

The meeting was called to order at 3:00 p.m. by Chairman Paul May with the following members and guests present:

PRESENT: Chairman May
Vice Chairman Coulter
Mr. Bergevin
Mr. Brady
Mrs. Cafferata
Mr. Craddock
Mr. Price
Mr. Rusk
Mr. Stewart
Mrs. Westall
Mr. Marvel

Please see guest register attached for guests present.

A.B. 330 - Allocates portion of casino entertainment tax for free musical performances.

Present to testify in support of this bill was Mr. Mark Tully Massagli, President of the Nevada State AF of L and CIO and President of the Musicians Union of Las Vegas. He stated the concept in this bill is not new. Over the past 20 years, since a trust was established by negotiations of the American Federation of Musicians with the recording industry, they have been providing projects such as those described in this bill. In fiscal year 1980-1981 within the State of Nevada, through the Trust, more than \$180,000 has been expended to bring performances to schools, hospitals, blind centers, mental health clinics, senior citizens centers, etc. They are currently putting together a program called "May Jazz Music Month" and under that concept there will be programs played in various facilities throughout the area. Additionally there will be programs on Sundays at the airport in Las Vegas to greet visitors arriving there. The Music Performance Trust Fund handles approximately \$20 million per year in these kinds of projects in the United States and Canada; the trustees of that fund indicated two years ago when this first concept was put together that they would handle any funds that could be obtained through the state on an administrative fee basis of zero; that is, it would cost the state nothing for them to administer. Mr. Massagli stated, however, that we would not want to have state funds handled by someone out of the state but the service was available. Included in the bill is a reference to the Nevada State Council on the Arts which was an alternative to the previous suggestion because that was an existing agency that is familiar with the arts. This plan would not take more administration or the creation of a new agency to channel the funds that would be generated. President Reagan has indicated that there will be federal cut backs to the National Endowment of the Arts by some 50% across the country. That cut of 50%

does not, in itself, mean only 50% will be cut because National Endowment Grants are usually matched by other grants on a four or five to one basis. The tax as it is in the state is one that, he feels, will never be lifted but it is a most unusual tax because when musicians perform, their services are taxed - that's what generates this revenue. Knowing it is there, you would never make an attempt to have it repealed.

The only way someone could tell the impact this would have would be to see the programs that are already in existence. The problem comes from the fact that they cannot continue to serve the needs of the ever-growing population. There are too many areas that need this type of program.

Mr. Rusk asked how the programs that are in existence now are funded and was advised that they are funded through the Music Performance Trust Fund which is a trust negotiated between the American Federation of Musicians of the United States and Canada and the recording industry. The recording industry pays a royalty on each record which goes into that fund and then that fund is distributed across the United States and Canada according to the number of musicians in that particular locale on a pro rata basis. About \$18,000 will have been spent by April 30th of this year in the State of Nevada.

Mr. Rusk then asked how much money is intended to be raised by passage of this measure and was advised by Mr. Massagli that, although he has not seen a fiscal note, he has been advised that the note will be \$2 million; 10% of a projected \$20 million. Mr. May stated he had been advised by our Fiscal Analyst, Dan Miles, that for 1981-82 it would be \$2,100,000 and projected for 1982-83 it would be \$2,300,000. Mr. May suggested that perhaps \$2 million may be a little too much money and this was concurred in by Mr. Massagli; however, he suggested they experiment with it as the concept was sound.

Testifying next was Assemblyman Bob Price, Assembly District #17, who stated that he is aware of the current program and is in full support of this bill. He gave statistics on a similar program in Utah explaining that the budget in Utah for 1980 is \$326,500, and concurs in the statement that the money projected would be more than would be necessary. He added that there is considerable interest in this program in southern Nevada and is certain we would have no problem in getting people that are willing to work in getting this put together. He urged favorable consideration by the committee on this measure.

Mr. May appointed a subcommittee of Assemblymen Price, Westall and Cafferata to review AB 330 and report back to the committee.

A.J.R. 27 - Proposes to amend Nevada Constitution to permit valuation of homes according to use under certain circumstances.

Mr. Lou Bergevin, Assembly District #7, testified on this bill. He explained this is a constitutional amendment which is a result

Date: March 23, 1981

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of his serving on the Board of Equalization for many years. In many instances, he would see people, generally elderly citizens, who would come in and find that in the new taxing period their homes had been zoned out of a residential area into a commercial zone and immediately the assessors would apply a commercial value on the property. This, in effect, taxed these people out of their property. This proposed constitutional amendment says, "as long as an individual family, the original owners of a piece of property, live in a home site, irrespective of the zoning around it, they will continue to be zoned and assessed as residential property until such time as they either rent, sell or lease the property, at which time it would take on the additional tax burden of being a commercial property. That's all this resolution does - nothing else; it merely protects a homestead as long as the original owners live in that homesite, irrespective of the zoning.

Mr. May asked if he had discussed with Mr. Daykin the use of the words "primary resident" as opposed to "resident." He stated he is aware that in the constitution they don't want to be too restrictive but he feels there is a difference between a residence that may be used for example as a "summer home" or "winter home." Mr. Bergevin stated he had not discussed this with Mr. Daykin but he will contact him about it. Mr. May expressed the opinion that the thrust should be towards the primary resident. It was agreed by the members of the committee that this would not happen in very many cases but probably as the industrial areas expand out into the suburbs.

Mrs. Westall then pointed out that on line 17, we need more classification as to what other property, i.e. whether it is adjacent, surrounding or what. Mr. Bergevin agreed to discuss that issue with Mr. Daykin as well; however, he stated that he thinks that it would be assessed according to other properties of the same nature - it wouldn't be residential. He concurred with the comment of Mr. May that they try not to put that kind of language in the constitution.

There was no action taken until Mr. Daykin is consulted.

A.B. 369 - Increases rate of local school support tax and City-County relief tax and provides for adjustment of certain valuations.

Mr. May asked Mr. Bergevin to go over this bill for the committee's edification. Mr. Bergevin distributed copies of a mark-up bill (attached as EXHIBIT I) and Mr. Bergevin advised the committee that during the last several weeks there have been numerous bills introduced in respect to the tax package. Some of the people working on the task force committee felt there was sufficient information available on all of the bills and we could condense that information into three basic bills that would carry the tax package. One bill would embrace the tax rate, the increases in the sales tax and the language that was necessary attendant to that; one bill would embrace the new assessment procedures and anything that was attendant to assessment procedures;

they chose Senate Bill 69 as a vehicle for that; and last was relating to the city-county and school district budgets, the caps and procedures that were attendant thereto. They felt that SB 411 was the proper vehicle although there were parts in 411 that had to be in AB 369, so the mark-up bill distributed today was the result of going through all of those bills, picking up all the parts they felt were necessary to be in this particular bill. He proceeded through the bill section by section explaining what had been done.

See EXHIBIT I for changes in the original bill. There will be no action taken until public hearings have been held.

