

Senate Committee on.....

Date: Tues. 3/13/79

Page: One

PRESENT: Chairman Norman Glaser  
 Senator Carl Dodge  
 Senator William Raggio  
 Senator Don Ashworth  
 Senator James Kosinski

Mr. Ed Shorr, Fiscal  
 Analyst

ABSENT: Senator Floyd Lamb - Excused  
 Senator Mike Sloan - Excused

GUESTS: Mr. Gregg Damm, Lambda Chi Alpha Fraternity  
 Mr. Roy Nickson, Department of Taxation  
 Assemblyman Robert Robinson, A.J.R. 9  
 Mr. Gary Milliken, Clark County Assessor's Office  
 Mr. Marvin Leavitt, City of Las Vegas  
 Mr. Ernest Newton, Nevada Taxpayer's Association  
 Mr. Joe Brown, Nevada Catholic Welfare for Clark County  
 Assemblyman Robert Price, A.B. 250

The meeting was opened at 2:10 p.m. on Tuesday, March 13, 1979, in Room 213, with Senator Norman Glaser in the Chair.

A.B. 55

Mr. Gregg Damm, Lambda Chi Alpha Fraternity alumni advisor, U.N.R. campus, said that his organization supports A.B. 55.

Senator Ashworth asked what NRS 361.100 covered? Mr. Roy Nickson, Department of Taxation, answered this is the statute that covers the time for claiming exemptions on real property.

Chairman Glaser asked in regards to Line 8, Page Two of the bill, who is responsible to guarantee that the change in ownership will be reported? Mr. Damm said that it would be the governing body of the organization to notify the county tax assessor of a change in ownership.

Mr. Damm said to Senator Ashworth that his particular fraternity had strict rules as to who could live in the house. Senator Ashworth said that he asked because this would present a problem if a certain percentage of the individuals housed in the organization were not actually members.

Senators Kosinski and Ashworth questioned the wording of Lines 9 through 11 of Page One of A.B. 55. The Senators felt that if the owner/operator of the fraternity or sorority changed, then perhaps the organization may no longer be eligible for the exemption, and the wording, "No county assessor may demand that a further claim....", is too limiting.

Mr. Nickson said that the language in Lines 9 through 11 was taken from the law regarding churches and chapels.

A.J.R. 9 (59th Session)

Assemblyman Robert Robinson said that this resolution should not be considered as a loss in revenue, because there wasn't property taxation on utility property until it was mandated that pollution control devices be utilized, and this was not the purpose of the mandate, as the real purpose was to clean up the air.

Senator Kosinski asked what the tax implications would be on this resolution. Assemblyman Robinson said that the 59th Session did not know to what extent the legislation would be applied, but he hoped this would be incentive for development of new industry.

The Committee discussed the wording on Page Two, Lines 9 through 17 and questioned the effectiveness of the statement.

A.B. 250

Chairman Glaser said that it was necessary to expedite this legislation in order that the Department of Taxation may proceed with processing the Senior Citizen's Program. Mr. Roy Nickson, Department of Taxation, stated that he has not processed the property tax exemption forms because he wished them to be in accord with the most current statute.

Senator Raggio asked how a rebate on taxes can be justified, when the individual no longer owns the property (Page 2, Lines 6 through 9)? The Senator stated that conveyance of property by seniors to their children is usually done to qualify for welfare assistance. Senator Dodge stated that if conveyance is done to avoid probate, this can better be accomplished by joint tenancy ownership. Senator Raggio said that the senior does not owe the property tax if he/she isn't an owner.

Mr. Gary Milliken, Clark County Assessor's Office, said that seniors have already been receiving the exemption even though the property is in someone else's name as long as they have paid the taxes. Mr. Milliken said that the Department of Taxation felt that the practice should be written into the law.

S.B. 297

Chairman Glaser asked if there were any individual's who wished to testify on Senate Bill 297? There was no response.



S.B. 297 (Cont.)

Chairman Glaser said that he will contact Senator Spike Wilson and see if he can testify as to the intent of the bill.

