MINUTES

ASSEMBLY COMMITTEE ON TAXATION SUBCOMMITTEE ON CASINO ENTERTAINMENT TAX SUBCOMMITTEE ON AUDIT OF COUNTIES FEBRUARY 28, 1977 9:00 a.m. Members Present: Chairman Dreyer Guests Present: George W. Allen, Sheriff, Lyon County Ed Bowers, Gaming Industry Association John Crossley, Legislative Counsel Bureau -Audit Harlan Elges, Gaming Control Board Jay Hughes, Washoe County Sheriff's Department Harry O'Nan, Legislative Counsel Bureau -Audit Skip Sandstrom, Clark County License Bureau George E. Schwin, Lander County Sheriff Al Standridge, Humboldt County Sheriff's Office John A. Stratton, Gaming Control Board Frank W. Weston, Humboldt County Sheriff

Chairman Dreyer began the meeting at 9:02 a.m. He said that the purpose of the hearing was to see if there was a way to find out any ways to simplify the gaming tax revenue cross flow between the State and the counties.

Mr. Dreyer asked Harlan Elges of the Department of Taxation to come first, and he asked Mr. Elges if he knew of any problems with the counties collecting some taxes, sending them to the State, and then the State sending it back.

Mr. Elges said that this law has been in effect for a number of years. He said that this is a tax which is collected by the sheriffs, 25% of which comes back to the State. There is also a calendar year tax collected by the Gaming Control Board which is returned to the counties after holding out costs of administration. He said that the State has not had problems with these taxes. He felt that the only problems that he might see would be for the licensees that have to file similar taxes with the State and County and not really fully understanding the difference between them.

Mr. Dreyer mentioned the Zubrow report and a legislative study in 1976, and asked if the recommendations made in these were being followed. Mr. Elges said that these recommendations have not been followed. There was a revision in State reporting forms, but nothing has been done for the counties. ASSEMBLY COMMITTEE ON TAXATION SUBCOMMITTEE ON CASINO ENTERTAINMENT TAX SUBCOMMITTEE ON AUDIT OF COUNTIES FEBRUARY 28, 1977 PAGE TWO

Mr. Dreyer asked Mr. Elges if he felt that there should be just one reporting form for licensees. Mr. Elges said that he did not because this would involve the State takeover of taxes presently collected by counties, and he did not have the staff to handle the increased work load.

Mr. Dreyer inquired about the similar forms the State and counties use and asked if the State checked the reports from the counties with their own figures. Mr. Elges said that this was not done. The Gaming Control Board has no authority in law to audit the counties' records to make sure they are paying their fair share.

Mr. Dreyer asked if Mr. Elges felt there should be some kind of audit permitted. Mr. Elges said he felt he should not answer that question.

Mr. Oliver said that they were looking for some way to eliminate the cross flow of money to bring the tax structure up to date when looking on down the line.

Mr. Elges said that he often gets telephone calls from assessors in smaller counties asking what their share for a particular month will be of the State License Fees. He said that some counties do not contribute a dime to this tax, but they depend on it. He said that in his opinion, to proportion this tax to the counties as it was paid in would be a disservice to the smaller counties because they are used to it and really do depend on it. Mr. Dreyer said that on the other hand, the legislators from the two largest counties are getting a lot of "heat". These counties say that the tax distribution is a grave injustice.

Mr. Oliver said that several studies have shown that there appears to be little logical justification for the complicated cross flows of gaming revenues between the State and the counties. He said that this still appears to be a valid observation. He said no recommendation was made in the audit report so that perhaps some additional study could be accomplished. He submitted to the subcommittee information concerning the cross flow of revenue (Exhibit A). ASSEMBLY COMMITTEE ON TAXATION SUBCOMMITTEE ON CASINO ENTERTAINMENT TAX SUBCOMMITTEE ON AUDIT OF COUNTIES FEBRUARY 28, 1977 PAGE THREE

Mr. Dreyer noted a difference on one of the tables in the Exhibit A between State collections and distributions of about \$250,000. He asked what this was for. Mr. Oliver said that this was for administration costs to the State. He then said that if the system was changed to allow each county that collects this revenue to keep the revenue in the county, not only would the smaller counties lose, but the State would lose a "few bucks."

