



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

**BOARD MEETING DATE:** *July 16, 2024*

**DATE:** Thursday, July 11, 2024

**TO:** Board of County Commissioners

**FROM:** Cadence Matijevich, Government Affairs Liaison  
775-328-2077, [cmatijevich@washoecounty.gov](mailto:cmatijevich@washoecounty.gov)

**THROUGH:** Eric P. Brown, Manager, Washoe County

**SUBJECT:** Discussion and direction to staff regarding potential Bill Draft Requests (BDRs) for the 83rd (2025) Session of the Nevada Legislature. The subject(s) of potential BDRs to be considered include changes to NRS Chapters 239 and 259 to clarify that certain records of a Medical Examiner/Coroner are public records and to clarify that certain records of a Medical Examiner/Coroner are confidential and are not public records, changes to NRS Chapters 239 and 293 to establish that records of voter signatures held by a County Clerk or Registrar of Voters for purposes of establishing or validating voter registration are not public records, to add to NRS Chapter 482 the requirement for the Department of Motor Vehicles, in cooperation with Washoe County to design, prepare and issue a specialty license plate for the support of programs benefiting the Truckee River, to submit a recommendation to the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System to amend chapter 432, Statutes of Nevada, 1999 to require the Reno-Sparks Convention Authority to grant to Washoe County a percentage of certain taxes collected from the rental of transient lodging in Incline Village and Crystal Bay to be used towards paying the costs of public transit to, from, and within the portion of the Lake Tahoe Basin located in Washoe County, and to submit a recommendation to the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System that they submit a BDR amending chapter 432, Statutes of Nevada, 1999 to impose a surcharge of \$4 on the per night charge for rental of transient lodging in Incline Village and Crystal bay to be distributed to Washoe County to be used towards paying the costs of public transit to, from, and within the portion of the Lake Tahoe Basin located in Washoe County. The Board may direct staff to pursue BDRs on one or more of the identified subjects or to bring back information on subjects of other BDRs that the Board identifies as being in the best interests of the County for approval at a future meeting. Manager's Office. (All Commission Districts.) FOR POSSIBLE ACTION

**AGENDA ITEM #** \_\_\_\_\_

## **SUMMARY**

Nevada Revised Statutes (NRS) 218D.205 authorizes Washoe County to submit to up to two (2) requests for the drafting of legislative measures for consideration by the Nevada Legislature during each regular session of the Legislature. Such requests are commonly referred to as Bill Draft Requests (BDRs). Should the Board choose to exercise its authority to submit one or more BDRs for the 83rd Session of the Nevada Legislature, which is scheduled to begin February 3, 2025, the requests must be submitted to the Legislative Counsel Bureau on or before September 1, 2024.

NRS Chapter 218D also grants authority to Legislators, to the chairs of standing legislative committees, the Governor, the Judicial Department, the Nevada Association of Counties, and various other persons and entities to submit BDRs for consideration during the regular sessions of the Nevada Legislature. Washoe County may solicit one or more of these persons or entities to sponsor a BDR on behalf of the County or may make recommendations on BDR topics to one or more of these persons or entities.

Section 17 of Article 4 of the Constitution of the State of Nevada requires that each law enacted by the Legislature embrace only one subject.

The Board is requested to provide direction to staff on the subjects of up to two (2) BDRs to be submitted to the Legislative Counsel Bureau by Washoe County and/or to provide direction to staff to seek outside sponsorship of one or more BDRs and/or to provide direction to staff regarding recommendation(s) on BDR topics to one or more of the persons or entities authorized to submit BDRs.