S.B. 160 (Administrative Hearing)

Senator Kosinski stated that when this bill had been previously heard, the Committee had discussed establishing an "offset" tax.

Mr. Ed Shorr, Fiscal Analyst, said that there had been previous testimony in regards to the utility franchise tax that reverts to the schools, and this tax is separate from this legislation.

Senators Raggio and Dodge felt that language could be drafted which takes the present level of revenue, and limit the revenue to that level and adjust the rate downward based on the use and price escalation.

The Committee decided to hold further action on this bill until research on a possible "cap" could be completed.

S.B. 161 (Administrative Hearing) - Exhibit "A"

Mr. Milliken stated that an annual filing allows for an accurate update of how the exemption is being used by the veterans.

Senator Raggio asked if the assessors could develop a form that could be mailed to the veterans? Mr. Milliken said that California has a system similar to that, but the major expense would be in the cost of the mailing, as in Clark County alone there are 15,500 veterans.

Mr. Ernest Newton, Nevada Taxpayer's Association, said that he knows of one state that sends the notice for filing with the tax bill.

The Committee decided that an amendment could be drafted to direct the Treasurer's to send such a filing statement with the tax bill, and this statement would be compared to the original signature card on file in the county assessor's office.

Senator Don Ashworth moved that Senate Bill No. 161, should be amended to require that county treasurers send out a statement to veterans, widows and the totally blind with their June tax bills which states that the individuals should come into the county assessor's office to sign for the tax exemption by August 1.

Senator Kosinski seconded the motion.

The motion carried. (Senators Sloan and Lamb - Absent)

A.B. 55 - Exhibit "B"

Senator Don Ashworth moved "Do Pass" on Assembly Bill No. 55.

Senator Raggio seconded the motion.

The motion carried. Senator Kosinski voted "No".  
(Senators Sloan and Lamb - Absent)

S.B. 161 (Continued)

Senator Don Ashworth moved amend and "Do Pass" on Senate Bill No. 161.

Senator Kosinski seconded the motion.

The motion carried. (Senators Sloan and Lamb - Absent)

S.B. 162 - Exhibit "C"

Mr. Joe Brown, Chairman-Elect of the Nevada Catholic Welfare Bureau in Clark County, stated that his organization is joining with the Las Vegas Housing Authority in providing Senior Citizen' housing. Mr. Brown said that part of the funding for this project is through H.U.D., and the counsel for H.U.D. felt the passage of Senate Bill No. 162 was critical to obtain the funding.

Senator Dodge felt that Sub-Section 2 of Section 1, Page One of Senate Bill 162 should be removed.

Senator Dodge moved amend Senate Bill 162 by deleting Sub-Section 2 of Section 1, Page One, and "Do Pass, as amended".

Senator Raggio seconded the motion.

The motion carried. Senator Kosinski voted "No".  
(Senators Sloan and Lamb - Absent)

S.B. 226 - Exhibit "D"

Senator Don Ashworth moved "Do Pass" on Senate Bill No. 226.

Senator Kosinski seconded the motion.

The motion carried. (Senators Sloan and Lamb - Absent)

A.B. 250 (Cont.)

Assemblyman Robert Price said in regards to Page Two, Lines

(Committee Minutes)

A.B. 250 (Cont.)

6 through 9, that his Committee had heard testimony from the Clark County Assessor's Office that this conveyance of ownership was done primarily to avoid probate. Assemblyman Price said that allowance has been made for these individuals in the past, and this bill was merely to put into law what is already being practiced.

Senators Ashworth and Dodge felt that if investigated, it would evolve that most of the claimants in that category had conveyed their property for reasons other than probate.

Assemblyman Price said that he wouldn't want to deny this allowance to elderly individuals who had been previously receiving it.

A.J.R. 7 (Administrative Hearing) - Exhibit "E"

Senator Don Ashworth moved "Do Pass" on Assembly Joint Resolution No. 7 of the 59th Session.