Mr. Oliver stated that he did not want to leave the impression that the State was uncomfortable with the county administration of gaming revenues. He said that he was more concerned with the elimination of their simplification of the procedure of collecting and distributing the revenue. He said that the counties collect and send to the State, and the State collects and sends to the counties exclusive of the administration cost. There is small benefit in relation to the State or the counties. He said that he did not know what could be done to simplify this procedure.

Mr. O'Nan said that presently the State has to accept as correct what revenues the counties send in.

Mr. Weston was asked to speak, and he stated that he was new in the office of sheriff and was not totally familiar with the procedures and requirements of his office as yet. He did say that his office checks the licensees for the number of games and tables. He said that the sheriff does this himself.

Mr. Hughes of Washoe County said that his county favored keeping this type of cross check. He said that his people continually go in and count machines and tables. He said that they have compared figures with the State, and there have been discrepancies found.

Mr. Allen of Lyon County said that after permission is given from the Gaming Commission, he goes out and collects the fees. He said the money is turned in to the county treasurer, and he was not sure of what happened to it after that. He said that in Lyon County, machines are counted twice a year. He said that in the ten years he had been sheriff, he had not found a machine that was not licensed. ASSEMBLY COMMITTEE ON TAXATION SUBCOMMITTEE ON CASINO ENTERTAINMENT TAX SUBCOMMITTEE ON AUDIT OF COUNTIES FEBRUARY 28, 1977 PAGE FOUR

Mr. Sandstrom said that in Clark County, there are seven districts and a field man for each district. He said that a count is made semiannually of all the games, all the machines, and all the establishments. He said that it was possible for a licensee to put new machines in the day after the count. Mr. Sandstrom submitted information from Clark County and various forms used to report gaming revenue (Exhibit B).

Mr. Dreyer asked what would happen to a person if it was discovered that he had installed more machines than he had paid taxes for. Mr. Elges said that the licensee would be penalized 25% of his license and his license would be in jeopardy.

Mr. Bowers of the Gaming Industry Association said that he did not see additional taxes coming on the gaming industry from what he had heard. He also said that without exploration, he could not see where there would be any lessening of paper work in what had been discussed. He said that he would welcome any suggestions.

Mr. Elges as the final speaker stated that the amounts being considered in the cross flow were not that much. He said that gaming revenues compose about 47% of the general fund. Total collections from Clark County were \$61,000,000; Washoe County, \$16,000,000; Douglas County, \$9,000,000. Then when you come back to the \$1,537,000 from the State, it does not amount to that much.

Mr. Dreyer adjourned the meeting at 10:20 a.m.

Respectfully submitted,

Carl R. Rithstrom, Jr.

Carl R. Ruthstrom, Jr. Secretary

Attached as <u>Exhibits C</u> through \underline{F} is information submitted to the chairman concerning the meeting, but not corresponding to any speaker information given at the meeting.

EXHIBIT A STATE OF NEVADA

LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING CAPITOL COMPLEX CARSON CITY, NEVADA 89710

> ARTHUR J. PALMER, Director (702) 885-5627



LEGISLATIVE COMMISSION (702) 885-5627 JAMES I. GIBSON, Senator, Chairman Arthur J. Paimer, Director, Secretary

INTERIM FINANCE COMMITTEE (702) 885-5640 DONALD R. MELLO, Assemblyman, Chairman Ronald W. Sparks, Senate Fiscal Analyst John F. Dolan, Assembly Fiscal Analyst

FRANK W. DAYKIN, Legislative Counsel (702) 385-5627 EARL T. OLIVER, Legislative Auditor (702) 885-5620 ANDREW P. GROSE, Research Director (702) 885-5637

February 18, 1977

The Honorable Darrell H. Dreyer Assemblyman Legislative Building Carson City, Nevada 89710

Dear Assemblyman Dreyer:

In reponse to your request of February 14, 1977, we are submitting to you the following schedules concerning State and County Shared License Fees in compliance with NRS 463.380 and 463.390.

