

PRESENT: Chairman Norman Glaser
 Vice-Chairman Floyd Lamb
 Senator Carl Dodge
 Senator Don Ashworth
 Senator William Raggio
 Senator James Kosinski Mr. Ed Shorr, Fiscal Analyst

ABSENT: Senator Mike Sloan

GUESTS: Assemblyman Robert Weise, A.J.R. 15
 Mr. Gene Milligan, Nevada Association of Realtors
 Assemblyman John Marvel, A.B. 405
 Ms. Mimi Rodden, Historic Preservation
 Mr. Gary Milliken, Clark County Assessor's Office
 Mr. Frank Daykin, Legal Counsel, Legislative Counsel Bureau
 Dr. Marvin Picollo, Washoe County Sch. District Superintendent
 Mr. Doug Sever, Nevada State Department of Education
 Mr. Ed Greer, Clark County School District
 Mr. Bill Andrews, Nv. State Department of Taxation
 Assemblyman Robert Robinson, A.J.R. 19
 Mr. Tom Susich, Deputy District Attorney of Douglas County

The meeting was called to order on Thursday, March 22, 1979, at 2:05 p.m. in Room 213, with Senator Norman Glaser in the Chair.

A.J.R. 15

"Proposes to amend Nevada constitution by reducing 7-year requirement for retroactive assessment of agricultural and open-space property for property tax purposes."

Assemblyman Robert Weise stated that A.J.R. 15 reduces the 7-year period on greenbelt and open-space to 4 years. The Assemblyman said that testimony had been received in the Assembly Taxation Committee which demonstrated that the 7-year period was almost "punitive" as individuals in urban counties are keeping their properties in the greenbelt areas and if the properties converted there would be major back taxes and estate taxes. Assemblyman Weise said to Senator Kosinski that a problem in Washoe County is that the properties have been zoned under the Reno City master plan for high density development and yet there isn't sewer capacity, and there isn't any real development potential until this is solved. However, he continued, the land is being assessed at this higher rate of multiple family, and the owners cannot sell the property at the current assessment value.

Mr. Gene Milligan, Nevada Association of Realtors, stated that his association supports A.J.R. 15 and endorse the statements made by Assemblyman Weise.

Senator Kosinski said that he does not understand the use of the term "punitive" because the owner is receiving a tax benefit from at least one year on, and there is differentiation. Mr. Milligan said that the Association felt that it was difficult on the owner to "reach back" seven years for back taxes.

A.B. 405

"Specifies state agency which may designate sites as historic for purposes of property taxation."

Assemblyman John Marvel and Ms. Mimi Rodden spoke in behalf of this legislation. Ms. Rodden, Nevada State Historic Preservation and Archeology, said that this bill allows one agency to designate historic properties for tax purposes.

Senators Kosinski and Raggio expressed concern that the Historic Preservation and Archeology Department would be involved in the designation of "open-space" in Nevada. Ms. Rodden said that this bill did not allow her Department that authority, but merely allowed the Department to designate what is "historic."

S.B. 161 - Amendment #342 - Exhibit "A"

Chairman Glaser distributed copies of the Amendment #342, and asked the Committee for further consideration:

Senator Lamb moved adoption of Amendment #342 for Senate Bill No. 161.

Senator Kosinski seconded the motion.

The motion carried. (Senator Sloan - Absent)

Senator Lamb moved amend and "Do Pass" on Senate Bill No. 161, (Exhibit "B")

Senator Don Ashworth seconded the motion.

The motion carried. (Senator Sloan - Absent)

S.B. 204 - Amendment #360 - Exhibit "C"

Senator Dodge asked Mr. Gary Milliken what would be involved with implementing Sub-Section 2 of Section 5. Mr. Milliken said that the allowance form could have a section whereby the owner would declare the length of time for ownership and maintenance.

Mr. Frank Daykin said that the new language in Sub-Section 3 of the Amendment on Page One was in response to Senator Close's observance that an individual's ownership of a home may be held in trust, and the allotment of the allowance

S.B. 204 (Cont.)

should be designated specifically to the "trustee".

Mr. Daykin continued to explain Amendment #360, and the Committee members posed questions.

Mr. Daykin said to Senator Don Ashworth that (in regards to Sec. 16.5, Page 8 of S.B. 204), "county fair and recreation board is a generic term under the general law...and to the extent that they are collecting room taxes they will need to be removed...."

Mr. Daykin stated the majority of the new wording on the Amendment begins after Section 17.5 of S.B. 204, and it deals with limiting the school districts in terms of the revenue from the 80¢ property tax.

Senator Ashworth said in reference to Sub-Section 1 of Section 17.7 of S.B. 204 that more growth than is necessary will be calculated on the CPI for the month of November because growth for 1978-79 has already been included. Mr. Daykin said the year for the CPI is 1976-77, as Mr. Ed Shorr felt the middle year would represent the best average figure; however, Mr. Daykin added, more precision could be achieved if each figure was multiplied by the relevant assessment.

