is currently balanced right now, so we appreciate and support Sheriff Gillespie's request for the removal of that language. Our goal is that with the other 0.25 cent it would give us approximately another 60 officers. We would reach the 120 mark. Based on the projections today, that is where we would be.

Assemblywoman Kirkpatrick:

I want to make sure we all have the same idea of what the rules are, knowing that North Las Vegas, Henderson, Mesquite and, I am sure, Boulder City are somewhere close by. If not we will have to get with their representatives, so people know. In 2005 it said, based on current projections, one vehicle per three officers, equipment for three officers, and their salaries is the way that it was supposed to be. Folks interpreted that differently. How, I do not know, because it was pretty clear in my mind. I just want to be clear on what the rules are, and I want to be clear on what the accountability is going forward on the expectations. What a lot of the smaller entities did is they went out and hired, and I believe Henderson did as well, a bulk of their officers up front, so they could get the officers out there sooner. I understand that, but it did not work out so well when the economy tanked for everyone. I wanted to make sure that there is a clear understanding on the projections. In my mind, if you give 0.125 cent, the way my constituents feel is there has to be some real accountability if you do not meet those numbers. I get those calls on a regular basis. How many officers do you have? We should be able to answer that question based on what the projections are and actual numbers. One thing that is not addressed in this bill, and at some point has to be, is accountability. The Las Vegas Metropolitan Police Department has probably done the best job of putting their numbers out there so the public can see. If you say 350 people were hired out of More Cops, we should be able to go count 350 people to make sure they are there. That is supposed to be the goal of this, so that does have to be addressed. I want to make sure we discuss that. I worry that no one else is asking these questions. There has to be some kind of legislative record on what the expectations are for future legislators.

I just want to make sure you understand what I am looking for.

Douglas Gillespie:

Assemblywoman Kirkpatrick and I have had a number of conversations, not just in the past couple of years, but for quite a few years in regard to the accountability. We took a step in that direction in the last session in regard to a penalty to be paid, meaning you have to give the money back if you are found to be supplanting. I believe I speak for all of us when we say we are willing to discuss those checks and balances. I think it is better if some of that comes from you rather than us, because you are the ones that ultimately are dealing with some of these issues, as we are.

In the interim we will also provide to you a number of scenarios. The example I can give you is right now we have a couple of options on the table. One is the original bill, where the 0.25 cent is enabled in 2015. If in fact it was enabled in 2015, what do we as entities see as our projections for being able to hire under

that scenario, and what those numbers would be? We would also provide that to you the 0.125 cent and the 0.125 cent, which we have discussed here today. That way everybody understands those two different scenarios and what our projections are.

We committed to and have come back every two years and reported out our progress. That should also give you a comfort level in regard to how we are moving forward. You can look at what we have projected. Did the projected revenue come in, and if it did not, how many were you able to hire? If it did exceed it, how many are you projecting to be able to hire, then report on that each legislative session as we move forward.

Assemblywoman Kirkpatrick:

I think we are in a situation where we have to do that because of the projections and the economy being so volatile. It is easier to underproject, so you look like the heroes that you are, rather than promising me something that is not going to work. I am the first to browbeat you on why I did not get what I wanted and what you promised. It is just better to underproject and come out ahead than to have residents expect more. I do think there has to be a better mechanism. From our conversations since you took office, I know it takes a while to get these officers on the streets. We need to address when people could expect to see that. What is the time frame?

Douglas Gillespie:

I do not think it is much different in any of the other jurisdictions. What you look at is from the date you hire someone to enter the police academy, it is roughly a year before they are out working the streets by themselves. They are hired on the fund, but they are not out on their own doing the job of a police officer.

Assemblywoman Kirkpatrick:

Not that that is a bad thing, but people need to know so you can answer the questions and the accountability starts.

Douglas Gillespie:

From the timeline aspect, for the sake of discussion, say we did get the 0.125 cent in July of 2013, the county would enable the tax in the fall. We would not see the first portion of that revenue until January 2014, so you would not see us hiring anyone until January 2014. You would not see the product of that initial 0.25 cent until December 2014.

Assemblyman Kirner:

You have laid off a number of people. Is there any opportunity to recall any of those people without having to put them through the academy?

Douglas Gillespie:

This was probably a miscommunication on my part. We did not lay anyone off at the Las Vegas Metropolitan Police Department. These are positions that were vacant or became vacant through attrition that we eliminated through the budget process. I am very committed to not laying off employees at my organization or even threatening to lay off employees at my organization. The main reason being, my most junior employees are out in the early hours of the morning doing a very dangerous job. I do not want them worried about their job. I want them worried about what is in front of them, so I stay committed to that.

