

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-Ninth Session
April 25, 2017**

The Committee on Government Affairs was called to order by Chairman Edgar Flores at 9:12 a.m. on Tuesday, April 25, 2017, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 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 www.leg.state.nv.us/App/NELIS/REL/79th2017.

COMMITTEE MEMBERS PRESENT:

Assemblyman Edgar Flores, Chairman
Assemblywoman Dina Neal, Vice Chairwoman
Assemblywoman Shannon Bilbray-Axelrod
Assemblyman Chris Brooks
Assemblyman Richard Carrillo
Assemblyman Skip Daly
Assemblyman John Ellison
Assemblywoman Amber Joiner
Assemblyman Al Kramer
Assemblyman Jim Marchant
Assemblyman Richard McArthur
Assemblyman William McCurdy II
Assemblywoman Daniele Monroe-Moreno
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Pete Goicoechea, Senate District No. 19



STAFF MEMBERS PRESENT:

Jered McDonald, Committee Policy Analyst
Jim Penrose, Committee Counsel
Isabel Youngs, Committee Secretary
Cheryl Williams, Committee Assistant

OTHERS PRESENT:

Dave Mendiola, County Administrator, Humboldt County
Jim French, County Commissioner, Humboldt County Board of Commissioners
Vance Payne, Director, Emergency Management, Nye County
Frank Carbone, Private Citizen, Pahrump, Nevada
Todd Ingalsbee, Legislative Representative, Professional Fire Fighters of Nevada

Chairman Flores:

[Roll was called. Rules and protocol were explained.] First on the agenda today is Senate Bill 127 (1st Reprint).

Senate Bill 127 (1st Reprint): Revises provisions relating to the election of members of certain local governing bodies. (BDR 20-786)

Senator Pete Goicoechea, Senate District No. 19:

This morning I will be presenting Senate Bill 127 (1st Reprint). This is a fairly simple bill. I hate to say that because we could be here for the rest of the morning. Some of our smaller counties struggle to maintain membership on certain boards, especially with term limits. We will be able to give you some examples from Humboldt County. It is occurring in all of the rural counties, but Humboldt County seems to have the corner on it right now. They can tell you how many boards they have that are technically vacant. Some of them are elected boards. Some of the members have termed out, and no one else wants to do it. Some might be appointed to the board, serve in a few meetings, and realize they do not want to do this. They fall off the radar. They have a number of boards that are vacant and ended up being completely appointed.

This bill provides that in counties with populations under 100,000, an elected board can, by ordinance, establish that they can become an appointed board. There is a safety mechanism in the bill so that if a board has a quorum, they can decide not to be an appointed board. If there is a board that is completely empty or they cannot maintain a quorum, the board of county commissioners can pass an ordinance—one which requires public notice and two public hearings—to change an elected board to an appointed board. That is really the long and short of it. If there was a point down the road that the board determined they would prefer to be an elected board, they can petition a board of county commissioners to come back and change the ordinance. The threshold in this is that you cannot have compensation over \$6,000 per year. That is the break where you have to file financial disclosures.

If you are on a board making over \$6,000 per year, this does not apply. If you are in a county with a population over 100,000, this does not apply. Again, the safety trigger in it is that it is by ordinance. If you have an elected body and a quorum is still maintained, you can decide not to be an appointed board. In the event that you do not have a quorum—the board is under three or two members—then the board of county commissioners can step in and make it an appointed board. They have to hold two public hearings and do it by ordinance. I think we have the precautions in place. These boards cannot be hostilely taken over. As you will hear from the testimony, this is a necessity. They might have a water general improvement district board without anyone sitting on it. They might appoint a board and check back in six months and no one is there again. It is an issue we need to resolve. As a former county commissioner out of Eureka County, I can tell you that sometimes it is hard to fill these boards and maintain them.