Mr. May explained that it is the intention of the two taxation committees to begin holding public hearings on the three bills being considered as the tax package. There will be one hearing for comment from the large counties (Washoe and Clark), one hearing for rural counties, one for school districts, one for assessors, etc.

The next item on the agenda was a summary prepared and distributed by Fiscal Analyst Dan Miles (attached EXHIBIT II) showing the tentative budgets of the local governments. Mr. May asked Mr. Miles to briefly review the summary with the committee members.

Mr. Miles explained that the summary was prepared by making a recap of the local governments tentative budgets that were due March 15th to the Department of Taxation. They worked with the summary pages taking out the ad valorem portions to be recapped. These tentative budgets have not gone through the required procedures yet as far as public hearings, etc.; however, he went over several items on the summary and reminded the committee members that final budgets must be filed by May 1st.

Mr. May announced that the joint Government Affairs committees are considering a new bonding bill that would allow governmental units to issue bonds without a vote of the people (these would be general obligation bonds). It would, however, provide a 30-day period during which a petition, numbering 5% of the total registered voters in a geographical area may petition for an election. He reminded the members that prior to this new proposal, we could always go to the voters and say it will not increase their property taxes which has been true. If the bill is enacted that bonding will be set outside of the ad valorem tax rate. In anticipating Taxation's action, that would indeed add taxes if adopted by the voters or if passed without a vote of the people, in addition to the ad valorem taxes. He suggested we add that issue to our tax list. Inasmuch as these two issues dovetail, he felt the committee members should be aware of that proposed legislation. He added that he will include this item on the taxation check list.

Mr. May turned the meeting over to Mr. Rusk for explanation of his proposal to request a bill having to do with fallout shelters. Mr. Rusk distributed EXHIBIT III, attached, summarizing his reasons for the request.

The bill states that a \$1,000 assessed value would be excluded on anyone that builds or intends to build a fallout shelter that has a protective factor of 40 or more; this is, provided that the MX system is built in Nevada. This concept would require two separate bills: private residences and businesses.

After a brief discussion, a motion was introduced by Mr. Rusk, seconded by Mr. Bergevin to introduce BDR 27-1070, relating to businesses, as a committee introduction with referral back to Taxation; motion carried 8 voting aye and 3 voting nay. A motion was then introduced by Mrs. Westall, seconded by Mr. Rusk that the committee introduce a bill to provide for tax exemption for homes containing a fallout shelter. Motion carried unanimously.

Mr. May stated that he would request one bill encompassing the ideas from the two previous motions.*

Mr. Craddock reported on the meeting of the subcommittee on elimination of the airplane tax. He explained there was considerable interest in eliminating the airplane tax and also pointed out some ways of recovering the loss of that revenue. The subcommittee is requesting a bill which would remove the tax, but they have set another meeting for April 6th to discuss the proposed recapture of the revenue loss. A motion was then introduced by Mr. Craddock to request that a bill be drafted which would exempt all aircraft from the tax; motion seconded by Mr. Price.

Mr. May explained that we presently have a constitutional change that occurred several years ago that allows the legislature to exempt any personal property as they see fit; that includes household goods, etc.

Vote on the motion did not receive a majority of the committee members and, therefore, failed. Voting aye: Assemblymen Craddock, Cafferata, Price, Rusk and Coulter. Voting nay: Assemblymen Bergevin, Marvel, Stewart, Westall and May. Not voting: Mr. Brady.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Nykki Kinsley, Committee Secretary

*The only bills dealing with fallout shelters were introduced in the Senate by Senator Blakemore - S.B. 632 and S.B. 633.

ASSEMBLY

AGENDA FOR COMMITTEE ON Taxation

Date Mon. Mar. 23, 1981 Time 3:00 pm Room 240

Resolutions
to be considered

Subject

Counsel
requested*

ALL MEETINGS OF THE ASSEMBLY COMMITTEE ON TAXATION
WILL BEGIN PROMPTLY AT 3:00 PM. PLEASE ARRANGE
YOUR SCHEDULES ACCORDINGLY.

- A.B. 330- Allocates portion of casino entertainment tax for free musical performances.
- A.B. 369- Increases rate of local school support tax and city- county relief tax and provides for adjustment of certain property valuations.
- A.J.R. 27- Proposes to amend Nevada Constitution to permit valuation of homes according to use under certain circumstances.

Fallout Shelter (Assemblyman Rusk)



Date: March 23, 1971

PLEASE PRINT YOUR NAME	PLEASE PRINT WHO YOU REPRESENT	I WISH TO SPEAK		
		FOR	AGAINST	BILL NO.
Barbara Cook	...			
M. H.			
...	...			
...	...			
...	...			
John Kelley	...			
Tommy			
MARIE GREENEY	...			
Don Duan	...			
LEON L. WARD	...			
SOPHIE McLAGHERY	...			
JOHN			
GEORGE			
...	...			
Steve Williams	NEVADA BELL			

A. B. 369

ASSEMBLY BILL NO. 369—COMMITTEE ON TAXATION

MARCH 18, 1981.

Referred to Committee on Taxation

SUMMARY—Increases rate of local school support tax and city-county relief tax and provides for adjustment of certain property valuations. (BDR 32-1834)

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

EXPLANATION—Matter in boldface type, matter in brackets () is material to be omitted.

AN ACT relating to taxation; increasing the rate of the local school support tax and the city-county relief tax; requiring monthly collection of sales and related taxes; providing for the adjustment of the valuation of certain property; 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 372.355 is hereby amended to read as follows:
- 2 372.355 The taxes imposed by this chapter are payable to the
- 3 department [quarterly] monthly on or before the last day of the month
- 4 next succeeding each [quarterly period.] month.
- 5 SEC. 2. NRS 372.360 is hereby amended to read as follows:
- 6 372.360 1. On or before the last day of the month following each
- 7 [quarterly period of 3 months.] reporting period, a return for the preced-
- 8 ing [quarterly] period must be filed with the department in such form as
- 9 the department may prescribe.
- 10 2. For purposes of the sales tax a return must be filed by each seller.
- 11 For purposes of the use tax a return must be filed by each retailer main-
- 12 taining a place of business in the state and by each person purchasing
- 13 tangible personal property, the storage, use or other consumption of
- 14 which is subject to the use tax, who has not paid the use tax due to a
- 15 retailer required to collect the tax.
- 16 3. Returns must be signed by the person required to file the return
- 17 or by his [duly] authorized agent but need not be verified by oath.

Line 18: Add a new section 2.5: ←

NRS 372.380. The department, if it deems it necessary in order to ensure 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 periods other than calendar months, depending upon the principal place of business of the seller, retailer or purchaser, as the case may be, or for other than monthly periods.

- 18 SEC. 3. NRS 372.405 is hereby amended to read as follows:
- 19 372.405 The amount of the determination, exclusive of penalties,
- 20 bears interest at the rate of one-half of 1 percent per month, or fraction
- 21 of a month, from the last day of the month following the [quarterly]
- 22 period for which the amount or any portion of it should have been
- 23 returned until the date of payment.