Assemblywoman Pierce:

What is the projection on how much the 0.25 cent will bring in annually?

Douglas Gillespie:

Projections are between \$50 to \$53 million. That is to the Las Vegas Metropolitan Police Department. I cannot speak to the other entities.

Patrick Moers:

Without having my city financial person here, I think it is \$10 million for the 0.25 cent for the City of Henderson.

Chairwoman Bustamante Adams:

It would be helpful for the Committee to have those numbers from each entity.

Assemblyman Hardy:

Sheriff Gillespie, on your ratios in the community back before 2005, do you know what the ratio or the goal the Las Vegas Metropolitan Police Department had for 1,000 residents at that time?

Douglas Gillespie:

Back in 2003, I believe our staffing level was 1.72 for 1,000 permanent residents.

Assemblyman Hardy:

So you have maintained that goal?

Douglas Gillespie:

No. Our goal was two cops per 1,000 permanent residents with the More Cops sales tax. We obtained that from an authorized strength of 2.06, but that was at our peak. It has been reduced back down to the 1.73 level that I spoke of earlier.

Chris Collins, Executive Director, Las Vegas Police Protective Association:

I am the executive director of the Las Vegas Police Protective Association, as well as the president of Southern Nevada Conference of Police and Sheriffs. Those two titles give me the great honor of representing approximately 4,000 men and women in law enforcement in Clark County. I am here on their behalf today to ask for your support of this bill, as well as the amendment supplied to you.

It is important for you to know that this bill will greatly affect the safety of those men and women who are now currently working at dangerously low levels, as Sheriff Gillespie has said. Those men and women are also taxpayers. They support the penalties that have been mentioned to hold their agencies accountable. This bill is desperately needed for the safety of our communities.

Chairwoman Bustamante Adams:

We will now go to Las Vegas.

Joseph Chronister, Chief of Police, City of North Las Vegas:

Answering Assemblyman Hardy's questions, we have 1.17 officers per 1,000 residents. Our council was unanimous for the resolution. Our budget has been reduced over the last four and a half to five years a little over \$40 million.

Chairwoman Bustamante Adams:

I do not know if each entity could consolidate in one area the information Assemblyman Hardy asked for regarding the ratio and how much revenue the 0.25 cent would produce from that entity. That information would be very helpful.

Virginia Douglas, Private Citizen, Las Vegas, Nevada:

I am a retired state employee from mental health. Since my retirement, I have been a volunteer with the Las Vegas Metropolitan Police Department for several years. I have a son who is a law enforcement officer in the City of Mesquite, so this is very important to me to be in support. There are 400 volunteers and we are all very committed citizens who have had other careers. We love our city and we love working with our police department. We work to fill in a lot of

gaps at the Las Vegas Metropolitan Police Department. I just wanted you to know, as a constituent, that I strongly support this.

Chantal McAtee, Private Citizen, Las Vegas, Nevada:

I am in support of this bill.

Chairwoman Bustamante Adams:

Is there anyone else in Las Vegas in the support position? [There was no one.] Before we take the support position here in Carson City I will transition to those in the neutral position from Las Vegas, because we are going to lose the video feed.

Frank Hawkins, President, National Association for the Advancement of Colored People, Las Vegas Branch #1111:

I would like to read my comments into the record. I have a proposed amendment to A.B. 496 ([Exhibit N](#)). The purpose of this amendment is to ensure that a portion of any approved tax increase must be dedicated, for the larger police departments, to equipping police officers with body cameras and maintaining this system of body cameras for police officers.

Under section 3, after subsection 2, the below amendment would be inserted as subsection 3:

Any police department with over 300 sworn police officers must use at least 7% of the funds it receives under this Section to purchase and maintain body cameras and equipment or material necessary to support such body cameras for existing or newly hired sworn police officers.

I would also like to add the comment that it would not be until December 2014 that we have new officers on the street. Wholeheartedly we believe that the cameras will not only help the police officers do their jobs, as far as equipment and tools, but will also help the community.

We also would like to acknowledge, as Sheriff Gillespie stated, that we were involved in the COPS, the ACLU and the NAACP. One of the recommendations that came out of the COPS report from the use of force was a recommendation for cameras. It is slated and is in the report that I believe the Las Vegas Metropolitan Police Department and Sheriff Gillespie is going to give to you all.

If you are going to allow money to be used in any other way, we would highly recommend and implore you to include cameras. We think that if they are the

single best tool and piece of equipment that can help current officers on the street, and that is immediate. That is today.

Assemblywoman Neal:

I do not know if you had the benefit of listening to Assemblyman Frierson when he mentioned comments about connecting the money to certain police activities. Was there anything in the report that was related to Assemblyman Frierson's comments?