Senator Raggio seconded the motion.

The motion carried.

(Senators Kosinski, Sloan and Lamb - Absent)

A.B. 250 - Exhibit "F"

Senator Dodge moved for "Indefinite Postponement" on Assembly Bill No. 250.

Senator Raggio seconded the motion.

The motion carried. (Senators Sloan and Lamb - Absent)

There being no further business, the meeting was adjourned at 4:30 p.m.

Sheba L. Frost  
Respectfully Submitted By:  
Sheba L. Frost, Secretary

Norman Glaser  
Approved By: Senator Norman Glaser,  
Chairman



**S. B. 161****SENATE BILL NO. 161—COMMITTEE ON TAXATION**

JANUARY 31, 1979

**Referred to Committee on Taxation****SUMMARY**—Eliminates annual filing requirement for certain tax exemptions. (BDR 32-271)**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State or Industrial Insurance: No.**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to taxation; eliminating the requirement for annual filing for certain tax exemptions for veterans; requiring notification of change of exempt status; providing a penalty; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. NRS 361.090 is hereby amended to read as follows:  
 2 361.090 1. The property, to the extent of \$1,000 assessed valuation,  
 3 of any actual bona fide resident of the State of Nevada who:  
 4 (a) Was such a resident for a period of more than 3 years before  
 5 December 31, 1963, or who was such a resident at the time of his [or  
 6 her] entry into the Armed Forces of the United States, who has served  
 7 a minimum of 90 days on active duty, who was assigned to active duty  
 8 at some time between April 21, 1898, and June 15, 1903, or between  
 9 April 6, 1917, and November 11, 1918, or between December 7, 1941,  
 10 and December 31, 1946, or between June 25, 1950, and January 31,  
 11 1955; or  
 12 (b) Was such a resident at the time of his [or her] entry into the  
 13 Armed Forces of the United States, who has served a minimum of 90  
 14 continuous days on active duty none of which was for training purposes,  
 15 who was assigned to active duty at some time between January 1, 1961,  
 16 and May 7, 1975,  
 17 and who received, upon severance from service, an honorable discharge  
 18 or certificate of satisfactory service from the Armed Forces of the United  
 19 States, or who, having so served, is still serving in the Armed Forces  
 20 of the United States, is exempt from taxation.  
 21 2. For the purpose of this section the first \$1,000 assessed valuation  
 22 of property in which such person has any interest shall be deemed the  
 23 property of that person.



A. B. 55

ASSEMBLY BILL NO. 55—COMMITTEE ON TAXATION

JANUARY 16, 1979

Referred to Committee on Taxation

SUMMARY—Abolishes annual claim of exemption for fraternities and sororities. (BDR 32-506)

FISCAL NOTE: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to property taxation; abolishing the requirement of an annual claim of exemption for fraternities and sororities at the University of Nevada from the property tax; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 361.100 is hereby amended to read as follows:
- 2 361.100 1. All real property owned by any fraternity or sorority,
- 3 or chapter thereof, [when the same] which is composed of students of
- 4 the University of Nevada, Reno, or the University of Nevada, Las Vegas,
- 5 and used as a home for its members [ , shall be] is exempt from taxation.
- 6 2. After an initial claim for a tax exemption authorized by sub-
- 7 section 1 has been filed as provided in NRS 361.155, no further claim
- 8 for the tax exemption need be filed by any claimant with the county
- 9 assessor. No county assessor may demand that a further claim for such
- 10 a tax exemption be filed with him as a condition precedent to his allow-
- 11 ing the exemption.
- 12 3. Whenever any exempt property is sold or ceases to be exempt
- 13 from taxation by reason of the provisions of subsection 1 of NRS 361.-
- 14 157 or 361.159, the owner thereof shall forthwith notify the county
- 15 assessor of such fact.
- 16 SEC. 2. NRS 361.125 is hereby amended to read as follows:
- 17 361.125 1. Churches, chapels, other than marriage chapels, and
- 18 other buildings used for religious worship, with their furniture and equip-
- 19 ment, and the lots of ground on which they stand, used therewith and
- 20 necessary thereto, owned by some recognized religious society or cor-
- 21 poration, and parsonages so owned, [shall be] are exempt from taxation;
- 22 but when any such property is used exclusively or in part for any other
- 23 than church purposes, and a rent or other valuable consideration is
- 24 received for its use, the [same shall] property must be taxed.

