

The meeting was called to order at 2:00 p.m. on Thursday, February 8, 1979, in Room 213 with Senator Norman Glaser in the Chair.

PRESENT: Chairman Norman Glaser
Vice-Chairman Floyd Lamb
Senator Carl Dodge
Senator William Raggio
Senator Jim Kosinski
Senator Mike Sloan
Senator Don Ashworth

Ed Schorr, Fiscal Analyst

GUESTS: Mr. Frank Daykin, Legal Counsel, Legislative Counsel Bureau
Mr. A. J. Evans, General Manager of Winnemucca Farms, Inc.
Mr. David Conover, Nevada Farm Bureau
Mr. Vernal Swenson, R. T. French Company
Mr. Sam Mamet, Clark County

Chairman Glaser entered, for the record, a letter from the Democratic Party of Washoe County regarding their concerns about the several tax proposals that are being considered by the Taxation Committee (see Exhibit "A").

Chairman Glaser stated that there was a handout from Homer Rodriguez from the Carson City Assessor's Office, which analyzed the effect of lowering the assessment rate from 35% to 20% (see Exhibit "B").

Chairman Glaser distributed a handout from the Department of Taxation dealing with the Governor's tax program and containing tabulations of estimated tax rates for 1979-80 (see Exhibit "C").

Chairman Glaser then introduced Mr. Frank Daykin, Legal Counsel for the Legislative Counsel Bureau who reviewed the salient points of BDR 32-1480* (see Exhibit "D").

Mr. Daykin stated that BDR 32-1480 would provide tax abatement to owners and renters of residential property as well as a reduction in the permissible rate of taxation for all other property. Mr. Daykin stated that BDR 32-1480 also provides for submitting to the voters of the state (at a special election to be held in conjunction with the municipal elections in June of 1979) the proposal to remove the 2% Sales & Use Tax from food products. He said that if that particular proposal is approved the local school support tax is correspondingly amended to provide the same exemption of food products (which will carry an automatic change in all of the city/county relief tax ordinances to take the 1/2¢ off food products). Mr. Daykin also stated that if the removal

BDR 32-1480 - (cont.)

of tax from food is approved by the people they will be repealing all the administrative provisions from the referred Sales & Use Tax. Mr. Daykin said that, in essence, the rate of tax and the provision of all the various exemptions from tax would be in the people's control and the Legislature could not, without a vote of the people, take away or add an exemption. They would, however, be getting rid of the administrative provision and the Legislature would be reenacting those without change. He stated that the result of that repeal and reenactment would be that if in the future it is desired to change any administrative provisions, it could be done by Legislative action without a vote of the people.

Senator Raggio asked Mr. Daykin if the bill includes provisions for Real Property Transfer Tax? Mr. Daykin answered "No".

Senator Dodge asked if the bill spells out that the maximum rate of \$3.56 could not be exceeded. Mr. Daykin stated "No". Mr. Daykin said that if the taxing district goes up to the \$4.64 statutory limit it's practical effect on the residential homeowner is a \$3.56 rate since he's getting the \$1.08 allowance independently of any action by his local government.

Senator Sloan said that in every state that has a constitutional mandate similar to Nevada's, a homestead exemption to property owners is included in the Constitution rather than by statute. Senator Sloan then stated that those states which do not have a requirement of a uniform rate of assessment deal with rebates or credits applied against income tax rather than property tax. He also said that the states that dealt with it through statutes before incorporating it into the Constitution met with mixed success and remarked that the Taxation Committee should make sure that it is 100% constitutional ahead of time. Mr. Daykin responded that he has not encountered any cases which approached a rebate or allowance from the General Fund as being offensive to the requirement of a uniform and equal rate of assessment. Mr. Daykin said that the allowances against income tax are quite different and argue neither for nor against this particular proposition, except that it shows that in most states it's recognized as a legitimate expenditure of public funds to make such an allowance.

Senator Sloan questioned the use of the term "appropriation" when, in essence, the term used should be "allowance". Mr. Daykin stated that it was a legitimate concern.

Senator Dodge asked Mr. Daykin if there was any problem, mechanically, of putting all of the tax relief going back to county governments in one bill? Mr. Daykin answered "No". Mr. Daykin said that the bill would still be constitutional but the title

BDR 32-1480 - (cont.)

would then be "An Act Relating to Public Finance" rather than "An Act Relating to Taxation", however it would embrace both the raising of revenue and the expenditures.

Chairman Glaser discussed with the Committee the idea of leaving some of the peripheral tax items being discussed for the Assembly Taxation Committee to work with and develop.

Senator Raggio questioned whether the Committee needed to introduce BDR 32-1480 at this time and stated his preference for working from a draft.

Senator Dodge stated that it still hadn't been resolved how much total money is going into the relief package.

Senator Lamb moved for Committee introduction of BDR 32-1480.

Seconded by Senator Kosinski.

Motion carried, with Senators Dodge and Raggio voting "No".

Chairman Glaser stated that it had been suggested that there be a hearing in Las Vegas and that the Assembly Taxation Committee Chairman had scheduled it for Saturday, February 24, 1979.

SB-65 - For submission at next general election a question proposing exemption of insecticides and herbicides from the Sales & Use Tax Act.

Chairman Glaser introduced Mr. A. J. Evans, General Manager of Winnemucca Farms, Inc., as the first speaker.

Mr. Evans read directly from his handout (see Exhibit "E") in support of SB-65. After Mr. Evan's testimony the following discussion took place:

Senator Raggio asked Mr. Evans how the person responsible for administering sales tax would deal with the mechanics of distinguishing whether it's being used for a different purpose. Mr. Evans stated that it would require the maintenance of application records.

Senator Lamb asked if it would be difficult to police? Mr. Evans stated that it might be in regard to LP gas. Mr. Evans stated that his main concern was with the interpretation of chemicals since chemicals used in production encompass a lot of things.

Mr. David Conover, Director of Member Relations for the Nevada Farm Bureau Federation submitted a written statement to the Committee on S.B. 65 (see Exhibit "F") in support of this legislation.

Mr. Vernal Swenson, representing the R. T. French Company, testified in support of S.B. 65. Mr. Swenson read directly from his handout (see Exhibit "G").

Senator Raggio asked Mr. Swenson for an estimate of what his company pays annually in sales tax on herbicides and insecticides? Mr. Swenson stated that they do not use pesticides or herbicides as such; they only use agricultural products, mainly potatoes, and therefore the cost is hidden.

Senator Raggio stated that the fiscal note to S.B. 65 indicates that the state receives only \$4,350 and \$5,800 in sales tax from the sale of these items during the year.

S.B. 166 - Provides for tax relief payments to persons who own and occupy residential property and makes changes in provisions of law on property tax.

Senator Kosinski, the sponsor of S.B. 166 stated that the request for this bill was drafted in December 1978 prior to the introduction of S.B. 54 or to any bills relating to property tax relief. Senator Kosinski stated that the main concepts in the bill included: 1) an increasing level of rebate, 2) reduces the assessment ratio by 10%, 3) provides a method for "capping" the amount of revenue increases to local governments during the life of the bill, 4) provides that the Tax Commission would be able to set the rate on an annual basis based on the amount of revenue that local government can justify, and 5) provides for an emergency relief fund for school districts and local governments if under the amount of assessment ratios set by the Tax Commission there would be insufficient funds. Senator Kosinski stated that the counties had already prepared an analysis and found some

S.B. 166 (cont.)

mechanical problems and that in his opinion S.B. 54 was a better approach.

Chairman Glaser introduced Assemblyman Price, Chairman of the Assembly Taxation Committee. Assemblyman Price stated that the Assembly Taxation Committee still has to narrow down two or three concepts into a single package. Assemblyman Price stated that he favors the idea of putting the tax reform package into one AB bill and one SB bill, after which time the two houses could combine their bills into one package for presentation.

Senator Lamb moved that S.B. 65 be passed out of Committee with a "Do Pass".

Motion died for lack of a second.

S.B. 65 was discussed further among the Senators. It was decided to table S.B. 65 until such time as the fiscal note is updated.

There being no further business, the meeting was adjourned at 3:20 p.m.

Sharyna Miley
Respectfully Submitted By:
Sharyna Miley, Secretary

Norman Glaser
Approved By:
Senator Norman Glaser, Chairman

**DEMOCRATIC PARTY
OF
WASHOE COUNTY**

2075 Marlette

Reno, Nevada 89503

(702) 747-4515

January 31, 1979

Senator Norman Glaser
Chairman, Senate Taxation Committee
Legislative Building
Carson City, Nevada 89701

Dear Senator Glaser:

I am writing as head of the Washoe County Democratic Party to you about the several tax plans that are before your committee, I would appreciate your sharing this letter with other members of your committee, and I would also like a chance to place my remarks in the record of the Taxation Committee, if that is possible.

I have two major concerns. One that derives directly from our platform is that your committee support removal of the regressive food tax. I was glad to see the Governor include that in his message, and I hope your group supports removal of this unfair tax.

The other major concern, that is more personal, is that the Legislature work to head off passage of Question Six. I do not believe that the "California Plan" is applicable to Nevada. We do need tax relief and reform, but Question Six is much more oriented toward business than what most people really want, I think. As you are probably aware, most of the relief offered under Six would flow to businesses. Owners of dwellings who live in those dwellings would actually realize a small proportion of the relief granted under Six.

I do not believe the Governor's plan to lower property tax is much better than Question Six. His plan is also oriented toward businesses and offers little, if any, direct relief to renters and mobile home owners, and does not differentiate between types of property. As you know about 40% of the dwellings in Nevada are occupied by renters (see 1970 census material) and any tax relief plan needs to directly respond to this fact.

The property tax reform being offered by Senator Lamb and his cosponsors seems much more oriented toward the ordinary Nevadan, including the renter and the mobile home dweller and the homeowner. I urge you to consider the concepts embodied in his plan when you look at property tax relief. As indicated, however, I also strongly urge you to add removal of the food tax to his plan, since it is not presently included.

I hope that you do not mind my sharing these thoughts with you. I wish you well in dealing with these complex issues.

Sincerely,



Jim Richardson, President
Washoe County Democratic Party

JR/a

Question 6

50,000 Residence

x .01%

\$ 500.00 Tax

\$ 50,000
x 35%

17,500 Assd.

x .05% Rate

\$ 875.00 Tax ← 43%

\$ 50,000
x 30

15,000

x .05

\$ 750.00 Tax ← 33%

\$ 50,000
25

12,500

x .05

\$ 625.00 Tax ← 20%

\$ 50,000

20

10,000

x .05

\$ 500.00 Tax ← 0%

← Difference in percentage

Department of Taxation

CARSON CITY, NEVADA 89710

In-State Toll Free 800-992-0900



~~XXXXXXXXXXXXXXXXXXXX~~
 Robert List, Governor

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 Roy E. Nickson, Executive Director

February 5, 1979

GOVERNOR'S TAX PROGRAMReduction in Property Tax Rates:

The proposal would reduce the maximum tax rate from \$5.00 to \$3.50 in the first year of the biennium and \$3.20 in the second year. Excluded from the levy would be 70 cents of the school tax in the first year and an additional 30 cents of the school tax in the second year. Also removed would be the 25 cent state share of the ad valorem levy and the 11 cent mandatory levy for State aid to the medically indigent. The maximum tax rates established could be exceeded by the amount of the existing school district debt service. Such overrides range from a zero in Esmeralda County to 70 plus cents in Clark County. The debt service for certain general improvement districts would also be allowed as an override. There are now three such general improvement districts that are in default and the \$5.00 rate would be required to extinguish these liabilities. The maximum combined tax rate available for all local governments, excepting school districts, would be \$2.70. The impact on the local governments (including incorporated cities and towns and unincorporated towns) would range from an additional taxing capability of 72 cents in the tax rate in Eureka to a mandatory reduction of 44 cents in the Ely and White Pine Counties combined tax rate. The median county (Nye/Tonopah) would have to reduce the combined tax rate by but 4 cents and the average county/city would have a reduction of .015 cents. Those counties/cities having the largest reductions to achieve; White Pine (44 cents), Pershing (37 cents), Storey (26 cents), Lander (24 cents), Mineral (15.9 cents), Esmeralda (14 cents) and Washoe (12.6 cents) would have the option of asking the voters to approve an override of up to \$1.06 in the first year of the biennium and to \$1.36 in the second year to permit the entities to provide additional services. Future indebtedness (bond issues) would also be subject to the override provisions thus permitting the electorate to determine if the purpose of the issue justified the increased tax burden. These override provisions are believed to have great appeal as they provide the necessary flexibility to meet the needs of local governments as desired by the citizens of that entity.

Local Government Spending Limitations:

This proposal is an adjunct to the tax rate reduction proposal and would prevent excessive expenditures by local governments merely

because their tax base has been dramatically increased due to a sometime artificial growth in assessed value. Such growth has occurred, particularly, in Washoe County and in Carson City, where residential construction has been limited due to the constraints of such natural resources as water and man-made resources such as sewage disposal facilities. In these situations the total assessed valuation has increased at a rate far exceeding a combination of population and inflation. This ready availability of funds from the ad valorem tax has, in certain instances, resulted in the inclusion of such peripheral benefits as subsidization of enterprise activities from general fund revenues and generous donations to the causes of small special interest groups.

On the other side of the coin are those entities that have had a declining economic base and have been unable or unwilling to reduce expenditures in recognition of the decline. Thus, the tax rates of these entities climb to the maximum \$5.00 rate and non-property tax levies are increased as they continue to budget for services that prudence would dictate should be eliminated or reduced based on the decline in population. Examples are Mineral and White Pine County.

There is no question in my mind that the actions indicated contributed to:

- a) The fact that in 1977 Nevada's local governments had the third highest per capita rate of expenditure of any state in the Union. (exceeded only by Alaska and New York) This is from the U.S. Department of Commerce "State Government Finances in 1977" publication.
- b) The 77% voter approval of Question 6 on the November, 1978 Ballot.

In general, the counties and cities, with certain notable acceptance, have exercised good fiscal management and have responded to changing economic conditions with typical Nevada conservatism. The school districts with their guaranteed tax rate have, almost unanimously, not shown such restraint and fiscal responsibility.

The proposal would establish fiscal year 1975-76 as the base period and would limit maximum expenditures in the entities general fund for fiscal year 1979-80 to that base multiplied by both the accumulated percentage changes in population growth (provided by the State Planning Coordinator for counties and cities and the State Department of Education for school districts.) and by an accumulative inflation factor - the consumer price index. Again, as in the case of the property tax "override", this proposal has an "escape" clause. Limits can be exceeded in situations where there is a threat to life, property and if the electorate, by a majority vote, approves increased expenditures for a new or expanded program of services. Thus, a need for additional police protection due to rising crime rates could be accommodated if the voters so desire.

Removal of the Sales Tax on Food:

Subject to the vote of the electorate, the sales tax would be removed from food for human consumption. Excluded from the exemption are alcoholic beverages, pet foods, tonics and vitamins and prepared food intended for immediate consumption (restaurant and fast food outlets). The best estimate of the Department of Taxation is that the exemption represents approximately 10% of the total sales and use tax revenues or 24 million dollars for fiscal year 1979-80. Of this loss, the State would absorb \$13,666,000.00, the local school districts \$6,833,000.00, and the cities and counties \$3,358,500.00. These losses would be offset by an anticipated growth in total sales tax revenues of 16% in fiscal year 1979-80 and 15% in fiscal year 1980-81. Again, an automatic limit of expenditures by the governments concerned.

Senior Citizens Property Tax Deferral:

This proposal would permit senior citizens (those over 62 years of age) to defer ALL property taxes on their residences until the home is sold, ceases to be occupied by the citizen (except in case of illness), death (of both owners if there are more than one) rental income for portions of the home exceeding \$1,800.00 annually and, in the case of mobile home owners, if they apply for a trip permit to move the home out-of-state. The deferred taxes would accrue interest at the prevailing home loan interest rate. The Department of Taxation, under legislative appropriation, would reimburse the local governments for the tax losses and when the deferral period ended, the back taxes and interest would be sent to the Department to reimburse the State. A revolving fund concept. I believe this program will have great appeal if properly presented. The fears of many of our older citizens that they are somehow cheating their children by accepting a tax deferral must be allayed and emphasis must be placed on the value of having additional funds for expenditures NOW by the senior citizen. It can also be pointed out that, as real estate values increase, the size of their estates will also grow and any adverse affect on their heirs will be minimized.

Real Property Transfer Tax Redistribution:

The proposal is to permit counties to retain the 75% of the real property transfer tax revenues that are now remitted to the State for deposit in the State General Fund. If this were accomplished, the counties would receive an additional \$2,380,000.00 in fiscal year 1979-80 and \$3,455,500.00 in fiscal year 1980-81. The taxes, of course, will remain in the county which the document is recorded and it is estimated that Clark County will receive approximately 54% of the revenues and Washoe County 30%.

Department of Taxation

CARSON CITY, NEVADA 89710

In-State Toll Free 800-992-0900



~~XXXXXXXXXXXXXXXXXXXX~~
Robert List, Governor

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Roy E. Nickson, Executive Director

EXEMPTION OF HOUSEHOLD EFFECTS FROM PROPERTY TAX:

All household goods and furniture are to be exempt from property taxation. A review of assessment practices in the various counties have revealed a complete lack of uniformity in the method of valuation of household goods. Some counties use a percentage (5% or 10%) of the basic residence value; other counties use a set cash figure varying by the size of the home or on the age of the home. Other counties require a personal property declaration. A copy of the various methods utilized in individual counties is attached. In addition to the variance in the method of valuation, the establishment of the true cash value of personal property is extremely difficult. The worth of a piece of furniture or true value of a five year old refrigerator is almost impossible to determine. Without exception the county assessors recognize the difficulty in establishing values for household property and agree that it is a tax that is almost "impossible" to properly administer. The estimated loss to the counties, cities and school districts by removal of this tax is \$3,544,572 for 1979-80 and \$4,073,469 for 1980-81.

VALUATION OF HOUSEHOLD GOODS

Carson City	5% of residence value.
Churchill	10% of basic residence value.
Clark	5% of basic residence value.
Douglas	5% of basic residence value.
Elko	Personal property declaration - converting to 5% of residence value.
Esmeralda	10% of basic residence value.
Eureka	Range - \$200 to \$300 assessed.
Humboldt	Bracketed values dependent upon size and age.
Lander	\$200 assessed for smaller houses to \$300 assessed for larger houses.
Lincoln	5% of residence value - declaration to renters.
Lyon	5% of residence value.
Mineral	Personal property declaration.
Nye	New house 10% of basic residence value - old house \$100 assessed per room.
Pershing	Not over \$500 assessed or less than \$100 assessed.
Storey	Personal property declaration.
Washoe	Assessed value is 2% of basic residence value.
White Pine	10% of basic residence value.

Note: Basic residence is living area only, excluding any attachments
such as garages or porches.