New language:
Permits Nevada
tax commission
to recognize small
accounts and
permit other
than monthly
reporting.

No change on this page.

2 372.430 1. Except in the case of fraud, intent to evade this chapter
3 or [authorized regulations issued] *regulations adopted* under it, a failure
4 to make a return, or of a claim for additional amount pursuant to NRS
5 372.485, every notice of a deficiency determination must be personally
6 served or mailed within 3 years after the last day of the calendar month
7 following the [quarterly] period for which the amount is proposed to be
8 determined or within 3 years after the return is filed, whichever period
9 expires the later. In the case of a failure to make a return, or a claim for
10 additional amount pursuant to NRS 372.485, every notice of determina-
11 tion must be mailed or personally served within 8 years after the last day
12 of the calendar month following the [quarterly] period for which the
13 amount is proposed to be determined.

14 2. The limitation specified in this section does not apply in case of
15 a sales tax proposed to be determined with respect to sales of property
16 for the storage, use or other consumption of which notice of a defi-
17 ciency determination has been or is given pursuant to NRS 372.425,
18 372.455 and 372.465, and to subsection 1 of this section. The limitation
19 specified in this section does not apply in case of an amount of use tax
20 proposed to be determined with respect to storage, use or other con-
21 sumption of property for the sale of which notice of a deficiency deter-
22 mination has been or is given pursuant to NRS 372.425, 372.455 and
23 372.465, and to subsection 1 of this section.

24 3. If, before the expiration of the time prescribed in this section for
25 the mailing of a notice of deficiency determination, the taxpayer has
26 consented in writing to the mailing of the notice after that time, the
27 notice may be mailed at any time before the expiration of the period
28 agreed upon. The period so agreed upon may be extended by subse-
29 quent agreements in writing made before the expiration of the period
30 previously agreed upon.

31 SEC. 5. NRS 372.445 is hereby amended to read as follows:
32 372.445 The amount of the determination, exclusive of penalties,
33 bears interest at the rate of one-half of 1 percent per month, or fraction
34 of a month, from the last day of the month following the [quarterly]
35 period for which the amount or any portion of it should have been
36 returned until the date of payment.

37 SEC. 6. NRS 372.510 is hereby amended to read as follows:
38 372.510 1. The department, whenever it deems it necessary to
39 insure compliance with this chapter, may require any person subject to
40 the chapter to place with it such security as the department may deter-
41 mine. The department shall fix the amount of the security which, except
42 as noted below, may not be greater than [twice the estimated average
43 liability of persons filing returns for quarterly periods or] three times the
44 estimated average liability of persons [required to file] filing returns for
45 monthly periods, determined in such manner as the department deems
46 proper, or \$10,000, whichever amount is the lesser.

47 2. In the case of persons who are habitually delinquent in their obli-
48 gations under this chapter, the amount of the security may not be greater
49 than [three times the average liability of persons filing returns for quar-
50 terly periods or] five times the average liability of persons [required to
1 file] filing returns for monthly periods, or \$10,000, whichever amount is
2 the lesser.

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

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

7 5. The department may sell the security at public auction if it becomes
8 necessary [so to do in order] to recover any tax or any amount required
9 to be collected, interest or penalty due. Notice of the sale may be served
10 upon the person who placed the security personally or by mail; if by mail,
11 service must be made in the manner prescribed for service of a notice of
12 a deficiency determination and must be addressed to the person at his
13 address as it appears in the records of the department. Security in the
14 form of a bearer bond issued by the United States or the State of Nevada
15 which has a prevailing market price may be sold by the department at a
16 private sale at a price not lower than the prevailing market price.

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

19 SEC. 7. NRS 372.635 is hereby amended to read as follows:
20 372.635 1. No refund may be allowed unless a claim for it is filed
21 with the department within 3 years from the last day of the month fol-
22 lowing the close of the [quarterly] period for which the overpayment
23 was made, or, with respect to determinations made under NRS 372.400
24 to 372.455, inclusive, within 6 months after the determinations become
25 final, or within 6 months from the date of overpayment, whichever period
26 expires later.

27 2. No credit may be allowed after the expiration of the period speci-
28 fied for filing claims for refund unless a claim for credit is filed with the
29 department within that period, or unless the credit relates to a period for
30 which a waiver is given pursuant to NRS 372.430.

31 SEC. 8. NRS 372.660 is hereby amended to read as follows:
32 372.660 1. Interest must be paid upon any overpayment of any
33 amount of tax at the rate of one-half of 1 percent per month from the
34 last day of the calendar month following the [quarterly] period for
35 which the overpayment was made. No refund or credit may be made
36 of any interest imposed upon the person making the overpayment with
37 respect to the amount being refunded or credited.

38 2. The interest must be paid:
39 (a) In the case of a refund, to the last day of the calendar month
40 following the date upon which the person making the overpayment, if
41 he has not already filed a claim, is notified by the department that a
42 claim may be filed or the date upon which the claim is certified to the
43 state board of examiners, whichever is earlier.

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

46 SEC. 9. NRS 372.775 is hereby amended to read as follows:
47 372.775 In the determination of any case arising under this chapter,
48 the rule of res judicata is applicable only if the liability involved is for
49 the same [quarterly] period as was involved in another case previously

1 Sec. 10. NRS 374.110 is hereby amended to read as follows:
2 374.110 For the privilege of selling tangible personal property at
3 retail a tax is hereby imposed upon all retailers at the rate of [1] 1.5
4 percent of the gross receipts of any retailer from the sale of all tangible
5 personal property sold at retail in a county. [on or after July 1, 1967.]

*Issue blank per-
centages at this
time!*

6 Sec. 11. NRS 374.190 is hereby amended to read as follows:
7 374.190 An excise tax is hereby imposed on the storage, use or other
8 consumption in a county of tangible personal property purchased from
9 any retailer [on or after July 1, 1967.] for storage, use or other con-
10 sumption in the county at the rate of [1] 1.5 percent of the sales price of
11 the property.

12 Sec. 12. NRS 374.360 is hereby amended to read as follows:
13 374.360 The taxes imposed by this chapter are due and payable to
14 the department [quarterly] monthly on or before the last day of the
15 month next succeeding each [quarterly period.] month.

16 Sec. 13. NRS 374.365 is hereby amended to read as follows:
17 374.365 1. On or before the last day of the month following each
18 [quarterly period of 3 months,] reporting period, a return for the preced-
19 ing [quarterly period shall] period must be filed with the department in
20 such form as the department may prescribe.

21 2. For purposes of the sales tax a return [shall] must be filed by
22 every seller. For purposes of the use tax a return [shall] must be filed by
23 every retailer maintaining a place of business in the county and by every
24 person purchasing tangible personal property, the storage, use or other
25 consumption of which is subject to the use tax, who has not paid the use
26 tax due to a retailer required to collect the tax.