Chairman Flores:

We will limit ourselves to two questions per person for the sake of time. Obviously, anytime we have counties with small populations, there will always be the issue with boards. The only question I have is, have you brought a similar bill before? I imagine this was an issue ten years ago, just as it is an issue now. Why today, as opposed to ten years ago?

Senator Goicoechea:

The big thing with this is term limits. Term limits came in in 1996, so we are really feeling the pressure of term limits now. Those old board members have done their 12 years since the inception. Ten years ago it was not an issue because in most of these communities, the real movers and shakers were there and had not termed out yet. With this bill, once you go to an appointed board, the people who have termed out can be appointed back and are not subject to term limits.

Assemblyman Daly:

I thought I heard you say the boards could change back from being appointed to elected, but I cannot find it. What section was that?

Senator Goicoechea:

It said the current members can be appointed instead of elected. It is just a given that it can reverse. The board can do it. It is not specifically in the bill, but that is the intent. I know that is the county commissioners' intent as well. They do not like appointing boards. They would prefer if they were elected, but it is a necessity of filling the board.

Assemblyman Daly:

Is there a provision in the law already for appointments and vacancies? Could it not be handled that way? If someone does not run, then there is a vacancy.

Senator Goicoechea:

Under existing law, you can appoint those vacancies. However, part of them will be elected and part of them will be appointed. In this scenario, it is not that they would prefer to appoint members, but it is probably the most functional. Part of the board is elected and part

of the board is appointed, and then the appointed members may not stay on very long. When you have a board that is completely vacant, changing the whole board to an appointed board seems to make sense. Maybe you have one person who is elected and nine people who are appointed. You come back to the next monthly meeting and no one is there. The emphasis in this bill is that by changing the board to an appointed board, you can appoint those members who have served for 20 years back onto the board because the term limits do not apply any longer.

Assemblyman Daly:

I would say you should bring a bill to get rid of term limits rather than this.

Senator Goicoechea:

Term limits happen to be constitutional. I will let you deal with that.

Assemblyman Daly:

It is just another way to fix the problem. I see pitfalls on both sides.

Assemblywoman Monroe-Moreno:

Would you have an application process for the appointees to establish a list of people who wanted to be appointed? That way you would not have to go out and find people.

Senator Goicoechea:

Yes. But typically they are lucky to get three people who would volunteer to even come. These are small, rural communities. When you are talking about the McDermitt General Improvement District, McDermitt Sewer District, Orovada Rodent Control District, Kings River General Improvement District, et cetera, these are all general improvement districts that have been incorporated and established. Each board requires three to seven members. There are not over 15 people in the community. That is the problem they are struggling with.

Dave Mendiola, County Administrator, Humboldt County:

Your point is perfect. We do that today. Many times we will have community members apply for different boards. I will give you two examples of the problems we face in small communities. In the Denio Television Maintenance District and the Quinn River Television Maintenance District, there are probably nine ranches. There is a small town, Denio. At this point in time, there is no one left to serve on those boards because of term limits.

I know one family, the Dufurrena family. The father was a county commissioner. The mother has been involved in politics. All the sons have been on the boards. They are all termed out. The only ones left are their children, who are all off at college doing new things. We have plenty of people there. These are still pretty young men and women in their 50s and early 60s who could serve for many years. At this point, they are termed out.

Humboldt County has taken over four utility districts since January 1, 2017. We took over two water districts and two sewer districts because of this issue. To be frank, there are a few occasions where we ran out of people due to term limits. We got additional people in, but the pressures that come with running these utilities require members who have a strong backbone. They need to be able to deal with local pressures.

If you grab someone off the street who agrees to sign up for this, they do not have the desire to be involved in something that is so complex. These systems are rather complex, especially in McDermitt where we have an arsenic problem. There are a lot of issues and problems, so you need people who like that kind of work and like to get involved and pull up their bootstraps to get issues resolved. We do have a process by which they do apply. We get some people, but a lot of them move out quickly when they realize the difficulty involved.