**Washoe County Strategic Objectives supported by this item:** Fiscal Sustainability, Innovative Services

## **PREVIOUS ACTION**

On April 23, 2024, staff presented five subjects to the Board for consideration as potential Washoe County BDRs for the 83<sup>rd</sup> Session of the Nevada Legislature. The Board provided direction and requested that staff return to the Board in July 2024 with an update and to provide an opportunity for the Board to give further direction. The Board's direction to staff on April 23, 2024, was as follows:

- Seek an outside sponsor for a BDR to amend NRS Chapters 239 and 259 to clarify that certain records of a Medical Examiner/Coroner are public records and to clarify that certain records of a Medical Examiner/Coroner are confidential and are not public records.
- Seek an outside sponsor for a BDR to revise NRS Chapters 239 and 293 to establish that records of voter signatures held by a County Clerk or Registrar of Voters for purposes of establishing or validating voter registration are required to be made available for inspection at the office of a County Clerk or Registrar of

Voters, but that the County Clerk or Registrar of Voters shall be prohibited from providing copies of such records to the public.

- Retain for consideration a Washoe County BDR to add to NRS Chapter 482 the requirement for the Department of Motor Vehicles, in cooperation with Washoe County to design, prepare and issue a special license plate for the support of programs benefiting the Truckee River.

## **BACKGROUND**

In December 2023, Washoe County departments were solicited to submit subjects for potential BDRs for the 83<sup>rd</sup> Legislative Session to the Office of the County Manager. Submissions were requested to be provided on or before February 29, 2024. Five potential BDR topics were presented to the Board on April 23, 2024, and direction was provided to staff as outlined above.

As directed by the Board, staff presented both the item pertaining to the records of a Medical Examiner/Coroner and the item pertaining records of voter signatures to the Nevada Association of Counties (NACO) Legislative Committee, requesting that NACO consider submitting the items as NACO BDRs given that both items are germane to all Nevada counties. NACO is authorized to submit up to five BDRs. On May 3, 2024, June 7, 2024, and June 21, 2024, the NACO Legislative Committee discussed both subjects and indicated support for recommending them to the NACO Board of Directors for submission as NACO BDRs. Final determination of the NACO Legislative Committee's BDR recommendations will be made at their July 19, 2024, meeting. The NACO Board of Directors is scheduled to meet on July 26, 2024, for the initial consideration of these recommendations, and to give final approval on NACO's BDRs at their meeting on August 23, 2024.

After conducting additional research into the process for requesting a specialty license plate, staff has identified that it may be preferable to pursue approval of a specialty license plate to benefit the Truckee River directly through the Department of Motor Vehicles, rather than submit a BDR seeking legislative approval for the plate. Because such an application may be submitted at any time utilizing the process established in NRS 482.367002, pursuing approval of a specialty plate outside of the legislative process is likely to be more expeditious and require less staff time than it would to pursue approval through a BDR.

NRS 218E.560 creates the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System (Committee). The general duties and powers of the Committee are set forth in NRS 218E.565 and NRS 218E.570, respectively. Subsection 4 of NRS 218E.570 authorizes the Committee to recommend to the Legislature, as a result of its review and study, any appropriate legislation; subsection 5 of NRS 218E.560 requires that any recommended legislation proposed by the Committee must be approved by a majority of the members of the Senate and a majority of the members of the Assembly appointed to the Committee. NRS 218D.160(3)(e) authorizes the Committee to request the drafting of not more than ten

BDRs. Senator Skip Daly, chair of the Committee, has issued a solicitation to all interested parties to provide, in writing, recommendations for legislative measures for possible consideration by the Committee during its final meeting and work session of the 2023-2025 Legislative Interim, currently scheduled for August 16, 2024. All such written suggestions must be received by the Committee no later than 5 p.m. on July 22, 2024. During several of the Committee's meetings during the 2023-2025 Legislative Interim, the subject of sustainable funding for public transit and transportation services in the Lake Tahoe Basin was discussed. The Tahoe Regional Planning Agency, the Tahoe Transportation District, and other stakeholders indicated the need to identify and implement reliable ongoing funding sources for transit and transportation services in the Lake Tahoe Basin. The Board may wish to submit one or more recommendations to the Committee regarding dedicated funding for public transit to, from, and within the portion of the Lake Tahoe Basin located in Washoe County. Two such recommendations are outlined below for the Board's consideration.