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

Line 29: Add a new section 13.5 as follows: ←

29 NRS 374.385. The department, if it deems it
30 necessary in order to ensure payment to or facili-
31 tate the collection by the state of the amount of
32 taxes, may require returns and payment of the
33 amount of taxes for periods other than calendar
34 months, depending upon the principal place of busi-
35 ness of the seller, retailer or purchaser, as the
36 case may be, or for other than monthly periods.

*New language:
Permits Nevada
tax commission
to recognize small
accounts & permit
other than
monthly reporting*

37 Sec. 14. NRS 374.410 is hereby amended to read as follows:
38 374.410 The amount of the determination, exclusive of penalties,
39 [shall bear] bears interest at the rate of one-half of 1 percent per month,
40 or fraction [thereof,] of a month, from the last day of the month follow-
41 ing the [quarterly] period for which the amount or any portion [thereof]
42 of it should have been returned until the date of payment.

43 Sec. 15. NRS 374.435 is hereby amended to read as follows:

44 374.435 1. Except in the case of fraud, intent to evade this chapter
45 or [authorized rules and regulations issued thereunder,] the regulations
46 adopted under it, a failure to make a return, or of a claim for additional
47 amount pursuant to NRS 374.490, every notice of a deficiency deter-
48 mination [shall] must be personally served or mailed within 3 years
49 after the last day of the calendar month following the [quarterly] period
50 for which the amount is proposed to be determined or within 3 years after
51 the return is filed, whichever period expires the later. In the case of a
52 failure to make a return, or a claim for additional amount pursuant to
53 NRS 374.490, every notice of determination [shall] must be mailed or
54 personally served within 8 years after the last day of the calendar month
55 following the [quarterly] period for which the amount is proposed to be
56 determined.

57 2. The limitation specified in this section does not apply in case of a
58 sales tax proposed to be determined with respect to sales of property for

1 the storage, use or other consumption of which notice of a deficiency
2 determination has been or is given pursuant to NRS 374.430, 374.460
3 and 374.470, and to subsection 1 of this section. The limitation specified
4 in this section does not apply in case of an amount of use tax proposed to
5 be determined with respect to storage, use or other consumption of prop-
6 erty for the sale of which notice of a deficiency determination has been
7 or is given pursuant to NRS 374.430, 374.460 and 374.470, and to
8 subsection 1 of this section.

9 3. If, before the expiration of the time prescribed in this section for
10 the mailing of a notice of deficiency determination, the taxpayer has con-
11 sented in writing to the mailing of the notice after [such] that time, the
12 notice may be mailed at any time [prior to] before the expiration of the
13 period agreed upon. The period so agreed upon may be extended by sub-
14 sequent agreements in writing made before the expiration of the period
15 previously agreed upon.

16 Sec. 16. NRS 374.450 is hereby amended to read as follows:
17 374.450 The amount of the determination, exclusive of penalties,
18 [shall bear] bears interest at the rate of one-half of 1 percent per month,
19 or fraction [thereof.] of a month, from the last day of the month follow-
20 ing the [quarterly] period for which the amount [,] or any portion
21 [thereof.] of it should have been returned until the date of payment.

22 Sec. 17. NRS 374.515 is hereby amended to read as follows:
23 374.515 1. The department, whenever it deems it necessary to insure
24 compliance with this chapter, may require any person subject [thereto]
25 to the chapter to place with it such security as the department may deter-
26 mine. The amount of the security [shall] must be fixed by the department
27 but, except as noted below, [shall] may not be greater than [twice the
28 estimated average liability of persons filing returns for quarterly periods
29 or] three times the estimated average liability of persons [required to
30 file] filing returns for monthly periods, determined in such manner as the
31 department deems proper, or \$5,000, whichever amount is the lesser.

32 2. In case of persons habitually delinquent in their obligations under
33 this chapter, the amount of the security [shall] must not be greater than
34 [three times the average liability of persons filing returns for quarterly
35 periods or] five times the average liability of persons [required to file]
36 filing returns for monthly periods, or \$5,000, whichever amount is the
37 lesser.

38 3. The limitations [herein] provided in this section apply regardless
39 of the type of security placed with the department.

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

42 5. The department may sell the security at public auction if it
43 becomes necessary [so to do in order] to recover any tax or any
44 amount required to be collected, interest or penalty due. Notice of the
45 sale may be served upon the person who placed the security personally
46 or by mail; if by mail, service [shall] must be made in the manner pre-
47 scribed for service of a notice of a deficiency determination and [shall]
48 must be addressed to the person at his address as it appears in the rec-
49 ords of the department. Security in the form of a bearer bond issued by
50 the United States or the State of Nevada which has a prevailing market

26 Sec. 46. Chapter 377 of NRS is hereby amended by adding thereto
27 the provisions set forth as sections 47 and 48 of this act.

28 Sec. 47. 1. The state controller, acting upon the collection data fur-
29 nished by the department, shall monthly:

30 (a) Determine for each county an amount of money equal to the sum
31 of:

32 (1) Any fees and any taxes, interest and penalties which derive from
33 that portion of the tax levied at the rate of one-half of 1 percent collected
34 in that county pursuant to this chapter during the preceding month, less
35 the amount transferred to the state general fund pursuant to subsection 3
36 of NRS 377.050; and

37 (2) That proportion of the total amount of taxes which derive from
38 that portion of the tax levied at the rate of one-half of 1 percent collected
39 pursuant to this chapter during the preceding month from out-of-state
40 businesses not maintaining a fixed place of business within this state
41 which the population of that county bears to the total population of all
42 counties which have in effect a city-county relief tax ordinance.

43 (b) Remit the amount determined for each county in the following
44 manner:

45 (1) If there is one incorporated city in the county, apportion the
46 money between the city and the county general fund in proportion to
47 the respective populations of the city and the unincorporated area of the
48 county.

49 (2) If there are two or more cities in the county, apportion all such
50 money among the cities in proportion to their respective populations.

51 (3) If there are no incorporated cities in the county, remit the entire
52 amount to the county treasurer for deposit in the county general fund.

53 2. The provisions of paragraph (b) of subsection 1 do not apply to
54 Carson City, where the treasurer shall deposit the entire amount deter-
55 mined to the city and received from the state controller in the general
56 fund.

Handwritten notes: Jul 12 3-4 2004, Sec 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

From S. B. 411,
sections 46
and 47 continue
current distribu-
tion of 1/2 cent
CCRT.

1. The amount computed by multiplying the rate levied by each county in each city, town, fire protection district and library district within the boundaries of the county for all ad valorem taxes, for purposes other than the payment of bonded indebtedness and the interest thereon incurred as a general obligation of the issuer, by its assessed valuation for the fiscal year commencing July 1, 1981, is the base from which the distribution of that portion of the city-county relief tax derived from the levy that exceeds one-half of 1 percent must be calculated.