ESTIMATED AD VALOREM TAX DISTRIBUTION FOR 1979-80
Governor List's Tax Proposal

	ASSESSED VALUE	SCHOOLS*	COUNTIES	TOTAL CITIES	TOTAL TOWNS	TOTAL SPECIAL DISTRICTS	GRAND TOTAL 1979-80	GRAND TOTAL 1978-79	GAIN OR LOSS
CARSON CITY #	\$ 201,258,783	\$ 2,354,727	\$ 1,319,154	\$ 3,083,634	\$ -0-	\$ 114,855	\$ 6,872,370	\$ 7,059,890	\$ (187,520)
CHURCHILL	68,326,326	826,749	1,042,660	232,017	-0-	2,733	2,104,159	2,273,237	(169,078)
CLARK	2,886,383,216	43,362,135	29,455,541	15,190,772	19,367,710	2,354,539	109,730,697	113,605,736	(3,875,039)
DOUGLAS	206,068,669	2,926,175	1,092,164	-0-	163,019	1,951,359	6,132,717	6,539,647	(406,930)
ELKO	174,094,740	1,915,042	1,549,443	775,145	79,258	210,835	4,529,723	5,074,449	(544,726)
ESMERALDA	18,310,660	146,485	346,071	-0-	13,167		505,723	560,139	(54,416)
EUREKA	41,740,520	367,316	663,674	-0-	8,238	2,899	1,042,127	1,138,783	(96,656)
HUMBOLDT	83,731,708	937,795	879,183	356,797	-0-	87,738	2,261,513	2,508,954	(247,441)
LANDER	39,864,125	398,641	741,473	-0-	52,870	-0-	1,192,984	1,305,298	(112,314)
LINCOLN	29,667,587	370,845	382,712	23,337	33,228	26,358	836,480	918,995	(82,515)
LYON	97,257,082	1,124,292	1,651,425	88,212	37,463	146,497	3,047,889	3,280,452	(232,563)
MINERAL	33,245,041	359,379	897,616	-0-	-0-	-0-	1,256,995	1,347,733	(90,738)
NYE	105,416,116	1,149,036	1,633,934	63,572	234,743	18,433	3,099,718	3,381,515	(281,797)
PERSHING	45,119,246	392,537	609,110	74,265	-0-	-0-	1,075,912	1,247,532	(171,620)
STOREY	11,910,509	145,308	321,107	-0-	-0-	284	466,699	461,740	4,959
WASHOE	1,534,968,485	17,102,619	25,953,247	10,864,691	-0-	2,872,174	56,792,731	60,377,630	(3,584,899)
WHITE PINE	62,273,188	498,186	1,083,553	200,156	45,820	-0-	1,827,715	2,086,597	(258,882)
TOTALS	\$5,639,636,001	\$ 74,377,267	\$ 69,622,067	\$ 30,952,598	\$ 20,035,516	\$ 7,788,704	\$202,776,152	\$213,168,327	\$(10,392,175)
Percentage of Grand Total		36.68	34.33	15.26	9.89	3.84	100.00		
Average Unweighted									
Tax Rate	3.7798								
#Consolidated Entity									
*Includes Debt									

ENTITY	ASSESSED VALUATION 1979-80	TAX RATE	AD VALOREM DOLLAR RECEIVED	DOLLAR RECEIVED 1978-79	GAIN OR (LOSS)
Carson City (Urban)	114,586,384	2.5950	2,973,517	2,645,354	328,163
Carson City (Ormsby)	86,672,389	1.4120	1,223,814	1,125,846	979,968
Carson City Schools	201,258,783	.8000	1,610,070	2,576,497	(966,427)
School Debt	201,258,783	.3700	744,657	635,536	109,121
Carson Industrial GID	2,636,104	2.2989	60,601	30,352	30,249
Sierra Firest Fire Protection District	7,412,105	.5000	37,060	31,630	5,430
Eagle Valley Underground Water	186,617,602	.0049	9,144	7,804	1,340
Carson Truckee Water Conservation District	201,258,783	.0040	8,050	6,871	1,179
Churchill County	68,326,326	1.526	1,042,660	954,014	88,646
Churchill County Schools	68,326,236	.8000	546,611	874,708	(328,097)
School Debt	68,326,326	.4100	280,138	239,087	41,051
Fallon	19,830,499	1.1700	232,017	203,095	28,922
Carson Truckee Water Conservation District	68,326,326	.0040	2,733	2,333	400
Clark County	2,886,383,216	1.0205	29,455,541	27,848,905	1,606,636
Clark County Schools	2,886,383,216	.8000	23,091,066	36,951,223	(13,860,157)
School Debt	2,886,383,216	.7023	20,271,069	17,300,563	2,970,506
Boulder City	43,441,359	1.197	519,993	443,794	76,199
Henderson	82,499,965	1.3327	1,099,477	938,361	161,116
Las Vegas	799,242,649	1.4122	11,206,905	9,632,931	1,653,974
North Las Vegas	161,761,576	1.4122	2,284,397	1,949,643	334,754
Bunkerville	2,074,525	1.3413	27,826	23,748	4,078
East Las Vegas	21,800,300	1.3363	291,317	248,628	42,689
Laughlin	10,524,397	.2700	28,416	24,252	4,164
Logandale	2,926,770	.9907	28,996	24,747	4,249
Mesquite	5,982,132	1.3413	80,238	68,480	11,758
Overton	3,771,726	.9907	37,366	31,891	5,475

ENTITY	ASSESSED VALUATION 1979-80	TAX RATE	AD VALOREM DOLLAR RECEIVED	DOLLAR RECEIVED 1978-79	GAIN OR (LOSS)
Paradise	909,950,712	1.3363	12,159,671	10,377,803	1,781,868
Searchlight	7,586,155	1.3413	101,753	88,184	13,569
Sunrise Manor	141,563,503	1.3363	1,891,713	1,614,503	277,210
Winchester	353,245,044	1.3363	4,720,414	4,028,574	691,840
Mt. Charleston Fire District	2,417,224	.5000	12,086	10,315	1,771
South West Fire District	107,949,927	.6000	647,700	552,786	94,914
Boulder City Library	51,305,526	.1500	76,950	65,681	11,277
Boulder City Swimming Pool	51,305,526	.0702	36,016	30,739	5,277
Clark County Library	1,767,331,405	.0759	1,341,405	1,144,836	196,569
Hednerson Library	106,745,679	.0795	84,863	72,427	12,436
Las Vegas Artesian Basin	2,679,532,503	.0035	93,784	80,041	13,743
Kyle Canyon Water	1,444,869	.8413	12,156	10,374	1,782
Moapa Valley Fire	14,138,986	.3506	49,571	42,307	7,264
Douglas County	206,068,669	.5300	1,092,164	1,125,578	(33,414)
Douglas County Schools	206,068,669	.800	1,648,549	2,638,073	(989,524)
School Debt	206,068,669	.6200	1,277,626	1,090,403	187,223
Gardnerville	8,815,866	.9200	81,106	69,221	11,885
Genoa	466,085	.6000	2,797	2,387	410
Minden	5,651,143	1.4000	79,116	67,522	11,594
Carson Truckee Water Conservation District	198,729,234	.0040	7,949	6,784	1,165
Cave Rock Estates GID	1,124,398	.8760	9,850	8,406	1,444
Douglas County Sewer No. 1 (A)	61,871,276	.2800	173,240	147,853	25,386
Douglas County Sewer No. 1 (B)	4,507,092	.2800	12,620	7,971	4,649
Elk Point Sanitation	1,787,097	.5000	8,935	7,626	1,309
Gardnerville Ranchoes	14,140,096	.9000	127,261	108,612	18,649
Indian Hill GID	317,012	1.6300	5,167	4,410	757

ENTITY	ASSESSED VALUATION 1979-80	TAX RATE	AD VALOREM DOLLAR RECEIVED	DOLLAR RECEIVED 1978-79	GAIN OR (LOSS)
Kingsbury GID	18,234,656	.7200	131,290	112,050	19,240
Lakeridge GID	1,725,236	.4500	7,764	6,626	1,138
Logan Creek GID	397,077	.6000	2,382	2,033	349
Marla Bay GID	2,160,887	.8700	18,800	16,045	2,755
Oliver Park GID	3,800,775	.3500	13,303	11,353	1,950
Round Hill GID	12,837,984	2.4096	319,614	156,637	162,977
Sierra Forest Fire Protection District	7,278,305	.1700	12,373	10,560	1,813
Skyland GID	6,297,811	.4050	25,506	21,768	3,738
Tahoe Douglas Sewer	30,064,183	.5500	165,353	141,122	24,231
Topza Ranch Estates GID	3,662,169	.8162	29,891	25,510	4,381
Zephyr Cove GID	1,156,942	.6900	7,983	6,813	1,170
Zephyr Heights GID	3,500,751	.2000	7,002	5,976	1,026
Zephyr Knolls GID	929,829	.1100	1,023	873	150
Douglas Mosquito	65,359,271	.0548	35,817	30,568	5,249
Kingsbury Fire District	20,285,700	.6700	135,914	115,997	19,917
Lake Tahoe Fire District	114,035,603	.5564	634,494	541,516	92,978
Minden-Gardnerville Sanitation District	14,457,024	.4000	57,828	49,354	8,474
Elko County	174,094,740	.8900	1,549,443	1,485,830	63,613
Elko County Schools	174,094,740	.8000	1,392,758	2,228,745	(835,987)
School Debt	174,094,740	.3000	522,284	445,749	76,535
Carlin	4,172,007	1.8100	75,513	69,433	6,080
Elko	5,438,695	1.1036	600,785	512,747	88,038
Wells	5,814,500	1.7000	98,847	84,362	14,485
Jackpot	2,824,528	1.8000	50,842	43,391	7,451
Montello	688,419	.3775	2,599	2,218	381
West Wendover	2,581,678	1.0000	25,817	22,034	3,783

E X H I B I T

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ENTITY	ASSESSED VALUATION 1979-80	TAX RATE	AD VALOREM DOLLAR RECEIVED	DOLLAR RECEIVED 1978-79	GAIN OR (LOSS)
Elko City/County Civic Auditorium	80,680,879	.2200	177,498	151,488	26,010
Elko TV District	111,123,880	.0300	33,337	28,452	4,885
Esmeralda County	18,310,660	1.8900	346,071	312,549	33,522
Esmeralda County Schools	18,310,660	.8000	146,485	234,411	(87,926)
Goldfield	1,005,896	.8100	8,148	8,156	(08)
Silver Peak	619,580	.8100	5,019	5,023	(04)
Eureka County	41,740,520	1.5900	663,674	566,420	97,254
Eureka County Schools	41,740,520	.8000	333,924	534,358	(200,434)
School Debt	41,740,520	.0800	33,392	28,499	4,893
Cescent Valley	559,771	.5000	2,799	2,389	410
Eureka	1,087,777	.5000	5,439	4,642	797
Diamond Valley Weed	2,899,460	.1000	2,899	2,475	424
Humboldt County	83,731,708	1.0500	879,183	828,956	50,227
Humboldt County Schools	83,731,708	.8000	669,854	1,071,926	(402,072)
School Debt	83,731,708	.3200	267,941	228,678	39,263
Winnemucca	21,624,048	1.6500	356,797	304,512	52,285
Golconda Fire District	9,220,283	.1500	13,830	11,804	2,026
Humboldt Fire District	519,970	.2500	1,300	1,109	191
McDermitt Fire District	5,607,285	.2500	14,018	11,964	2,054
Orovada Fire District	4,672,853	.2500	11,682	9,970	1,712
Paradise Valley Fire District	5,800,763	.1500	8,701	7,426	1,275
Pueblo Fire District	1,860,928	.2500	4,652	3,971	681
Winnemucca Rural Fire District	13,422,105	.2500	33,555	28,638	4,917
Lander County	39,864,125	1.8600	741,473	670,243	71,230
Lander County Schools	39,864,125	.8000	318,913	510,337	(191,424)
School Debt	39,864,125	.2000	79,728	68,045	11,683

ENTITY	ASSESSED VALUATION 1979-80	TAX RATE	AD VALOREM DOLLAR RECEIVED	DOLLAR RECEIVED 1978-79	GAIN OR (LOSS)
Austin	687,313	.0000	5,499	4,693	806
Battle Mountain	4,657,574	.8400	39,124	42,931	(3,807)
Kingston	981,738	.8400	8,247	9,049	(802)
Lincoln County	29,667,587	1.2900	382,712	354,482	28,230
Lincoln County Schools	29,667,587	.8000	237,341	379,802	(142,461)
School Debt	29,667,587	.4500	133,504	113,941	19,563
Caliente	1,666,920	1.4000	23,337	19,917	3,420
Alamo	972,586	.7000	6,808	5,810	998
Panaca	1,610,983	.8800	14,177	12,099	2,078
Pioche	1,212,140	1.0100	12,243	10,449	1,794
Pahrnagat Valley Fire District	2,400,647	.7000	16,805	14,342	2,463
Pioche Fire District	2,449,367	.3900	9,553	8,153	1,400
Lyon County	97,257,082	1.6980	1,651,425	1,500,732	150,693
Lyon County Schools	97,257,082	.8000	778,057	1,245,077	(467,020)
School Debt	97,257,082	.3560	346,235	295,498	50,737
Yerington	8,803,605	1.0020	88,212	81,597	6,615
Fernley	4,335,940	.8640	37,463	31,973	5,490
Panrose GID	384,000	.8680	3,333	3,120	213
Carson Truckee Water Conservation District	39,942,937	.0040	1,598	1,364	234
Central Lyon Fire District	21,885,676	.3000	65,657	56,306	9,351
Nason Valley Fire District	31,449,991	.1340	42,143	35,967	6,176
North Lyon County Fire District	17,761,676	.1180	20,959	17,887	3,072
Smith Valley Fire District	7,635,684	.1330	10,155	8,667	1,488
Smith Valley Artesian Basin	8,135,794	.0326	2,652	2,264	388
Mineral County	33,245,041	2.7000	897,616	842,404	55,212
Mineral County Schools	33,245,041	.8000	265,960	425,600	(159,640)

	ASSESSED VALUATION 1979-80 .	TAX RATE	AD VALOREM DOLLAR RECEIVED	DOLLAR RECEIVED 1978-79	GAIN OR (LOSS)
School Debt	33,245,041	.2810	93,419	79,729	13,690
Nye County	105,416,116	1.5500	1,633,934	1,493,477	140,457
Ney County Schools	105,416,116	.8000	843,329	1,349,528	(506,199)
School Debt	105,416,116	.2900	305,707	260,909	44,798
Gabbs	5,527,972	1.1500	63,572	58,974	4,598
Beatty	2,110,989	1.0400	21,954	18,737	3,217
Manhattan	1,554,811	.4000	6,219	5,308	911
Pahrump	36,866,623	.3000	110,600	94,393	16,207
Round Mountain	5,044,636	.2000	10,089	8,611	1,478
Tonopah	7,467,954	1.1500	85,881	75,846	10,035
Pahrump Swimming Pool	36,866,623	.0500	18,433	15,732	2,701
Pershing County	45,119,246	1.3500	609,110	562,210	46,900
Pershing County Schools	45,119,246	.8000	360,954	577,613	(216,659)
School Debt	45,119,246	.0700	31,583	26,955	4,628
Lovelock	5,501,132	1.3500	74,265	80,754	(6,489)
Storey County	11,910,509	2.696	321,107	291,740	29,367
Storey County Schools	11,910,509	.8000	95,284	127,064	(31,780)
School Debt	11,910,509	.4200	50,024	42,694	7,330
Carson-Truckee Water Conservation District	7,094,307	.004	284	242	42
Washoe County	1,534,968,485	1.6908	25,953,247	23,591,110	2,362,129
Washoe County Schools	1,534,936,485	.8000	12,279,748	19,650,531	(7,370,783)
School Debt	1,534,968,485	.3142	4,822,871	4,116,131	706,740
Reno	797,972,863	1.0052	8,021,223	7,702,546	318,677
Sparks	282,875,814	1.0052	2,843,468	2,728,085	115,383
Carson Truckee Water Conservation District	1,534,968,485	.0040	61,399	52,401	8,998
Crystal Bay GID	3,905,053	.4646	18,143	16,331	1,812

ENTITY	ASSESSED VALUATION 1979-80	TAX RATE	AD VALOREM DOLLAR RECEIVED	DOLLAR RECEIVED 1978-79	GAIN OR (LOSS)
Horizon Hills GID	310,793	1.6910	5,256	1,475	3,781
Incline Village GID	146,406,028	.2000	292,812	249,904	42,908
Leemmon Valley Underground Water	33,965,172	.0149	5,061	4,319	742
North Lake Tahoe Fire District	151,306,440	.5406	817,963	730,899	87,064
Palomino Valley GID	5,724,967	.4830	27,652	26,326	1,326
Sierra Forest Fire District	43,697,590	.5000	218,488	186,471	32,017
Sparks Redevelopment Agency	3,624,431	5.0000	181,222	154,666	26,556
Sun Valley Water and Sanitation District	22,128,538	.4830	106,881	101,757	5,124
Truckee Meadows Fire District	215,095,736	.5222	1,123,230	1,061,068	62,162
Verdi TV District	14,066,635	.1000	14,067	3,602	10,465
White Pine County	62,372,188	1.7400	1,083,553	983,233	100,320
White Pine County Schools	62,273,188	.8000	498,186	797,216	(299,030)
Ely	20,849,556	.9600	200,156	249,120	(48,964)
Lund	557,241	.9600	5,350	6,658	(1,308)
McGill	3,388,422	.9600	32,529	40,486	(7,957)
Ruth	827,191	.9600	7,941	9,884	(1,943)
TOTALS			202,573,600	213,168,327	(10,594,727)

SCHOOL REVENUE 1979-80

	ASSESSED VALUATION 1979-80	TAX RATE	AD VALOREM DOLLAR RECEIVED	DOLLAR RECEIVED 1978-79*	DOLLAR INCREASE FOR DEBT	ESTIMATED COST TO STATE 1979-80
Carson City Schools	201,258,783	.8000	1,610,070	2,576,497		(966,427)
School Debt	201,258,783	.3700	744,657	635,536	109,121	
Churchill County Schools	68,326,326	.8000	546,611	874,708		(328,097)
School Debt	68,326,326	.4100	280,138	239,087	41,051	
Clark County Schools	2,886,383,216	.8000	23,091,066	36,951,223		(13,860,157)
School Debt	2,886,383,216	.7023	20,271,069	17,300,563	2,970,506	
Douglas County Schools	206,068,669	.8000	1,648,549	2,638,073		(989,524)
School Debt	206,068,669	.6200	1,277,626	1,090,403	187,223	
Elko County Schools	174,094,740	.8000	1,392,758	2,228,745		(835,987)
School Debt	174,094,740	.3000	522,284	445,749	76,535	
Esmeralda County Schools	18,310,660	.8000	146,485	234,411		(87,926)
Eureka County Schools	41,740,520	.8000	333,924	534,358		(200,434)
School Debt	41,740,520	.0800	33,392	28,499	4,893	
Humboldt County Schools	83,731,708	.8000	669,854	1,071,926		(402,072)
School Debt	83,731,708	.3200	267,941	228,678	39,263	