Senator Dodge asked Chairman Glaser how the Committee could be expected to act on an amendment that hasn't had any prior consideration by the members. Senator Kosinski said that the amendment was drawn up by Senator Glaser as a response to the questions asked on the Senate floor in "Committee of the Whole".

Senator Dodge said that the figures used in Sections 17.7 and 17.8 relate to the .80¢ optional tax, but do not relate to any other total figures.

Senator Kosinski asked Mr. Shorr if this section proposed to merely "cap" the 80¢ optional, and the Distributive School Fund would be dealt with as a budget item in the money committees? Mr. Shorr answered that the 80¢ is outside of the Distributive School Fund. Mr. Shorr also said that the tentative budgets for the school districts would have to reflect a reduction where the formula required and this would be on file prior to any action on the Distributive School Fund.

A.J.R. 7 (59th Session)

Mr. Frank Daykin, Legal Counsel, said that this appears to read for the conservation of energy using non-fossil resources, which means that a tax exemption would be allowed for a machine which more effectively uses alcohol made from grain as a motor fuel. Mr. Daykin also said that if this

A.J.R. 7 (Cont.)

engine used alcohol made from grain instead of using gasoline, that would be termed as saving gasoline which isn't using a non-fossil resource, and wouldn't qualify for an exemption. Mr. Daykin added that this type of legislation gives the Counsel Bureau "nightmares", and he stated to Senator Dodge that he felt there wasn't any way to correct the language, and the best solution was to draft a new resolution.

Senator Raggio moved to rescind the Committee's previous action on A.J.R. 7 of "Do Pass", and "Indefinitely Postpone" the resolution.

Senator Kosinski seconded the motion.

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

Senator Raggio moved that a new resolution be drafted which states that energy should be conserved through the use of non-fossil resources of energy.

Senator Kosinski seconded the motion.

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

S.B. 204 - Amendment #360 (Cont.)

Senator Kosinski asked if the amount of reduction is subtracted from the tentative general fund figure in order to achieve the impact of the "cap" on the school districts? Mr. Shorr said yes. (Exhibit "D")

Senator Dodge stated that this amendment doesn't show what the net effect for this year is going to be, and he needs to know those figures before he can decide to support the amendment. Dr. Marvin Picollo, Washoe County School District, stated that he has some of those figures at this time.

Dr. Picollo said that he had just seen Amendment #360 this morning and he had some thoughts about it "conceptually". Dr. Picollo said that statewide the original "cap" in S.B. 204 would have cut-back 10% from a budget, and the "cap" in Amendment #360 would cut-back 2.4%.

Mr. Doug Sever, Nevada State Department of Education, said that their work-up shows the planned expenditures which represents the total budget for the school districts' request. Mr. Sever said that tentative budgets only, do not

include new revenue. Mr. Sever said they took the tentative budget planned expenditures, including opening balances for this year, added 8% new money which is recommended by the Governor, which is a statewide total of \$271 million; and the present "cap" in S.B. 204 has a total of \$243 million (\$27 million difference). Senator Dodge said that it needed to be kept in context the difference between a reduction in a tentative budget for this year, and what increases there will be over the preceding year.

Dr. Picollo said that they would work-up figures using either all tentative budgets or all budgets with the Governor's recommendations included.

It was decided that the school district representatives would return on Tuesday, March 27, 1979, to present their final figures.

A.B. 32

"Removes provision for interest on penalties and costs on delinquent property taxes."

Mr. Bill Andrews, Department of Taxation, said that his department was asked to provide the fiscal impact if the interest were removed from the penalty and costs of delinquent taxes. Mr. Andrews said that in contacting some of the county treasurers, and Clark County indicated a \$30,000 loss annually; Douglas County indicated \$3,000 to \$4,000 loss annually and Washoe County indicated \$13,500 as their loss.

The Committee decided to wait for further information from the Assembly Taxation committee members in order to understand the reasoning for processing the legislation.

A.J.R. 19

Assemblyman Robert Robinson said that this resolution is the duplicate of A.J.R. 2, and includes only one change on Page Two, Line 16. The Assemblyman said that this change is dealing with the constitution's referral to properties that are exempt from taxation by including, "income".

Assemblyman Robinson said that his motivation was that he has always pledged to his constituents that he would never support an income tax, and he felt this would assist in Nevada's attraction for new residents.

S.B. 163

Mr. Tom Susich, Deputy District Attorney of Douglas County, said that at the last hearing on S.B. 163, the Committee had requested that Mr. Susich provide proposed language amending the bill to assist in the problem of excess proceeds after tax sales, (see Exhibit "E").

S.B. 163 (Cont.)

Mr. Susich said that the proposed changes are in italics on Page Two of his handout (Exhibit "E"). He also added that in order to clarify the term "balance", in Section 4, it should read, "the trustee shall pay into the general fund of the county \$300 or 10% of the excess proceeds,...."