New language to be added when specific distribution of amount of CCT over 1/2 cent is determined

7 SEC. 48. The state controller, acting upon the collection data furnished by the departments, shall each year:

From S.B. 411, Section 48.

9 2. Determine for each county an amount of money equal to the sum

Delete. Insert 2.

11 (a) Any taxes, interest and penalties which derive from that portion of the tax levy which exceeds the rate of one-half of 1 percent collected in that county pursuant to this chapter during the preceding year, less the amount transferred to the state general fund pursuant to subsection 3 of NRS 377.050; and

Leave blank

16 (b) That portion of the total amount of taxes which derive from that portion of the tax levy which exceeds the rate of one-half of 1 percent collected pursuant to this chapter during the preceding year from out-of-state businesses not maintaining a fixed place of business within this state

Delete. New language to provide distribution of out-of-state sales revenue to counties.

1. The first \$5,100,000 equally among the counties which have in effect a city-county relief tax ordinance.

2. Any balance above \$5,100,000 distributed according to population which that county bears to the total population of all counties which have in effect a city-county relief tax ordinance.

3. Remit the amount determined for each county to the county treasurer who shall apportion the money as follows: The county and each city, town, fire protection district and library district within the boundaries of the county is entitled to receive an amount of the money equal to the amount calculated for that entity under subsection 1.

Insert

34 4. (b) Remit the amount determined for each county to the county treasurer who shall apportion the money as follows:

Delete. Leave blank.

36 (1) The county and each city, town, fire protection district and library district within the boundaries of the county is entitled to receive an amount of the money equal to the amount calculated for that entity under subsection 2.

From A.B. 128, Section 7, commencing on line 34, entities to receive CCT yet to be determined.

40 (2) If the amount of money remitted by the state controller is not sufficient to make the distribution described in subparagraph (1) for each of those entities, that amount must be prorated among the entities specified in that subparagraph in the proportion which the amount calculated for each entity under subsection 2 bears to the sum of those amounts.

45 (3) If the amount of money remitted by the state controller exceeds the amount needed to make the distribution described in subparagraph (1), the excess amount must be apportioned as follows:

47 (I) Each entity specified in subparagraph (1) is entitled to receive an amount of the excess equal to the amount which it requires for the payment of the principal and interest on its general obligations and for which an ad valorem tax could otherwise have been levied.

51 (II) If the excess amount is insufficient to make the distribution described in subparagraph (I) for each of those entities, the excess amount must be prorated among them in proportion to the respective amounts which each requires for the payment of the principal and interest on its general obligations and for which an ad valorem tax could otherwise have been levied.

56 (III) If there is a surplus in the excess amount after the distribution described in subparagraph (I) is made, that surplus must be apportioned among the entities specified in subparagraph (I) according to their respective assessed valuations and may be used by them only in capital improvement projects.

New language to restrict use of any surplus "approved by a vote of the people."

27 3. If a local government, except a school district, is expressly authorized by statute to levy an ad valorem tax for its operating expenses, but the rate of the levy is specially limited by that statute and does not produce in any fiscal year sufficient revenue to cover those expenses, its governing body may apply to the interim finance committee for inclusion in the distribution made under subsection 2. If the interim finance committee finds that:

From S.B. 411, sec. 48, page 24, lines 27-42.

34 (a) Services provided by the local government are in danger of deteriorating because of financial hardship caused by the limitation on the rate of the levy imposed by that statute; and

37 (b) The local government has no other resources available to it, the interim finance committee may, after considering a fiscal analysis of the budget of the local government furnished by the department of taxation, order the county treasurer to include the local government in any distribution made under subsection 2 for any specified fiscal year. Such an approval may be made effective for not more than 2 years.

43 Sec. 49. NRS 377.030 is hereby amended to read as follows:
 44 377.030 1. [Upon petition by the majority of the governing body of
 45 each city within a county, the] The board of county commissioners shall
 46 enact an ordinance imposing a city-county relief tax. [The board shall not
 47 enact such ordinance unless all cities within the county so petition.
 48 2. The board of supervisors of Carson City may on its own motion
 49 enact an ordinance imposing a city-county relief tax.

1 3. The board of county commissioners of a county having no incor-
 2 porated cities may on its own motion enact an ordinance imposing a city-
 3 county relief tax.

4 4. Any] 2. The ordinance enacted pursuant to this section [shall]
 5 must provide that the city-county relief tax [shall] be imposed on the first
 6 day of the first calendar quarter following the effective date of the ordi-
 7 nance. [or on July 1, 1969, whichever is later.

8 5. An ordinance so enacted shall not be repealed, except by the board
 9 of supervisors of Carson City, unless a majority of the governing body of
 10 each city within the county petitions for its repeal. In the case of an ordi-
 11 nance adopted pursuant to subsection 3, the provisions thereof may be
 12 repealed by proper action of the board of county commissioners.]

47 Sec. 11. NRS 118.165 is hereby amended to read as follows:
 48 118.165 1. Unless exempted by subsection 3, every landlord of real
 49 property leased or otherwise rented to a tenant shall deliver to the tenant

1 in July of each year, and whenever the periodic rent changes, a statement
 2 which shows separately for each periodic payment of rent:
 3 (a) The amount which represents property taxes paid by the landlord;
 4 and
 5 (b) The remainder of that payment.

6 2. If the property rented is one of several upon which the landlord
 7 pays taxes together, the amount which represents property taxes must be
 8 calculated by:
 9 (a) Apportioning the total property tax paid for the year upon the
 10 entire property among the individual properties rented according to their
 11 respective areas.
 12 (b) Reducing the amount so apportioned to each particular property
 13 for the year by the appropriate fraction to correspond to the period for
 14 which rent on it is paid.

15 3. This section does not apply to:
 16 (a) Any property covered by a written agreement which requires the
 17 tenant to pay the property tax or otherwise provides for calculation and
 18 notice to the tenant of its amount.
 19 (b) Any lodging unless it contains its own cooking and toilet facili-
 20 ties, separate from other living quarters.
 21 (c) Any room in a hotel or motel.
 22 (d) Any concession within a larger commercial enterprise, or any
 23 other property not customarily used separately from adjacent units.
 24 (e) Any property for which the rent is a share of sales or profit.

25 4. The statements required in July [1979] 1981 by subsection 1
 26 must show, in addition to the information required as of the date the
 27 statement is prepared, the comparable information as of July [1978.]
 28 1980. Each landlord of property which is subject to this section shall
 29 reduce the periodic rent otherwise payable by an amount equal to any
 30 reduction from [1978 to 1979] 1980 to 1981 of the amount which rep-
 31 represents property taxes as shown in the statements required by that sub-
 32 section.

33 5. This section does not purport to regulate the total amount of rent
 34 payable.