* \$1.50 Rate Levied; Storey \$1.25

	ASSESSED VALUATION 1979-80	TAX RATE	AD VALOREM DOLLAR RECEIVED	DOLLAR RECEIVED 1978-79*	DOLLAR INCREASE FOR DEBT	ESTIMATED COST TO STATE 1979-80
Lander County Schools School Debt	39,064,125 39,064,125	.8000 .2000	318,913 79,728	510,337 60,045	11,603	(191,424)
Lincoln County Schools School Debt	29,667,587 29,667,587	.8000 .4500	237,341 133,504	379,802 113,941	19,563	(142,461)
Lyon County Schools School Debt	97,257,082 97,257,082	.8000 .3560	778,057 346,235	1,245,077 295,498	50,737	(467,020)
Mineral County Schools School Debt	33,245,041 33,245,041	.8000 .2810	265,960 93,419	425,600 79,729	13,690	(159,640)
Nye County Schools School Debt	105,416,116 105,416,116	.8000 .2900	843,329 305,707	1,349,528 260,909	44,798	(506,199)
Pershing County Schools School Debt	45,119,246 45,119,246	.8000 .0700	360,954 31,583	577,613 26,955	4,628	(216,659)
Storey County Schools School Debt	11,910,509 11,910,509	.8000 .4200	95,284 50,024	127,064 42,694	7,330	(31,780)
Washoe County Schools School Debt	1,534,968,485 1,534,968,485	.8000 .3142	12,279,748 4,822,871	19,650,531 4,116,131	706,740	(7,370,783)
White Pine County Schools	62,273,188	.8000	498,186	797,216		(299,030)
TOTALS			74,377,267	97,145,126	4,287,761	(27,055,620)

* \$1.50 Rate Levied; Storey \$1.25

SCHOOL REVENUE 1980-81

	ASSESSED VALUATION 1980-81	TAX RATE	AD VALOREM DOLLAR RECEIVED	DOLLAR RECEIVED 1979-80*	DOLLAR INCREASE FOR DEBT	ESTIMATED ADDITIONAL COST TO STATE 1980-81
Carson City Schools	231,024,957	.5000	1,155,125	1,610,070		(454,945)
School Debt	231,024,957	.3700	854,792	744,657	110,135	
Churchill County Schools	78,431,790	.5000	392,159	546,611		(154,452)
School Debt	78,431,790	.4100	321,570	280,138	41,432	
Clark County Schools	3,313,279,294	.5000	16,566,396	23,091,066		(6,524,670)
School Debt	3,313,279,294	.7023	23,269,160	20,271,069	2,998,091	
Douglas County Schools	236,546,225	.5000	1,182,731	1,648,549		(465,818)
School Debt	236,546,225	.6200	1,466,587	1,277,626	188,961	
Elko County Schools	199,843,352	.5000	999,217	1,392,758		(393,541)
School Debt	199,843,352	.3000	599,530	522,284	77,246	
Esmeralda County Schools	21,018,807	.5000	105,094	146,485		(41,391)
Eureka County Schools	47,913,943	.5000	239,570	333,924		(94,354)
School Debt	47,913,943	.0800	38,331	33,392	4,939	
Humboldt County Schools	96,115,628	.5000	480,578	669,854		(189,276)
School Debt	96,115,628	.3200	307,570	267,941	39,629	

* \$.80 Rate

	ASSESSED VALUATION 1980-81	TAX RATE	AD VALOREM DOLLAR RECEIVED	DOLLAR RECEIVED 1979-80*	DOLLAR INCREASE FOR DEBT	ESTIMATED ADDITIONAL COST TO STATE 1980-81
Lander County Schools School Debt	45,760,029 45,760,029	.5000 .2000	228,800 91,520	318,913 79,720	11,792	(90,113)
Lincoln County Schools School Debt	34,055,423 34,055,423	.5000 .4500	170,277 153,249	237,341 133,504	19,745	(67,064)
Lyon County Schools School Debt	111,641,404 111,641,404	.5000 .3560	558,207 397,443	778,057 346,235	51,208	(219,850)
Mineral County Schools School Debt	38,161,983 38,161,983	.5000 .2810	190,810 107,235	265,960 93,419	13,816	(75,150)
Nye County Schools School Debt	121,007,160 121,007,160	.5000 .2900	605,036 350,921	843,329 305,707	45,214	(238,293)
Fershing County Schools School Debt	51,792,382 51,792,382	.5000 .0700	258,962 36,255	360,954 31,583	4,672	(101,992)
Storey County Schools School Debt	13,672,073 13,672,073	.5000 .4200	68,360 57,423	95,284 50,024	7,399	(26,924)
Washoe County Schools School Debt	1,761,990,324 1,761,990,324	.5000 .3142	8,809,952 5,536,174	12,279,748 4,822,871	713,303	(3,469,796)
White Pine County Schools	71,483,393	.5000	357,417	498,186		(140,769)
TOTALS			65,956,451	74,377,267	4,327,582	(12,748,398)

* \$.80 Rate

GAIN OR (LOSS) BY TYPE OF ENTITY

1979-80 VS. 1978-79

	COUNTIES	TOTAL CITIES	TOTAL TOWNS	TOTAL SPECIAL DISTRICTS	GRAND TOTAL
CARSON CITY #	193,308	438,280	-0-	38,198	\$ 669,786
CHURCHILL	88,646	28,922	-0-	400	117,968
CLARK	1,606,636	2,226,043	2,836,900	345,033	7,014,612
DOUGLAS	(33,414)	-0-	23,889	402,096	392,571
ELKO	63,613	108,603	11,615	30,895	214,726
ESMERALDA	33,523	-0-	(12)	-0-	33,511
EUREKA	97,254	-0-	1,207	424	98,885
HUMBOLDT	50,227	52,285	-0-	12,057	115,369
LANDER	71,231	-0-	(3,802)	(1,642)	65,787
LINCOLN	28,230	3,420	4,870	3,863	40,383
LYON	150,693	6,615	5,490	20,922	183,720
MINERAL	55,212	-0-	-0-	-0-	55,212
NYE	140,457	4,598	31,848	2,701	179,604
PERSHING	46,900	(6,489)	-0-	-0-	40,411
STOREY	29,367	-0-	(5,387)	42	24,022
WASHOE	2,362,129	434,060	-0-	284,152	3,080,341
WHITE PINE	100,320	(48,964)	(11,208)	-0-	40,148
TOTALS	5,084,332	3,247,373	2,895,410	1,139,941	\$12,367,056

VOTER APPROVAL OVERRIDE CAPABILITY

	VALUATION 1979-80	TAX RATE	AD VALOREM DOLLAR	VALUATION 1980-81	TAX RATE	AD VALOREM DOLLAR
Carson City (Urban)	114,586,384	1.0600	1,214,616	131,533,710	1.3600	1,788,858
Carson City (Ormsby)	86,672,389	1.0600	918,727	99,491,235	1.3600	1,353,081
Churchill County	68,326,326	1.0600	724,259	78,431,790	1.3600	1,066,672
Clark County	2,886,383,216	1.0600	30,595,662	3,313,279,294	1.3600	45,060,598
Douglas County	206,068,669	1.0600	2,184,328	236,546,225	1.3600	3,217,029
Elko County	174,094,740	1.0600	1,845,404	199,843,352	1.3600	2,717,870
Esmeralda County	18,310,660	1.0600	194,093	21,018,807	1.3600	285,856
Eureka County	41,740,520	1.0600	442,450	47,913,943	1.3600	651,630
Humboldt County	83,731,708	1.0600	887,556	96,115,628	1.3600	1,307,173
Lander County	39,864,125	1.0600	422,560	45,760,029	1.3600	622,336
Lincoln County	29,667,587	1.0600	314,476	34,055,423	1.3600	463,154
Lyon County	97,257,082	1.0600	1,030,925	111,641,404	1.3600	1,518,323
Mineral County	33,245,041	1.0600	352,397	38,161,983	1.3600	519,003
Nye County	105,416,116	1.0600	1,117,411	121,007,160	1.3600	1,645,697
Pershing County	45,119,246	1.0600	478,264	51,792,382	1.3600	704,376
Storey County	11,910,509	1.0600	126,251	13,672,073	1.3600	185,940
Washoe County	1,534,968,485	1.0600	16,270,666	1,761,990,324	1.3600	23,963,068
White Pine County	62,273,188	1.0600	660,096	71,483,393	1.3600	972,174
TOTALS	5,639,635,991		59,780,141	6,473,738,155		88,042,838

**FISCAL IMPACT OF BDR 31-466
LIMITATION ON GENERAL FUND EXPENDITURES**

	COUNTY	SCHOOLS	CITIES
Carson City County	(2,753,847)		
Carson School		(693,309)	
Churchill County	(223,271)		
Churchill School		333,460	
Fallon City			128,259
Clark County	2,361,665		
Clark County School		(11,589,320)	
Boulder City			49,106
Henderson			(630,439)
Las Vegas			1,235,046
North Las Vegas			1,049,726
Douglas County	745,247		
Douglas County School		(121,199)	
Elko County	(233,067)		
Elko County School		(499,611)	
Carlin City			(45,341)
Elko City			(183,469)
Wells City			126,975
Esmeralda County	(103,600)		
Esmeralda County Schools		(22,000)	
Eureka County	(166,226)		
Eureka County Schools		(79,780)	
Humboldt County	(281,845)		
Humboldt County School		(56,276)	
Winnemucca			72,365

	COUNTY	SCHOOLS	CITIES
Lander County	367,902		
Lander County School		187,614	
Lincoln County	95,234		
Lincoln County School		248,970	
Caliente			51,817
Lyon County	70,934		
Lyon County School		(417,172)	
Yerington			(6,516)
Mineral County	(369,379)		
Mineral County School		(281,168)	
Nye County	902,072		
Nye County School		(164,027)	
Gabbs			38,059
Pershing County	189,920		
Pershing County School		(195,875)	
Lovelock			59,203
Storey County	51,100		
Storey County School		35,232	
Washoe County	1,703,885		
Washoe County School		(7,215,718)	
Reno			1,094,665
Sparks			(317,692)
White Pine County	(278,300)		
White Pine County School		(577,065)	
Ely			(76,166)
TOTALS	2,085,424	(21,107,244)	2,645,598
TOTAL FISCAL IMPACT TO LOCAL GOVERNMENTS			(16,376,222)

"Mock Red. Book"

<u>Local Government Taxing Unit</u>	<u>Assessed Valuation</u>	<u>Local Government Unit Rate</u>	<u>Other Special District Rates</u>	<u>Total School Rate</u>	<u>County Rate</u>	<u>School Debt Rate</u>	<u>Total Combined Unit Rate</u>
CARSON CITY							
Urban Taxing District	\$ 114,586,384	2.5950	.0089	.8000		.3700	3.7739
Ormsby Taxing District	86,672,389	1.4120	.0040	.8000		.3700	2.5860
Carson Industrial General Imp. Dist.	2,636,104	2.4091	.0089	.8000	1.4120	.3700	5.0000
Sierra Forest Fire Protection Dist.	7,412,105	.5000	.0040	.8000	1.4120	.3700	3.0860
Carson Water Sub-Conservancy	86,631,918	-0-	.0040	.8000	1.4120	.3700	2.5860
Eagle valley Underground Water Basin	186,617,602	.0049	.0040	.8000	1.4120	.3700	2.5909
Tahoe Regional Planning Agency	72,505	-0-					
Carson-Truckee Water Conservancy	201,258,783	.0040					
Carson City Schools	201,258,783	.8000					
CHURCHILL							
Churchill County	\$ 68,326,326	1.5260	.0040	.8000		.4100	2.7400
Fallon	19,830,499	1.1700	.0040	.8000	1,5260	.4100	3.9100
Carson-Truckee Water Conservancy	68,326,326	.0040					
Churchill County Schools	68,326,326	.8000					

<u>Local Government Taxing Unit</u>	<u>Assessed Valuation</u>	<u>Local Government Unit Rate</u>	<u>Other Special District Rates</u>	<u>Total School Rate</u>	<u>County Rate</u>	<u>School Debt Rate</u>	<u>Total Combined Unit Rate</u>
CLARK							
Clark County	\$2,886,383,216	1.0205		.8000		.7023	2.5228
Boulder City	43,441,359	1.1970	.2202	.8000	1.0205	.7023	3.9400
Henderson	82,499,965	1.3327	.0830	.8000	1.0205	.7023	3.9385
Las Vegas	799,242,649	1.4122	.0035	.8000	1.0205	.7023	3.9385
North Las Vegas	161,761,576	1.4122	.0035	.8000	1.0205	.7023	3.9385
Bunkerville Town	2,074,525	1.3413	.0759	.8000	1.0205	.7023	3.9400
East Las Vegas	21,800,300	1.3363	.0794	.8000	1.0205	.7023	3.9385
Indian Springs Town	1,093,570	-0-	.0759	.8000	1.0205	.7023	2.5987
Laughlin Town	10,524,397	.2700	.0759	.8000	1.0205	.7023	2.8687
Logandale Town	2,926,770	.9907	.4265	.8000	1.0205	.7023	3.9400
Mesquite Town	5,982,132	1.3363	.0759	.8000	1.0205	.7023	3.9400
Mt. Charleston Town	2,515,088	-0-	1.4172	.8000	1.0205	.7023	3.9400
Overton Town	3,771,726	.9907	.4265	.8000	1.0205	.7023	3.9400
Paradise Town	909,950,712	1.3363	.0794	.8000	1.0205	.7023	3.9385
Searchlight Town	7,586,155	1.3413	.0759	.8000	1.0205	.7023	3.9400
Sunrise Manor Town	141,563,503	1.3363	.0794	.8000	1.0205	.7023	3.9385
Winchester Town	353,245,044	1.3363	.0794	.8000	1.0205	.7023	3.9385
Mt. Charleston Fire Protection Dist.	2,417,224	.5000	.9172	.8000	1.0205	.7023	
Southwest Fire District	107,949,927	.6000	.0794	.8000	1.0205	.7023	
Boulder City Library	51,305,526	.1500					
Boulder City Swimming Pool	51,305,526	.0702					
Clark County Sanitation No. 1	N/A	-0-					
Clark County Library	1,767,331,485	.0759					
Henderson Library	106,745,679	.0795					
Las Vegas Artesian Basin	2,679,532,503	.0035					
Kyle Canyon Water	1,444,869	.8413					
Moapa Valley Fire	14,138,986	.3506					
Moapa Valley TV District	N/A	-0-					
Overton Power District No. 5	N/A	-0-					
Overton Water District	N/A	-0-					
Clark County Schools	2,886,383,216	.8000					

Local Government Taxing Unit	Assessed Valuation	Local Government Unit Rate	Other Special District Rates	Total School Rate	County Rate	School Debt Rate	Total Combined Unit Rate
DOUGLAS							
Douglas County	\$ 206,068,669	.5300	-0-	.8000		.6200	1.9500
Gardnerville Town	8,815,866	.9200	.4588	.8000	.5300	.6200	3.3288
Genoa Town	466,085	.6000	.0588	.8000	.5300	.6200	2.6088
Ninden Town	5,651,143	1.4000	.4588	.8000	.5300	.6200	3.8088
Carson-Truckee Wtr. Conserv.	198,729,234	.0040	-0-	.8000	.5300	.6200	1.9540
Carson Water Sub-Conserv.	56,876,650	-0-	.0588 (a)	.8000	.5300	.6200	2.0088
Cave Rock Estates Gen. Imp. Dist.	1,124,398	.8760	1.1104 (e)	.8000	.5300	.6200	3.9364
Douglas County Sewer #1 (A)	61,871,276	.2800	.5604 (c)	.8000	.5300	.6200	2.7904
(B)	4,507,092	.2800	.6740 (d)	.8000	.5300	.6200	2.9040
Elk Point Sanitation Dist.	1,787,097	.5000	.5604 (c)	.8000	.5300	.6200	3.0104
Gardnerville Ranchos Gen. Imp. Dist.	14,140,096	.9000	.0588 (b)	.8000	.5300	.6200	2.9088
Indian Hills General Imp. Dist.	317,012	1.6300	.2288 (g)	.8000	.5300	.6200	3.8088
Kingsbury Gen. Imp. Dist.	18,234,656	.7200	.6740 (d)	.8000	.5300	.6200	3.3440
Lakeridge Gen. Imp. Dist.	1,725,236	.4500	1.1104 (e)	.8000	.5300	.6200	3.5104
Logan Creek Gen. Imp. Dist.	397,077	.6000	1.1104 (e)	.8000	.5300	.6200	3.6604
Marla Bay Gen. Imp. Dist.	2,160,887	.8700	1.1104 (e)	.8000	.5300	.6200	3.9304
Oliver Park Gen. Imp. Dist.	3,800,775	.3500	.8404 (f)	.8000	.5300	.6200	3.1404
Round Hill Gen. Imp. Dist.	12,837,984	2.4896	.5604 (c)	.8000	.5300	.6200	5.0000
Sierra Estates Gen. Imp. Dist.	600,592	-0-	.2288 (g)	.8000	.5300	.6200	2.1788
Sierra Forest Fire Protection Dist.	7,278,305	.1700	.0588 (b)	.8000	.5300	.6200	2.1788
Skyland Gen. Imp. Dist.	6,297,811	.4050	1.1104 (e)	.8000	.5300	.6200	3.4654
Tahoe Douglas Sewer Dist.	30,064,183	.5500	.5604 (c)	.8000	.5300	.6200	3.0604
Tahoe Reg. Planning Agency		-0-					
Topaz Ranch Improvement Dist.	3,662,169	.8162	-0-	.8000	.5300	.6200	2.7662
Zephyr Cove Gen. Imp. Dist.	1,156,942	.6900	1.1104 (e)	.8000	.5300	.6200	3.7504
Zephyr Heights Gen. Imp. Dist.	3,500,751	.2000	1.1104 (e)	.8000	.5300	.6200	3.2604
Zephyr Knolls Gen. Imp. Dist.	929,829	.1100	1.1104 (e)	.8000	.5300	.6200	3.1704
Douglas Mosquito Abatement	65,359,271	.0548					
Kingsbury Fire Dist.	20,285,700	.6700					
Lake Tahoe Fire Dist.	114,035,603	.5564					
Ninden-Gardnerville Sanitation	14,457,024	.4000					
Douglas County School	206,068,669	.8000					