Senator Dodge moved to draft an amendment in accord with Mr. Susich's suggestions for Senate Bill No. 163.

Senator Don Ashworth seconded the motion.

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

There being no further business, the meeting was adjourned.

Sheba L. Frost

Respectfully Submitted By:
Sheba L. Frost, Secretary

Norman Glaser
Approved By: Senator Norman Glaser,
Chairman

1979 REGULAR SESSION (60TH)

ASSEMBLY ACTION		SENATE ACTION		Senate		AMENDMENT BLANK	
Adopted	<input type="checkbox"/>	Adopted	<input type="checkbox"/>	AMENDMENTS to		Senate	
Lost	<input type="checkbox"/>	Lost	<input type="checkbox"/>	Bill No.		161 Joint Resolution No.	
Date:		Date:		BDR		32-271	
Initial:		Initial:		Proposed by		Committee on Taxation	
Concurred in	<input type="checkbox"/>	Concurred in	<input type="checkbox"/>				
Not concurred in	<input type="checkbox"/>	Not concurred in	<input type="checkbox"/>				
Date:		Date:					
Initial:		Initial:					

Amendment No 342

Amend section 1, page 2, line 1, by deleting the bracket.

Amend section 1, page 2, by deleting lines 7 and 8 and inserting:
"that the affiant".

Amend section 1, page 2, line 9, by deleting "he".

Amend section 1, page 2, line 12, by deleting the bracket.

Amend section 1, page 2, line 19, by deleting "6.] 4." and inserting "6."

Amend section 1, page 2, line 25, by deleting "[7.] 5." and inserting "7."

Amend section 2, page 2, line 45, by deleting the bracket.

Amend section 2, page 3, by deleting lines 2 and 3 and inserting:
"the affiant is".

Amend section 2, page 3, line 7, by deleting "[5.] 4." and inserting "5."

E & E
LCB File
Journal
Engrossment-
Bill

Date 3-21-79 Drafted by DS:sl

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Amendment No. 342 to Senate Bill No. 161 (BDR 32-271) Page 2

Amend section 2, page 3, line 20, by deleting "[6.] 5." and inserting "6."

Amend section 2, page 3, line 22, by deleting "[7.] 6." and inserting "7."

Amend section 3, page 3, by deleting lines 35 and 36 and inserting:

"1. All claims made for the purpose of being exempt on:

(a) The secured".

Amend section 3, page 3, line 37, by deleting "shall" and inserting "must".

Amend section 3, page 3, by deleting line 39 and inserting:

"(b) The unsecured".

Amend section 3, page 3, line 40, by deleting "shall" and inserting "must".

Amend section 3, page 3, by deleting lines 42 through 47.

Amend section 3, page 3, line 48, by deleting "3." and inserting "2.".

Amend section 3, page 3, line 49, by deleting "shall" and inserting "must".

Amend section 4, page 4, by deleting lines 5 through 16 and inserting:

"The county treasurer shall include with each tax bill sent to a person who claims an exemption pursuant to NRS 361.080, 361.090 or 361.091 a notice advising him of the requirement to file an affidavit in order to maintain the exemption."

Amend section 5, page 4, line 40, by deleting "for the first time in the county".

Amend section 5, page 4, line 41, by deleting the brackets.

Amend section 5, page 4, line 46, by deleting the bracket.

Amend section 5, page 5, line 3, by deleting the bracket.

Amend section 5, page 5, line 8, by deleting "[6.] 5." and inserting "6."

Amend section 6, page 5, line 24, by deleting "for the first time in the county".

Amend section 6, page 5, line 25, by deleting the brackets.

Amend section 7, page 5, line 48, by deleting "[Claims" and inserting "1. Claims".

Amend section 7, page 5, line 49, by deleting "shall" and inserting "[shall] must".

Amend section 7, page 6, line 3, by deleting the bracket.

Amend section 7, page 6, by deleting lines 4 through 12.

Amend section 7, page 6, line 13, by deleting "3. Any exemption provided for in this section shall" and inserting:

"2. An exemption provided for in this section must".

Amend the bill as a whole by adding a new section designated section 8, following section 7, to read as follows:

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Amendment No. 342 to Senate Bill No. 161 (BDR 32-271) Page 4

"Sec. 8. Chapter 371 of NRS is hereby amended by adding thereto a new section which shall read as follows:

The department or its agent shall include with each form for renewal of registration which it provides to a person who claimed an exemption pursuant to NRS 371.103 or 371.104 at the time the vehicle was registered or the registration was last renewed a notice advising him of the requirements for maintaining the exemption."

Amend the title of the bill to read as follows:

"AN ACT relating to taxation; requiring notice to veterans and widows of procedures for renewing exemptions from property taxes and vehicle privilege tax; and providing other matters properly relating thereto."

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.