Frank Hawkins:

In the COPS report?

Assemblywoman Neal:

Yes.

Frank Hawkins:

In the testimony today, I think Sheriff Gillespie acquiesced back to that report and talked about some of things that they are doing in certain parts of West Las Vegas, but our comment is global, that yes we appreciate what is happening in west Las Vegas, and also east Las Vegas, so we want to see of course more community policing. We do know the challenges that they face, and we have met with Sheriff Gillespie for months and months and months. Even though the money that we are asking for is not going to be able to put cameras in every single area command, but rolling out a volunteer and rolling out two area commands at a time, over the years, will put cameras in all of the police departments. We already know that the City of Henderson has cameras in their cars. We are advocating for body cameras on the police officers, and we think that that will help community policing.

Assemblywoman Neal:

Prior to this amendment, had you had a discussion with the Las Vegas Metropolitan Police Department or Sheriff Gillespie in terms of the body cameras, outside of the report? I know that the information came from the report, but was there a discussion that this is something that the NAACP or ACLU wanted?

Frank Hawkins:

It is not just us. There are other advocate groups. This started when we were meeting around the inquest. I want to say for at least eight or nine months there has been a commitment to put cameras in. There was discussion about using seizure money. We know that there is a budget shortfall, so the seizure money is low, but we have a commitment to continue to work with Sheriff Gillespie. He has said that he will provide the cameras. He is committed

to it. We just want to help him to help the community to ensure that those cameras are in fact on the officers in the community, helping them to do their job and helping the community be better citizens.

Lisa Mayo-DeRiso, Private Citizen, Las Vegas, Nevada:

I am here today to urge you to adopt the amendment to A.B. 496 proposed by the NAACP. I have been an activist in this regarding officer-involved shootings, accountability, and transparency in the Las Vegas Metropolitan Police Department for the last two and a half years. Involved in that we have a very strong support system of about 10,000 people who participate with us in the social media area on supporting transparency and accountability at the Las Vegas Metropolitan Police Department.

I wanted to talk for a minute specifically about the COPS report that was set forth in 2012. In the executive summary, they talk about four key goals that CNA Analysis & Solutions and the Las Vegas Metropolitan Police Department have agreed to collaborate on.

- To reduce the number of officer-involved shootings.
- To reduce the number of persons killed.
- To change the culture of the Las Vegas Metropolitan Police Department, as it relates to deadly force.
- To enhance officer safety.

The single most important investment of time and money to achieve transparency and accountability is to install cameras on Las Vegas Metropolitan Police officers. I know Assemblywoman Kirkpatrick talked about having more police officers in our neighborhoods. We hear this time and time again, that people want more police officers. They also want more accountability and transparency of what happens when an incident takes place in their neighborhood.

In studies and personal conversations we have had with police chiefs, and we have looked at a lot of data around the country, this clearly tells a story of success with cameras. The vast majority of police departments with cameras see four key things improve in their community. They see improved officer safety. They see significant training tools that can be used from the cameras and the video that has taken place, that can be used to enhance officer training. In addition, cameras and video help to rebut officer complaints within a community.

I think the biggest thing to my group, and the many, many citizens who have come out to support transparency and getting our police department really more

involved from an accountability standpoint, is that studies show that 94 percent of citizens support cameras.

Cameras on officers are a win-win for taxpayers. It is the best way to spend taxpayer money to achieve transparency, accountability, and public trust. I urge you to include the camera amendment in A.B. 496.

Assemblyman Hickey:

This is a comment and a question for you. As you know, you are appearing before folks that are state lawmakers, and that being the case, some of us are obviously not as familiar with issues related to individual counties and, in your case, Clark County.

I would be more inclined to support this bill seeing that locally in Clark County, your commission which is in touch with the people, make decisions. It is a very serious recommendation, and may be necessary or deserved. I just want to say that when you ask state lawmakers who are not as intimately involved to make decisions that add a number of things, it makes it more complicated in passing something like that, at least to someone like me.

Lisa Mayo-DeRiso:

I appreciate that. I think I understand that from your perspective, but I think police safety, accountability, and transparency is not just happening in Clark County. I think it happens across the state of Nevada, and we see it happening across the country. Citizens are asking for public trust in our police departments, as we have seen budget cuts, and we have seen our police departments having to cut back and not have as many officers. That accountability, trust in public safety, I think is very important. As we spoke of earlier, the City of Henderson has cameras on their cars. These have proved to be a very valuable tool. There have been incidents that have happened in the City of Henderson where that video became very important.

I would consider this as a statewide issue, as a public safety issue, for the state of Nevada. Certainly my concerns as an activist are in Clark County, because that is where I reside and that is where my focus is, but I think we could certainly make this an issue for public safety in all parts of Nevada.