Local Government Taxing Unit	Assessed Valuation	Local Government Unit Rate	Other Special District Rates	Total School Rate	County Rate	School Debt Rate	Total Combined Unit Rate
ELKO							
Elko County	\$ 174,094,740	.8900	-0-	.8000		.3000	1.9900
Carlin	4,172,007	1.8100	-0-	.8000	.8900	.3000	3.8000
Elko	54,438,695	1.1036	.2500	.8000	.8900	.3000	3.3436
Wells	5,814,500	1.7000	-0-	.8000	.8900	.3000	3.6900
Jackpot Town	2,824,528	1.8000	-0-	.8000	.8900	.3000	3.7900
Montello Town	688,419	.3775	-0-	.8000	.8900	.3000	2.3675
Mountain City Town	549,685	-0-	-0-	.8000	.8900	.3000	1.9900
West Wendover Town	2,581,678	1.0000	-0-	.8000	.8900	.3000	2.9900
Carlin TV District	4,172,007	-0-					
Elko City-County Civic Auditorium	80,680,879	.2200					
(City of Elko)	(A) 54,438,695	.2200	1.1336	.8000	.8900	.3000	3.3436
(Elko TV)	(B) 26,242,184	.2200	.0300	.8000	.8900	.3000	2.2400
Elko TV	111,123,880	.0300					
(City of Elko)	(A) 54,438,695	.0300	1.3236	.8000	.8900	.3000	3.3436
(Elko CCC A)	(B) 26,242,184	.0300	.2200	.8000	.8900	.3000	2.2400
(Elko TV)	(C) 30,443,001	.0300	-0-	.8000	.8900	.3000	2.0200
Northeast Fire Protection Dist.	174,094,740	-0-					
Elko County Schools	174,094,740	.8000					
ESMERALDA							
Esmeralda County	\$ 18,310,660	1.89	-0-	.8000		-0-	2.6900
Goldfield Town	1,005,896	.8100	-0-	.8000	1.8900	-0-	3.5000
Silver Peak Town	619,580	.8100	-0-	.8000	1.8900	-0-	3.5000
Fish Lake Valley TV District	N/A	-0-					
Goldfield TV District	N/A	-0-					
Silver Peak TV District	N/A	-0-					
Esmeralda County Schools	18,310,660	.8000					

<u>Local Government Taxing Unit</u>	<u>Assessed Valuation</u>	<u>Local Government Unit Rate</u>	<u>Other Special District Rates</u>	<u>Total School Rate</u>	<u>County Rate</u>	<u>School Debt Rate</u>	<u>Total Combined Unit Rate</u>
EUREKA							
Eureka County	\$ 41,740,520	1.5900	-0-	.8000		.0800	2.4700
Crescent Valley Town	559,771	.5000	-0-	.8000	1.4800	.0800	2.8600
Eureka Town	1,087,777	.5000	-0-	.8000	1.4800	.0800	2.8600
Beowawe TV District	N/A	-0-					
Diamond Valley Weed Control	2,899,460	.1000	-0-	.8000	1.4800	.0800	2.4600
Eureka TV District	N/A	-0-					
Eureka County Schools	41,740,520	.8000					
HUMBOLDT							
Humboldt County	\$ 83,731,708	1.0500	-0-	.8000		.3200	2.1700
Winnemucca	21,624,048	1.6500	-0-	.8000	1.0500	.3200	3.8200
Golconda Fire Protection Dist.	9,220,283	.1500	-0-	.8000	1.0500	.3200	2.3200
Humboldt Fire District	519,970	.2500	-0-	.8000	1.0500	.3200	2.4200
Humboldt TV District	N/A	-0-					
McDermitt Fire Protection Dist.	5,607,285	.2500	-0-	.8000	1.0500	.3200	2.4200
McDermitt Sanitation Dist.	N/A	-0-					
Orovada Fire Protection Dist.	4,672,853	.2500	-0-	.8000	1.0500	.3200	2.4200
Paradise Valley Fire Protection Dist.	5,800,763	.1500	-0-	.8000	1.0500	.3200	2.3200
Paradise Valley Sewer Dist.	N/A	-0-					
Pueblo Fire Protection Dist.	1,860,928	.2500	-0-	.8000	1.0500	.3200	2.4200
Quinn River TV District	N/A	-0-					
Warmouth Sewer Dist.	N/A	-0-					
Winnemucca Rural Fire Protection Dist.	13,422,105	.2500	-0-	.8000	1.0500	.3200	2.4200
Humboldt County Schools	83,731,708	.8000					

<u>Local Government Taxing Unit</u>	<u>Assessed Valuation</u>	<u>Local Government Unit Rate</u>	<u>Other Special District Rates</u>	<u>Total School Rate</u>	<u>County Rate</u>	<u>School Debt Rate</u>	<u>Total Combined Unit Rate</u>
LANDER							
Lander County	\$ 39,864,125	1.8600		.8000		.2000	2.8600
Austin Town	687,313	.8000	-0-	.8000	1.8600	.2000	3.6600
Battle Mountain Town	4,657,574	.8400	-0-	.8000	1.8600	.2000	3.7000
Kingston Town	981,738	.8400	-0-	.8000	1.8600	.2000	3.7000
Argenta TV Dist.	N/A	-0-					
Lander County Sewer & Water Dist. #2	687,313	-0-					
Lander County Schools	39,864,125	.8000					
LINCOLN							
Lincoln County	\$ 29,667,587	1.2900	-0-	.8000		.4500	2.5400
Caliente	1,666,920	1.4000	-0-	.8000	1.2900	.4500	3.9400
Alamo Town	972,586	.7000	.7000	.8000	1.2900	.4500	3.9400
Panaca Town	1,610,983	.8800	-0-	.8000	1.2900	.4500	3.4200
Pioche Town	1,212,140	1.0100	.3900	.8000	1.2900	.4500	3.9400
Alamo Power District #3	N/A	-0-					
Alamo Sewer and Water District	N/A	-0-					
Lincoln County Power District #1	N/A	-0-					
Lincoln County TV Dist.	N/A	-0-					
Pahrnagat Valley Fire Protection Dist.	2,400,647	.7000	-0-	.8000	1.2900	.4500	3.2400
Pahrnagat Valley TV Dist.	N/A	-0-					
Pioche Fire Protection Dist.	2,449,367	.3900		.8000	1.2900	.4500	2.9300
Lincoln County Schools	29,667,587	.8000					

Local Government Taxing Unit	Assessed Valuation	Local Government Unit Rate	Other Special District Rates	Total School Rate	County Rate	School Debt Rate	Total Combined Unit Rate
LYON							
Lyon County	\$ 97,257,082	1.6980	-0-	.8000		.3560	2.8540
Yerington	8,803,605	1.0020	-0-	.8000	1.6980	.3560	3.8560
Fernley Town	4,335,940	.8640	.1220	.8000	1.6980	.3560	3.8400
Penrose General Improvement Dist.	384,000	.8680	.1340	.8000	1.6980	.3560	3.8560
Carson-Truckee Water Conservancy	39,942,937	.0040					
Carson Water Sub-Conservancy	20,203,456	-0-					
Central Lyon County Fire Dist.	21,885,676	.3000					
(Carson-Truckee Water Conserv.) (A)	1,801,942	.3000	.0040	.8000	1.6980	.3560	3.1580
(Carson Water Sub-Conservancy) (B)	20,083,734	.3000	.0040	.8000	1.6980	.3560	3.1580
Mason Valley Fire Maintenance	31,449,991	.1340					
(Mason Valley Fire Maintenance) (A)	31,065,991	.1340	-0-	.8000	1.6980	.3560	2.9880
(Penrose G. I. D.) (B)	384,000	.1340	.8680	.8000	1.6980	.3560	3.8560
North Lyon Fire Maintenance	17,761,676	.1180					
(North Lyon Fire Maintenance) (A)	13,425,736	.1180	.0040	.8000	1.6980	.3560	2.9760
(Fernley Town) (B)	4,335,940	.1180	.8680	.8000	1.6980	.3560	3.8400
Smith Valley Fire Maintenance	7,635,684	.1330	.0326	.8000	1.6980	.3560	3.0196
Smith Valley Artesian Basin	7,635,684	.0326	.1330	.8000	1.6980	.3560	3.0196
Walker River Weed Control	8,740,628	N/A					
Lyon County Schools	97,257,082	.8000					

<u>Local Government Taxing Unit</u>	<u>Assessed Valuation</u>	<u>Local Government Unit Rate</u>	<u>Other Special District Rates</u>	<u>Total School Rate</u>	<u>County Rate</u>	<u>School Debt Rate</u>	<u>Total Combined Unit Rate</u>
MINERAL							
Mineral County	\$ 33,245,041	2.7000	-0-	.8000		.2810	3.7810
Hawthorne Town	15,668,885	-0-	-0-	.8000	2.7000	.2810	3.7810
Luning Town	150,437	-0-	-0-	.8000	2.7000	.2810	3.7810
Hina Town	686,630	-0-	-0-	.8000	2.7000	.2810	3.7810
Mineral County TV Dist.	N/A	-0-					
Mineral County Schools	33,245,041	.8000					
NYE							
Nye County	\$ 105,416,116	1.5500	-0-	.8000		.2900	2.6400
Gabbs	5,527,972	1.1500	-0-	.8000	1.5500	.2900	3.7900
Beatty Town	2,110,989	1.0400	-0-	.8000	1.5500	.2900	3.6800
Manhattan Town	1,554,811	.4000	-0-	.8000	1.5500	.2900	3.0400
Pahrump Town	36,866,623	.3000	.0500	.8000	1.5500	.2900	2.9900
Round Mountain Town	5,044,636	.2000	-0-	.8000	1.5500	.2900	2.8400
Tonopah Town	7,467,954	1.1500	-0-	.8000	1.5500	.2900	3.7900
Beatty General Improvement Dist.	2,110,989	-0-					
Beatty Water & Sanitation	2,110,989	-0-					
Pahrump Swimming Pool District	36,866,623	.0500					
Railroad Valley General Imp. Dist.	N/A	-0-					
Smoky Valley TV District	N/A	-0-					
Nye County Schools	105,416,116	.8000					

<u>Local Government Taxing Unit</u>	<u>Assessed Valuation</u>	<u>Local Government Unit Rate</u>	<u>Other Special District Rates</u>	<u>Total School Rate</u>	<u>County Rate</u>	<u>School Debt Rate</u>	<u>Total Combined Unit Rate</u>
PERSHING							
Pershing County	\$ 45,119,246	1.3500	-0-	.8000		.0700	2.2200
Lovelock	5,501,132	1.3500	-0-	.8000	1.3500	.0700	3.5700
Pershing County TV Dist.	N/A	-0-					
Lovelock Valley Weed Control	N/A	-0-					
Pershing County Schools	45,119,246	.8000					
STOREY							
Storey County	\$ 11,910,509	2.6960	-0-	.8000		.4200	3.9160
Gold Hill Town	478,406	-0-	-0-	.8000	2.6960	.4200	3.9160
Virginia City Town	2,677,411	-0-	-0-	.8000	2.6960	.4200	3.9160
Carson-Truckee Water Conservancy	7,094,307	.0040	-0-	.8000	2.6960	.4200	3.9200
Storey County Schools	11,910,509	.8000					

Local Government Taxing Unit	Assessed Valuation	Local Government Unit Rate	Other Special District Rates	Total School Rate	County Rate	School Debt Rate	Total Combined Unit Rate
WASHOE							
Washoe County	\$1,534,968,485*	1.6908	.0040	.8000		.3142	2.8090
Reno	797,972,863	1.0052	.0040	.8000	1.6908	.3142	3.8142
Sparks	282,875,814*	1.0052	.0040	.8000	1.6908	.3142	3.8142
Black Springs General Imp. Dist.	370,304	-0-	.5411	.8000	1.6908	.3142	3.3461
Carson-Truckee Water Conservancy	1,534,968,485*	.0040					
Crystal Bay General Imp. Dist.	3,905,053	.4646	.5446	.8000	1.6908	.3142	3.8142
Gerlach Gen. Imp. Dist.	12,197	-0-	.0040	.8000	1.6908	.3142	2.8090
Horizon Hills General Imp. Dist.	310,793	1.6910	.5040	.8000	1.6908	.3142	5.0000
Incline Village General Imp. Dist.	146,406,028	.2000	.5446	.8000	1.6908	.3142	3.5496
Lemmon Valley Underground Water Dsn.	33,965,172	.0149	.5262	.8000	1.6908	.3142	3.3461
North Lake Tahoe Fire Dist.	151,306,440	.5406					
(North Lake Tahoe F. P. D.) (A)	995,359	.5406	.0040	.8000	1.6908	.3142	3.3496
(Incline Village G. I. D.) (B)	146,406,028	.5406	.2040	.8000	1.6908	.3142	3.5496
(Crystal Bay G. I. D.) (C)	3,908,053	.5406	.4686	.8000	1.6908	.3142	3.8142
Palomino Valley General Imp. Dist.	5,724,967	.4830	.5262	.8000	1.6908	.3142	3.8142
Redevelopment Agency, Sparks	3,624,431	5.0000	-0-	-0-		-0-	5.0000
Sierra Forest Fire Protection Dist.	43,697,590	.5000	.0040	.8000	1.6908	.3142	3.3090
Sun Valley Water & Sanitation Dist.	22,128,538	.4830	.5262	.8000	1.6908	.3142	3.8142
Tahoe Regional Planning Agency	152,022,999	N/A					
Truckee Meadows Fire Protection Dist.	215,095,736	.5222					
(Truckee Meadows F. P. D.) (A)	152,906,755	.5222	.0040	.8000	1.6908	.3142	3.3312
(Sun Valley Sanitation Dist.) (B)	22,128,538	.5222	.4870	.8000	1.6908	.3142	3.8142
(Lemmon Valley Water Basin) (C)	33,965,172	.5222	.0189	.8000	1.6908	.3142	3.3461
(Palomino Valley G.I.D.) (D)	5,724,967	.5222	.4870	.8000	1.6908	.3142	3.8142
(Black Springs G.I.D.) (E)	370,304	.5222	.0189	.8000	1.6908	.3142	3.3461
Verdi TV Dist.	14,066,635	.1000	.5040	.8000	1.6908	.3142	3.4090
Washoe County Schools	1,534,968,485*	.8000					

* Assessed valuation in the amount of \$3,624,431 excluded pursuant to NRS 279.676.

<u>Local Government Taxing Unit</u>	<u>Assessed Valuation</u>	<u>Local Government Unit Rate</u>	<u>Other Special District Rates</u>	<u>Total School Rate</u>	<u>County Rate</u>	<u>School Debt Rate</u>	<u>Total Combined Unit Rate</u>
WHITE PINE							
White Pine County	\$ 62,273,188	1.7400	-0-	.8000		-0-	2.5400
Ely	20,849,556	.9600	-0-	.8000	1.7400	-0-	3.5000
Lund Town	557,241	.9600	-0-	.8000	1.7400	-0-	3.5000
McGill Town	3,388,422	.9600	-0-	.8000	1.7400	-0-	3.5000
Ruth Town	827,191	.9600	-0-	.8000	1.7400	-0-	3.5000
Baker TV	N/A	-0-					
East Ely Sanitation Dist.	N/A	-0-					
White Pine TV Dist.	N/A	-0-					
McGill Water & Sanitation G. I. D.	N/A	-0-					
White Pine County Schools	62,273,188	.8000					

SUMMARY--Proposes to remove sales and related taxes from food and provides tax abatement for certain homeowners and renters. (BDR 32-1480)

Fiscal Note: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to taxation; fixing a statutory limit on the general tax rate; providing an abatement of the effect of property taxes to certain homeowners and renters; providing for an election concerning the Sales and Use Tax Act and contingently amending other statutes; making appropriations; providing penalties; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 361 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 13, inclusive, of this act.

Sec. 2. The total ad valorem tax levy for all public purposes must not exceed \$4.64 on \$100 of assessed valuation, except where a statute specifically authorizes a greater levy for the payment of principal and interest on an indebtedness of a local government.

Sec. 3. Sections 3 to 13, inclusive, of this act may be cited as the Tax Abatement Act.

Sec. 4. As used in the Tax Abatement Act:

1. "Home" means residential living quarters located in Nevada and consisting of:

(a) A single dwelling unit or a unit which is an integral part of a larger complex including without limitation a building which houses several families or a building which contains residential units as well as units for other purposes;

(b) The land upon which the unit is built and any surrounding land, not to exceed 2 acres; and

(c) Outbuildings and facilities reasonably necessary for use of the unit as residential living quarters.

2. The term "home" includes:

(a) A mobile home.

(b) A home, mobile home or dwelling which the claimant possesses under a contract of sale, deed of trust, life estate, joint tenancy or tenancy in common.

3. "Rent" means the payment made under a bona fide lease or other rental agreement for the right to occupy a home or the lot on which a mobile home is placed. The term does not include any amount paid for utilities, fuel or furnishings.

Sec. 5. 1. A person who has owned and maintained a home as his primary residence for at least 6 months immediately preceding the filing of his claim is entitled to an allowance against the property tax accrued against his home:

(a) During the current assessment year if the home is placed upon the secured tax roll; or

(b) In the next following assessment year if the home is placed upon the unsecured tax roll,

in an amount equal to \$1.08 on each \$100 of its assessed valuation.

2. Only one owner of the home may file a claim for an assessment year.

Sec. 6. A person who has maintained his primary residence for at least 6 months of the preceding calendar year in a rented home or in a mobile home on a rented lot is entitled to a refund of 4.9 percent of the rent paid during that calendar year.

Sec. 7. 1. A claim for an allowance must be filed with the assessor of the county in which the claimant's home is located between July 1 and December 15, inclusive:

(a) Of each assessment year for which an allowance is claimed against the tax on a home placed upon the secured tax roll.

(b) Next preceding each assessment year for which an allowance is claimed against the tax on a home placed upon the unsecured tax roll.

2. The claim must be made under oath and filed in such form and content, and accompanied by such proof, as the department may prescribe.

3. The county assessor shall furnish the appropriate form to each claimant.

Sec. 8. 1. By not later than February 1 of the assessment year, the county assessor shall provide the auditor of his county with a statement showing the property description or parcel number, the name and address of the claimant, and the dollar allowances of each claim granted for the assessment year under the Tax Abatement Act with respect to property placed upon the secured tax roll. After the county auditor extends the secured tax roll, he shall adjust the roll to show the dollar allowances and the amounts of tax, if any, remaining due as a result of the claims granted. By not later than June 1 of the assessment year, the county auditor shall deliver the extended tax roll, so adjusted, to the ex officio tax receiver of the county.

2. The ex officio tax receiver of the county shall make such corresponding adjustments to the individual property tax bills, prepared from the secured tax rolls, as are necessary to notify the taxpayers of the allowances granted them under the Tax Abatement Act.

3. After granting the claim of a taxpayer whose home is placed upon the unsecured tax roll, the county assessor shall determine the amount of the allowance to which the claimant is entitled under the Tax Abatement Act and shall credit the claimant's individual property tax account accordingly.

Sec. 9. If any claimant is entitled to an allowance under the Tax Abatement Act and at the time is delinquent in any property taxes on the property claimed as his home, the amount of credit which may be applied to the property taxes accrued against the home shall first be used to reduce his delinquent taxes.

Sec. 10. 1. A claim for a refund must be filed with the department between January 1 and April 30, inclusive, in such form and

with such proof as the department may require. After examination, the department shall not later than August 15:

(a) Notify the claimant by registered or certified mail that his claim is denied; or

(b) Pay the refund to which the claimant is found to be entitled from the tax abatement account.

2. Only one renter may file a claim for any home or lot for any one period, but successive renters may file claims for one home or lot for different periods.