1 3. [The exemption shall be allowed only to a claimant who files an
2 affidavit annually, on or before the 1st Monday in August, for the pur-
3 pose of being exempt on the tax roll, but the affidavit may be filed at
4 any time by a person claiming exemption from taxation on personal
5 property.

6 4. The affidavit shall be filed with the county assessor to the effect
7 that the affiant] *A person claiming the exemption for the first time in*
8 *the county shall file with the county assessor an affidavit declaring that*
9 *he is an actual bona fide resident of the State of Nevada who meets all*
10 *the other requirements of subsection 1 and that the exemption is claimed*
11 *in no other county within this state.*

12 [5. Persons in actual military service are exempt during the period
13 of such service from filing annual affidavits of exemption and the county
14 assessors shall continue to grant exemption to such persons on the basis
15 of the original affidavits filed. In the case of any person who has entered
16 the military service without having previously made and filed an affidavit
17 of exemption, such affidavit may be filed in his behalf during the period
18 of such service by any person having knowledge of the facts.

19 6.] 4. Before allowing any veteran's exemption pursuant to the
20 provisions of this chapter, the county assessor of each of the several
21 counties of this state shall require proof of status of the veteran, and for
22 that purpose shall require production of an honorable discharge or cer-
23 tificate of satisfactory service or a certified copy thereof, or such other
24 proof of status as may be necessary.

25 [7.] 5. If any person files a false affidavit or produces false proof
26 to the county assessor, and as a result of [such] *the false affidavit or*
27 *false proof a tax exemption is allowed to a person not entitled to [such]*
28 *the exemption, [he or she] the person who files the false affidavit or*
29 *produces the false proof is guilty of a gross misdemeanor.*

30 SEC. 2. NRS 361.091 is hereby amended to read as follows:

31 361.091 1. An actual bona fide resident of the State of Nevada who
32 has incurred a permanent service-connected disability and has been
33 honorably discharged from the Armed Forces of the United States is
34 entitled to a disabled veteran's exemption.

35 2. The amount of exemption shall be based on the total percentage
36 of permanent service-connected disability. The maximum allowable
37 exemption for total permanent disability is the first \$10,000 assessed
38 valuation. A person with a permanent service-connected disability of:

39 (a) Eighty to 99 percent, inclusive, is entitled to a \$7,500 assessed
40 value exemption.

41 (b) Sixty to 79 percent, inclusive, is entitled to a \$5,000 assessed
42 value exemption.

43 For purposes of this section, any property in which an applicant has
44 any interest is deemed to be the property of the applicant.

45 3. [The exemption shall be allowed only to a claimant who has
46 made an affidavit annually, on or before the 1st Monday in August, for
47 the purpose of being exempt on the tax roll; but the affidavit may be
48 made at any time by a person claiming exemption from taxation on
49 personal property.

50 4. The affidavit shall be made before the county assessor or before

1 a notary public and submitted to the county assessor to the effect that
2 the affiant] *A person claiming the exemption for the first time in the*
3 *county shall file with the county assessor an affidavit declaring that he is*
4 *an actual bona fide resident of the State of Nevada [, that he or she]*
5 *who meets all the other requirements of subsection 1, and that [such]*
6 *the exemption is claimed in no other county within this state.*

7 [5.] 4. Before allowing any exemption pursuant to the provisions
8 of this section, the county assessor shall require proof of status of the
9 applicant, and for that purpose shall require an applicant to produce an
10 original or certified copy of:

11 (a) An honorable discharge or other document of honorable separa-
12 tion from the Armed Forces of the United States which indicates the
13 total percentage of permanent service-connected disability;

14 (b) A certificate of satisfactory service which indicates the total per-
15 centage of permanent service-connected disability; or

16 (c) A certificate from the Veterans' Administration that the appli-
17 cant has incurred a permanent service-connected disability which indi-
18 cates the total percentage of that disability, together with an honorable
19 discharge or certificate of satisfactory service.

20 [6.] 5. If a tax exemption is allowed under this section, the
21 claimant is not entitled to an exemption under NRS 361.090.

22 [7.] 6. If any person makes a false affidavit or produces false
23 proof to the county assessor or a notary public, and as a result of [such]
24 the false affidavit or false proof, a tax exemption is allowed to a person
25 not entitled to [such] the exemption, [such] the person who makes the
26 false affidavit or produces the false proof is guilty of a gross misdemeanor.

27 SEC. 3. NRS 361.155 is hereby amended to read as follows:

28 361.155 [All claims for tax exemptions on real property shall be
29 filed on or before the 1st Monday in August of the year for which the
30 exemption is claimed. All exemptions provided for under this chapter
31 apply on a fiscal year basis and any exemption granted under this
32 chapter shall not be in an amount which gives the taxpayer a total
33 exemption greater than that to which he is entitled during any fiscal
34 year.]

35 1. Except as provided in subsection 2:

36 (a) All claims made for the purpose of being exempt on the secured
37 tax roll shall be filed on or before the 1st Monday in August of the
38 year for which the exemption is claimed.