Assemblyman Carrillo:

When you have someone who is elected, they have gone through the painstaking process of knocking on doors. They care enough to want to be elected and serve for the people. When you are appointed, you agree to serve because you have been appointed by the body. Who is to say those people will be serving regularly, attend the meetings they are supposed to, ensure there is a quorum, et cetera? I do not know if that will solve this problem. This seems more like something you want to try to see if it works.

Obviously if we are not able to maintain a quorum because we do not have people willing to run for the local governing bodies, I do not know if this bill will be the solution. Maybe we should do a sunset on this to see if it will actually work. Once we change this, it will be changed until the cows come home, so to speak. Is this something we want to do in the long term?

Senator Goicoechea:

I can give you my guarantee. If it is not working, we will come back and take it out of statute. I do not care if you want to put a sunset in it. The real issue here is the ability to appoint members who have termed out in small communities. They are willing to serve, but they legally cannot.

Assemblywoman Joiner:

Is the idea that they would be appointed temporarily, meaning just for a term? It depends on the entity whether the term is two or three years. In my mind, it would seem like it needs to go to the ballot after that single term. Would this vacancy always be available on the ballot? I would hate to see the scenario where this is a work-around. They serve 12 years and cannot run again, but then they get appointed to it and have it for life? I am a bit concerned that it never goes back to the voters to find someone they could serve through the election of the voters. I do not see here where it would go back to the ballot the next time that term is over. I see temporarily how this could be useful, but I would hate to see that it just extends forever. How does that work?

Senator Goicoechea:

There is no intent that they would reappoint or stand again. The appointed term would be the appointed term, but once the transfer is made by the board of county commissioners to go from an elected body to an appointed body, their terms would be set like they were in the existing formation. Every four years it would change, but the board would still be an appointed process. But at the point that there is a quorum of that board, and they determine they would like to go back to being an elected board, they petition the board of county commissioners to do that.

Assemblywoman Bilbray-Axelrod:

Would you open to an amendment on the bill that said after the first appointment it would go back? I am just thinking that if it became an appointed board, who in their right mind would want to go knock on doors? I think the boards that decided to go back to being elected again would be few and far between.

Senator Goicoechea:

Whatever you need to do. It is in your Committee now, and as far as the amendments, I am completely open to it. I think we are missing a point, though. You do not knock on doors in McDermitt. You know all 30 people. You will be in church together. It is that bad, but maybe some testimony from Mr. French would help clarify this.

Jim French, County Commissioner, Humboldt County Board of Commissioners:

I think as Senator Goicoechea mentioned earlier, we are at ground zero with regard to this issue in Humboldt County. Since term limits have started kicking in during the latter part of the 2000s, we have floated along having the same questions many of you have had this morning. During that period of time, we were maintaining at least a quorum in many of those districts. We hit a point about a year and a half ago where it became untenable for us. As my county administrator mentioned a minute ago, the county now has to take over. We are becoming a utility. We are taking over many of the sewer and water districts because the governance of those bodies has to come back to the county commission once they are dysfunctional.

Presently we have five special district boards where all five seats are vacant: Denio Television Maintenance District, Quinn River Television Maintenance District, Golconda Water District, McDermitt General Improvement District, and Paradise Valley Sewer District. We have seven additional district boards which are presently below quorum: Orovada General Improvement District, Orovada Community Services District, Pueblo Fire District, McDermitt Fire District, Kings River General Improvement District, Paradise Valley Fire District, and Paradise Valley Weed Control District. We are at a stage where Humboldt County is starting to see a major shift from local governance of their utilities and general improvement districts to a commission board. Those are not located in their community, and in many cases, the only reason we dropped below the quorum or lost the entire board was due to term limits. The people who have an interest in serving are still there. They are just unable to now.

Filling behind those seats has been very frustrating to say the least. We are trying to involve members in these special districts who are too far away from their sewer district to serve, or they have other fish to fry, so to speak.