Assemblyman Hickey:

As I look at this it is enabling legislation and not necessarily statewide policy as you suggested. We might want to look at this.

Allen Lichtenstein, General Counsel, American Civil Liberties Union of Nevada:

I will be brief, because a lot of what I would say would reiterate what my colleagues have said. The discussion concerning cameras well predates the U.S. Department of Justice ever getting involved. It was interesting to note that they ratified the decision that we had come to and the discussion we had with Sheriff Gillespie, who expressed enthusiastic support for the idea of having wearable cameras on officers. The crunch comes in, of course, with the budget. If you look at this particular bill, it is not just to hire police officers, it is also to hire and equip them. One of the pieces of equipment that seems to be universally considered important from Sheriff Gillespie's point of view, from the U.S. Department of Justice, as well as other organizations, including those who are not here but are on Sheriff Gillespie's multi-cultural task force, are cameras. Cameras will go a long way in helping the cooperation between police and communities, and hopefully will create a kind of atmosphere where crime rates will go down instead of going up, as they have in other areas where there has been cooperation. Even though this is enabling legislation in terms of equipment, a statement that a certain amount of that equipment should be toward cameras would go a long way toward effectuating that particular desire.

Richard Boulware, First Vice President, National Association for the Advancement of Colored People, Las Vegas Branch #1111:

I have been involved, working with this issue on cameras for some time, for some years now. I know that there has already been some conversation, and I apologize, as I actually had to step out of the hearing for some time.

Chairwoman Bustamante Adams:

If you have written testimony I would be more than happy to enter it into the record as well.

Richard Boulware:

I will certainly do that. What I will submit for the record, which I do not have with me today, are letters of support we have submitted previously as to the studies which support the use of cameras in terms of increased officer safety and increased resolution of complaints against officers, increased accountability with respect to the police departments, and the fact that these cameras are recommended repeatedly by national studies—for example the International Association of Chiefs of Police and the COPS offices in Washington, D.C. I am happy to submit, and will submit, the information that supports that.

Lastly I want to say that again we are neutral on this, except to the extent that obviously we want the amendment to be added. Something the Committee should understand, more police officers does not automatically translate into greater safety. Without accountability, proper training, and monitoring as we

have seen from instances like Stanley Gibson and Trevon Cole, poorly trained officers can have unintentionally tragic results for our citizens.

Chairwoman Bustamante Adams:

For the others in Las Vegas you can sign in on the guest list, then I can include your name as part of the public record even though you do not want to testify. In case we lose the video feed, I will give you at least 24 hours to submit your written testimony for those in Clark County to make sure we have that information. We will now come back to Carson City and hear from those in the support position.

D. Eric Spratley, Lieutenant, Washoe County Sheriff's Office:

You may be wondering why a guy from the north is here on the south's business, but it actually affects us. The Las Vegas Metropolitan Police Department's resources, or lack thereof, have a direct impact on the Washoe County Sheriff's Office in a variety of ways. Law enforcement agencies are bound by jurisdiction. Criminals are not. Criminals in Las Vegas do not stop at the county line. The ones in Washoe County do not stop there either. They extend their nefarious activities into other jurisdictions, up and down U.S. Route 95. We often reach out to our friends at the Las Vegas Metropolitan Police Department to help us with cases, forensics, extraditions, research, and even task forces and training. In a complex network of resources, information, data, and strategies used to battle the criminal elements it all takes people. Deficiencies in personnel directly affect all of us in our efforts to comprehensively and cooperatively fight crime throughout the state. Once again, the Washoe County Sheriff's Office expresses our support for A.B. 496.

Yolanda T. King, Director, Budget and Financial Planning, Department of Finance, Clark County:

I want to address a few questions that the Committee members had asked earlier. The first is in regard to the resolution. There was a resolution that was approved and passed by the Board of County Commissioners ([Exhibit G](#)), however, they were due to speak on the amendment at the board meeting today. I had hoped to be able to provide you some information, but they had not heard the item before this Committee started at 1 p.m. Hopefully I can soon provide you with an update on discussions or a position that our board has taken on the amendment.

In addition, Assemblyman Hardy asked some questions, and I assume you are asking about Clark County as the government in regard to the cuts that we have taken since 2009. Clark County's general fund budget is about \$1.3 billion. Since 2009 we have made cuts of about \$200 million to that general fund budget. About 1,000 positions have been eliminated in the Clark County

government. These include vacant positions that have been eliminated and not filled and also layoffs of employees that have also occurred since that time. We are currently looking at about a 23 percent vacancy rate, or reduction in work force if you will, in terms of positions that we currently have today, compared to 2009.