39 (b) All claims made for the purpose of being exempt on the unsecured
40 tax roll shall be filed at any time on or before the date when payment of
41 the tax is due.

42 2. After an initial claim for a tax exemption authorized by NRS
43 361.090 or 361.091 has been filed as provided in subsection 1, no
44 further claim for tax exemption need be filed by any claimant with the
45 county assessor. A county assessor may not demand that a further claim
46 for the tax exemption be filed with him as a condition precedent to
47 allowing the exemption.

48 3. All exemptions provided for in this chapter apply on a fiscal year
49 basis and any exemption allowed under this chapter shall not be in an

1 amount which gives the taxpayer a total exemption greater than that to
2 which he is entitled by law during any fiscal year.

3 SEC. 4. Chapter 361 of NRS is hereby amended by adding thereto a
4 new section which shall read as follows:

5 1. Whenever any property ceases to be exempt from taxation:

6 (a) Under NRS 361.090 or 361.091 because the owner no longer
7 meets the requirements for the exemption provided in those sections; or

8 (b) By reason of the provisions of NRS 361.157 or 361.159,
9 its owner shall immediately notify the county assessor of the fact.

10 2. If a person fails to notify the county assessor as required by sub-
11 section 1 and as a result of his failure is allowed a tax exemption to
12 which he is not entitled, there shall be added to and collected with the
13 tax otherwise due a penalty equal to double the amount of the tax. If the
14 person's failure is fraudulent and results in his receiving a tax exemption
15 to which he is not entitled, the person is also guilty of a gross mis-
16 demeanor.

17 SEC. 5. NRS 371.103 is hereby amended to read as follows:

18 371.103 1. Vehicles, to the extent of \$1,000 determined valuation,
19 registered by any actual bona fide resident of the State of Nevada who:

20 (a) Was such a resident for a period of more than 3 years before
21 December 31, 1963, or who was such a resident at the time of his [or
22 her] entry into the Armed Forces of the United States, who has served
23 a minimum of 90 days on active duty, who was assigned to active duty
24 at some time between April 21, 1898, and June 15, 1903, or between
25 April 6, 1917, and November 11, 1918, or between December 7, 1941,
26 and December 31, 1946, or between June 25, 1950, and January 31,
27 1955; or

28 (b) Was such a resident at the time of his [or her] entry into the
29 Armed Forces of the United States, who has served a minimum of 90
30 continuous days on active duty none of which was for training purposes,
31 who was assigned to active duty at some time between January 1, 1961,
32 and May 7, 1975,

33 and who received, upon severance from service, an honorable discharge
34 or certificate of satisfactory service from the Armed Forces of the
35 United States, or who, having so served, is still serving in the Armed
36 Forces of the United States, are exempt from taxation.

37 2. For the purpose of this section the first \$1,000 determined
38 valuation of vehicles in which such person has any interest shall be
39 deemed to belong to that person.

40 3. A person claiming the exemption for the first time in the county
41 shall file [annually] with the department in the county where the exemp-
42 tion is claimed an affidavit declaring that he is an actual bona fide
43 resident of the State of Nevada who meets all the other requirements
44 of subsection 1, and that the exemption is claimed in no other county
45 within this state.

46 4. [Persons in actual military service are exempt during the period
47 of such service from filing annual affidavits of exemption and the depart-
48 ment shall grant exemption to such persons on the basis of the original
49 affidavits filed. In the case of any person who has entered the military
50 service without have previously made and filed an affidavit of exemption,

1 such affidavit may be filed in his behalf during the period of such service
2 by any person having knowledge of the facts.

3 **5.]** Before allowing any veteran's exemption pursuant to the
4 provisions of this chapter, the department shall require proof of status
5 of the veteran, and for that purpose shall require production of an
6 honorable discharge or certificate of satisfactory service or a certified
7 copy thereof, or such other proof of status as may be necessary.

8 **[6.]** 5. If any person files a false affidavit or produces false proof
9 to the department, and as a result of **[such]** the false affidavit or false
10 proof a tax exemption is allowed to a person not entitled to **[such]** the
11 exemption, **[he]** the person who files the false affidavit or produces the
12 false proof is guilty of a gross misdemeanor.

13 **SEC. 6.** NRS 371.104 is hereby amended to read as follows:

14 **371.104** 1. Vehicles to the extent of \$10,000 determined valuation
15 registered to any actual bona fide resident of the State of Nevada who
16 has incurred a service-connected disability of the kind described in 38
17 U.S.C. § 801 as effective on the date when the exemption is claimed,
18 and has received upon severance from service an honorable discharge
19 or certificate of satisfactory service from the Armed Forces of the United
20 States are exempt from taxation.

21 2. For the purpose of this section, the first \$10,000 determined
22 valuation of vehicles in which such person has any interest shall be
23 deemed to belong entirely to that person.