We came to this conclusion that we have to make some sort of adjustment along the lines of an appointment. The idea behind it from our standpoint was that as we approached where we are at right now with the seven districts below quorum, we would attempt to appoint members to maintain quorums. In those completely vacant bodies, we are having to take those utilities over completely. In many cases we do not do it as well as the people who live there. If someone's water goes off or if there is an issue with arsenic, we live 70 miles away in Winnemucca. We have a road department crew that has to service those water systems, and quite frankly we are not prepared to take that on.

Assemblyman Ellison:

Thank you for bringing this bill, Senator Goicoechea. We have had a lot of problems over the years with some of these areas out there. It is not like you can go door to door. These places might be 10, 15, or 20 miles from each other per household. My district is so large, if you get to places like Jackpot, Midas, and other rural areas, it is a disaster to get into these small communities. These ranchers are scattered all over the place. That is why I think this bill is so important and so needed the way it is. Thank you for bringing this forward. We have to have this. It does not work the way it is.

Chairman Flores:

Is there anyone wishing to testify in favor of the bill? [There was no one.] Is there anyone wishing to testify in opposition to the bill? [There was no one.] Is there anyone wishing to testify as neutral to the bill? [There was no one.] We will close the hearing on S.B. 127 (R1). We will open the hearing on Senate Bill 128 (1st Reprint).

Senate Bill 128 (1st Reprint): Revises provisions relating to the requirements to levy taxes to support districts for county fire departments. (BDR 20-454)

Senator Pete Goicoechea, Senate District No. 19:

Senate Bill 128 (1st Reprint) is an even shorter bill. It enables a board of county commissioners to levy a tax, rather than mandating that they shall levy a tax. When you have a district incorporated under *Nevada Revised Statutes* (NRS) Chapter 244 or a fire district under NRS Chapter 474, you have to levy a tax to support that district.

This bill was brought forward for Nye County. We have a small number of fire departments scattered through that particular county, whether it is Duckwater, Railroad Valley, Carrant Creek, Gabbs, Big Smoky Valley, et cetera. If you had to levy a tax rate for each and every one of those districts and keep the money separate, it would be a nightmare. It also imposes a huge liability on the county.

This bill simply says they "may" levy a tax. What they can do is impose the tax countywide and use that money to buy the apparatus in Gabbs or the hose needed in Duckwater, rather than having to dedicate a whole line item in their tax and hold the money separate. Technically they create a countywide fire district and support it with general fund revenues. They do not have to levy a tax specific to each department. Nye County is a huge county with volunteer fire departments scattered through it. If they had to impose a rate and keep that money separate for each fire department, it would be impossible and unaffordable.

Vance Payne, Director, Emergency Management, Nye County:

The bill in this particular instance will allow us to formalize our relationship with the communities Senator Goicoechea already addressed. The functions of Gabbs, Manhattan, Belmont, Currant Creek, Crystal, and the Southern Hazmat Team are funded by Nye County's Department of Emergency Management.

This has been taken on over the last 15 years as populations in these communities have dwindled. Local governments have lost their ability to fund these particular functions in these towns. There is no good track history on how it got here, but as Senator Goicoechea pointed out, these are being paid for out of our general fund in Nye County. The intent is to better direct the training, certifications, and rural management of these fire protection districts.

Frank Carbone, Private Citizen, Pahrump, Nevada:

I am a former Nye County Commissioner. I want to echo what Vance Payne has said. Again, we have been struggling with this for many years. It was an issue even prior to when I got on the board. Hopefully you can allow us to do this, and we can resolve the problem.

Assemblyman Daly:

I heard Senator Goicoechea say that it would be difficult to levy this tax. I was looking at the history of the legislation, and it has said "shall" levy since 1979. Have you not been doing what the law requires all this time because it would be such a disaster? Have you been doing it and it has been working okay? How else do you fund these things if it is "may"? I see countless commissioners just saying they will not raise the tax, and people will run against each other based on this rather than running on providing public safety. I see this as a disaster in the other direction.