35 6. A landlord who fails to reduce the periodic rent in accordance with
 36 subsection 4 is liable to each tenant whose rent was not properly reduced
 37 for an amount equal to three times the amount which was overpaid by the
 38 tenant, unless the landlord shows good cause for the failure.

→ SB 411, sec. 49

*Insert section
 22, A. B. 369,
 NRS 377.040
 but leave per-
 centage increase
 as a blank.
 (with minor
 edit 23*

*→ from A. B. 128,
 section 11, page
 5, line 47 through
 page 6, line 38
 Renter Rebate*

Sec. 36. Chapter 463 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. Before issuing a county gaming license to an applicant, the sheriff or the county license department, as the case may be, shall charge and collect, in addition to any other county gaming license, an annual license fee equal to the amount of money which corresponds to \$2.64 for each \$100 of the assessed valuation of the establishment to which the license specifically applies.

2. Except as provided in subsection 4, the fee prescribed in subsection 1 must be charged and collected:

(a) On the first Monday of July for the current fiscal year, from a licensee whose operation is continuing; or

(b) On or before the day the license is issued, from an applicant who begins operation during the fiscal year.

3. No proration of the fee prescribed in subsection 1 may be allowed for any reason.

4. The sheriff or the county license department may permit a licensee whose operation is continuing and who desires to do so to pay the fee prescribed in subsection 1 in four equal installments payable on the same days the quarterly installments of the property tax are due.

5. If an applicant and the sheriff or the county license department cannot agree upon the extent of the premises which constitutes the establishment, the determination of the board in the matter is final.

6. The county treasurer shall each year apportion the money collected pursuant to this section during the preceding year as follows:

(a) The county and each city, town, fire protection district and library district in which the establishment is located is entitled to receive an amount of the money equal to the amount calculated for that entity under subsection 2 of section 7 of this act, less the amount of the city-county relief tax distributed to it in the same year under subsection 3 of section 7 of this act.

(b) If the amount of money collected is not sufficient to make the distribution described in paragraph (a) for each of those entities, that amount must be prorated among the entities specified in that paragraph in the proportion which the amount calculated for each entity under subsection 2 of section 7 of this act bears to the sum of those amounts.

(c) If the amount of money collected exceeds the amount needed to make the distribution described in paragraph (a), the excess amount must be apportioned as follows:

(1) Each entity specified in paragraph (a) is entitled to receive an amount of the excess equal to the amount which it requires for the payment of the principal and interest on its general obligations and for which an ad valorem tax could otherwise have been levied.

(2) If the excess amount is insufficient to make the distribution described in subparagraph (1) for each of those entities, the excess amount must be prorated among them in proportion to the respective amounts which each requires for the payment of the principal and interest on its general obligations and for which an ad valorem tax could otherwise have been levied.

(3) If there is a surplus in the excess amount after the distribution described in subparagraph (1) is made, that surplus must be apportioned among the entities specified in paragraph (a) according to their respective assessed valuations and may be used by them only in capital improvement projects.

Delete in total

Sec. 37. NRS 463.400 is hereby amended to read as follows:

463.400 Any person who willfully fails to report, pay or truthfully account for and pay over the license fees imposed by NRS 463.570, 463.373, 463.375, 463.380, 463.383, [and] 463.390 [,] and section 36 of this act, or willfully attempts in any manner to evade or defeat any such tax or payment thereof, or any licensee who puts additional games or slot machines into play without authority of the commission to do so or any licensee who fails to remit any license fee provided for by this chapter when due [shall] is, in addition to the amount due, [be] liable for a penalty of the amount of the license fee evaded or not paid, collected or paid over. [which penalty shall:] The penalty must be assessed and collected in the same manner as are other charges, license fees and penalties under this chapter.

Sec. 31. NRS 377.050 is hereby amended to read as follows:

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

2. The department shall [transmit] deposit the payments [c] with the state treasurer [to be deposited in the state treasury to the credit of] for credit to the city-county relief tax fund which is hereby created.

3. The state controller, acting upon the collection data furnished by the department, shall monthly [:

(a) Transfer:] transfer from the city-county relief tax fund 1 percent of all fees, taxes, interests and penalties collected in each county during the preceding month to the state general fund [in the state treasury] as compensation to the state for the cost of collecting the tax for the counties.

From S. B. 411, page 25, section 51.

(b) Further, the state controller must transfer the sum of \$2 million to a special revolving fund under the administration of the Nevada tax commission for payment of independent audit expenses as set forth in section 14 of senate bill 411.

New language to provide fund for payment of audits

45 [(b) Determine for each county an amount of money equal to the
46 sum of:

47 (1) Any fees, taxes, interest and penalties collected in that county
48 pursuant to this chapter during the preceding month, less the amount
49 transferred to the general fund of the state pursuant to paragraph (a) of
50 this subsection; and

1 (2) That portion of the total amount of taxes collected pursuant to
2 this chapter during the preceding month from out-of-state businesses not
3 maintaining a fixed place of business within this state which the popula-
4 tion of that county bears to the total population of all counties which
5 have in effect a city-county relief tax ordinance.

6 (c) Remit the amount determined for each county in the following
7 manner:

8 (1) If there is one incorporated city in the county, apportion such
9 moneys between the city and the county general fund in proportion to
10 the respective populations of the city and the unincorporated area of the
11 county.

12 (2) If there are two or more cities in the county, apportion all such
13 moneys among the cities in proportion to their respective populations.

14 (3) If there are no incorporated cities in the county, remit the entire
15 amount to the county treasurer for deposit in the county general fund.

16 4. The provisions of subsection 3 do not apply to Carson City, where
17 the treasurer shall deposit the entire amount determined to the city and
18 received from the state controller in the general fund.

19 5. Population shall be determined by the last preceding national cen-
20 sus of the Bureau of the Census of the United States Department of
21 Commerce.]

22 Sec. 52. NRS 387.1233 is hereby amended to read as follows:

23 387.1233 1. Except as otherwise provided in subsection 2, basic
24 support of each school district must be computed by:

25 (a) Multiplying the basic support guarantee per pupil established for
26 that school district for that school year by the sum of:

27 (1) Six-tenths the count of pupils enrolled in the kindergarten
28 department on the last day of the first school month of the school year.

29 (2) The count of pupils enrolled in grades 1 to 12, inclusive, on the
30 last day of the first school month of the school year.

31 (3) The count of handicapped minors receiving special education
32 pursuant to the provisions of NRS 388.440 to 388.520, inclusive, on the
33 last day of the first school month of the school year.

34 (4) The count of children detained in detention homes and juvenile
35 forestry camps receiving instruction pursuant to the provisions of NRS
36 388.550 to 388.570, inclusive, on the last day of the first school month
37 of the school year.

38 (5) One-fourth the average daily attendance—highest 3 months of
39 part-time pupils enrolled in classes and taking courses necessary to receive
40 a high school diploma.

41 (b) Multiplying the number of special education program units main-
42 tained and operated by the amount per program established for that
43 school year.