There were questions asked about the revenue. Currently for fiscal year 2014, we are looking at an actual 1 percent decline in our property tax revenue projections. We thought that number was going to remain flat, however the board of equalization results have come out and we are looking at a 1 percent decline. Mainly due to the consolidated tax increase, we are looking at probably about a 2 percent increase in our overall revenues.

In terms of the ratio, I believe Sheriff Gillespie has answered what our ratio is, because we are part of the Las Vegas Metropolitan Police Department ratio. We have estimated that the 0.25 percent increase would raise probably about \$80 million annually.

Assemblyman Hardy:

Here is the reason I ask about the goals and ratios of communities and where they are at with their ratios. The concern I have, and I believe this has happened, is the taxpayers voted on this increase to go to cops and nothing else. There is nothing else in this language that talks about helping out public works or any other entity.

You just spoke of how much you have lost. Here is my concern going forward. How do we continue to protect those police departments to where they maintain that ratio in this bill? I hate to see it lose cops because the economy declines. I understand that, but people are wanting to spend this money on maintaining a certain ratio, so there lays my reasoning for the question.

Everybody has a certain goal, a ratio they want to hit. As long as we never drop below that, I never have a concern. But somehow this money goes into the county budget, but they can pull it out on the bottom side somewhere else, and I do not want to see that happen.

Yolanda King:

Hopefully I can explain. What happens with the Clark County budget, as well as the City of Las Vegas', there is a contribution that is made from the City of Las Vegas and the Clark County government. For the Clark County contribution, to help pay for the expenses for the Las Vegas Metropolitan Police Department, that comes out of the county's general fund.

What I can tell you is that yes, we have made cuts in other areas, but the contribution is not where we have made the cut. Our other departments have had to sacrifice, so we can try to maintain those contributions made from Clark County. We have been working with Sheriff Gillespie and his staff over the past three or four years. They have definitely discussed their concerns with us and we have discussed with them our deficits and the concerns we have.

At some point in time, you can only continue to use your fund balance, and in the case with the Las Vegas Metropolitan Police Department, before you have to make a decision as to where are we going to get the additional funds to be able to fund what they need for their department.

So yes we have made declines within our general fund, but it has definitely been with other county departments, and some departments provide countywide services throughout all of Clark County, which include the cities as well as the counties.

I just want to make clear for the record that we have not made declines in terms of what our contributions are with Sheriff Gillespie. We have been working with them to try to get through this problem that they have.

Assemblyman Hardy:

From what Sheriff Gillespie has told us, those goals have maintained a ratio of 1.72 to 2.6. Going forward, I still want to make sure that that cannot happen, and it will not happen in any entity. That is the reason I ask those goals.

Yolanda King:

It is definitely not our intent that if this bill should be passed, we take the funding and we use it for other services. Obviously that is not the intent.

Assemblyman Hardy:

No accusation that it is an intent, but councils and bodies change, and legislatures change.

Yolanda King:

The law and the way it was posed to the voters is specifically for that purpose. I will not say intent, but no, we will not take the money and we will not use that funding for any other type of services other than what it was approved for, which is for the policing and equipping of the officers.

Assemblyman Hardy:

Understood. Just to make sure it is not pulled off the bottom sheet.

Assemblywoman Neal:

I was just trying to find out, since it is 3:32 p.m., if the commission made a decision, or if they had discussed this amendment ([Exhibit F](#)). I do not want this hearing to close and not have an answer on that amendment from the county.

Yolanda King:

I can call or email back to see if they have discussed it at this point. I know the meeting was going rather long. I can call and ask if there was any position or if they have discussed it.

Douglas Gillespie:

Ms. King and I had not had a chance to talk before coming in here, but I just wanted to clarify for the record that, in addition to the \$61 million reduction of revenue that we have seen from property tax to the Las Vegas Metropolitan Police Department, we have also seen over a \$30 million reduction in contributions from the city and the county. There is a lot of discussion that goes on each budget year in regard to prioritization, policing, fire, and a number of other things. Clark County and the City of Las Vegas as well as, I believe, all other municipalities in southern Nevada are being faced with the same issue that I think many of you are familiar with. We have a lot less revenue than we had a number of years ago but, particularly on the policing side, our workload has not gone down. Our 9-1-1 calls are still up. Our calls for service are still up. Our staffing levels are down.

Chairwoman Bustamante Adams:

The 0.25 cent is due to sunset September 30, 2025. Is that correct?

Douglas Gillespie:

Yes, as well as what is enabled from this point forward, the tax itself, the half cent, to my understanding, sunsets in 2025.

Chairwoman Bustamante Adams:

Do you guys have a plan in place when it does sunset and you are no longer receiving that revenue?