Frank Carbone:

Understanding that this county is spread out the way it is, we also look at the ability to pay an additional tax on top of what we already have with the individuals out there. We are a very poor county. In fact, we are the poorest county within Nevada. I think you probably understand that. For us to levy another tax just to levy a tax is not efficient for us. We have been surviving with the process we are using today. I understand your question. This should have been done a long time ago. You are absolutely right. It took a few other people to step up and do this. That is what Vance and I have done.

Vance Payne:

I wanted to follow up on Frank Carbone's statement. This is an issue that has come up over the last 15 years. Because the county is so poor and the populations have gone up and down for various reasons, the county assumed the responsibility informally. They keep the building open in some communities. For example, the town of Gabbs, Nevada, used to be a chartered city. As mining fell off in their particular community, they finally had to turn their charter back in. Things worsened after that. The Department of Emergency Management was able to keep their particular building open. We put the cart in front of the horse, so to speak. When I took this job, I recognized the problems and understood that we needed to formalize this. That is why we come before you today.

Assemblywoman Neal:

If you get this flexibility, there should be other sources that also pay for the fire districts. What other funding is available? Let us say the "may" comes into play and someone decides to use that permissive language and not levy the tax. What other funding is available to pay for the fire departments?

Senator Goicoechea:

We do not want to get too far in this. We are dealing with NRS Chapter 244, not NRS Chapter 474, "County Fire Protection Districts." In those, you have to levy the tax. *Nevada Revised Statutes* Chapter 244 allows for a countywide district that can be funded out of existing revenues or the general fund. The problem with an NRS Chapter 474 district is that you have to impose it locally on those districts. Again, many of them cannot afford it. They are probably getting close to the cap. The mechanism here is to go back to NRS Chapter 244 and make a countywide fire district. That is funded by a piece of general fund. The board of county commissioners administer that fire district. They try to do it as equitably and cheaply as they can. They are struggling. I think when I brought this bill last fall, Nye County was on the cusp of cleaning out local government finances. They were that close. This was a mechanism trying to at least continue to provide fire protection in these small rural communities without having to levy a tax on every community. If you had to put 15 cents in Currant Creek, you would not generate \$1,000. All you would do is make your constituents mad.

Assemblywoman Neal:

I do not see a population cap. Are you saying there are no fire districts created under NRS Chapter 474 in Nye County?

Senator Goicoechea:

That is correct. Nye County does not have any fire districts created under NRS Chapter 474.

Frank Carbone:

That is correct.

Assemblywoman Neal:

How have you been managing the fires now? I get everyone is trying to save a dollar. I do not know if this is the way. I do not think this is the right mechanism. Let us say the general fund does fall short. What happens then? What happens to the much-needed services? If we say the general fund should take care of it, there are several services that come out of the general fund. It is not just fire protection. There are other services. How do we pick and choose?

Senator Goicoechea:

Nye County is a huge district. We are trying to figure out a mechanism to help with this. The "may" language allows them to maintain those very small rural departments in Duckwater, Belmont, Manhattan, Gabbs, Round Mountain, Big Smoky Valley, et cetera. They are very dependent on those people with that very small fire truck, especially in wildland fire or structure protection. If we do not have those people, you have nothing. Yes, we could cut it back and demand to levy the tax. That money would go to maintaining those people in Pahrump. The people 300 miles away will have to do without.