Sec. 11. A person may receive an allowance or refund under the Tax Abatement Act while receiving:

1. Any other property tax allowance or refund granted under this chapter.

2. A property tax exemption as a widow, blind person or veteran, if the person has filed a claim for the exemption with the county assessor.

Sec. 12. The county assessor shall send to the department, for each assessment year, a statement showing the allowances granted under the Tax Abatement Act. Upon verification and audit of the allowances, the department shall authorize reimbursement to the county by the state from money appropriated to the tax abatement account.

Sec. 13. Any person who willfully makes a materially false statement on a claim filed under the Tax Abatement Act or produces false proof, if as a result of the false statement or false proof a tax allowance is granted to a person not entitled to the allowance, is guilty of a gross misdemeanor.

Sec. 14. NRS 361.455 is hereby amended to read as follows:

361.455 1. Subsequent to the approval of the final budgets for the various local governments as defined in NRS 354.474 and their submission to the department, for examination and approval, the Nevada tax commission shall certify to the board of county commissioners of each of the several counties the combined tax rate

necessary to produce the amount of revenue required by the approved budgets, and shall certify [such] the combined rate, to each of the boards of county commissioners.

2. Immediately upon adoption of the final budgets, if the combined tax rate together with the established state tax rate exceeds the [constitutional tax rate limit,] limit imposed by section 2 of this act, the chairman of the board of county commissioners in each county concerned shall call a meeting of the governing boards of each of the local governments within such county for the purpose of establishing a combined tax rate that conforms to the [constitutional limitations.] statutory limit. The chairman shall convene the meeting no later than April 14 of each year.

3. The governing boards of the local governments shall meet in public session and the county clerk shall keep appropriate records, pursuant to regulations of the department, of all proceedings. The costs of taking and preparing the record of the proceedings, including the costs of transcribing and summarizing tape recordings, shall be borne by the county and participating incorporated cities in proportion to the final tax rate as certified by the department. The chairman of the board of county commissioners or his designee shall preside at such meeting. The governing boards shall explore areas of mutual concern so as to agree upon a combined tax rate that does not exceed the [constitutional] statutory limit. [That] Except as provided in this subsection, the portion of the proposed tax rate of the county school district for the operation and maintenance of public schools composed of the mandatory tax levy specified in paragraph (a) of subsection 2 of NRS 387.195 and the recommended tax levy to be made pursuant to paragraph (b) of subsection 2 of NRS 387.195 may not be reduced by action of the governing boards in order to establish a combined tax rate conforming to [constitutional limitations; but that] the

statutory limit. The portion of the proposed tax rate of the county school district specified for debt service requirements pursuant to paragraph (c) of subsection 2 of NRS 387.195 is subject to a rate adjustment by action of the governing boards pursuant to this section.

4. The governing boards shall determine final decisions by a unanimous vote of all entities present and qualified to vote, as defined in this subsection. No ballot may be cast on behalf of any governing board unless a majority of such individual board is present. A majority vote of all members of each governing board is necessary to determine the ballot cast for that entity. All ballots must be cast not later than the day following the day the meeting is convened. The district attorney shall be the legal advisor for such proceedings.

5. The county clerk shall immediately thereafter advise the department of the results of the ballots cast and the tax rates set for local governments concerned. If the ballots for the entities present at the meeting in such county are not unanimous, the county clerk shall transmit all records of the proceedings to the department within 5 days after the meeting.

6. If a unanimous vote is not obtained and the combined rate in any county together with the established state tax rate exceeds the [constitutional tax rate] statutory limit, the department shall examine the record of the discussions and the budgets of all local governments concerned. On May 1 or, if May 1 falls on a Saturday or Sunday, on the Monday next following, the Nevada tax commission shall meet to set the tax rates for the next succeeding year for all local governments so examined. In setting such tax rates for the next succeeding year the Nevada tax commission shall not reduce that portion of the proposed tax rate of the county school district for the operation and maintenance of public schools composed of the

mandatory tax levy specified in paragraph (a) of subsection 2 of NRS 387.195 and the recommended tax levy to be made pursuant to paragraph (b) of subsection 2 of NRS 387.195.

7. Any local government affected by a rate adjustment, made in accordance with the provisions of this section, which necessitates a budget revision shall file a copy of its revised budget by June 30 next after the approval and certification of the rate by the Nevada tax commission.

8. A copy of the certificate of the Nevada tax commission sent to the board of county commissioners shall be forwarded to the county auditor.

Sec. 15. NRS 361.482 is hereby amended to read as follows:

361.482 [When an] The ad valorem tax on property [is] levied by the legislature [for a designated fiscal year, such tax] shall be collected, in one sum or in installments as provided by this chapter, during [the designated] each fiscal year upon:

1. Property assessed during that fiscal year which is not placed upon the secured roll.

2. Property assessed during the preceding fiscal year which was placed upon the secured roll.

Sec. 16. NRS 350.600 is hereby amended to read as follows:

350.600 1. In any year in which the total taxes levied by all overlapping units within the [boundaries of the State of Nevada may exceed] state exceed the limitation [of 5 cents on the dollar imposed by section 2 of article 10 of the constitution of the state,] imposed by section 2 of this act, and it becomes necessary [by reason thereof] for that reason to reduce the levies made by any [and all such] of those units, the reduction so made shall be in taxes levied by [such unit or] those units (including without limitation the municipality and the state) for purposes other than the payment of their bonded indebtedness, including interest thereon.

2. The taxes levied hereafter for the payment of such bonded indebtedness and the interest thereon shall always enjoy a priority over taxes levied by each such unit (including without limitation the municipality and the state) for all other purposes where reduction is necessary to comply with the limitations of [section 2 of article 10 of the constitution of the state.] section 2 of this act.

Sec. 17. NRS 354.598 is hereby amended to read as follows:

354.598 1. At the time and place advertised for public hearing, or at any time and place to which such public hearing is from time to time adjourned, the governing body shall hold a public hearing on the tentative budget, at which time interested persons shall be given an opportunity to be heard.

2. At the public hearing, the governing body shall indicate changes, if any, to be made in the tentative budget, and shall adopt a final budget by the favorable votes of a majority of all members of the governing body. The final budget shall be adopted on or before April 10 of each year. Should the governing body fail to adopt a final budget that complies with the requirements of law and the regulations of the department of taxation on or before the required date, the budget adopted and approved by the department of taxation for the current year, adjusted as to content and rate in such manner as the department of taxation may consider necessary, shall automatically become the budget for the ensuing fiscal year. When a budget has been so adopted by default, the governing body may not reconsider such budget without the express approval of the department of taxation. If such a default budget creates a combined ad valorem tax rate in excess of the [constitutional limit,] limit imposed by section 2 of this act, the Nevada tax commission shall adjust [such] the budget as provided in NRS 361.455.

3. The final budget shall be certified by a majority of all members of the governing body and a copy thereof, together with an affidavit of proof of publication of the notice of the public hearing, shall be transmitted to the Nevada tax commission. If a tentative budget is adopted by default as provided in subsection 2, the clerk of the governing body shall certify the budget and transmit to the Nevada tax commission a copy of the budget, together with an affidavit of proof of the notice of the public hearing, if such notice was published. Certified copies of the final budget shall be distributed as determined by the department of taxation.

4. Upon the adoption of the final budget or the amendment of the budget in accordance with NRS 354.606, the several amounts stated therein as proposed expenditures shall be and become appropriated for the purposes indicated in the budget.

5. [No] A governing body shall not adopt any budget which appropriates for any fund any amount in excess of the budget resources of that fund.

Sec. 18. NRS 428.050 is hereby amended to read as follows:

428.050 1. The board of county commissioners of a county shall, at the time provided for the adoption of its final budget, levy an ad valorem tax for the purposes of providing aid and relief to those persons coming within the purview of this chapter. Such levy shall not exceed that adopted for the purposes of this chapter for the fiscal year ending June 30, 1971, [exclusive of that required by NRS 428.370.] diminished by 11 cents for each \$100 of assessed valuation.

2. No county [shall] may expend or contract to expend for purposes of such aid and relief a sum in excess of that provided by the maximum ad valorem levy set forth in subsection 1, together with such outside resources as it may receive from third persons, including, but not limited to, expense reimbursements, grants-in-aid or donations lawfully attributable to the county indigent fund.

3. No interfund transfer, short-term financing procedure or contingency transfer may be made by the board of county commissioners for the purpose of providing resources or appropriations to a county indigent fund in excess of those which may be otherwise lawfully provided pursuant to subsections 1 and 2, except that if the health of the poor is placed in jeopardy and there is a lack of moneys to provide necessary medical care under this chapter, the board of county commissioners shall declare an emergency and provide additional funds for medical care only from whatever resources may be available.

Sec. 19. NRS 428.090 is hereby amended to read as follows:

428.090 1. When any nonresident or any other person who meets the uniform standards of eligibility prescribed by the board of county commissioners falls sick in the county, not having money or property to pay his board, nursing or medical aid, the board of county commissioners of the proper county shall, on complaint being made, give or order to be given such assistance to the poor person as is in accordance with the policies and standards established and approved by the board of county commissioners and within the limits of funds which may be lawfully appropriated for this purpose pursuant to NRS 428.050.

2. If such sick person shall die, then the board of county commissioners shall give or order to be given to such person a decent burial.

3. The board of county commissioners shall make such allowance for board, nursing, medical aid or burial expenses as the board shall deem just and equitable, and order the same to be paid out of the county treasury.

4. The responsibility of the board of county commissioners to provide medical aid or any other type of remedial aid under this section shall be relieved to the extent of the amount of money or

the value of services provided by the welfare division of the department of human resources to or for such persons for medical care or any type of remedial care under the provisions of NRS 428.150 to [428.370,] 428.360, inclusive.

Sec. 20. NRS 428.160 is hereby amended to read as follows:

428.160 As used in NRS 428.150 to [428.370,] 428.360, inclusive, unless the context otherwise requires, the words and terms defined in NRS 428.170 to 428.250, inclusive, shall have the meanings ascribed to them in such sections.

Sec. 21. NRS 428.170 is hereby amended to read as follows:

428.170 "Applicant" means any individual who has applied for assistance under NRS 428.150 to [428.370,] 428.360, inclusive.

Sec. 22. NRS 428.250 is hereby amended to read as follows:

428.250 "State aid to the medically indigent" means the payment for part or all of the cost of medical or remedial care rendered on behalf of individuals as provided in NRS 428.150 to [428.370,] 428.360, inclusive, and in the rules and regulations of the division.

Sec. 23. NRS 428.260 is hereby amended to read as follows:

428.260 The department of human resources through the division shall:

1. Administer the plan for assistance to the medically indigent.
2. Serve as the single state agency responsible for carrying out the provisions of NRS 428.150 to [428.370,] 428.360, inclusive.
3. Cooperate with the Federal Government in matters of mutual concern pertaining to state aid to the medically indigent.
4. Make such rules and regulations and take such action as may be necessary or desirable to carry out the provisions of NRS 428.150 to [428.370,] 428.360, inclusive, including but not limited to:
 - (a) The establishment of reasonable standards consistent with the objectives of NRS 428.150 to [428.370,] 428.360, inclusive, to

determine eligibility for medical and connected or other services or for other services; and

(b) The determination of the nature and extent of such assistance.

5. Provide for cooperation between the welfare division and the health division of the department of human resources, and cooperate with the state board for vocational education, for maximum utilization of health and vocational rehabilitation services in the provision of medical or remedial care under NRS 428.150 to [428.370,] 428.360, inclusive.

Sec. 24. NRS 428.280 is hereby amended to read as follows:

428.280 1. All individuals wishing to make application for assistance under NRS 428.150 to [428.370,] 428.360, inclusive, shall have the opportunity to do so.

2. The application for assistance shall:

(a) Be made as prescribed by the division; and

(b) Provide such information as may be required by the division.

3. An application need not be made under oath, but any individual making such application who willfully states therein as true any material matter which he knows to be false shall be subject to the penalties for perjury as provided by law.

Sec. 25. NRS 428.330 is hereby amended to read as follows:

428.330 1. Subject to the approval of the board, the state welfare administrator shall establish the rates or fee schedules for medical or remedial care to be provided under NRS 428.150 to [428.370,] 428.360, inclusive.

2. Such rates or fees shall reflect a reasonable cost for providing medical or remedial care and shall be determined by taking into account legislative appropriations to the division.

3. The division may enter into contracts providing arrangements under which funds available for medical or remedial care under NRS 428.150 to [428.370,] 428.360, inclusive, shall be administered and

disbursed to providers of medical or remedial care in consideration for services rendered and supplies furnished by them in accordance with the provisions of the applicable contract and any schedule of charges or formula for determining payment established pursuant to such contract.

Sec. 26. NRS 428.350 is hereby amended to read as follows:

428.350 1. For the purpose of restricting the use or disclosure of any information concerning applicants for and recipients of assistance to purposes directly connected to the administration of NRS 428.150 to [428.370,] 428.360, inclusive, by the division, and to provide safeguards therefor, under the applicable provisions of the Social Security Act, the division is authorized, empowered and directed to establish and enforce reasonable rules and regulations governing the custody, use and preservation of records, files and communications filed with the division.

2. Wherever, under provisions of law or regulations of the division, names and addresses of, or information concerning, applicants for and recipients of assistance are furnished to or held by any other agency or department of government, such agency or department of government shall be bound by the rules and regulations of the division concerning the use of such information.

3. Except for purposes directly connected with the administration of NRS 428.150 to [428.370,] 428.360, inclusive, no person may publish, disclose, use or permit or cause to be published, disclosed or used any confidential information pertaining to a recipient of assistance under the provisions of NRS 428.150 to [428.370,] 428.360, inclusive.

Sec. 27. NRS 428.360 is hereby amended to read as follows:

428.360 Moneys appropriated by the legislature [,] and moneys received from the United States pursuant to Title XIX of the Social Security Act [and moneys received from the counties pursuant to NRS

428.370] shall be used for expenses of administration and provision of medical or remedial care under NRS 428.150 to [428.370,] 428.360, inclusive.

Sec. 28. NRS 428.370 is hereby repealed.

Sec. 29. At a special election on June 5, 1979, a proposal shall be submitted to the registered voters of this state to amend the Sales and Use Tax Act, which was enacted by the 47th session of the Nevada legislature, approved by the governor in 1955, and subsequently approved by the people of this state at the general election held on November 6, 1956.

Sec. 30. As long in advance of the special election as is practicable, the secretary of state shall issue a proclamation giving notice of the special election. The proclamation must be in substantially the following form:

PROCLAMATION OF A SPECIAL ELECTION

Notice is hereby given that on Tuesday, June 5, 1979, a special election will be held for the adoption or rejection by the registered voters of the state of the following proposed act:

AN ACT to amend an act entitled "An Act to provide revenue for the State of Nevada; providing for sales and use taxes; providing for the manner of collection; defining certain terms; providing penalties for violation, and other matters properly relating thereto," approved March 29, 1955, as amended.

THE PEOPLE OF THE STATE OF NEVADA DO ENACT AS FOLLOWS:

Section 1. The above-entitled act, being chapter 397, Statutes of Nevada 1955, at page 762, is hereby amended by adding thereto a new section to be designated as section 56.2, which shall immediately follow section 56.1 and shall read as follows:

Section 56.2. 1. There are exempted from the taxes imposed by this act the gross receipts from sales and

the storage, use or other consumption of food for human consumption.

2. "Food for human consumption" does not include:

(a) Alcoholic beverages.

(b) Pet foods.

(c) Tonics and vitamins.

(d) Prepared food intended for immediate consumption.

3. As used in subsection 2, "prepared food intended for immediate consumption" means:

(a) Food or beverages furnished, prepared or served by an eating establishment or grocery store for immediate consumption at or near its premises or sold in the regular course of its business on a "take out," "to go" or catered basis for immediate consumption either on or off its premises. For purposes of this paragraph, "eating establishment" includes a catering business, restaurant, cafe, cafeteria, lunch counter, snack bar, soda fountain, drive-in, dining car, tavern, place serving sandwiches, hamburgers, fish and chips, fried chicken or pizza, refreshment stand, food and drink concession and other similar facilities.

(b) Food or beverages intended for immediate consumption sold from a vending machine or by a vendor from a vehicle or other mobile facility.

Sec. 2. Sections 22 to 33, inclusive, 39 to 47.1, inclusive, and 68 to 153.2, inclusive, of the above-entitled act, being chapter 397, Statutes of Nevada 1955, as amended, are hereby repealed.

Sec. 3. This act shall become effective on July 1, 1979.

Sec. 31. 1. As far in advance of the special election as is practicable, the secretary of state shall prepare and transmit by mail to the county clerk of each county in this state a sufficient

number of certified copies of the proclamation of the special election for the county clerk to carry out the duties imposed upon him by the provisions of this act.

2. Not less than 10 days before the date of the special election, each county clerk shall cause one certified copy of the proclamation of the special election to be posted within the county outside of incorporated cities.

Sec. 32. 1. Except as provided in subsection 2, the office of the county clerk must be open for the registration of qualified electors for the special election from 9 a.m. to 12 m. and from 1 p.m. to 5 p.m. on Monday through Friday.

2. During the 5 days preceding the close of registration for the special election, the office of the county clerk must be open from 9 a.m. to 5 p.m. and from 7 p.m. to 9 p.m. on Monday through Saturday.

3. Registration must close at 9 p.m. on the third Saturday preceding the special election.

Sec. 33. Each county shall bear the cost of any paper for ballots which must be purchased and for the printing of ballots for the special election. No sample ballots may be printed or distributed except as part of a sample ballot printed and distributed for another election being conducted at the same time as the election required by this act.

Sec. 34. The ballot page assemblies and the paper ballots to be used in voting on the question must present the question in substantially the following form:

Shall the Sales and Use Tax Act of 1955 be amended to exempt certain foods and restore administration of the tax to legislative control?

YES NO

Sec. 35. The explanation of the question which must appear on each paper ballot and sample ballot and in every publication and

posting of notice of the question must be in substantially the following form:

If this proposal is adopted, the legislature has provided that the Local School Support Tax Law and the City-County Relief Tax Law will be amended to provide the same exemptions.

Sec. 36. The board of county commissioners in each county shall convene not less than 3 days after the county clerk has received the returns of the special election and shall forthwith canvass the returns.

Sec. 37. 1. On June 20, 1979, the justices of the supreme court, or a majority of them, shall meet with the secretary of state, and shall open and canvass the vote for and against the question and shall forthwith declare the results.

2. If a majority of the votes cast on the question is yes, the amendments to the Sales and Use Tax Act of 1955 shall become effective on July 1, 1979. If a majority of the votes cast on the question is no, the proposed amendments to the Sales and Use Tax Act of 1955 do not become effective.

Sec. 38. All general election laws not inconsistent with this act apply to the special election required by this act to the extent they can be made applicable.

Sec. 39. Any informalities, omissions or defects in the content or making of the publications, proclamations or notices provided for in this act, or in the other proceedings by the officers thereof under which the special election is held may not be so construed as to invalidate the adoption of the act by a majority of the registered voters voting on the question, if it can be ascertained with reasonable certainty from the official returns transmitted to the office of the secretary of state whether the amendments were adopted or rejected by a majority of the registered voters.