Douglas Gillespie:

Yes, that is part of what the fund balance is there for.

Chairwoman Bustamante Adams:

I would like Troy Tanner to come back to the witness stand.

Assemblyman Hardy:

I believe we discussed the number of officers you had hired from More Cops since 2008. I think you said it was seven. It shows four on the website.

Troy Tanner:

We currently have seven on More Cops. That is what we have had since 2006. I am not sure why it says four, but I will check into that. We currently have seven. We have kept that number the entire time.

As Sheriff Gillespie said, we have lost people through attrition on the general budget side, all around our department and other areas besides just police, and that is how they have lowered our budget and our numbers over the years, but law enforcement-wise, at our good times our highest number was 32. Currently we have 27 police officers, and 7 are still More Cops. Our revenue has declined in More Cops over the last three or four years, so right now we are at the point we have about \$28,000 left in our More Cops account, so it is hard to keep that person in there. We lost one a few weeks ago and it is hard to replace that person when there is not a fund balance in our account. Unlike them, we have no fund balance in More Cops. That is why I was more interested in the 0.125 cent. I spoke with him about it and it is important to us. I completely support the bill.

Chairwoman Bustamante Adams:

Are there any other individuals in support? [There was no one.] We will finish off the neutral position, because we started down south. Is there anyone in neutral in Carson City?

Carole Vilardo, President, Nevada Taxpayers Association:

I signed in as neutral because I was comfortable with the bill as it was presented. I am not as comfortable with the amendment in one section, and that is on the two-thirds. It is easy because there are a number of types of resolutions, as this body knows. You have regular resolutions, concurrent resolutions, joint resolutions, and they all take on a different flavor or import. The resolution of support I am sure was fine. It was done with, I assume, majority, unanimous votes in most cases, but I do not know it took on the same seriousness as it would have with a two-thirds vote. That is where I was concerned, the reason being, and I understand that originally it was the commission that imposed the tax versus each of the entities that would receive it, however that was being done because we had had voter approval throughout the county. The commission became the authority for the tax, which is standard on all local options. It is the commission that imposes the tax, because our taxes in sales and use tax are imposed countywide. In the *Nevada Tax Facts* book you will see all the local options. Every one of them,

whether voter approved or not, is commission approved. In this particular instance, because it was far enough down the road from the original approval, we were looking for the two-thirds.

To pick up on a point that Assemblywoman Kirkpatrick raised, and that is to have the powers that are currently in office realize that this is for new and more cops. Take no position with the amendment relative to increasing the 0.125 of a percent. If you do it now Sheriff Gillespie said it could not be done until December. The amendment said it is effective on passage and approval. In reality, if I remember correctly, when you put a new component part or raise the rate on sales tax, I believe it has to be at least 30 days or the following quarter, the first day of the quarter, and that just has to do with changing forms. People that report quarterly because they would be in audit, you would be trying to make that distinction of at what point they were being audited. I would think from the time frame, if this were passed with the sales tax increase, then in all probability there would be sufficient time to have that enacted, whether it was passage and approval or July 1, so it would be implemented October 1.

I cannot remember the full language on the original bill, and shame on me for not going back and reading the 2005 Session statutes, but if you impose the 0.125 cent sales tax, and depending on how that is inserted in the bill, we do need to have a provision that particularly on construction contracts, if there is not an escalating clause on the contract, the tax does not apply until the contract is complete. That is standard. It has been in since the tax shift in 1981. That has been added on these bills. That is because otherwise you would have that business eating the sales tax, because the contract would not be adjusted. In addition to that it is usually a provision, because this increases the amount of revenue that a retail business is going to pay. The deposits that have to be put up by retail businesses are based on how much they report, and so we need to be sure this does not impact any of those deposits, because they will be collecting more money, even though they ultimately have to break out the tax. The first part of it is going to show the gross tax, which is what they look at in the number of sales for calculating deposits.

I would also make a comment regarding the testimony on the cameras. I think this would require another amendment if you were to choose to do that across the board. What the voters approved was additional funding for new cops, More Cops, and for equipment for those police officers. Maybe it was not the intent of what I heard, but it appeared to me that the amendment that was being proposed was asking for cameras for all police officers. That was not what the voters approved. Depending on how that came down and depending on what you did, I would think without substantial changes it should apply only

if you were to accept the amendment to the More Cops and the equipment associated with the More Cops provision.

Chairwoman Bustamante Adams:

We will now go into opposition. Those opposing A.B. 496, please come to the witness table.

Steve Sanson, President, Veterans in Politics International, Incorporated:

I am the president of Veterans in Politics International. I know most of you and, before I get into my testimony, I just want to applaud each and every one of you for being up there.