Vance Payne:

That is a very good question. I am happy to answer that. I probably need to back up and provide more information for the Committee. The Department of Emergency Management, which is under direct control of the Nye County Board of County Commissioners, currently pays 100 percent of the bills in the locations I just told you about. All of these places might have no board because of the reasons we were just talking about during the hearing for Senate Bill 127 (1st Reprint). One of these towns, Manhattan, no longer has a town board. The few people who are left have termed out, and those who were left did not want to be involved. That particular form of government has collapsed and fallen under the responsibility of the Nye County Board of County Commissioners. Funding has been made available to the Department of Emergency Management for these locations by the Nye County Board of County Commissioners. In an effort to control costs and provide appropriate leadership, we pushed S.B. 128 (R1) forward. There currently are no fire protection districts in Nye County. If this bill moves forward, the Board of County Commissioners in Nye County has a desire to create this fire protection district without burdening the people with an additional tax. We can legally move forward in providing the leadership needed to control costs and direct the appropriate training for certification for all of these communities.

Assemblywoman Neal:

Let us say you will create a fire district under NRS Chapter 474. What is the general fund balance you have? Under NRS Chapter 474, as Senator Goicoechea stated, you will levy a tax. Then you will issue bonds, and you have to pay for those services. If you are struggling with money, how does NRS Chapter 474 help fix the issue when it still requires the same levying of a tax?

Frank Carbone:

We are not talking about NRS Chapter 474. We are talking about NRS Chapter 244.

Assemblywoman Neal:

Yes, but Senator Goicoechea said if the counties get this flexibility, they would probably want to create a fire protection district. That is why I asked that question. A fire protection district is under NRS Chapter 474. No?

Senator Goicoechea:

You can create a county fire district in NRS Chapter 244. You do not have to create one under NRS Chapter 474, which requires the levy. That is why we have tax flexibility in this bill. If you go to NRS Chapter 474, it will mandate the tax.

Assemblywoman Neal:

I am just not okay with the mechanism. You think it creates flexibility to do what your endgame is, but what I heard was that you cannot afford to do the activity.

Senator Goicoechea:

I should let Nye County speak to this, but yes. That was the thought when we brought the bill forward. Nye County was really struggling. They needed to provide the fire protection. If you created a fire protection district under NRS Chapter 474, you would be required to levy the tax. If we change NRS Chapter 244 with a "may" instead of a "shall," it gives them the flexibility to provide the services to the level they can afford. That is really what they are doing.

Assemblyman Ellison:

How many areas could this bill impact?

Senator Goicoechea:

This language would impact anyone that had a fire protection district under NRS Chapter 244. We had a lot of testimony on the record in the Senate. Most of these fire protection districts we are talking about are all created under NRS Chapter 474. They are all funded. They are operating with the dedicated levy. This would only pertain to NRS Chapter 244. That is only Nye County at this point. Anyone can access it, but this bill was brought for Nye County.

Assemblyman Ellison:

Would it have been easier to direct the bill strictly to Nye County?

Senator Goicoechea:

It was requested by Nye County. Do you mean create this bill only for Nye County? I will let you defer to legal counsel on that. I will pass on that one.

Chairman Flores:

Is there anyone wishing to testify in favor of the bill? [There was no one.] Is there anyone wishing to testify in opposition to the bill? [There was no one.] Is there anyone wishing to testify as neutral to the bill?

Todd Ingalsbee, Legislative Representative, Professional Fire Fighters of Nevada:

We have talked with Senator Goicoechea about the bill. We initially did have concerns with the fire districts that he spoke about. The only concern we still have is the "may." I am not sure, with that language, if whoever is on the board of county commissioners will continue the services they need in those areas. That is the only concern we have. They may or they may not do it. If they do not do it, then obviously they do not have funds, and they do not continue that department. Then they do not have services in those areas.

Chairman Flores:

The whole bill is whether it should be a "may" or a "shall." I think you are in opposition, and you are concerned about the one word we are changing in the bill. I understand what you are saying, and I appreciate your testimony.

Assemblywoman Neal:

I thought the same thing. If you do not do it, then what? You are by hook and needle now trying to provide funding for the fire services. Now you want access to a different way. What I have not heard other than general fund is if you do not have the levying power, what are the other funding abilities that come into play to provide services for the small towns that do not have it? They do not have a government structure, and they do not have enough money to take care of themselves. What do we do? I get it, but I guess I am trying to figure out what other creative ways we can get at the same end game.