Original bill is 2 pages long. Contact the Research Library for a copy of the complete bill.



S. B. 162

SENATE BILL NO. 162—COMMITTEE ON TAXATION

JANUARY 31, 1979

Referred to Committee on Taxation

SUMMARY—Exempts housing for elderly operated by nonprofit corporations from property tax. (BDR 32-267)

FISCAL NOTE: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes.

EXPLANATION—Matter in italics is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to the property tax; exempting certain housing for the elderly operated by nonprofit corporations from the tax; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 361 of NRS is hereby amended by adding
- 2 thereto a new section which shall read as follows:
- 3 1. All real property and tangible personal property used exclusively
- 4 for housing and related facilities for elderly persons are exempt from
- 5 taxation if:
- 6 (a) The property was wholly or partially financed by a loan under
- 7 the Housing Act of 1959, as amended, 12 U.S.C. § 1701q; and
- 8 (b) The property is operated:
- 9 (1) By a nonprofit corporation organized under the laws of the State
- 10 of Nevada; or
- 11 (2) By a nonprofit corporation organized under the laws of another
- 12 state and qualified to do business as a nonprofit corporation under the
- 13 laws of the State of Nevada.
- 14 2. All intangible property, including money, notes and other evi-
- 15 dences of debt, and the income from such money and debts, which is
- 16 used only for the purpose of providing housing to the elderly and which
- 17 belongs exclusively to a nonprofit corporation qualifying for the tax
- 18 exemption in subsection 1 of this section, is exempt from taxation.



**S. B. 226**

**SENATE BILL NO. 226—SENATOR JACOBSEN**

**FEBRUARY 13, 1979**

**Referred to Committee on Taxation**

**SUMMARY—Relaxes limitation on use of Douglas County Lodgers Tax.  
(BDR S-833)**

**FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.**



**EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.**

**AN ACT** to amend an act entitled "An Act relating to Douglas County; authorizing the county to levy, collect and otherwise administer lodgers occupancy taxes; providing for exemptions thereto, the collection of delinquencies, penalties, the purposes for which such tax proceeds may be expended, and other details pertaining thereto; providing for airport facilities, for recreational facilities and for the issuance of bonds and other securities by the county in connection with airport facilities; providing for the creation of a commission relating to airport facilities, recreational facilities or such combined facilities, the procedure to be followed in the organization and reorganization, and the composition, powers and duties of such commission, providing civil and criminal penalties; otherwise providing powers, rights, privileges, immunities, liabilities, duties, disabilities and other details in connection therewith; and providing other matters properly relating thereto," approved April 28, 1969.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

**SECTION 1.** Section 34 of the above-entitled act, being chapter 639, Statutes of Nevada 1969, at page 1255, is hereby amended to read as follows:

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**Sec. 34. Use of tax proceeds.** 1. Subject to the provisions of section 35 of this act, the municipality may use the proceeds of its occupancy tax, if any, at any time or from time to time, as the governing body may determine, but subject to any contractual limitations pertaining to such tax proceeds, to defray costs of:

(a) The collection and other administration of the occupancy tax;

(b) The planning, establishment, acquisition, improvement, equipment, repair, operation and maintenance (or any combination thereof) of:

- (1) Municipal airport facilities; or
- (2) Municipal recreational facilities; or
- (3) Combined facilities;

Original bill is 2 pages long.  
Contact the Research Library for  
a copy of the complete bill.