Annual Gaming Tax Transfers - NRS 463.380

All games operated within the calendar year are subject to Annual State License Fees. Collection is the responsibility of the State Gaming Commission. The fees are based on the number of games and are due on or before December 31 for the following year and they cannot be prorated. The rates are as follows: 1 game--\$100, 2 games--\$200, 3 games--\$400, 4 games--\$750, 5 games--\$1,750, 6 or 7 games--\$3,000, 8 to 10 games--\$6,000, 11 to 16 games--\$1,000 for each game, 17 or more games--\$16,000 plus \$2,000 for each game over 16.

After deductions for the cost of administration, the proceeds of the license fees are divided equally among all counties and transmitted monthly to the counties. An adjustment for the actual cost of administration is made at the end of the fiscal year. Disposition of the funds is left to the discretion of the county commissioner.

	Fiscal Year Ended June 30, 1975	Fiscal Year Ended June 30, 1976
Total Fees Collected	\$1,513,850.00	\$1,585,100.00
Less Administration Fee	(37,165.06)	(47,648.22)
Total Fees Allocated to Counties	1,476,684.94	1,537,451.78
Each County's Share	<u>\$ 86,864.00</u>	<u>\$ 90,438.34</u>

The Honorable Darrell H. Dreyer Page 2

Gaming Licenses

NRS 463.390 provides for license fees on slot machines, games and devices. These fees are payable to the county sheriff 3 months in advance at the beginning of the calendar quarters (January 1, April 1, July 1, October 1). The county transfers the moneys to the State for deposit in the General Fund.

The County Quarterly License Fees were established in 1931 when gambling was legalized in Nevada. The County Quarterly License Fee is similar to the State's Annual License Fee in that it is based on the number of games operated by each gambling establishment. The major difference is that the County Quarterly License Fee tax base includes slot machines and the State does not.

Schedule 1 illustrates the license fees collected by the State and the counties for fiscal years ended June 30, 1975 and June 30, 1976.

Schedules 2 and 3 show the comparison between the county share of the Annual State License Fees collected and allocated to each county and the State's share of the Quarterly County License Fees collected for fiscal years ended June 30, 1975 and 1976 respectively.

The Zubrow report entitled "Financing State and Local Government in Nevada", issued in 1960 comments on this subject (pages 340-345). Legislative Counsel Bureau Bulletin No. 77-20, entitled "Study of Intergovernment Payments" also covers the subject. This was also set forth on page 32.26 of our report entitled "State Regulation of Gambling for the Fiscal Year Ended June 30, 1975".

If you should have any further questions regarding this information, we will be available to discuss it with you at your convenience.

Respectfully,

Earl T. Oliver, C.P.A. Legislative Auditor

ETO:mr Attachments (3)

STATE OF NEVADA STATE AND COUNTY SHARED GAMING REVENUES

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	Fiscal Year	Ended 6/30/75	Fiscal Year	Ended 6/30/76
	County Share Annual State License Fee NRS 463.380	State Share Quarterly County License Fee NRS 463.390	County Share Annual State License Fee NRS 463.380	State Share Quarterly County License Fee NRS 463.390
Carson City	\$ 86,864.00 <	\$ 35,790.00	\$ 90,438.34	\$ 39,381.25
Churchill	86,864.00	8,897.50	90,438.34	9,256.25
Clark	86,864.00	933,770.00	90,438.34	1,002,543.12
Douglas	86,864.00	202,629.79	90,438.34	210,683.75
Elko	86,864.00	59,445.00	90,438.34	62,565.00
Esmeralda	86,864.00	517.50	90,438.34	495.00
Eureka	86,864.00	238.25	90,438.34	225.00
Humboldt	86,864.00	17,768.65	90,438.34	16,818,75
Lander	86,864.00	4,545.00	90,438.34	4,710.00
Lincoln	86,864.00	1,101.25	90,438.34	1,100.00
Lyon	86,864.00	3,408.75	90,438.34	3,688.75
Mineral	86,864.00	9,322.50	90,438.34	9,120.63
Nye	86,864.00	7,230.00	90,438.34	5,235.00
Pershing	86,864.00	5,605.00	90,438.34	4,953.75
Storey	86,864.00	13,267.50	90,438.34	14,752.50
Washoe	86,864.00	464,488.75	90,438.34	501,438.75
White Pine	86,864.00	5,546.25	90,438.34	4,320.00
Total	<u>\$1,476,688,00</u>	<u>\$1,773,571,69</u>	<u>\$1,537,451,78</u>	<u>\$1,891,287,50</u>