Sec. 40. 1. There is hereby appropriated from the state general fund to the secretary of state the sum of \$2,000 for the payment of the necessary costs incurred by the secretary of state in carrying out the provisions of this act.

2. There is hereby appropriated from the state general fund the sum of \$117,760 to be used to pay the counties of this state for the actual costs of conducting the special election. The money appropriated by this subsection is allocated as follows:

County	Amount
Carson City.....	\$15,300
Churchill.....	4,500
Clark.....	23,560
Douglas.....	10,000
Elko.....	6,500
Esmeralda.....	2,500
Eureka.....	3,200
Humboldt.....	5,500
Lander.....	3,100
Lincoln.....	3,200
Lyon.....	4,500
Mineral.....	7,500
Nye.....	4,400
Pershing.....	3,000
Storey.....	1,500
Washoe.....	15,000
White Pine.....	4,500

3. Immediately after it ascertains the cost of the special election incurred by the county, each board of county commissioners shall certify the amount to the state board of examiners by a claim. The board of examiners shall approve each claim for the amount of the actual costs incurred by the county or for the amount

of money allocated to the county in subsection 2, whichever is the lesser. Claims must be paid as other claims against the state are paid. Any costs incurred by a county which are in excess of the amount allocated to that county in subsection 2 must be paid by the county.

4. Any money appropriated by this section which remains unexpended on September 1, 1979, reverts to the state general fund on that date.

Sec. 41. Chapter 372 of NRS is hereby amended by adding thereto the provisions set forth as sections 42 to 153, inclusive, of this act.

Sec. 42. 372.120 Separate display of tax from list, other price. The department may by regulation provide that the amount collected by the retailer from the consumer in reimbursement of the tax be displayed separately from the list price, the price advertised in the premises, the marked price, or other price on the sales check or other proof of sale.

Sec. 43. 372.125 Application for permit: Form; contents.

1. Every person desiring to engage in or conduct business as a seller within this state must file with the department an application for a permit for each place of business.

2. Every application for a permit must:

(a) Be made upon a form prescribed by the department.

(b) Set forth the name under which the applicant transacts or intends to transact business and the location of his place or places of business.

(c) Set forth other information which the department may require.

3. The application must be signed by the owner if he is a natural person; in the case of an association or partnership, by a member or partner; in the case of a corporation, by an executive officer

or some person specifically authorized by the corporation to sign the application, to which must be attached the written evidence of his authority.

Sec. 44. 372.130 Permit fee. At the time of making an application, the applicant must pay to the department a permit fee of \$1 for each permit.

Sec. 45. 372.135 Issuance and display of permit; assignability. After compliance with sections 43, 44 and 96 of this act by the applicant, the department shall grant and issue to each applicant a separate permit for each place of business within the state. A permit is not assignable, and is valid only for the person in whose name it is issued and for the transaction of business at the place designated on it. It must at all times be conspicuously displayed at the place for which issued.

Sec. 46. 372.140 Reinstatement fee for suspended, revoked permit. A seller whose permit has been previously suspended or revoked must pay the department a fee of \$1 for the renewal or issuance of a permit.

Sec. 47. 372.145 Revocation, suspension of permit: Procedure; sealing, padlocking place of business on revocation.

1. Whenever any person fails to comply with any provision of this chapter relating to the sales tax or any regulation of the department relating to the sales tax prescribed and adopted under this chapter, the department, upon hearing, after giving the person 10 days' notice in writing specifying the time and place of hearing and requiring him to show cause why his permit or permits should not be revoked, may revoke or suspend any one or more of the permits held by the person.

2. The department shall give to the person written notice of the suspension or revocation of any of his permits.

3. The notices may be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

4. The department may not issue a new permit after the revocation of a permit unless it is satisfied that the former holder of the permit will comply with the provisions of this chapter relating to the sales tax and the regulations of the department.

5. If a permit is revoked, the department may petition the district court for the county in which the business is located for an order directed to the former permitholder to show cause why his place of business should not be closed. The court may, after sufficient notice and a hearing, issue an order directing the sheriff to seal and padlock the place of business for which the revoked permit had been issued. The former permitholder is liable for court costs and such other costs as are necessarily incurred for storage and the services of a locksmith, security guard and the sheriff. Those costs may be collected from the former permitholder in any manner provided in this chapter for the collection of the tax.

Sec. 48. 372.150 Engaging in business as seller without permit unlawful; sealing, padlocking place of business.

1. A person who engages in business as a seller in this state without a permit or permits or after a permit has been suspended, and each officer of any corporation which so engages in business, is guilty of a misdemeanor.

2. If, after notice to the seller, served personally or by mail, the seller continues to engage in business without a permit, or after a permit has been suspended or revoked, any place of business of the seller may be sealed and padlocked in the manner provided in section 47 of this act. If notice under this subsection is served by mail, it must be addressed to the seller at his address as it appears in the records of the department.

Sec. 49. 372.155 Presumption of taxability; resale certificate. For the purpose of the proper administration of this chapter and to prevent evasion of the sales tax it is presumed that all gross receipts are subject to the tax until the contrary is established. The burden of proving that a sale of tangible personal property is not a sale at retail is upon the person who makes the sale unless he takes from the purchaser a certificate to the effect that the property is purchased for resale.

Sec. 50. 372.160 Effect of resale certificate. A resale certificate relieves the seller from the burden of proof only if taken in good faith from a person who is engaged in the business of selling tangible personal property and who holds the permit provided for in sections 43 to 54, inclusive, of this act and who, at the time of purchasing the tangible personal property, intends to sell it in the regular course of business or is unable to ascertain at the time of purchase whether the property will be sold or will be used for some other purpose.

Sec. 51. 372.165 Form and contents of resale certificate.

1. The certificate must:

- (a) Be signed by and bear the name and address of the purchaser.
- (b) Indicate the number of the permit issued to the purchaser.
- (c) Indicate the general character of the tangible personal property sold by the purchaser in the regular course of business.

2. The certificate must be substantially in such form as the department may prescribe.

Sec. 52. 372.170 Liability of purchaser giving resale certificate. If a purchaser who gives a certificate makes any use of the property other than retention, demonstration or display while holding it for sale in the regular course of business, the use is taxable to the purchaser as of the time the property is first so

used by him, and the sales price of the property to him is the measure of the tax. Only when there is an unsatisfied use tax liability on this basis is the seller liable for sales tax with respect to the sale of the property to the purchaser. If the sole use of the property other than retention, demonstration or display in the regular course of business is the rental of the property while holding it for sale, the purchaser may elect to include in his gross receipts the amount of the rental charged rather than the sales price of the property to him.

Sec. 53. 372.175 Improper use of resale certificate; penalty. Any person who gives a resale certificate for property which he knows at the time of purchase is not to be resold by him in the regular course of business for the purpose of evading payment to the seller of the amount of the tax applicable to the transaction is guilty of a misdemeanor.

Sec. 54. 372.180 Resale certificate: Commingled fungible goods. If a purchaser gives a certificate with respect to the purchase of fungible goods and thereafter commingles these goods with other fungible goods not so purchased but of such similarity that the identity of the constituent goods in the commingled mass cannot be determined, sales from the mass of commingled goods shall be deemed to be sales of the goods so purchased until a quantity of commingled goods equal to the quantity of purchased goods so commingled has been sold.

Sec. 55. 372.210 Separate display of tax from list, other price. The tax required to be collected by the retailer from the purchaser must be displayed separately from the list price, the price advertised in the premises, the marked price, or other price on the sales check or other proof of sales.

Sec. 56. 372.215 Unlawful acts. Any person who violates section 36 or 38 of the Sales and Use Tax Act or section 55 of this act is guilty of a misdemeanor.

Sec. 57. 372.220 Registration of retailers. Every retailer who sells tangible personal property for storage, use or other consumption in this state shall register with the department and give:

1. The name and address of all agents operating in this state.
2. The location of all distribution or sales houses or offices or other places of business in this state.
3. Such other information as the department may require.

Sec. 58. 372.225 Presumption of purchase for use; resale certificate. For the purpose of the proper administration of this chapter and to prevent evasion of the use tax and the duty to collect the use tax, it is presumed that tangible personal property sold by any person for delivery in this state is sold for storage, use or other consumption in this state until the contrary is established. The burden of proving the contrary is upon the person who makes the sale unless he takes from the purchaser a certificate to the effect that the property is purchased for resale.

Sec. 59. 372.230 Effect of resale certificate. A resale certificate relieves the person selling the property from the burden of proof only if taken in good faith from a person who is engaged in the business of selling tangible personal property and who holds the permit provided for by sections 43 to 54, inclusive, of this act and who, at the time of purchasing the tangible personal property, intends to sell it in the regular course of business or is unable to ascertain at the time of purchase whether the property will be sold or will be used for some other purpose.

Sec. 60. 372.235 Form and contents of resale certificate.

I. The certificate must:

- (a) Be signed and bear the name and address of the purchaser.

(b) Indicate the number of the permit issued to the purchaser.

(c) Indicate the general character of the tangible personal property sold by the purchaser in the regular course of business.

2. The certificate must be substantially in such form as the department may prescribe.

Sec. 61. 372.240 Liability of purchaser giving resale certificate: Use of article bought for resale. If a purchaser who gives a certificate makes any storage or use of the property other than retention, demonstration or display while holding it for sale in the regular course of business, the storage or use is taxable as of the time the property is first so stored or used. If the sole use of the property, other than retention, demonstration or display in the regular course of business, is the rental of the property while holding it for sale, the purchaser may elect to pay the tax on the use measured by the amount of the rental charged rather than the sales price of the property to him.

Sec. 62. 372.245 Resale certificate: Commingled fungible goods. If a purchaser gives a certificate with respect to the purchase of fungible goods and thereafter commingles these goods with other fungible goods not so purchased but of such similarity that the identity of the constituent goods in the commingled mass cannot be determined, sales from the mass of commingled goods shall be deemed to be sales of the goods so purchased until a quantity of commingled goods equal to the quantity of purchased goods so commingled has been sold.

Sec. 63. 372.250 Presumption of purchase from retailer. It is presumed that tangible personal property shipped or brought to this state by the purchaser on or after July 1, 1979, was purchased from a retailer on or after July 1, 1979, for storage, use or other consumption in this state.

Sec. 64. 372.255 Presumption of use: Out-of-state delivery.

1. On and after July 1, 1979, it is presumed that tangible personal property delivered outside this state to a purchaser known by the retailer to be a resident of this state was purchased from a retailer for storage, use or other consumption in this state and stored, used or otherwise consumed in this state.

2. This presumption may be controverted by:

(a) A statement in writing, signed by the purchaser or his authorized representative, and retained by the vendor, that the property was purchased for use at a designated point or points outside this state.

(b) Other evidence satisfactory to the department that the property was not purchased for storage, use or other consumption in this state.

Sec. 65. 372.355 Due date of taxes. The taxes imposed by this chapter are payable to the department quarterly on or before the last day of the month next succeeding each quarterly period.

Sec. 66. 372.360 Return: Time for filing; persons required to file; signatures.

1. On or before the last day of the month following each quarterly period of 3 months, a return for the preceding quarterly period must be filed with the department in such form as the department may prescribe.

2. For purposes of the sales tax a return must be filed by each seller. For purposes of the use tax a return must be filed by each retailer maintaining a place of business in the state and by each person purchasing tangible personal property, the storage, use or other consumption of which is subject to the use tax, who has not paid the use tax due to a retailer required to collect the tax.

3. Returns must be signed by the person required to file the return or by his duly authorized agent but need not be verified by oath.

Sec. 67. 372.365 Contents of return.

1. For the purposes of the sales tax, the return must show the gross receipts of the seller during the preceding reporting period. For purposes of the use tax, in case of a return filed by a retailer, the return must show the total sales price of the property sold by him, the storage, use or consumption of which property became subject to the use tax during the preceding reporting period.

2. In case of a return filed by a purchaser, the return must show the total sales price of the property purchased by him, the storage, use or consumption of which became subject to the use tax during the preceding reporting period.

3. The return must also show the amount of the taxes for the period covered by the return and such other information as the department deems necessary for the proper administration of this chapter.

Sec. 68. 372.370 Reimbursement to taxpayer for collection of tax. The taxpayer shall deduct and withhold from the taxes otherwise due from him 1 percent of it to reimburse himself for the cost of collecting the tax.

Sec. 69. 372.375 Delivery of return; remittance. The person required to file the return shall deliver the return together with a remittance of the amount of the tax due to the department.

Sec. 70. 372.380 Return periods: Quarterly periods other than calendar quarters. The department, if it deems it necessary in order to insure payment to or facilitate the collection by the state of the amount of taxes, may require returns and payment of the amount of taxes for quarterly periods other than calendar quarters, depending upon the principal place of business of the seller, retailer or purchaser, as the case may be, or for other than quarterly periods.

Sec. 71. 372.385 Lease and rental receipts: Reporting; payment. For the purposes of the sales tax, gross receipts from

rentals or leases of tangible personal property must be reported and the tax paid in accordance with such regulations as the department may prescribe.

Sec. 72. 372.390 Collection of tax: Affixing, cancellation of revenue stamps. The department, if it deems it necessary to insure the collection of the taxes, may provide by regulation for the collection of the taxes by the affixing and canceling of revenue stamps and may prescribe the form and method of the affixing and canceling.

Sec. 73. 372.395 Extensions for filing return, payment of tax: Interest.

1. The department for good cause may extend for not to exceed 1 month the time for making any return or paying any amount required to be paid under this chapter.

2. Any person to whom an extension is granted and who pays the tax within the period for which the extension is granted shall pay, in addition to the tax, interest at the rate of 6 percent per annum from the date on which the tax would have been due without the extension until the date of payment.

Sec. 74. 372.400 Recomputation of tax; determination on discontinuance of business.

1. If the department is not satisfied with the return or returns of the tax or the amount of tax required to be paid to the state by any person, it may compute and determine the amount required to be paid upon the basis of the facts contained in the return or returns or upon the basis of any information within its possession or that may come into its possession. One or more deficiency determinations may be made of the amount due for one or for more than one period.

2. When a business is discontinued, a determination may be made at any time thereafter within the periods specified in section 80

of this act as to liability arising out of that business, irrespective of whether the determination is issued before the due date of the liability as otherwise specified in this chapter.

Sec. 75. 372.405 Interest on deficiency. The amount of the determination, exclusive of penalties, bears interest at the rate of one-half of 1 percent per month, or fraction of a month, from the last day of the month following the quarterly period for which the amount or any portion of it should have been returned until the date of payment.

Sec. 76. 372.410 Offsetting of overpayment; computation of interest.

1. In making a determination the department may offset overpayments for a period or periods, together with interest on the overpayments, against underpayments for another period or periods, against penalties, and against the interest on the underpayments.

2. The interest on underpayments and overpayments must be computed in the manner set forth in sections 95 and 126 of this act.

Sec. 77. 372.415 Penalty for negligence, disregard of law, regulations. If any part of the deficiency for which a deficiency determination is made is due to negligence or intentional disregard of this chapter or authorized regulations, a penalty of 10 percent of the amount of the determination must be added to it.

Sec. 78. 372.420 Penalty for fraud, intent to evade. If any part of the deficiency for which a deficiency determination is made is due to fraud or an intent to evade this chapter or authorized regulations, a penalty of 25 percent of the amount of the determination must be added to it.

Sec. 79. 372.425 Notice of department's determination: Service.

1. The department shall give to the retailer or person storing, using or consuming tangible personal property written notice of its determination.

2. The notice may be served personally or by mail; if by mail, the notice must be addressed to the retailer or person storing, using or consuming tangible personal property at his address as it appears in the records of the department.

3. In case of service by mail of any notice required by this chapter, the service is complete at the time of deposit in the United States post office.

Sec. 80. 372.430 Time within which notice of deficiency determination to be mailed; consent to later mailing of notice.

1. Except in the case of fraud, intent to evade this chapter or authorized regulations issued under it, failure to make a return, or claim for additional amount pursuant to section 91 of this act, every notice of a deficiency determination must be personally served or mailed within 3 years after the last day of the calendar month following the quarterly period for which the amount is proposed to be determined or within 3 years after the return is filed, whichever period expires the later. In the case of failure to make a return, or claim for additional amount pursuant to section 91 of this act, every notice of determination must be mailed or personally served within 8 years after the last day of the calendar month following the quarterly period for which the amount is proposed to be determined.

2. The limitation specified in this section does not apply in case of a sales tax proposed to be determined with respect to sales of property for the storage, use or other consumption of which notice of a deficiency determination has been or is given pursuant to sections 79, 85 and 87 of this act, and to subsection 1 of this section. The limitation specified in this section does not apply in case of an amount of use tax proposed to be determined with respect to storage, use or other consumption of property for the sale of which notice of a deficiency determination has been or is

given pursuant to sections 79, 85 and 87 of this act, and to sub-section 1 of this section.

3. If, before the expiration of the time prescribed in this section for the mailing of a notice of deficiency determination, the taxpayer has consented in writing to the mailing of the notice after that time, the notice may be mailed at any time before the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

Sec. 81. 372.435 Determination if no return made: Estimate and computation; discontinuance of business.

1. If any person fails to make a return, the department shall make an estimate of the amount of the gross receipts of the person, or, as the case may be, of the amount of the total sales price of tangible personal property sold or purchased by the person, the storage, use or other consumption of which in this state is subject to the use tax. The estimate must be made for the period or periods in respect to which the person failed to make a return and be based upon any information which is in the department's possession or may come into its possession. Upon the basis of that estimate, the department shall compute and determine the amount required to be paid to the state, adding to the sum thus arrived at a penalty equal to 10 percent of the sum. One or more determinations may be made for one or for more than one period.

2. When a business is discontinued, a determination may be made at any time thereafter within the periods specified in section 80 of this act as to liability arising out of that business, irrespective of whether the determination is issued before the due date of the liability as otherwise specified in this chapter.

Sec. 82. 372.440 Offsets: Computation; interest.

1. In making a determination, the department may offset overpayments for a period or periods, together with interest on the

overpayments, against underpayments for another period or periods, against penalties, and against the interest on the underpayments.

2. The interest on underpayments and overpayments shall be computed in the manner set forth in sections 95 and 126 of this act.

Sec. 83. 372.445 Interest on amount of determination. The amount of the determination, exclusive of penalties, bears interest at the rate of one-half of 1 percent per month, or fraction of a month, from the last day of the month following the quarterly period for which the amount or any portion of it should have been returned until the date of payment.

Sec. 84. 372.450 Penalties for fraud, intent to evade. If the failure of any person to file a return is due to fraud or intent to evade this chapter or regulations, a penalty of 25 percent of the amount required to be paid by the person, exclusive of penalties, must be added to it in addition to the 10 percent penalty provided in section 81 of this act.

Sec. 85. 372.455 Notice of estimate, determination and penalty: Service. Promptly after making its determination the department shall give to the person written notice of the estimate, determination and penalty, the notice to be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

Sec. 86. 372.460 Jeopardy determination: When made; due date. If the department believes that the collection of any tax or any amount of tax required to be collected and paid to the state or of any determination will be jeopardized by delay, it shall thereupon make a determination of the tax or amount of tax required to be collected, noting that fact upon the determination. The amount determined is due immediately.