24 3. A person claiming the exemption *for the first time in the county*
25 shall file **[annually]** with the department in the county where the exemp-
26 tion is claimed an affidavit declaring that he is an actual bona fide
27 resident of the State of Nevada who meets all the other requirements
28 of subsection 1, and that the exemption is claimed in no other county
29 within this state.

30 4. Before allowing any exemption pursuant to the provisions of
31 this section, the department shall require proof of status of the applicant,
32 and for that purpose shall require production of:

33 (a) A certificate from the Veterans' Administration that the applicant
34 has received or is eligible to receive a grant pursuant to 38 U.S.C. ch. 21;
35 and

36 (b) Any one of the following:

37 (1) An honorable discharge;

38 (2) A certificate of satisfactory service; or

39 (3) A certified copy of either of these documents.

40 5. If a tax exemption is allowed under this section, the claimant is
41 not entitled to an exemption under NRS 371.103.

42 6. If any person makes a false affidavit or produces false proof to
43 the department, and as a result of **[such]** the false affidavit or false
44 proof, a tax exemption is allowed to a person not entitled to **[such]** the
45 exemption, **[such]** the person who makes the false affidavit or produces
46 the false proof is guilty of a gross misdemeanor.

47 **SEC. 7.** NRS 371.105 is hereby amended to read as follows:

48 **371.105** **[Claims under NRS 371.101, 371.102, 371.103 or 371.-**
49 **104 for tax exemption on the vehicle privilege tax shall be filed annually**
50 **at any time on or before the date when payment of such tax is due. All**

1 exemptions provided for in this section shall not be in an amount which
2 gives the taxpayer a total exemption greater than that to which he is
3 entitled during any fiscal year.]

4 **1. Claims;**

5 (a) Under NRS 371.101 and 371.102 shall be filed annually;

6 (b) Under NRS 371.103 and 371.104 shall be filed initially,

7 at any time on or before the date when payment of the tax is due.

8 **2.** After an initial claim for a tax exemption authorized by NRS
9 371.103 and 371.104 has been filed as provided in subsection 1, no
10 further claim for tax exemption need be filed with the department. The
11 department may not demand that a further claim for the tax exemption
12 be filed with it as a condition precedent to allowing the exemption.

13 **3.** Any exemption provided for in this section shall not be in an
14 amount which gives the taxpayer a total exemption greater than that to
15 which he is entitled by law during any fiscal year.

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For the purpose of this section, the first \$10,000 determined
valuation of the property in which such person has any interest shall be
deemed to belong to that person.

A person claiming the exemption for the first time in the county
shall file a claim with the department in the county where the exemp-
tion is claimed and shall declare that he is an actual bona fide
resident of the county of Nevada who meets all the other requirements
of this section. If the exemption is claimed in no other county
within the state.

The department, in allowing any exemption pursuant to the provisions of
this section, shall require proof of status of the applicant.

and that other shall require production of:
A certificate from the Veterans Administration that the applicant
has received or is eligible to receive a grant pursuant to 38 U.S.C. ch. 31.

(1) Any one of the following:
(a) Certificate of discharge;

(b) Certificate of satisfactory service; or
(c) Any other copy of either of these documents.

If a tax exemption is allowed under this section, the claimant is
not entitled to an exemption under NRS 371.103.
If any person makes a false affidavit or produces false proof to
the department and as a result of [such] the false affidavit or false
proof a tax exemption is allowed to a person not entitled to [such] the
exemption [such] person who makes the false affidavit or produces
the false proof is guilty of a gross misdemeanor.

Section 371.103 is hereby amended to read as follows:
371.103. Exemption under NRS 371.101, 371.102, 371.103 or 371-
104. Exemption on the vehicle privilege tax shall be filed annually
on any date on or before the date when payment of such tax is due. All

1979 REGULAR SESSION (60TH)

ASSEMBLY ACTION	SENATE ACTION	Senate	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to <u>Senate</u>	
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill No. <u>204</u>	<u>Joint</u> Resolution No.
Date: _____	Date: _____	BDR <u>32-1480</u>	
Initial: _____	Initial: _____	Proposed by <u>Senator Glaser</u>	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>		
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		
Date: _____	Date: _____		
Initial: _____	Initial: _____		

Amendment N^o 360

Consistent with Amendments Nos. 330 and 340

Amend section 5, page 2, by deleting lines 8 through 11 and inserting:

"Sec. 5. 1. A person who owns a home and maintains it as his primary residence is entitled to an allowance against the property tax accrued against that home:"

Amend section 5, page 2, by deleting lines 19 and 20 and inserting:

"2. If a claimant owns the home for only a part of the assessment year, he is entitled to 1/12 of the allowance for each full month of ownership:

3. If a home is owned by a trustee and occupied by a beneficiary of that trust as his primary residence, the trustee is entitled to the allowance provided in this section."

Amend section 16.5, page 7, line 3, after "government" by inserting ", except as a school district,".