STATE OF NEVADA COMPARISON BETWEEN COUNTY SHARE ANNUAL STATE LICENSE FEE AND STATE SHARE COUNTY QUARTERLY LICENSE FEE FISCAL YEAR ENDED JUNE 30, 1975

SCHEDULE II

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					re Quarterly County Li y Share of Annual Stat	
	County Shar	e Annual State L	icense Ree	Gross Collections	State Share of County Collections	
	Collections (A)	Distribution (B)	(B) Over (Under) (A)	of Annual State License Fee (A)	of Quarterly County License Fees (B)	(B) Over (Under) (A)
Carson City	\$ 35,550.00	\$ 86,864.00	\$ 51,314.00	\$ 35,550.00	\$ 35,790.00	\$ 240.00
Church111	7,050.00	86,864.00	79,814.00	7,050.00	8,897.50	1,847.50
Clark	847,150.00	86,864.00	(760,286.00)	847,150.00	933,770.00	86,620.00
Douglas	123,400.00	86,864.00	(36,536.00)	123,400.00	202,629.79	79,229.79
Elko	86,000.00	86,864.00	864.00	86,000.00	59,445.00	(26,555.00)
Esmeralda	-0-	86,864.00	86,864.00	-0-	517.50	517,50
Eureka	-0-	86,864.00	86,864.00	-0-	238.25	238.25
Humboldt	7,350.00	86,864.00	79,514.00	7,350.00	17,768.65	10,418.65
Lander	1,100.00	86,864.00	85,764.00	1,100.00	4,545.00	3,445.00
Lincoln	-0-	86,864.00	86,864.00	-0-	1,101.25	1,101.25
Lyon	300.00	86,864.00	86,564.00	300.00	3,408.75	3,108.75
Mineral	7,050.00	86,864.00	79,814.00	7,050.00	9,322.50	2,272.50
Nye	1,250.00	86,864.00	85,614.00	1,250.00	7,230.00	5,980.00
Pershing	850.00	86,864.00	86,014.00	850.00	5,605.00	4,755.00
Storey	200.00	86,864.00	86,664.00	200.00	13,267.50	13,067.50
Washoe	393,500.00	86,864.00	(306,636.00)	393,500.00	464,488.75	70,988.75
White Pine	3,100.00	86,864.00	83,764.00	3,100.00	5,546.25	2,446.25
Total (1)	<u>\$1,513,850,00</u>	<u>\$1,476,688,00</u>		<u>\$1,513,850.00</u>	<u>\$1,773,571.69</u>	<u>\$ 259,721.69</u>

(1) Difference between (A) and (B), \$37,162.00, is Administrative Fee withheld by Gaming.

STATE OF NEVADA COMPARISON BETWEEN COUNTY SHARE ANNUAL STATE LICENSE FEE AND STATE SHARE COUNTY QUARTERLY LICENSE FEE FISCAL YEAR ENDED JUNE 30, 1976