Sec. 87. 372.465 Nonpayment: Finality of determination. If the amount specified in the determination is not paid within 10

days after service of notice of it upon the person against whom the determination is made, the amount becomes final at the expiration of the 10 days, unless a petition for redetermination is filed within the 10 days, and the delinquency penalty and the interest provided in section 95 of this act attaches to the amount of the tax or the amount of the tax required to be collected.

Sec. 88. 372.470 Petition for redetermination; deposit of security. The person against whom a jeopardy determination is made may petition for the redetermination of it pursuant to sections 89 to 95, inclusive, of this act. He must file the petition for redetermination with the department within 10 days after the service upon him of notice of determination. The person shall also within the 10-day period deposit with the department such security as it may deem necessary to insure compliance with this chapter. The security may be sold by the department in the manner prescribed by section 68 of this act.

Sec. 89. 372.475 Petition for redetermination: Time to file.

1. Any person against whom a determination is made under sections 74 to 85, inclusive, of this act, or any person directly interested, may petition for a redetermination within 30 days after service upon the person of notice of the determination.

2. If a petition for redetermination is not filed within the 30-day period, the determination becomes final at the expiration of the period.

Sec. 90. 372.480 Oral hearing: Notice; continuances.

1. If a petition for redetermination is filed within the 30-day period, the department shall reconsider the determination and, if the person has so requested in his petition, shall grant the person an oral hearing and give him 10 days' notice of the time and place of the hearing.

2. The department may continue the hearing from time to time as necessary.

Sec. 91. 372.485 Increase, decrease of amount of determination. The department may decrease or increase the amount of the determination before it becomes final, but the amount may be increased only if a claim for the increase is asserted by the department at or before the hearing.

Sec. 92. 372.490 Order of department on petition for redetermination: Finality of order. The order or decision of the department upon a petition for redetermination becomes final 30 days after service upon the petitioner of notice of the order or decision.

Sec. 93. 372.495 Due date of determinations; penalties. All determinations made by the department under sections 74 to 85, inclusive, of this act, are due at the time they become final. If they are not paid when due, a penalty of 10 percent of the amount of the determination, exclusive of interest and penalties, must be added to it.

Sec. 94. 372.500 Service of notice. Any notice required by sections 89 to 93, inclusive, of this act, must be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

Sec. 95. 372.505 Penalty, interest for failure to pay tax: Amount; rates. Any person who fails to pay any tax to the state or any amount of tax required to be collected and paid to the state, except amounts of determinations made by the department under sections 74 to 85, inclusive, of this act, within the time required shall pay a penalty of not more than 10 percent of the tax or amount of the tax, as determined by the department, in addition to the tax or amount of tax, plus interest at the rate of one-half of 1 percent per month, or fraction of a month, from the date on which the tax or the amount of tax required to be collected became due to the state until the date of payment.

Sec. 96. 372.510 Deposit of security: Amounts; sales of security; return of surplus.

1. The department, whenever it deems it necessary to insure compliance with this chapter, may require any person subject to the chapter to place with it such security as the department may determine. The department shall fix the amount of the security which, except as noted below, may not be greater than twice the estimated average liability of persons filing returns for quarterly periods or three times the estimated average liability of persons required to file returns for monthly periods, determined in such manner as the department deems proper, or \$30,000, whichever amount is the lesser.

2. In the case of persons who are habitually delinquent in their obligations under this chapter, the amount of the security may not be greater than three times the average liability of persons filing returns for quarterly periods or five times the average liability of persons required to file returns for monthly periods, or \$30,000, whichever amount is the lesser.

3. The limitations provided in this section apply regardless of the type of security placed with the department.

4. The amount of the security may be increased or decreased by the department subject to the limitations provided in this section.

5. The department may sell the security at public auction if it becomes necessary so to do in order to recover any tax or any amount required to be collected, interest or penalty due. Notice of the sale may be served upon the person who placed the security personally or by mail; if by mail, service must be made in the manner prescribed for service of a notice of a deficiency determination and must be addressed to the person at his address as it appears in the records of the department. Security in the form of a bearer bond issued by the United States or the State of Nevada

which has a prevailing market price may be sold by the department at a private sale at a price not lower than the prevailing market price.

6. Upon any sale any surplus above the amounts due must be returned to the person who placed the security.

Sec. 97. 372.515 Notice of delinquency to persons holding credits or property of delinquent; transfer or disposition of property or debt after notice; bank deposits.

1. If any person is delinquent in the payment of the amount required to be paid by him or in the event a determination has been made against him which remains unpaid, the department may, not later than 3 years after the payment became delinquent, or within 3 years after the last recording of an abstract under section 105 of this act, or of a certificate under section 108 of this act, give notice of it personally or by registered mail to all persons, including any officer or department of the state or any political subdivision or agency of the state, who have in their possession or under their control any credits or other personal property belonging to the delinquent, or owing any debts to the delinquent or person against whom a determination has been made which remains unpaid, or owing any debts to the delinquent or that person. In the case of any state officer, department or agency, the notice must be given to the officer, department or agency before the time it presents the claim of the delinquent taxpayer to the state controller.

2. After receiving the notice, the persons so notified may not transfer or otherwise dispose of the credits, other personal property, or debts in their possession or under their control at the time they received the notice until the department consents to a transfer or other disposition, or until 60 days after the receipt of the notice, whichever period expires earlier.

3. All persons so notified shall, within 10 days after receipt of the notice, advise the department of all such credits, other personal property, or debts in their possession, under their control, or owing by them.

4. If the notice seeks to prevent the transfer or other disposition of a deposit in a bank or other credits or personal property in the possession or under the control of a bank, the notice must be delivered or mailed to the branch or office of the bank at which the deposit is carried or at which the credits or personal property is held.

5. If, during the effective period of the notice to withhold, any person so notified makes any transfer or other disposition of the property or debts required to be withheld, to the extent of the value of the property or the amount of the debts thus transferred or paid, he is liable to the state for any indebtedness due under this chapter from the person with respect to whose obligation the notice was given if solely by reason of the transfer or other disposition the state is unable to recover the indebtedness of the person with respect to whose obligation the notice was given.

Sec. 98. 372.520 Action for collection of tax, penalties, interest: Limitation. At any time within 3 years after any tax or any amount of tax required to be collected becomes due, and at any time within 3 years after the delinquency of any tax or any amount of tax required to be collected, or within 3 years after the last recording of an abstract under section 105 of this act, or of a certificate under section 107 of this act, the department may bring an action in the courts of this state, or any other state, or of the United States, in the name of the people of the State of Nevada, to collect the amount delinquent together with penalties and interest.

Sec. 99. 372.525 Attorney general to prosecute action; provisions of NRS, N.R.C.P, N.R.A.P. applicable. The attorney general

shall prosecute the action, and the provisions of NRS and the Nevada Rules of Civil Procedure and Nevada Rules of Appellate Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings.

Sec. 100. 372.530 Issuance of writ of attachment without bond, affidavit. In the action a writ of attachment may issue, and no bond or affidavit previous to the issuing of the attachment is required.

Sec. 101. 372.535 Evidentiary effect of delinquency certificate. In the action a certificate by the department showing the delinquency is prima facie evidence of the determination of the tax or the amount of the tax, of the delinquency of the amounts set forth, and of the compliance by the department with all the provisions of this chapter in relation to the computation and determination of the amounts.

Sec. 102. 372.540 Action for use tax: Manner of service of process. In any action relating to the use tax brought under this chapter, process may be served according to the Nevada Rules of Civil Procedure or may be served upon any agent or clerk in this state employed by any retailer in a place of business maintained by the retailer in this state. In the latter case a copy of the process must forthwith be sent by registered or certified mail to the retailer at his principal or home office.

Sec. 103. 372.545 Application for summary judgment: Filing of certificate of delinquency. If any amount required to be paid to the state under this chapter is not paid when due, the department may, within 3 years after the amount is due, file in the office of the county clerk of any county a certificate specifying the amount required to be paid, interest and penalty due, the name and address as it appears on the records of the department of the person liable, the compliance of the department with this chapter in relation to

the determination of the amount required to be paid, and a request that judgment be entered against the person in the amount required to be paid, together with interest and penalty as set forth in the certificate.

Sec. 104. 372.550 Entry of judgment by county clerk. The county clerk immediately upon the filing of the certificate shall enter a judgment for the people of the State of Nevada against the person in the amount required to be paid, together with interest and penalty as set forth in the certificate.

Sec. 105. 372.555 Filing of abstract, copy of judgment with county recorder; judgment lien; duration and extension.

1. An abstract of the judgment or a copy may be filed for record with the county recorder of any county.

2. From the time of the filing, the amount required to be paid, together with interest and penalty set forth, constitutes a lien upon all the real property in the county owned by the person liable or acquired by him afterwards and before the lien expires. The lien has the effect and priority of a judgment lien and continues for 5 years from the date of the judgment so entered by the county clerk unless sooner released or otherwise discharged.

3. The lien may, within 5 years from the date of the judgment or within 5 years from the date of the last extension of the lien pursuant to this subsection, be extended by filing for record in the office of the county recorder of any county, an abstract or copy of the judgment, and from the time of filing, the lien is extended to the real property in the county for 5 years, unless sooner released or otherwise discharged.

Sec. 106. 372.560 Execution: Issuance; sale. Execution must issue upon the judgment upon request of the department in the same manner as execution may issue upon other judgments, and sales must be held under the execution as prescribed by law.

Sec. 107. 372.565 Priority of tax claim or lien: Subordination to prior recorded lien, other debts.

1. The amounts required to be paid by any person under this chapter together with interest and penalties must be satisfied first in any of the following cases:

(a) Whenever the person is insolvent.

(b) Whenever the person makes a voluntary assignment of his assets.

(c) Whenever the estate of the person in the hands of executors, administrators or heirs is insufficient to pay all the debts due from the deceased.

(d) Whenever the estate and effects of an absconding, concealed or absent person required to pay any amount under this chapter are levied upon by process of law.

2. This section does not give the state a preference over any recorded lien which attached before the date when the amounts required to be paid became a lien, or preference over costs of administration, funeral expenses, expenses of last illness, family allowances, debts preferred by the laws of the United States or wages as provided in NRS 150.220.

Sec. 108. 372.570 Recordation of certificate of delinquency: Resulting lien; duration and extension.

1. If any amount required to be paid to the state under this chapter is not paid when due, the department may, within 3 years after the amount is due, file for record in the office of any county recorder a certificate specifying the amount, interest and penalty due, the name and address as it appears on the records of the department of the person liable for the amount due, and the fact that the department has complied with all provisions of this chapter in the determination of the amount required to be paid.

2. From the time of the filing for record, the amount required to be paid, together with interest and penalty, constitutes a lien

upon all real property in the county owned by the person or acquired by him afterwards and before the lien expires. The lien has the effect and priority of a judgment lien and continues for 10 years from the time of the filing of the certificate unless sooner released or otherwise discharged.

3. The lien may, within 10 years from the date of the filing of the certificate or within 10 years from the date of the last extension of the lien pursuant to this subsection, be extended by filing for record a new certificate in the office of the county recorder of any county, and from the time of filing, the lien is extended to the real property in the county for 10 years, unless sooner released or otherwise discharged.

Sec. 109. 372.575 Department may release, subordinate lien. The department may at any time release all or any portion of the property subject to any lien provided for in this chapter from the lien or subordinate the lien to other liens and encumbrances if it determines that the amount, interest and penalties are secured sufficiently by a lien on other property or that the release or subordination of the lien will not jeopardize the collection of the amount, interest and penalties.

Sec. 110. 372.580 Evidentiary effect of certificate of release, subordination. A certificate by the department to the effect that any property has been released from the lien, or that the lien has been subordinated to other liens and encumbrances, is conclusive evidence that the property has been released, or that the lien has been subordinated as provided in the certificate.

Sec. 111. 372.585 Warrant for collection of tax: Issuance; effect; levy and sale.

1. At any time within 3 years after any person is delinquent in the payment of any amount required to be paid, or within 3 years after the last recording of an abstract under section 105 of this

act, or of a certificate under section 108 of this act, the department or its authorized representative may issue a warrant for the enforcement of any liens and for the collection of any amount required to be paid to the state under this chapter.

2. The warrant must be directed to any sheriff or constable and has the same effect as a writ of execution.

3. The warrant must be levied and sale made pursuant to it in the same manner and with the same effect as a levy of and a sale pursuant to a writ of execution.

Sec. 112. 372.590 Fees for services of sheriff, constable; approval of newspaper publication fees. The department may pay or advance to the sheriff or constable the same fees, commissions and expenses for his services as are provided by law for similar services pursuant to a writ of execution. The department, and not the court, shall approve the fees for publication in a newspaper.

Sec. 113. 372.595 Liability for fees of sheriff, constable. The fees, commissions and expenses are the obligation of the person required to pay any amount under this chapter and may be collected from him by virtue of the warrant or in any other manner provided in this chapter for the collection of the tax.

Sec. 114. 372.600 Power of department to seize and sell delinquent's property; exemptions.

1. At any time within 3 years after any person is delinquent in the payment of any amount, the department may seize any property, real or personal, of the person and sell the property, or a sufficient part of it, at public auction to pay the amount due, together with any interest or penalties imposed for the delinquency and any costs incurred on account of the seizure and sale.

2. Any seizure made to collect a sales tax due may be only of the property of the retailer not exempt from execution under the provisions of law.

Sec. 115. 372.605 Notice of sale: Contents; mailings; publication.

1. Notice of the sale and the time and place of it must be given to the delinquent person in writing at least 10 days before the date set for the sale in the following manner:

(a) The notice must be enclosed in an envelope addressed to the person, in case of a sale for use taxes due, at his last-known address or place of business, and, in case of a sale for sales taxes due, at his last-known residence or place of business in this state. It must be deposited in the United States mail, postage prepaid.

(b) The notice must also be published for at least 10 days before the date set for the sale in a newspaper of general circulation published in the county in which the property seized is to be sold. If there is no newspaper of general circulation in the county, notice must be posted in three public places in the county 10 days before the date set for the sale.

2. The notice must contain a description of the property to be sold, a statement of the amount due, including interest, penalties and costs, the name of the delinquent, and the further statement that unless the amount due, interest, penalties and costs are paid on or before the time fixed in the notice for the sale, the property, or so much of it as is necessary, will be sold in accordance with law and the notice.

Sec. 116. 372.610 Sale; delivery of bill of sale, deed; disposition of unsold portion.

1. At the sale the department shall sell the property in accordance with law and the notice and shall deliver to the purchaser a bill of sale for the personal property and a deed for any real property sold. The bill of sale or deed vests the interest or title of the person liable for the amount in the purchaser.

2. The unsold portion of any property seized may be left at the place of sale at the risk of the person liable for the amount.

Sec. 117. 372.615 Disposition of excess proceeds; third-party claims.

1. If, upon the sale, the money received exceeds the total of all amounts, including interest, penalties and costs due the state, the department shall return the excess to the person liable for the amounts and obtain his receipt.

2. If any person having an interest in or lien upon the property files with the department, before the sale, notice of his interest or lien, the department shall withhold any excess, pending a determination of the rights of the respective parties to it by a court of competent jurisdiction.

3. If for any reason the receipt of the person liable for the amount is not available, the department shall deposit the excess money with the state treasurer, as trustee for the owner, subject to the order of the person liable for the amount, his heirs, successors or assigns.

Sec. 118. 372.620 Successor, assignee to withhold tax from purchase price. If any retailer who is liable for any amount under this chapter sells out his business or stock of goods, or quits the business, his successors or assigns shall withhold sufficient of the purchase price to cover that amount until the former owner produces a receipt from the department showing that it has been paid or a certificate stating that no amount is due.

Sec. 119. 372.625 Liability of purchaser for failure to withhold purchase price; release.

1. If the purchaser of a business or stock of goods fails to withhold the purchase price as required, he becomes personally liable for the payment of the amount required to be withheld by him to the extent of the purchase price, valued in money. Within 60

days after receiving a written request from the purchaser for a certificate, or within 60 days from the date the former owner's records are made available for audit, whichever period expires later, but not later than 90 days after receiving the request, the department shall issue the certificate or mail notice to the purchaser at his address as it appears on the records of the department, of the amount that must be paid as a condition of issuing the certificate.

2. Failure of the department to mail the notice releases the purchaser from any further obligation to withhold the purchase price.

3. The time within which the obligation of a successor may be enforced begins at the time the retailer sells out his business or stock of goods or at the time that the determination against the retailer becomes final, whichever event occurs later.

Sec. 120. 372.630 Certification of excess amount collected; credit and refund; overpayment of use tax by purchaser.

1. If the department determines that any amount, penalty or interest has been paid more than once or has been erroneously or illegally collected or computed, the department shall set forth that fact in the records of the department and certify to the state board of examiners the amount collected in excess of the amount legally due and the person from whom it was collected or by whom paid. If approved by the state board of examiners, the excess amount collected or paid must be credited on any amounts then due from the person under this chapter, and the balance refunded to the person, or his successors, administrators or executors.

2. Any overpayment of the use tax by a purchaser to a retailer who is required to collect the tax and who gives the purchaser a receipt therefor pursuant to sections 34 to 38, inclusive, of the Sales and Use Tax Act and sections 55 to 64, inclusive, of this act, must be credited or refunded by the state to the purchaser.

Sec. 121. 372.635 Claims for refund, credit: Limitation.

1. No refund may be allowed unless a claim for it is filed with the department within 3 years from the last day of the month following the close of the quarterly period for which the overpayment was made, or, with respect to determinations made under sections 74 to 85, inclusive, of this act, within 6 months after the determinations become final, or within 6 months from the date of overpayment, whichever period expires later.

2. No credit may be allowed after the expiration of the period specified for filing claims for refund unless a claim for credit is filed with the department within that period, or unless the credit relates to a period for which a waiver is given pursuant to section 52 of this act.

Sec. 122. 372.640 Credit or refund for use tax: Reimbursement of vendor for sales tax. No credit or refund of any amount paid pursuant to sections 34 to 38, inclusive, of the Sales and Use Tax Act and sections 55 to 64, inclusive, of this act, may be allowed on the ground that the storage, use or other consumption of the property is exempt under section 67 of the Sales and Use Tax Act, unless the person who paid the amount reimburses his vendor for the amount of the sales tax imposed upon his vendor with respect to the sale of the property and paid by the vendor to the state.

Sec. 123. 372.645 Claim for refund, credit: Form; contents. Every claim must be in writing and must state the specific grounds upon which the claim is founded.

Sec. 124. 372.650 Effect of failure to file claim: Waiver. Failure to file a claim within the time prescribed in section 121 of this act constitutes a waiver of any demand against the state on account of overpayment.

Sec. 125. 372.655 Notice of disallowance of claim: Service. Within 30 days after disallowing any claim in whole or in part, the department shall serve notice of its action on the claimant in the

manner prescribed for service of notice of a deficiency determination.