**A. J. R. 7 of the 59th Session**

**ASSEMBLY JOINT RESOLUTION NO. 7—ASSEMBLYMEN HARMON, MELLO, DEMERS, WEISE, DINI AND SCHOFIELD**

JANUARY 18, 1977

Referred to Committee on Taxation

**SUMMARY**—Proposes constitutional amendment to permit property tax exemption for conservation of energy. (BDR C-78)

**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

**ASSEMBLY JOINT RESOLUTION**—Proposing an amendment to section 1 of article 10 of the constitution of the State of Nevada, relating to taxation, by permitting a property tax exemption for the conservation of energy by using nonfossil resources.

1 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*  
2 That section 1 of article 10 of the constitution of the State of Nevada be  
3 amended to read as follows:  
4 Section 1. The legislature shall provide by law for a uniform and  
5 equal rate of assessment and taxation, and shall prescribe such regula-  
6 tions as shall secure a just valuation for taxation of all property, real,  
7 personal and possessory, except mines and mining claims, when not  
8 patented, the proceeds alone of which shall be assessed and taxed, and  
9 when patented, each patented mine shall be assessed at not less than five  
10 hundred dollars (\$500), except when one hundred dollars (\$100) in  
11 labor has been actually performed on such patented mine during the  
12 year, in addition to the tax upon the net proceeds; shares of stock  
13 (except shares of stock in banking corporations), bonds, mortgages,  
14 notes, bank deposits, book accounts and credits, and securities and  
15 choses in action of like character are deemed to represent interest in  
16 property already assessed and taxed, either in Nevada or elsewhere, and  
17 shall be exempt. [Notwithstanding the provisions of this section, the]  
18 *The legislature may constitute agricultural and open-space real property*  
19 *having a greater value for another use than that for which it is being*  
20 *used, as a separate class for taxation purposes and may provide a sepa-*  
21 *rate uniform plan for appraisal and valuation of such property for*  
22 *assessment purposes. If such plan is provided, the legislature shall also*  
23 *provide for retroactive assessment for a period of not less than 7 years*  
24 *when agricultural and open-space real property is converted to a higher*  
25 *use conforming to the use for which other nearby property is used. Per-*  
26 *sonal property which is moving in interstate commerce through or over*  
27 *the territory of the State of Nevada, or which was consigned to a ware-*  
28 *house, public or private, within the State of Nevada from outside the*

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ASSEMBLY BILL NO. 250

**A. B. 250**

**ASSEMBLY BILL NO. 250—COMMITTEE ON TAXATION**

FEBRUARY 1, 1979

Referred to Committee on Taxation

**SUMMARY**—Increases certain allowances to elderly for payment of property tax. (BDR 32-1247)

**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: Yes.

**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to the property tax; increasing the range of income within which the elderly may be eligible for an allowance against tax; increasing the maximum allowance; broadening permissible eligibility for benefits; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. NRS 361.825 is hereby amended to read as follows:
- 2 361.825 "Property taxes accrued" means property taxes (exclusive
- 3 of special assessments, delinquent taxes and interest) levied on a claimant's
- 4 home in this state which are due and payable during July, immediately
- 5 succeeding the date of filing of a claim. If a home is owned by two
- 6 or more persons or entities as joint tenants or tenants in common and
- 7 one or more persons or entities are not members of the claimant's household,
- 8 property taxes accrued is that part of the property taxes levied on
- 9 the home which reflects the [ownership] percentage of the *residential*
- 10 *space occupied by the* claimant and his household.
- 11 SEC. 2. NRS 361.873 is hereby amended to read as follows:
- 12 361.873 1. The department is responsible for the overall administration
- 13 of the Senior Citizens' Property Tax Assistance Act.
- 14 2. The department may:
- 15 (a) Specify by regulation any other kind of income for the purpose of
- 16 NRS 361.823.
- 17 (b) Prescribe the content and form of claims and approve any form
- 18 used by a county assessor.
- 19 (c) Designate the kind of proof to be required for substantiation of
- 20 claims.
- 21 (d) Establish criteria for determining when a claim may be filed by
- 22 one of two eligible spouses without the consent of the other.

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