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PREPARED COMMENTS

FOR AB 35

02/20/03

ASSEMBLY BILL NO. 35 IS ONE OF THE RECOMMENDATIONS OF THE LEGISLATIVE COMMITTEE FOR LOCAL GOVERNMENT TAXES AND FINANCE (THE SB 557 COMMITTEE) WHICH I SERVED AS CHAIRMAN DURING THE 2001-02 INTERIM. THE LEGISLATIVE COMMITTEE CONSULTS WITH AN ADVISORY COMMITTEE CONSISTING OF 11 MEMBERS, INCLUDING THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TAXATION AND 10 OTHER MEMBERS APPOINTED BY GROUPS REPRESENTING LOCAL GOVERNMENTS AND REPRESENTING VARIOUS GEOGRAPHICAL AREAS OF THE STATE. AB 35 MAKES TWO CHANGES CONCERNING THE STRUCTURE OF THE ADVISORY COMMITTEE TO THE LEGISLATIVE COMMITTEE FOR LOCAL GOVERNMENT TAXES AND FINANCE.

FIRST, SECTION 1 OF AB 35 MAKES A MINOR TECHNICAL ADJUSTMENT TO THE MEMBERSHIP OF THE ADVISORY COMMITTEE. CURRENT STATUTES PROVIDE THAT ONE MEMBER OF THE ADVISORY COMMITTEE MUST BE A MEMBER OF THE BOARD OF TRUSTEES OF A GENERAL IMPROVEMENT DISTRICT APPOINTED BY THE LEGISLATIVE COMMISSION. ALTHOUGH A MEMBER OF THE BOARD OF TRUSTEES OF A GENERAL IMPROVEMENT DISTRICT HAS BEEN APPOINTED IN PREVIOUS BIENNIA, THE APPOINTEE HAS DESIGNATED AN EMPLOYEE OF THE GENERAL IMPROVEMENT DISTRICT TO SERVE IN HIS PLACE ON THE ADVISORY COMMITTEE. BASED ON THE CURRENT PRACTICE, THE LEGISLATIVE COMMITTEE APPROVED A RECOMMENDATION TO AMEND CURRENT STATUTES TO REQUIRE THE LEGISLATIVE COMMISSION TO APPOINT A REPRESENTATIVE OF A GENERAL IMPROVEMENT DISTRICT TO THE ADVISORY COMMITTEE RATHER THAN APPOINTING A MEMBER OF THE BOARD OF TRUSTEES OF A GENERAL IMPROVEMENT DISTRICT.

SECONDLY, SECTIONS 2, 3 AND 4 OF THE BILL ELIMINATE THE SUBCOMMITTEE TO STUDY THE COST TO THE COUNTIES AND INCORPORATED CITIES IN THIS STATE OF MAINTAINING HIGHWAYS, ROADS AND STREETS AND TO TRANSFER

ITS DUTIES TO THE ADVISORY COMMITTEE TO THE LEGISLATIVE COMMITTEE. CURRENT STATUTES REQUIRE THE LEGISLATIVE COMMITTEE TO APPOINT THE SUBCOMMITTEE, BUT IN RECENT YEARS THE SUBCOMMITTEE APPOINTED BY THE LEGISLATIVE COMMITTEE HAS HAD THE SAME MEMBERSHIP AS THE ADVISORY COMMITTEE. ALTHOUGH THE ADVISORY COMMITTEE AND THE SUBCOMMITTEE CONSIST OF THE SAME MEMBERS, THE MEETINGS OF THE TWO ENTITIES HAVE BEEN HELD SEPARATELY AND SEPARATE MINUTES OF THE MEETINGS HAVE BEEN REQUIRED. TO ALLEVIATE UNNECESSARY DUPLICATION OF EFFORT, THE LEGISLATIVE COMMITTEE VOTED TO ELIMINATE THE SUBCOMMITTEE AND TO REQUIRE THE ADVISORY COMMITTEE TO PERFORM THE DUTIES CURRENTLY PERFORMED BY THE SUBCOMMITTEE.

Current Responsibility of the Subcommittee if there is a question:

The Subcommittee is responsible for reviewing requests from local governments to examine the estimates of the mileage of improved roads or streets prepared by NDOT each year. The estimates prepared by NDOT are used to apply the fuel tax distribution formula set forth in NRS 365.550 (Section 3 of the bill).