Sec. 126. 372.660 Interest on overpayments.

1. Interest must be paid upon any overpayment of any amount of tax at the rate of one-half of 1 percent per month from the last day of the calendar month following the quarterly period for which the overpayment was made. No refund or credit may be made of any interest imposed upon the person making the overpayment with respect to the amount being refunded or credited.

2. The interest must be paid:

(a) In the case of a refund, to the last day of the calendar month following the date upon which the person making the overpayment, if he has not already filed a claim, is notified by the department that a claim may be filed or the date upon which the claim is certified to the state board of examiners, whichever is earlier.

(b) In the case of a credit, to the same date as that to which interest is computed on the tax or amount against which the credit is applied.

Sec. 127. 372.665 Disallowance of interest: Circumstances. If the department determines that any overpayment has been made intentionally or by reason of carelessness, it may not allow any interest on it.

Sec. 128. 372.670 Injunction, other process to prevent tax collection prohibited. No injunction, writ of mandate or other legal or equitable process may issue in any suit, action or proceeding in any court against this state or against any officer of the state to prevent or enjoin the collection under this chapter of any tax or any amount of tax required to be collected.

Sec. 129. 372.675 Action for refund: Claim as condition precedent. No suit or proceeding may be maintained in any court for the recovery of any amount alleged to have been erroneously or illegally determined or collected unless a claim for refund or credit has been filed.

Sec. 130. 372.680 Action for refund: Time to sue; venue of action; waiver.

1. Within 90 days after the mailing of the notice of the department's action upon a claim filed pursuant to this chapter, the claimant may bring an action against the department on the grounds set forth in the claim in a court of competent jurisdiction in Carson City for the recovery of the whole or any part of the amount with respect to which the claim has been disallowed.

2. Failure to bring action within the time specified constitutes a waiver of any demand against the state on account of alleged overpayments.

Sec. 131. 372.685 Right of action on failure of department to mail notice. If the department fails to mail notice of action on a claim within 6 months after the claim is filed, the claimant may, before the mailing of notice by the department of its action on the claim, consider the claim disallowed and bring an action against the department on the grounds set forth in the claim for the recovery of the whole or any part of the amount claimed as an overpayment.

Sec. 132. 372.690 Judgment for plaintiff: Credits; refund of balance.

1. If judgment is rendered for the plaintiff, the amount of the judgment must first be credited as follows:

(a) If the judgment is for a refund of sales taxes, it must be credited on any sales or use tax due from the plaintiff.

(b) If the judgment is for a refund of use taxes, it must be credited on any use tax due from the plaintiff.

2. The balance of the judgment must be refunded to the plaintiff.

Sec. 133. 372.695 Allowance of interest. In any judgment, interest must be allowed at the rate of 6 percent per annum upon the amount found to have been illegally collected from the date of

payment of the amount to the date of allowance of credit on account of the judgment, or to a date preceding the date of the refund warrant by not more than 30 days, the date to be determined by the department.

Sec. 134. 372.700 Judgment not to be rendered for assignee-plaintiff. A judgment may not be rendered in favor of the plaintiff in any action brought against the department to recover any amount paid when the action is brought by or in the name of an assignee of the person paying the amount or by any person other than the person who paid the amount.

Sec. 135. 372.705 Recovery of erroneous refunds: Action; jurisdiction and venue. The department may recover any refund or part of it which is erroneously made and any credit or part of it which is erroneously allowed in an action brought in a court of competent jurisdiction in Carson City in the name of the State of Nevada.

Sec. 136. 372.710 Change of venue in action to recover erroneous refund. The action must be tried in Carson City unless the court with the consent of the attorney general orders a change of place of trial.

Sec. 137. 372.715 Attorney general to prosecute action for recovery of erroneous refund; applicability of NRS and N.R.C.P. The attorney general shall prosecute the action, and the provisions of NRS, the Nevada Rules of Civil Procedure and the Nevada Rules of Appellate Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings.

Sec. 138. 372.720 Cancellation of illegal determination: Procedure; limitation.

1. If any amount in excess of \$25 has been illegally determined, either by the person filing the return or by the department, the department shall certify this fact to the state board of examiners,

and the latter shall authorize the cancellation of the amount upon the records of the department.

2. If an amount not exceeding \$25 has been illegally determined, either by the person filing a return or by the department, the department, without certifying this fact to the state board of examiners, shall authorize the cancellation of the amount upon the records of the department.

Sec. 139. 372.725 Enforcement by department: Regulations.

1. The department shall enforce the provisions of this chapter and may adopt regulations relating to the administration and enforcement of this chapter.

2. The department may prescribe the extent to which any regulation may be applied without retroactive effect.

Sec. 140. 372.730 Employment of accountants, investigators and other persons; delegation of authority. The department may employ accountants, auditors, investigators, assistants and clerks necessary for the efficient administration of this chapter, and may delegate authority to its representatives to conduct hearings, adopt regulations or perform any other duties imposed by this chapter.

Sec. 141. 372.735 Records to be kept by sellers, retailers and others.

1. Every seller, every retailer, and every person storing, using or otherwise consuming in this state tangible personal property purchased from a retailer shall keep records, receipts, invoices and other pertinent papers in such form as the department may require.

2. Every seller, retailer or person who files the returns required under this chapter shall keep the records for not less than 4 years from their making unless the department in writing sooner authorizes their destruction.

3. Every seller, retailer or person who fails to file the returns required under this chapter shall keep the records for not less than 8 years from their making unless the department in writing sooner authorizes their destruction.

Sec. 142. 372.740 Examination of records; investigation of business. The department, or any person authorized in writing by it, may examine the books, papers, records and equipment of any person selling tangible personal property and any person liable for the use tax and may investigate the character of the business of the person in order to verify the accuracy of any return made, or, if no return is made by the person, to ascertain and determine the amount required to be paid.

Sec. 143. 372.745 Reports for administering use tax: Contents. In its administration of the use tax, the department may require the filing of reports by any person or class of persons having in his or their possession or custody information relating to sales of tangible personal property, the storage, use or other consumption of which is subject to the tax. The report must:

1. Be filed when the department requires.
2. Set forth the names and addresses of purchasers of the tangible personal property, the sales price of the property, the date of sale, and such other information as the department may require.

Sec. 144. 372.750 Disclosure of information unlawful; examination of records when ordered by governor.

1. It is a misdemeanor for any member of the Nevada tax commission or officer or employee of the department to make known in any manner whatever the business affairs, operations or information obtained by an investigation of records and equipment of any retailer or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular of them, set forth or disclosed in

any return, or to permit any return or copy of a return, or any book containing any abstract or particulars of it to be seen or examined by any person not connected with the department.

2. The governor may, by general or special order, authorize examination of the records maintained by the department under this chapter by other state officers, by tax officers of another state, by the Federal Government, if a reciprocal arrangement exists, or by any other person. The information so obtained may not be made public except to the extent and in the manner that the order may authorize that it be made public.

3. Successors, receivers, trustees, executors, administrators, assignees and guarantors, if directly interested, may be given information as to the items included in the measure and amounts of any unpaid tax or amounts of tax required to be collected, interest and penalties.

Sec. 145. 372.755 Penalty for failure to make return, furnish data. Any retailer or other person who fails or refuses to furnish any return required to be made, or who fails or refuses to furnish a supplemental return or other data required by the department, or who renders a false or fraudulent return shall be fined not more than \$500 for each offense.

Sec. 146. 372.760 Penalty for false and fraudulent returns. Any person required to make, render, sign or verify any report who makes any false or fraudulent return, with intent to defeat or evade the determination of an amount due required by law to be made, shall for each offense be fined not less than \$300 nor more than \$5,000, or be imprisoned for not more than 1 year in the county jail, or be punished by both fine and imprisonment.

Sec. 147. 372.765 Penalty for other violations. Any violation of this chapter, except as otherwise provided, is a misdemeanor.

Sec. 148. 372.770 Statute of limitations. Any prosecution for violation of any of the penal provisions of this chapter must be instituted within 3 years after the commission of the offense.

Sec. 149. 372.775 Application of res judicata doctrine. In the determination of any case arising under this chapter, the rule of res judicata is applicable only if the liability involved is for the same quarterly period as was involved in another case previously determined.

Sec. 150. 372.780 Sales tax fund: Payments of taxes, penalties.

1. All fees, taxes, interest and penalties imposed and all amounts of tax required to be paid to the state under this chapter must be paid to the department in the form of remittances payable to the department.

2. The department shall transmit the payments to the state treasurer for deposit in the state treasury to the credit of the sales tax fund.

Sec. 151. 372.785 Withdrawals, transfers from sales tax fund. The money in the sales tax fund may, upon order of the state controller, be used for refunds under this chapter, or be transferred to the state general fund.

Sec. 152. 372.790 Remedies of state are cumulative. The remedies of the state provided for in this chapter are cumulative, and no action taken by the department or the attorney general constitutes an election by the state to pursue any remedy to the exclusion of any other remedy for which provision is made in this chapter.

Sec. 153. 372.795 Department's authority. In all proceedings under this chapter the department may act for and on behalf of the people of the State of Nevada.

Sec. 154. Chapter 374 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. There are exempted from the taxes imposed by this chapter the gross receipts from sales and the storage, use or other consumption of food for human consumption.

2. "Food for human consumption" does not include:

- (a) Alcoholic beverages.
- (b) Pet foods.
- (c) Tonics and preparations.
- (d) Prepared food intended for immediate consumption.

3. As used in subsection 2, "prepared food intended for immediate consumption" means:

(a) Food or beverages furnished, prepared or served by an eating establishment or grocery store for immediate consumption at or near its premises or sold in the regular course of its business on a "take out," "to go" or catered basis for immediate consumption either on or off its premises. For purposes of this paragraph, "eating establishment" includes a catering business, restaurant, cafe, cafeteria, lunch counter, snack bar, soda fountain, drive-in, dining car, tavern, place serving sandwiches, hamburgers, fish and chips, fried chicken or pizza, refreshment stand, food and drink concession and other similar facilities.

(b) Food or beverages intended for immediate consumption sold from a vending machine or by a vendor from a vehicle or other mobile facility.

Sec. 155. The section numbers and leadlines contained in the respective sections added to chapter 372 of NRS by sections 42 to 153, inclusive, of this act are for convenient reference only and are not part of the law.

Sec. 156. There is hereby appropriated from the state general fund to the tax abatement account for the purposes of sections 10 and 12 of this act:

- 1. For the fiscal year 1979-80, the sum of \$45,000,000.
- 2. For the fiscal year 1980-81, the sum of \$52,000,000.

The sums appropriated by this section are available for both fiscal years and may be transferred from one fiscal year to another with the approval of the interim finance committee.

Sec. 157. 1. This section, sections 1 and 2, and sections 29 to 40, inclusive, of this act shall become effective upon passage and approval.

2. Sections 3 to 28 and section 156 of this act shall become effective on July 1, 1979. Sections 41 to 155, inclusive, of this act shall become effective on July 1, 1979, only if the question provided for in section 30 of this act is approved by the voters at the special election on June 5, 1979.

3. This act expires by limitation on June 30, 1981, if before that date the constitution of the State of Nevada is amended to limit the amount of general (ad valorem) taxes on real property to \$1 for each \$100 of full cash value, or to any lesser amount.

TESTIMONY GIVEN BEFORE NEVADA TAXATION COMMITTEEon SENATE BILL SB-65February 8, 1979

Mr. Chairman and Members of the Committee:

I am A. J. Evans of Winnemucca, Nevada, General Manager of Winnemucca Farms, Inc. I appreciate the opportunity of appearing here today in support of Senate Bill-65 which is to place on the ballot at the next general election an amendment to the Sales Tax Laws.

The Committee on Taxation has done a commendable job of caring for an unfairly burdened segment of Nevada industry by the most simple means of including insecticides and herbicides in the same status as fertilizers as exempt from Sales Tax. While you may have considered all aspects, allow me to portray from my vantage point a number of fair and reasonable justifications for such inclusion:

1. The size of farms today make insecticides, plant and weed killers an absolute necessity to produce and control production to provide an agricultural product acceptable to the markets today. Indeed, the finished product, without the use of such control materials, often would not meet Federal marketing standards.
2. Even seed pieces of most every type must be chemically treated today to enjoy acceptable plant growth.
3. The insecticides and herbicides in use, and potentially so, play every bit, or more, of a supporting roll to agriculture as does fertilizer. Further, they are a part of preparation and production of a product for market and should no more be subject to a sales tax than other items such as packaging goods which go into the final consumer product which will be taxed as a whole. With the existing tax on these items the

consumer is paying a double tax which is grossly unfair to consumer as well being a higher cost to the producer.

4. I have carried the banner for Nevada Agriculture for several years now both in the State and at the Federal level and I firmly believe this industry, while limited by water and environment, has an ever increasing importance to our state and is a very substantial contributor to the economy and national status of our State. It is common knowledge that agriculture is economically a scarcely surviving industry, with increasing industry failures we continue to see even more Federal encroachment on financing and virtual control of the farmer and his products. Every effort to relieve agriculture of such unnecessary and unfair tax burdens as added costs can only sustain private ownership, healthier free-enterprise competition and more favorable prices to the American Consumer.
5. The products of Agriculture in Nevada are in such volume that they must be moved into major population centers of the United States and abroad. This, of course places us in competition with major producers from other states most of whom do not pay a Sales Tax on any item related to production. Idaho, Washington, Oregon and Utah, all major competitors, exempt such chemicals from Sales Tax. You may look on a 3 $\frac{1}{2}$ % tax as minimal but, friends, we struggle with 10-25¢/cwt. in the market place and we already face disadvantageous freight rates from Nevada to most markets in comparison to competitive producers and, of course, only God controls the geographical location of Nevada.

While I heartily endorse the committee's action I would like to see an amendment to add fuels and chemicals used in production for I see a potential problem for the industry in interpretation. Would a chemical fungicide pass as an insecticide or herbicide--I think not, yet I am sure intention is that it be included.

Please look at some vivid examples of some specific product uses that leave room for disagreements in current wording:

- (a) Seed piece treatment by chemicals and insecticides are extensively used today to protect and stimulate the seed piece and are ingested into the plant itself to ward off harmful diseases and decay as well as insects.
- (b) Potato vines for example are sprayed with a plant killer in the fall to hasten maturity, driving the nutrients down into the tubers and setting the skins and cellular structure, to avoid harvesting damage and enabling the crop to be stored for orderly marketing. If this process was left to nature (brought about by a killing frost) it could well mean most of the crop would be frozen into the ground or lost to frost damage.
- (c) Again using potatoes as an example, the product is chemically treated with sprout inhibitors to prolong storage, increase resistance to spoilage and prevent early breakdown in the markets--such material actually goes to the market on the product with same so labeled under Federal law and here the total is taxed, where a Sales Tax is effective.
- (d) Potato vines are often burned by L.P. gas, or other effective fast burning, high heat fuel to destroy dead plant tissue which is known to be a host for plant disease that can often render the crop totally unfit to pass U.S.

market standards. Such L.P. gas or fuel should be exempt as any other direct contribution to production.

I believe most of the items to which I've addressed myself apply in substance to all of the agricultural industry. Your recognition of the existing disparity and efforts to exempt these items referred to is to be applauded.

Thank you for your attention.

NEVADA FARM BUREAU
PRESENTATION TO
SENATE TAXATION COMMITTEE ON S.B. 65

MY NAME IS DAVID CONOVER. I AM DIRECTOR OF MEMBER RELATIONS FOR THE NEVADA FARM BUREAU FEDERATION.

THE NEVADA FARM BUREAU, WITH SOME 4,000 MEMBERS STATEWIDE, IS A VOLUNTARY ORGANIZATION OF FARM AND RANCH FAMILIES UNITED FOR THE PURPOSE OF ANALYZING THEIR PROBLEMS AND FORMULATING ACTION TO SOLVE THESE PROBLEMS.

DURING A RECENT ANNUAL MEETING OF THE NEVADA FARM BUREAU, VOTING DELEGATES REPRESENTING COUNTY FARM BUREAUS, AFFIRMED PREVIOUSLY DEVELOPED POLICY WHICH STATES, "WE URGE THE REMOVAL OF SALES TAX FROM AGRICULTURAL CHEMICALS, PARTICULARLY INSECTICIDES AND HERBICIDES, AS THESE ITEMS ARE AS NECESSARY FOR THE PRODUCTION OF AGRICULTURAL COMMODITIES AS OTHER TAX FREE ITEMS."

WE BELIEVE THE INTENT OF THE CURRENT EXEMPTION FROM THE SALES AND USE TAX FOR ALL FORMS OF LIVESTOCK, ANIMAL FEEDS, SEEDS, PLANTS AND FERTILIZERS WAS TO EXEMPT ESSENTIAL ITEMS IN THE PRODUCTION OF LIVESTOCK AND CROPS WHICH ARE INTENDED FOR HUMAN CONSUMPTION OR THEIR PRODUCTS ARE INTENDED FORM HUMAN CONSUMPTION.

WE FEEL THAT AGRICULTURAL CHEMICALS, SUCH AS INSECTICIDES AND HERBICIDES ARE ESSENTIAL IN THE PRODUCTION OF GOOD, HEALTHY CROPS. THEREFORE, WE SUPPORT S.B. 65 AND ENCOURAGE YOU TO GIVE IT A "DO PASS" RECOMMENDATION.

THANK-YOU FOR THE OPPORTUNITY TO EXPRESS THE VIEWS OF THE NEVADA FARM BUREAU ON THIS MATTER.

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TESTIMONY GIVEN BEFORE NEVADA TAXATION COMMITTEE ON SENATE BILL SB-65

February 8, 1979

Mr. Chairman and Members of the Committee:

My name is Vernal Swenson of Winnemucca, Nevada, Manager of The R.T. French Company potato processing plant. I am here in support of Senate Bill 65 that provides for submission at the next general election of the question proposing exemption of agricultural insecticides and herbicides from the Sales and Use Tax Act.

Although the exemption of agricultural insecticides and herbicides does not have a direct tax relief on our Company, it can effect the operation indirectly. I would like to give a few reasons why it is felt there is justification for inclusion of these materials.

1. Agriculture has an ever increasing importance to our state of Nevada and is a very substantial contributor to the economy of the State. Agriculture is a troubled industry and particularly the small farm operations have a high mortality rate. Every effort to relieve agriculture of unnecessary and unfair tax burdens as added costs will help to sustain private ownership and continue to allow the favorable food prices for the consumer.
2. The agricultural products of the state of Nevada must compete with major producers from other states. Idaho, Washington, Oregon and Utah, major agricultural product competitors, exempt these chemicals from the Sales Tax.

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3. If the farmer and rancher in the state can not produce competitively, then it will effect our operation. We can not afford to pay higher prices for our potato supply than processors in surrounding states because our business is also very competitive. With the small margins normally experienced in agriculture products and processing, this item would be significant.

There are many other reasons for giving this Bill favorable consideration and I'm sure most of these have been considered or addressed. Your recognition of the disparity and efforts to exempt these chemicals is appreciated.