

**WASHOE COUNTY QUESTION NO. 3**

**WC-3**

**SHOULD THE NEVADA CONSTITUTION SHOULD BE AMENDED TO PROHIBIT THE STATE FROM CREATING UNFUNDED MANDATES AND REMOVING OF REVENUE FROM COUNTIES AND CITIES?**

**Shall the Nevada Constitution be amended to add the following provisions:**

**1. The Nevada Legislature shall not, directly or indirectly, enact laws or authorize the adoption of regulations, requiring the counties and cities of the state to provide new services, expand existing services or conduct new or additional governmental functions without appropriating or designating state funding sources to support said new services, expansion of existing services and new or additional governmental functions.**

**2. The Nevada Legislature shall not enact legislation that would effectively reduce, eliminate or divert to the state revenue or revenue sources previously authorized to support county and city governmental services and functions.**

Yes...../\_\_\_/  
No...../\_\_\_/

**Explanation:** A "yes" vote would advise the Board of County Commissioners that the county residents desire the Nevada Constitution be amended. A "yes" vote is not binding on Washoe County, the Board of County Commissioners of Washoe County, any officer of Washoe County nor on the Nevada Legislature.

A "no" vote would advise the Board of County Commissioners that the county residents do not desire the Nevada Constitution be amended. A "no" vote is not binding on the Washoe County, the Board of County Commissioners of Washoe County, any officer of Washoe County nor the Nevada Legislature.

The Board finds it necessary to submit this question to residents of the County because the Nevada Legislature continues to enact laws or adopt regulations requiring the counties and cities of the state to provide new services, expand existing services and conduct new or additional governmental functions without appropriating or designating state funding sources to support such services and continues to reduce, eliminate or divert to the state, revenue sources previously authorized to support county and city governmental services and functions.

### **Argument in Favor of WC-3**

Our Founding Fathers began the American Revolution on one simple but powerful truth: taxation without representation is tyranny.

The practice of unfunded mandates, that is, the State Legislature passing programs and ordering cities and counties to do things, but providing no money to do it, has to stop. Unfunded mandates constitute taxation without responsibility.

Taxation without responsibility leads to overspending and overtaxation. Is that what you want? Using unfunded mandates, legislators can take the credit for passing programs, but not the blame for raising taxes. Instead, they say, "Make it be so," and shift the burden of either raising taxes or cutting other services to the counties and cities.

Good government involves dealing with reality, and making clear choices. If the Legislature lacks the will or ability to fund a program, they need to not pass the program in the first place. Or, if the Legislature feels a new program deserves priority, then it needs to decide what spending to cut. Or, the Legislature may raise taxes.

Unfunded mandates are just a way of "passing the buck". The county or city government, saddled by the Legislature with mandatory programs, have to either raise taxes, or cut services.

Local government is best suited to serve local needs. The government closest to the people best knows what the people need. Local government's ability to plan, and to deliver services, is severely hampered when a distant Legislature, composed largely of Clark County members, imposes its unfunded will upon Washoe County, Reno, Sparks, or other local governments.

The voters of Washoe County now have the opportunity to send a strong signal to the State Legislature: stop the unfunded mandates, or we will stop you by way of an amendment to the State Constitution.

The power of government comes from the people. Unfunded mandates are not just a state problem; they are a national problem.

We the people have the chance to tell our state government to reform before we do the reforming. The Committee strongly urges a "Yes" vote on WC-3, denouncing unfunded mandates.

### **Argument in Opposition to WC-3**

Part 1. By voting "No" to amend to the Nevada Constitution, the state legislature would be able to require the county to provide these services and operations. The State of

Nevada's budget is allocated to many uses and often over-appropriated. Allowing unfunded mandates to counties would relieve some budgetary pressures on that state budget.

Unfunded mandates would require the county to provide for these operations and services with out funding from the state. The unfunded mandate would require the county to be fiscally responsible for these operations and services. This would relieve some of the financial burden that the State's budget is continually subject to.

Part 2. By voting "No" on part 2, residents support reducing, diverting, or eliminating state revenue sources from the county or city governments. Again, this amendment will support the state as a whole. Washoe County has experienced extreme growth, and therefore has the potential to do without the additional revenue that could potentially be reduced, diverted, or eliminated for state funding purposes.

Various areas within the state may have a more immediate need for funding, therefore diverting revenue from one area (Washoe County) and moving the funds to another area could have a positive benefit on the state as a whole.

### **Rebuttal to Argument in Favor of WC-3**

To refute the Argument to amend the constitution to stop the practice of the State Legislature from issuing unfunded mandates, one must understand the goal that the legislature is trying to achieve with unfunded mandates. The legislature must attempt to create many solutions in response to the increasing issues this growing state is faced with each session. To do so, they need the assistance of local governments to ensure that people and the services they require are not left behind as a result of budgetary manners.

Basically responding to the one argument that summed up the "Argument for WC-3", the argument being:

"The practice of unfunded mandates, that is, the State Legislature passing programs and ordering cities and counties to do things, but providing no money to do it, has to stop."

If this stops, so does the process of introducing new programs and services and ways to administer them. A strong element of the American Government, is the freedom of our legislators to identify issues facing our citizens and then respond to satisfy those needs; no matter the delivery system.

Voting "No" on WC-3 will ensure that the integrative and encompassing issues identified and mandated through legislation are implemented and addressed by local government if necessary. The diversion of revenue gives the opportunity for those communities less fortunate to be given revenue for the basic services that other enjoy. Taking away unfunded mandates will also take away the chance for potential programs and services in Washoe County.

### **Rebuttal to Argument in Opposition of WC-3**

Let's start with Part 2: the anti-WC 3 committee argues: "Washoe County has experienced extreme growth, and therefore has the potential to do without additional revenue that potentially could be reduced, diverted, or eliminated for state funding purposes." Logic would tell us that if Washoe County is growing, it has growing needs for roads, sewers, police services, schools, and other things necessary to civilization. Clark County, which is experiencing explosive growth, would be only too happy for the State to reduce, divert, or eliminate Washoe County's revenues, so it can be spent – in Las Vegas or Henderson. Washoe County should keep most if not all of the money it raises.

Back to Part 1: the anti-WC 3 committee argues "The State of Nevada's budget is allocated to many uses and often over-appropriated". Exactly! The State Legislature needs to go on a diet! It needs to quit spending too much money on too many programs. The Legislature needs to balance the budget, not raid the county and city treasuries, either by outright taking money, or by the disguised taxation of unfunded mandates. Remember: fool me once, shame on you! Fool me twice, shame on me!

Vote for WC-3!