Todd Ingalsbee:

I agree 100 percent with you. That is the question we asked. Obviously I would hope those people in those positions would want to continue those services. You never know who will be in the positions and whether they will want to continue the services. That is the unknown.

Senator Goicoechea:

I think one thing we do not want to lose sight of in this is that most of our fire departments are volunteer fire departments. What they are looking for is to maintain the equipment and apparatus. They are not a paid fire department. It is a lot different from what you are used to in southern Nevada. Again, to the extent they can maintain them, Nye County maintains them. Manhattan, Round Mountain, Railroad Valley, and other small departments are volunteer-based. If you had to impose a tax rate to support every one of them, it would be unaffordable. It is trying to meet that balance. I ask the Committee to consider that.

Chairman Flores:

These are all unincorporated nonprofits, but there is still an umbrella that they fall under. It is under the purview of that umbrella where they get their training. The unincorporated nonprofit does not have full control of the funding. There is a two-tiered supervisory approach to it, I think. Can you break that down more and help me understand?

Senator Goicoechea:

Yes, all these volunteer fire departments—although they might be incorporated or unincorporated—would fall under Nye County's umbrella. Nye County is the one responsible to make sure their personal protection equipment and apparatuses are safe and functional. That is mostly under the Department of Emergency Management in Nye County. Nye County is on the hook to provide the protection to those people in those communities as well as in the larger urban areas like Pahrump. Nye County has to provide that. They are trying to get as far as they can on the nickel they have.

Assemblywoman Neal:

This is for my information after the Committee hearing. On the Senate side, did you actually present any kind of data on the different tax levies that are now at play?

Senator Goicoechea:

No, I did not.

Assemblywoman Neal:

Can the testifiers provide that so that we can get an idea of what is happening on the tax plane?

Senator Goicoechea:

I am sure Mr. Payne can show you his budget. Do you want what Nye County's budget looks like as far as what they are expending on fire protection?

Assemblywoman Neal:

That would be good to know. You also want the flexibility not to levy the tax, so there is an assumption that there is a tax being levied. If we go to the smaller areas, is there a rate being attached to those areas? It would be good to see those. I am asking that question because I am on the Assembly Committee on Taxation, so I just want to see it.

Senator Goicoechea:

I believe most of that is done through the budget process. Gabb's fire budget would probably be \$60,000 to \$70,000 in it. Again, it would just be in the budget process rather than coming out of the tax rate. But I will let Mr. Payne speak to that.

Vance Payne:

Nye County's Department of Emergency Management wears a lot of hats. Not counting grant funding that goes up or down depending on the year, we work off of a budget between three or four different functionaries of about half a million dollars. Funding for Gabbs, Manhattan, Belmont, Currant Creek, and Crystal's fire districts along with the Southern Hazmat Team has been funded for by those local communities. As their tax levels have dropped, the county commissioners pushed the responsibility to my department. We cover ambulance, fire, some animal control functions, and emergency management. There is no tax on any of these communities for fire protection at all. Nye County ambulance functions as a special revenue fund, so they only are working off of the billing capabilities

they have for services rendered. We have tried to replace equipment with my department because we have a higher level of expertise. We have tried to provide equipment through grant funding. The operating costs of personal protective equipment, the hoses, annual repairs, and maintenance on apparatus has come out of our funding, which comes from the general fund. We do not have a distinct tax on fire protection in Nye County.

Chairman Flores:

If we could get the information requested by Assemblywoman Neal, that would be helpful. You can send it directly to her. I will close the hearing on S.B. 128 (R1). Is there any public comment? [There was none.] This meeting is adjourned [at 10:04 a.m.].

RESPECTFULLY SUBMITTED:

Isabel Youngs
Committee Secretary

APPROVED BY:

Assemblyman Edgar Flores, Chairman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.