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SCHEDULE III

					re Quarterly County Li y Share of Annual Stat	
	County Shar	e Annual State L	icense Fee	Gross Collections	State Share of County Collections	
	Collections (A)	Distribution (B)	(B) Over (Under) (A)	of Annual State License Fee (A)	of Quarterly County License Fees (B)	(B) Over (Under) (A)
Carson City	\$ 36,400.00	\$ 90,438.34	\$ 54,038.34	\$ 36,400.00	\$ 39,381.25	\$ 2,981.25
Church111	8,400.00	90,438.34	82,038.34	8,400.00	9,256.25	856.25
Clark	841,250.00	90,438.34	(750,811.66)	841,250.00	1,002,543.12	161,293,12
Douglas	130,000.00	90,438.34	(39,561.66)	130,000.00	210,683.75	80,683.75
Elko	64,700.00	90,438.34	25,738.34	64,700.00	62,565.00	(2,135.00)
Esmeralda	-0-	90,438.34	90,438.34	-0-	495.00	495.00
Eureka	-0	90,438.34	90,438.34	-0-	225.00	225.00
llumboldt	7,350.00	90,438.34	83,088.34	7,350.00	16,818.75	9,468.75
Lander	1,300.00	90,438.34	89,138.34	1,300.00	4,710.00	3,410.00
Lincoln	-0-	90,438.34	90,438.34	-0-	1,100.00	1,100.00
Lyon	400.00	90,438.34	90,038.34	400.00	3,688.75	3,288.75
Mineral	6,850.00	90,438.34	83,588.34	6,850.00	9,120.63	2,270.63
Nye	1,650.00	90,438.34	88,788.34	1,650.00	5,235.00	3,585.00
Pershing	850.00	90,438.34	89,588.34	850.00	4,953.75	4,103.75
Storey	100.00	90,438.34	90,338.34	100.00	14,752.50	14,652.50
Washoe	481,850.00	90,438.34	(391,411.66)	481,850.00	501,438.75	19,588.75
White Pine	4,000.00	90,438.34	86,438.34	4,000.00	4,320.00	320.00
Total (1)	<u>\$1,585,100,00</u>	<u>\$1,537,451,78</u>		<u>\$1,585,100,00</u>	<u>\$1,891,287,50</u>	<u>\$ 306,187,50</u>

(1) Difference between (A) and (B), \$47,648.22, is Administrative Fee withheld by Gaming.

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EXHIBIT B

RALPH LAMB Sheriff



Clark County License Bureau

CLARK COUNTY COURTHOUSE 200 EAST CARSON AVENUE • LAS VEGAS, NEVADA 89101

Telephone: 386-4011

36

DISBURSEMENT OF FEES COLLECTED ON GAMING FORMS:

CITY BASED LOCATION: Fee is collected on Gaming Form S20

25% of the fee collected is disbursed to the State

50% of the fee collected is disbursed to the City

25% of the fee collected is disbursed to the County

<u>COUNTY BASED LOCATION</u>: Fee is collected on all three gaming forms; Gaming Form S20, General Gaming Form S30, and Convention Tax Authority Form S10.

Gaming Form S20

25% of the fee collected is disbursed to the State

50% of the fee collected is disbursed to the appropriate township (Sunrise Manor, Winchester, etc.)

25% of the fee collected is retained by the County

General Gaming Form S30

25% of the fee collected is disbursed to the State

75% of the fee collected is retained by the County

Convention Authority Tax Form S10

100% of the fee collected is disbursed to the Convention Authority

See N/PS 463 320

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SHERIFF'S COPY. IF PAYING IN PERSON, PLEASE BRING EN-	DOUBLE	47		@ 79.00 ea.		DEVICES	59		@ 15.00 ca.	
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	BIGSIX	52		@225.00 ea,		TOTAL A	MOU	T SUBM	TTED 79	
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MO. DAY YR PERIOD COVERED; DUE DATE: THREE MONTHS FROM DUE DATE			IMBER		SIGNATURE AND				<u></u>	

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EXHIBIT C

TO THE SHERIFF OF THE COUNTY OF LANDER, STATE OF NEVADA

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No._

Dear Sir:

The undersigned, being a citizen of the	United States and	over	the age of	21 years,
respectfully petitions you to grant unto	Clinton Hinman	- * [*]		of
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 Hattle Mtn.
 , Lander County, licenses authorizing

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 to conduct or operate the following, namely:

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	No.	FEE •	AMOUNT		No.	FEE *	AMOUNT
SLOTS	39	\$31.00	\$1209.00	LIQUOR		\$30.00	\$30.00
ار PIN BALL	1	31.00	\$ 31.00				
"21"	2	151.00	\$ 202.00	OTHER			
ROULETTE	1	151.00	\$ 151.00		1		
CRAP		151.00	4			22. 22.	
POKER		75.00		2		$\mathbf{x}_{i}^{(e)} \in \mathbf{y}_{i}^{(e)}$	
TOTAL			\$1693.00	TOTAL			\$30.00

Total Amount Due 31723_00

For the period of three months from the lat day of Oct.

described as follows: ______ Gasino Bar Room

in the County of Lander, State of Nevada. -Dated this day of 19

Fee includes \$1.00 Ordinance Fee. Petitioner

39

120

EXHIBIT D

BLYTHE JONES Under Sheriff

Post Office Box 870

MENDER NATIONAL SHERIFFS' ASSN.