I would like to answer the question Assemblyman Hardy asked, if it was unanimous. I am only going to speak about the Las Vegas Metropolitan Police Department. The Clark County Board of Commissioners was 5 to 2. The Las Vegas City Council was 6 to 1.

The Veterans in Politics International is against this bill at this time. The reason why I say this is because there is a lot of cleaning up to do within the Las Vegas Metropolitan Police Department. Before you give money you have to go ahead and clean up what is going on. First of all there is a collective bargaining contract under *Nevada Revised Statutes* (NRS) Chapters 288 and 289. There is a provision right now, the Metropolitan Police Department has eight police officers that sit on the executive board. They are solely responsible for the duties of the union. They do no police work. That costs the taxpayers \$1.2 million a year just in salary. We have eight officers that just sit on the Las Vegas Protective Association board, and the taxpayers are paying for that.

There are several hundred police officers that make over six figures. I do not know if this new sales tax initiative is going to give more officers a pay raise, or if it just is to hire more officers. That is another thing that we need to look at. There has to be strong language in this saying it is not for any pay raise. There are about 345 officers making over six figures.

There are police officers who are on administrative leave. Some officers for six months, some officers for a year and a half. There has to be a cap on how long officers get to stay home and not do any police work at the cost of taxpayers.

In addition there are officers that have broken policies of the Las Vegas Metropolitan Police Department that should be fired. There are officers who should lose their pensions and it is not going on. These bad officers are still

employed. That is another thing that needs to be looked at. I am talking about Officer Brian Yant and Officer Jesus Arevalo.

Sheriff Gillespie has contracted in a lease for the police headquarters over on Alta Drive and Martin Luther King Boulevard of \$1 million per month. It costs the taxpayers \$1 million per month to pay for this. This is a lease, a rent, with an option to buy in ten years. The lease is for 30 years, not to count the thousands and thousands of dollars it costs taxpayers to retrofit this building that the county does not even own.

There is a communication system that has been in use that cost the taxpayers \$42 million. It is called Desert Sky. It was implemented in 2010. Sheriff Gillespie has stated that this was one of the reasons that caused the death of Army Gulf War veteran Stanley Gibson in 2011. Sheriff Gillespie has stated that this communication system does not work properly. This communication system has failed since it was first implemented in 2010. This cost the taxpayers \$42 million and now Sheriff Gillespie wants to get a new communication system. Where is that money coming from?

Chairwoman Bustamante Adams:

I just want to stay to the merits of the bill. I think you are trying to get to the point that it is about accountability for you, and there are several sections of accountability.

Steve Sanson:

Exactly. The Las Vegas Metropolitan Police Department's Fiscal Affairs Committee pays out on the average of \$4.5 million per year for discrimination their own officers filed against the department of lawsuits, for wrongful death, for excessive force, for illegal search and seizure. There has to be some type of accountability on how they spend their money before we give them more money to hire more cops.

To the Veterans in Politics this is not about more cops, this is about how the Las Vegas Metropolitan Police Department has wasted the taxpayers' money. We cannot keep giving money to an organization that is going to waste the taxpayers' money until that organization has proven to the taxpayers they could be more fiscally responsible.

Chairwoman Bustamante Adams:

Thank you. I know you had written notes, so if you would like to submit those as part of the record, I would happy to do so for you.

Brian McAnallen, representing the Las Vegas Metro Chamber of Commerce:

I will be real brief. We have had a discussion with Sheriff Gillespie and the Las Vegas Metropolitan Police Department understands the position we have taken. We are supporting the language in section 1 of A.B. 496 that removes the supplanting language for the two-year time period and would allow the Las Vegas Metropolitan Police Department to use the reserves to help them out with the fiscal challenges that they face today. We also understand the fiscal challenges that the Las Vegas Metropolitan Police Department's budget has on Clark County and the City of Las Vegas, but at this time the Chamber of Commerce was not supportive of going forward with the 0.25 cent sales tax. That would also be the same with the amendment that is the 0.125 cent now and in two years. We are in favor of allowing the supplanting language to be removed and using those reserves to address the budget issues.

Chairwoman Bustamante Adams:

Are there any others in opposition? [There was no one.] I would like Sheriff Gillespie and Chuck Callaway to come back to the table. Obviously we have some next steps that we want to see something regarding a penalty for those who misuse the funds other than the way they were intended. There are some checks and balances that we still need to go over. There is also the coming back every two years for the accountability portion and the community policing report Assemblyman Frierson asked for. We want to see a timeline, from when someone enters the academy to when they get to be on the street. Assemblyman Hardy had a question about the ratios, the distribution to each of the entities that are affected, and the county vote. I would like that in a consolidated paper from you.

Douglas Gillespie:

What is the time frame to have this to you?