44 (c) [Multiplying the assessed valuation of property in the school dis-
45 trict, as certified by the department of taxation for the concurrent school
46 year, by .003 or a greater or lesser multiplier which corresponds to 80
47 cents for each \$100 of assessed valuation minus the rate levied for the
48 current fiscal year pursuant to subsection 1 of NRS 387.195.

49 (d) [Adding the amounts computed in paragraphs (a) [(b) and
50 (c).] and (b).

*J. B. 411.
Deletions
page 25, sec. 51,
line 45, to
page 26, line
21.*

*From J. B. 411,
Section 52,
page 26, for
school district
funding.*

1 2. If the sum of the counts prescribed in subparagraphs (1) to (4),
2 inclusive, of paragraph (a) of subsection 1 is less than the sum similarly
3 obtained for the immediately preceding school year, the larger sum must
4 be used in computing basic support.

5 3. Pupils who are excused from attendance at examinations or have
6 completed their work in accordance with the rules of the board of trustees
7 must be credited with attendance during that period.

8 Sec. 53. NRS 387.1245 is hereby amended to read as follows:
9 387.1245. J. The board of trustees of any school district in this state
10 whose estimated receipts from all sources provided by this chapter and
11 chapter 374 of NRS are less than the total estimated receipts from such
12 sources in the final approved budget for such fiscal year, and which can-
13 not therefore provide a minimum program of education and meet its con-
14 tract obligations, may apply for emergency financial assistance from the
15 state distributive school fund. [and may be granted such assistance upon
16 compliance with the following conditions and procedures:
17 1. The tax levy for the applying district shall be the maximum of
18 \$1.50 for operating costs as authorized by law, not including any special
19 tax authorized by the provisions of NRS 387.328.
20 2. Such application shall] 2. The application must be made to the
21 state board of education in [such form as shall be] the form prescribed
22 by the superintendent of public instruction, and in accordance with guide-
23 lines for evaluating needs for emergency financial assistance as established
24 by the state board of education.
25 3. Before acting on any such application, the state board of education
26 and state board of examiners, jointly, shall determine the difference
27 between the total amount of money appropriated and authorized for
28 expenditure during the current biennium from the state distributive school
29 fund and the total amount of money estimated to be payable from that
30 fund during the biennium, and shall make no distribution in excess of that
31 difference.
32 4. The state board of education shall review each application and
33 shall by resolution find the least amount of additional money, if any,
34 which it deems necessary to enable the board of trustees of the applying
35 school district to provide a minimum educational program and meet its
36 irreducible contract obligations. In making such determination, the state
37 board of education shall consider also the amount available in the dis-
38 tributive school fund and the anticipated amount of future applications,
39 so that no deserving school district will be wholly denied relief.
40 5. If the state board of education finds that emergency assistance
41 should be granted to an applying school district, it shall transmit its
42 resolution finding such amount to the state board of examiners, along
43 with a report of its then current estimate of the total requirements to be
44 paid from the state distributive school fund during the then current fiscal
45 year.
46 6. The state board of examiners shall independently review each
47 resolution so transmitted by the state board of education, may require the
48 submission of such additional justification as it deems necessary, and
49 shall find by resolution the amount of emergency assistance, if any, to be
50 granted. The board may defer, and subsequently grant or deny, any part
51 of a request.
52 7. The state board of examiners shall transmit one copy of its finding
53 to the state board of education and one copy to the state controller. Upon
54 receipt of a claim pursuant to a grant of emergency assistance, [such
55 claim shall] the claim must be paid from the state distributive school fund
56 as other claims against the state are paid.
57 8. Money received by a school district pursuant to a grant of relief
58 may be expended only in accordance with the approved budget of such
59 school district for the fiscal year for which such grant is made. No formal
60 action to incorporate the money so received in the approved budget is
61 required, but [such receipts shall] the receipts must be reported as other
62 receipts are reported and explained in a footnote as short-term financing
63 is explained.
64 9. The state board of education shall transmit to the legislature a
65 report of each grant of emergency assistance paid pursuant to this section.
66 Sec. 54. NRS 387.195 is hereby amended to read as follows:
67 387.195. 1. [When recommended by the board of trustees of the
68 county school district, each] Each board of county commissioners shall
69 levy a tax [
70 (a) Not more than] of 50 cents on each \$100 of assessed valuation of
71 taxable property within the county for the support of the public schools
72 within the county school district; or a lesser or greater amount fixed by
73 the state board of examiners if the state board of examiners is directed by
74 law to fix a lesser or greater amount for that fiscal year. [; or
75 (b) The rate which will produce the revenue permitted by NRS
76 387.199,
77 whichever is lower.]
78 2. In addition to any tax levied in accordance with subsection 1, each
79 board of county commissioners shall levy a tax for the payment of interest
80 and redemption of outstanding bonds of the county school district.

→ From
D. B. Hill,
pages 27 and
28 on school
district
financing.

1 Sections 1 to 22, inclusive of this act,
2 shall be come effective on May 1, 1981.
3 2. This section and sections 23 through _____,
4 inclusive, of this act shall become effective on
5 July 1, 1981.

New language
→ on
implementation

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710



LEGISLATIVE COMMISSION (702) 885-5627

KEITH ASHWORTH, *Senator, Chairman*
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INTERIM FINANCE COMMITTEE (702) 885-5640

DONALD R. MELLO, *Assemblyman, Chairman*
Ronald W. Sparks, *Senate Fiscal Analyst*
William A. Bible, *Assembly Fiscal Analyst*

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

FRANK W. DAYKIN, *Legislative Counsel* (702) 885-5627
JOHN R. CROSSLEY, *Legislative Auditor* (702) 885-5620
ANDREW P. GROSE, *Research Director* (702) 885-5637

March 20, 1981

MEMORANDUM

TO: Assembly Taxation Committee
FROM: Dan Miles, Deputy Fiscal Analyst *DM*
SUBJECT: Local Government Tentative Budgets

NRS 354.596 provides that on or before March 15, each local government must prepare and submit to the Department of Taxation a tentative budget. Attached is a summary of the ad valorem tax portion of county and city tentative budgets as submitted for fiscal year 1981-82. These budgets have not yet gone to public hearing nor have they been approved by the appropriate governing body and, therefore, can only be considered tentative.

I have copies of the summary pages for each county and city budget should anyone want additional information.