Amend section 16.5, page 7, line 7, after "government" by inserting ", except as a school district,".

Amend section 16.5, page 7, line 11 by deleting "or enrollment".

To: E & E
LCB File
Journal
Engrossment
Bill

Date 3-22-79 Drafted by FWD:nl

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Amendment No. 360 to Senate Bill No. 204 (BDR 32-1480) Page 2

Amend section 16.5, page 7, by deleting lines 27 through 32 and inserting:

"4. On or before December 1 of each year, the governor shall certify the percentage of increase or decrease in population for each county and city. Every other local government, except a school district, must use the percentage of increase or decrease in population".

Amend section 16.5, page 7, line 39, after "government" and inserting ", except a school district,".

Amend section 16.5, page 8, line 2, after "fund," by deleting "or".

Amend section 16.5, page 8, line 3, by deleting the period and inserting ", or a fund established by a county fair and recreation board whose revenues consist primarily of license taxes assigned or appropriated for its use.".

Amend the bill as a whole by inserting new sections designated sections 17.7 and 17.8, following section 17.5, to read as follows:

"Sec. 17.7. Chapter 387 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. The amount computed by multiplying .008 times the average assessed valuation of the school district for the assessment years 1975-76, 1976-77 and 1977-78 is the base amount from which the

permissible amount of revenue to be derived from the tax whose levy is authorized by paragraph (b) of subsection 2 of NRS 387.195 must be calculated. The average enrollment in the school district during the school years 1975-76, 1976-77 and 1977-78 is the base enrollment from which changes in enrollment must be calculated. The level of the Consumer Price Index for the month of November in 1976 is the base level from which the percentage of inflation or deflation must be calculated.

2. The board of trustees shall calculate the amount of permissible revenue from the specified tax for a given year as follows:

(a) The base amount is multiplied by the percentage of change in enrollment in the current year from the base enrollment and this product is added to or subtracted from the base amount.

(b) The amount calculated under paragraph (a) is multiplied by the percentage of inflation or deflation in the current year from the base level, and this product is added to or subtracted from the amount calculated under paragraph (a).

(c) If the amount resulting from the calculations under paragraphs (a) and (b) represents a net increase over the base amount, the board of trustees may increase its recommended levy

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accordingly. If the amount represents a net decrease, the board shall decrease its recommended levy accordingly. If the amount is the same as the base amount, the recommended levy must not be increased.

3. The department of taxation shall disapprove any tentative budget of a school district which does not comply with the limitations of subsections 1 and 2.

4. On or before December 1 of each year, the state board of education shall certify the percentage of increase or decrease in enrollment for each school district.

5. The Consumer Price Index published by the United States Department of Labor, for the month of November preceding the fiscal year for which the budget is prepared, must be used in determining the percentage of inflation or deflation.

Sec. 17.8. NRS 387.195 is hereby amended to read as follows:

387.195 1. At the time of levying county taxes, the board of county commissioners of each county shall levy a county school district tax.

2. [In 1956 and in each year thereafter when] When the board of county commissioners levies county taxes:

Amendment No. 360 to Senate Bill No. 204 (BDR 32-1480) Page 5

(a) [It shall be mandatory for each] Each board of county commissioners [to] shall levy a 70-cent tax on each \$100 of assessed valuation of taxable property within the county, which [taxes] tax shall be used by the county school district for the maintenance and operation of the public schools within the county school district; [and]

(b) When recommended by the board of trustees of the county school district, in addition to the mandatory levy [of taxes] provided in paragraph (a), each board of county commissioners shall levy a tax of not [to exceed] more than 80 cents on each \$100 of assessed valuation of taxable property within the county , or the rate which will produce the revenue permitted by section 17.7 of this act, whichever is lower, for the support of the public schools within the county school district [.] ; and

(c) In addition to the taxes levied in accordance with the provisions of paragraphs (a) and (b), each board of county commissioners shall levy a tax for the payment of interest and redemption of outstanding bonds of the county school district."