WHITE PINE COUNTY SHERIFF'S DEPARTMENT ELY. NEVADA 89301 DARLENE GAMBOA Office Deputy

> Ares Code 702 Phone 289-4833

ARCHIE C. ROBISON. SHERIFF February 22, 1977

Darrel H. Dreyer Assemblyman 5309 Masters Ave. Las Vegas, Nevada 89122

Dear Sir:

Reference to your letter of February 18, 1977 regarding audit of county collections of gaming tax revenues.

The firm of Shaver, Delmore and Hase of Ely, Nevada annually audits all White Pine County revenues, including the collections of gaming tax revenues. If your Committee were to contact this firm, I am sure they can provide you with all of the information you need.

Yours truly,

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Archie C. Robison, Sheriff White Pine County, Nevada

ACR/dg

EXHIBIT E

JBERT BORJAS

MARIAN L. GLENNON Deputy Sheriff DARRELL BAILEY Deputy Sheriff

Sheriff



February 23, 1977

Darrell H. Dreyer, Assemblyman Nevada Legislature Legislative Building Carson City, Nevada 89701

Dear Assemblyman Dreyer:

Regarding your letter of February 18th and telephone conversation this date, Elko County's input on county collections of gaming tax revenues, the breakdown is as follows:

> 1/2 to Incorporated and Unincorporated Cities and Towns 1/4 to County 1/4 to State

On all other county licenses issued, the breakdown is as follows:

1/4 to State
3/4 to County

In essence the state receives 1/4 of revenues collected on county gaming licenses.

In addition to the regular collections of gaming tax revenues, the county levies a special county gaming tax on all licenses with the exception of those for incorporated cities. Elko County has an independent audit conducted yearly.

Hope this information is what you are seeking.

Sincerely,

HUBERT BORJAS.

HUBERT BORJAS, SHERIFF ELKO COUNTY, NEVADA

HB:mlg



WASHOE COUNTY SHERIFF'S DEPARTMENT

P. O. Box 2915 RENO, NEVADA 89505 Phone: (Area 702) 785-6220

ROBERT J. GALLI

NCENT G. SWINNEY

THOMAS F. BENHAM CHIEF, INVESTIGATIVE SERVICE BUREAU RUSSELL T. SCHOOLEY CHIEF, OPERATIONAL SERVICE BUREAU JAY S. HUGHES CHIEF, ADMINISTRATIVE SERVICE BUREAU

February 24, 1977

Darrell H. Dreyer Assemblyman Nevada Legislature Carson City, Nv. 89701

Dear Mr. Dreyer:

With reference to your letter to Sheriff Galli, dated February 18, 1977, relative to gaming tax revenues collected by counties.

For the calendar year 1976 this Department handled collections from 343 licensed gaming establishments, 75 in the unincorporated area and 268 in the incorporated areas. Total gaming revenues collected in 1976 amounted to \$2,332,780.00.

The Sheriff is responsible for collecting revenues for all licensed gaming establishments, both in the incorporated and unincorporated areas of the County. Monies so received are paid over to the County Treasurer by the fifth (5th) day of the following month.

All of our accounts are audited on an annual basis and this information becomes public record. The gaming revenues are pro-rated according to statute and the proceeds are paid over to the State and cities by the County Treasurer.

If you require any additional information please contact me.

Very truly yours,

ROBERT L GALLI, SHERIFF By S Ħиа Administrative Service Bureau Chief, JSH rq

GUEST LIST

NAME	REPRESENTING	WISH T	O SPEAK
(Please print)		Yes	No
Frank W. Weston	HumboldT Co. S. D.	h	· ·
George & Schwin	Lunder County Sherf		
HL SANderdaz	Hunssist Co. S.O. U		
HARRY O'NAN	LCB · AVAT		
John Crosslay	LCB. Audit		
Ay HUGHES	WASHOE CO SHERAFFS DO	PT	
Harlen Etges	STate Gaming Con. 1	d.	
Jon H. Shatton			
Bourens	Maning Anderter Asso	~	
SKIP SANDSTROM	Claric County Lic Bu		
Dearge W. allen	Shaill Lyon Co		
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