The Washoe County Taxes on Transient Lodging Act of 1999 (Act) imposes taxes on the gross receipts from the rental of transient lodging in certain areas of Washoe County, including in the unincorporated area of the County. Taxes on the gross receipts from the rental of transient lodging are also imposed in certain areas of Washoe County, including the unincorporated area of the County, pursuant to NRS Chapter 244. Section 3 of the Act requires that the Reno-Sparks Convention and Visitors Authority (RSCVA) grant 50 percent of the proceeds it receives from certain taxes imposed on the revenue from the rental of transient lodging which are collected in Incline Village and Crystal Bay to the Lake Tahoe Incline Village and Crystal Bay Visitors Bureau (now known as Travel North Tahoe Nevada). The Act specifies that Travel North Tahoe Nevada must use the funds for the operation and maintenance of facilities and the marketing and promotion of tourism in Incline Village and Crystal Bay. According to a presentation from the RSCVA to the Committee on March 8, 2024, the amount of that grant in Fiscal Year 2023 totaled \$2,218,174. Attached for the Board's consideration is a draft recommendation to the Committee for a BDR requiring the RSCVA to grant 25 percent of the proceeds it receives from certain taxes imposed on the revenue from the rental of transient lodging which are collected in Incline Village and Crystal Bay to Washoe County for the purpose of paying the cost of public transit to, from, and within the portion of the Lake Tahoe Basin located within Washoe County (Attachment B).

Also attached for the Board's consideration is a draft recommendation to the Committee for a BDR to impose a surcharge of \$4 on the per night charge for rental of transient lodging in Incline Village and Crystal Bay to be distributed to Washoe County to be used towards paying the costs of public transit to, from, and within the portion of the Lake Tahoe Basin located in Washoe County (Attachment C). It is estimated that such surcharge would generate approximately \$800,000 annually, based on the total number of transient room night rentals in Incline Village and Crystal Bay in FY2023.

### **FISCAL IMPACT**

No fiscal impact.

**RECOMMENDATION**

It is recommended that the Board of County Commissioners provide direction to staff regarding the preparation of up to two (2) BDRs for submission to the Legislative Counsel Bureau and/or to seek sponsorship of one or more BDRs by other persons or entities authorized to submit BDRs and/or to submit recommendations to one or more persons or entities authorized to submit BDRs. The Board may wish to make such direction conditional upon the action taken by the NACO Board of Directors at their August 23, 2024, meeting.

**POSSIBLE MOTION**

I move to direct staff to prepare BDRs for submission to the Legislative Counsel Bureau on the following subject(s):

<<Board to identify subject(s), if any, and any conditions the Board may wish to place on such preparation and submittal>>

And/Or I move to direct staff to solicit sponsorship of BDRs on the following subject(s):

<<Board to identify subject(s), if any>>

And/Or I move to direct staff to submit recommendations on BDRs on the following subject(s) to the following person or entity authorized to submit BDRs:

<<Board to identify subject(s) and person(s) or entity(ies), if any>>

And/Or I move to direct staff to return to the Board to consider BDRs on the following subject(s):

<<Board to identify subjects(s), if any>>

Attachments:

A - Washoe County BDR Development Process Timeline

B – Draft Recommendation for the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System to redirect a portion of existing taxes on the rental of transient lodging in Incline Village and Crystal Bay from the RSCVA to Washoe County to be used towards paying the costs of public transit to, from, and within the portion of the Lake Tahoe Basin located in Washoe County

C – Draft Recommendation for the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System to impose a \$4 surcharge on the per night charge for rental of transient lodging in Incline Village and Crystal bay to be distributed to Washoe County to be used towards paying the costs of public transit to, from, and within the portion of the Lake Tahoe Basin located in Washoe County