NEVADA SCHOOL DISTRICTS
ANALYSIS OF IMPACT OF "CAP" ON 80 CENTS
OPTIONAL SCHOOL LEVY
FY 1979-80

<u>School District</u>	<u>FY 1979-80 Permissible Revenue</u>	<u>FY 1979-80 Tentative Revenue</u>	<u>Amount of Tax Reduction</u>	<u>Permissible Ad Valorem Tax Rate</u>	<u>% Reduction Tentative Budget</u>
Carson City	\$ 1,298,232	\$ 1,598,972	\$ 300,740	65.0 cents	3.0%
Churchill	526,052	547,055	21,003	76.9 cents	.4%
Clark	20,198,387	23,249,691	3,051,304	69.5 cents	2.1%
Douglas	1,684,601	1,837,574	152,973	73.3 cents	2.3%
Elko	1,331,149	1,357,465	26,316	78.4 cents	.4%
Esmeralda	121,579	137,600	16,021	70.7 cents	2.9%
Eureka	266,979	301,608	34,629	70.8 cents	4.6%
Humboldt	626,688	652,501	25,813	76.8 cents	.7%
Lander	285,865	328,000	42,135	69.7 cents	2.2%
Lincoln	228,767	247,873	19,106	73.8 cents	.9%
Lyon	708,021	795,332	87,311	71.2 cents	1.8%
Mineral	214,035	241,148	27,113	71.0 cents	1.1%
Nye	814,109	1,040,000	225,891	62.6 cents	5.4%
Pershing	339,436	324,000	-0-	80.0 cents	0.0%
Storey	107,358	109,849	2,491	78.2 cents	.4%
Washoe	10,359,702	12,917,844	2,558,142	64.2 cents	4.5%
White Pine	390,437	383,200	-0-	80.0 cents	0.0%
	<u>\$39,501,397</u>	<u>\$46,069,712</u>	<u>\$6,590,988</u>		

Base Period--average assessed valuation for three fiscal years: 1975-76, 1976-77, and 1977-78. Base enrollment is average for these three years.

Permissible Revenue--amount produced by multiplying base period assessed values by 80 cents/hundred and then adjusting for enrollment change and increase in CPI. (CPI 11/76 to 11/78.)

Permissible Ad Valorem Tax Rate--amount of optional 80 cents/hundred tax that would be permitted to be levied.

Percent Reduction--ratio of the amount of reduction to the total General Fund revenue shown in tentative budgets.

DOUGLAS COUNTY - STATE OF NEVADA

Office of the District Attorney

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District Attorney
County CounselJustice Court, P. O. Box 10859
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LEGISLATIVE COUNSEL BUREAU

M E M O R A N D U M

SB 163

MAR 15 1979

March 12, 1979

OFFICE OF FISCAL ANALYSIS

TO: Mr. Ed Schorr, Legislative Counsel Bureau

FROM: Tom Susich, Deputy District Attorney of
Douglas County

RE: Amendments to NRS 361.610 as suggested by
the Senate Taxation Committee

Recently members of the Senate Taxation Committee requested that I draft appropriate amendments to NRS 361.610. I would appreciate you looking at my proposed language and preparing the amended bill for the Committee's inspection as soon as possible.

NRS 361.610 shall be amended to read as follows:

"[1. The county treasurer, for his services under this chapter, shall be allowed, upon the sale of any parcel of property held by him in trust or out of its rents, a reasonable compensation for his trouble, to be fixed by the board of county commissioners in each case.]

2. Out of the sale price or rents of any property of which he is trustee, the county treasurer shall pay the costs due any officer for the enforcement of the tax upon such parcel of property and all taxes owing thereon; and upon the redemption of any property from him as trustee, he shall pay the redemption money over to any officers having fees due them from such parcels of property and pay the tax for which it was sold and pay the redemption percentage according to the proportion such fees respectively bear to such tax.

Mr. Ed Schorr
March 12, 1979
Page 2

3. In no case shall any service rendered by any officer under this chapter become or be allowed as a charge against the county, nor shall the sale price or rent or redemption money of any one parcel of property be appropriated to pay any cost or tax upon any other parcel of property than that so sold, rented or redeemed.

4. After paying all the tax and costs upon any one parcel of property, the trustee shall pay into the general fund of the county \$300 or 10% of the balance of the proceeds, whichever is greater, for compensation to the county for selling the property. [any] Any balance remaining in the hands of the trustee shall be [paid into the general fund of the county by him] placed in an interest bearing account with any other excess proceeds from the current year's tax sale but separate from other funds held by the county. If no claim in writing as described in subsection "5" is made for the balance within one year of the recording of the deed in accordance with NRS 361.595 by one of the persons described in NRS 361.585(4), the trustee shall pay the same along with any interest earned thereon into the general fund of the county and it shall not thereafter be refundable to the former tax delinquent property owner or his successors in interest.

5. If a claim in writing is made for the balance described in subsection "4" above during the year immediately following the recording of the deed as described in NRS 361.595 by one of the persons described in NRS 361.585(4), the trustee shall pay over to him the balance if he is satisfied that the claimant is in fact one of the persons described in NRS 361.585(4).

6. Under no circumstances shall the trustee pay any interest earned on the balance to the claimant but shall pay the interest into the general fund of the county."

NRS 361.600 should be amended to read as follows:

"No action or counterclaim for the recovery of lands sold for taxes shall lie unless the same be brought

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or interposed within [3 years] *1 year* after the execution and delivery of the deed therefor by the county treasurer, any law to the contrary notwithstanding."

Sincerely yours,

J. THOMAS SUSICH
Deputy District Attorney
Douglas County, Nevada

JTS/blp

cc: Mr. Bob Hadfield
Douglas County Manager

Mrs. Yvonne Bernard
Douglas County Clerk

Senator Norman D. Glaser
Chairman, Senate
Taxation Committee

Senator M. H. Sloan