Chairwoman Bustamante Adams:

By Thursday at the latest.

Douglas Gillespie:

We will have it to you.

Chuck Callaway:

I do not know if this is a possibility, but in terms of the penalty, as Sheriff Gillespie stated earlier, there was a penalty put in a prior session, in Assembly Bill No. 572 of the 76th Session, and I think A.B. 496 inadvertently lifts that penalty when it lifts the supplanting language for the two-year period of time. Maybe, respectfully, this Committee would consider lifting the supplanting language with the exception of that penalty that was put in place in

A.B. No. 572 of the 76th Session. I do not know if that would provide a level of comfort.

Chairwoman Bustamante Adams:

Yes, it would.

Assemblywoman Neal:

This question may be for Sheriff Gillespie and maybe the county could come back to the table. I had just heard from Commissioner Weekly that there was a request to hold off the agenda the item to discuss the 0.125-cent amendment, and that happened more than three hours ago. It was a request to actually hold it and not discuss it. I need that clarified on the record, because if you are playing games, I am getting angry.

Yolanda King:

I can assure you I am not playing games. I was trying to listen to the meeting while I was in other committee meetings, so I may have missed if that is what they discussed. I was just reporting back to you that I had not heard, based on the meeting, what had been discussed.

Since then I had a conversation and it was my understanding that the board did not take a formal position on the amendment.

Assemblywoman Neal:

My understanding is that it was an actual request from Sheriff Gillespie, and he wanted to testify for the 0.125-cent amendment. They actually had a lot of officers in the audience this morning, and they had to inform them that this was on hold because he would be in Carson City testifying in front of our Committee, and that they should hold the item. I do not know how that got mixed up.

Douglas Gillespie:

I can probably shed a little light on that. There was an agenda item on the county commission agenda today to discuss the Las Vegas Metropolitan Police Department budget. I requested that item be pulled. I did not request the discussion in regard to this tax be pulled, in fact I made it very clear to county representatives Friday in a meeting at my headquarters building that I wanted to have them discuss that. I will take that up with the chairman.

Yolanda King:

There is a separate item whereby the board discusses all legislative items. It was my understanding that this amendment was going to be discussed with that item. Sheriff Gillespie is exactly right. There were two different agenda

items. One was to discuss the tentative budget for the Las Vegas Metropolitan Police Department. That part I did not hear was that that was pulled, and that is completely separate from what we are talking about today. Before coming into this meeting, I was trying to listen to the legislative discussion, to see if the board was going to decide or take some sort of action on the amendment today. That is simply what I was reporting to the Committee, that before coming into this meeting they had not had the discussion based on what we were trying to discuss here today. I apologize if there was any confusion. I was trying to hear the meeting so I could report back to you what I had heard from the commissioners, rather than having to wait until the end of the day, or the next day, to report back to you what their position was.

Chairwoman Bustamante Adams:

Do you have any closing remarks, Sheriff Gillespie?

Douglas Gillespie:

No, Madam Chairwoman. I appreciate your patience.

[[Exhibit O](#) and [Exhibit P](#) were presented but not discussed and are included as exhibits for the meeting.]

Chairwoman Bustamante Adams:

We will close the hearing on A.B. 496. We will take public comment. Is there anyone in Las Vegas who would like to provide public comment? [There was no one.] Is there anyone here in Carson City who would like to provide public comment? [There was no one.] The meeting is adjourned [at 3:57 p.m.].

RESPECTFULLY SUBMITTED:

Gina Hall
Committee Secretary

APPROVED BY:

Assemblywoman Irene Bustamante Adams
Chairwoman

DATE: _____

EXHIBITS

Committee Name: Committee on Taxation

Date: April 2, 2013

Time of Meeting: 1:07 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 308	C	Assemblywoman Dina Neal	Proposed Amendment
A.B. 308	D	Sonya Horsford	Beating the Odds PowerPoint
A.B. 496	E	Chuck Callaway	More Cops Initiative PowerPoint
A.B. 496	F	Chuck Callaway	Proposed Amendment
A.B. 496	G	Clark County	Resolution
A.B. 496	H	City of Mesquite	Resolution
A.B. 496	I	City of Las Vegas	Resolution
A.B. 496	J	Boulder City	Resolution
A.B. 496	K	City of Henderson	Resolution
A.B. 496	L	City of North Las Vegas	Resolution
A.B. 496	M	Patrick E. Moers	Written remarks
A.B. 496	N	Frank Hawkins/National Association for the Advancement of Colored People	Proposed Amendment
A.B. 496	O	Chuck Callaway	The More Cops Ballot Question
A.B. 496	P	Chuck Callaway	Clark County Advisory Question