DM/ca
attachment

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Stephen II

SUMMARY OF CITY/COUNTY TENTATIVE BUDGETS

Entity	Estimated Assessed Value	Operating Tax Rates			Debt Rate			Estimated Taxes	
		Current	Proposed	Change	Current	Proposed	Change	Amount	% Change
Carson City - Urban	\$ 190,259,433	2.2954	1.8522	(.4432)	.0618	.0748	.0130	\$ 3,666,273	31.5%
Rural	148,752,582	1.1726	1.1736	.0010	.0618	.0748	.0130	1,857,027	11.9
Churchill	86,673,862	1.4134	1.5938	.1804	.0800	.0566	(.0234)	1,430,554	33.4
Fallon*	22,811,717	1.2000	3.1400	1.9400				716,288	172.8
Clark	4,038,267,964	.9743	.9743		.1562	.1562		45,652,620	16.0
Boulder City	52,965,506	1.2672	1.2672					671,179	11.0
Henderson	127,458,489	1.2013	1.2013		.1314	.1314		1,698,639	18.2
Las Vegas*	1,369,807,349	1.3286	1.3584	.0298	.0857	.1118	.0261	20,139,366	16.9
North Las Vegas	151,820,482	.8915	.8926	.0011	.5228	.5217	(.0011)	2,147,197	3.5
Douglas	536,270,689	.3997	.4798	.0801	.1303	.1219	(.0084)	3,255,512	22.9
Elko	210,009,858	.7056	.6831	(.0225)		.1734	.1734	1,798,734	17.1
Carlin	3,703,096	2.0194	2.6092	.5898				96,622	32.5
Elko*	78,731,699	1.0915	1.0754	(.0161)	.0226	.0216	(.0010)	863,733	22.4
Wells	5,618,239	1.7000	1.8000	.1000				101,128	12.5
Esmeralda	21,705,963	2.5400	2.5030	(.0370)		.6370	.6370	681,700	26.1
Eureka	71,417,482	1.4580	1.4680	.0100				1,048,410	54.8
Humboldt	131,844,930	1.2250	1.1470	(.0780)	.1250	.1330	.0080	1,687,615	24.3
Winnemucca*	31,343,235	1.6700	1.9300	.2600				604,924	32.4
Lander	55,228,000	1.8400	2.0400	.2000	.0700	.0300	.0400	1,148,550	32.6
Lincoln	36,463,007	1.5150	1.6600	.1450	.0250	.2200	.1950	685,570	33.0
Caliente	2,722,804	1.3000	1.1000	(.2000)				29,950	(10.2)
Lyon	136,107,442	2.2460	2.0190	(.2270)	.0040		(.0040)	2,744,679	7.1
Yerington	15,364,356	.3580	.6200	.2620				95,259	228.0
Mineral	37,378,845	2.8860	2.9827	.0967	.0240	.0160	(.0080)	1,120,879	23.8

SUMMARY OF CITY/COUNTY TENTATIVE BUDGETS

Entity	Estimated Assessed Value	Operating Tax Rates			Debt Rate			Estimated Taxes	
		Current	Proposed	Change	Current	Proposed	Change	Amount	% Change
Nye	\$ 189,000,000	1.5600	1.4000	(.1600)	.2000	.0800	(.1200)	2,797,200	19.4%
Gabbs	5,826,211	1.2100	1.3500	.1400				78,654	37.6
Pershing	51,500,000	1.4400	1.4400					741,600	25.8
Lovelock	6,800,000	.7200	.9800	.2600	.3413	.2273	(.1140)	82,096	59.5
Storey*	37,191,665	2.5100	2.1860	(.3240)	.0700	.1090	(.0591)	853,549	38.4
Washoe	2,459,767,268	1.4950	1.5645	.0695	.1458	.0763	(.0695)	40,359,857	23.3
Reno	1,498,276,461	.7286	.8627	.1341	.1276	.0724	(.0552)	14,010,369	44.9
Sparks	314,998,719	.9844	1.4289	.4445	.3802	.3211	(.0591)	5,512,477	36.8
White Pine	50,250,000	1.6910	4.4100	2.7190	.0630	.1160	.0530	2,274,315	163.4
Ely*	17,935,943	1.4000	1.6266	.2266				304,183	24.1
	\$8,488,088,990							\$ 160,956,708	24.3%

Source: Tentative Budgets

* Indicates Tentative Budget is maximum allowable under expenditure limitation (S.B. 204).

Bot Kusk

REASONS FOR FALLOUT SHELTER BILLS

The building of the MX in Nevada will convert into prime target areas much of our State that has had a 100 per cent survival capability from nuclear attack. As usual, Malfunction Junction has dropped the ball with regard to its Constitutionally delegated responsibility of providing for the common defense by neglecting our civil defense posture. This leaves Nevadans with a problem of providing protection from the hazard and thereby solving the problem.

An effective fallout shelter system is the most effective protection available against the hazards of nuclear attack. It is therefore the most effective deterrent against such an attack. A fallout shelter with the capability of protecting against as little as 5 pounds per square inch blast overpressure will allow its occupants to move half the distance to ground zero and still survive. By cutting the effective destructive radius of the nuclear device to one-half, the area of destruction is reduced to 25 per cent.

Shelters tend to be located in basements or in locations where ground can be bermed up against the outside walls, thereby providing an effective "heat sink" for the floor space that comprises the shelter area. Such floor space is easier to heat and easier to cool and therefore requires less energy. (One of the arguments in favor of earth homes is that they are far more energy efficient as well as cheaper to maintain).

Any fiscal impact arising from the exemption for a home fallout shelter ordinarily will be more than offset by the increase in valuation occasioned by the construction of the shelter. For example, if a family room is added by extending the basement out into the yard, the increase in assessed valuation would more than offset the amount of exemption.

PANIC IS A GREATER THREAT THAN FALLOUT.
ADEQUATE SHELTERS AVERT THAT PANIC.

*David Horton, National Legislative Vice-Chairman,
The American Legion,
P. O. Box 2107, Carson City, Nevada 89701
Telephone 883-1966*

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Exhibit III

~~SENATE~~ ^{ASSEMBLY} BILL NO. _____ COMMITTEE ON _____

DATE: _____

REFERRED TO: _____

SUMMARY- Provides property tax exemption to the extent of \$1,000.00 for homes with fallout shelters.

Fiscal Note: Yes ()

EXPLANATION -- Matter in italics is new; matter in () is material to be omitted.

AN ACT AMENDING CHAPTER 361 OF THE NEVADA REVISED STATUTES TO PROVIDE FOR PROPERTY TAX EXEMPTION TO THE EXTENT OF \$1,000.00 ASSESSED VALUATION FOR ANY HOME EQUIPPED WITH A FALLOUT SHELTER.

SECTION 1. Chapter 361 of the Nevada Revised Statutes is hereby amended to add the following:
361.088 EXEMPTION FOR RESIDENCES HAVING FALLOUT SHELTERS.

1. The property, to the extent of \$1,000.00 assessed valuation, of the residence of any actual bona fide resident of the State of Nevada that contains a fallout shelter sufficient for the ordinary occupancy of the residence, which shelter has a protection factor of 40 or more, is exempt from taxation.

2. The person or persons claiming such exemption shall file with the County Assessor an affidavit declaring that their residence meets the requirements of sub-section 1 and that such exemption has been claimed in no other county in this state for that year.

SUMMARY--Requires public fallout shelters in public buildings.
Fiscal Note: No. (BDR 27-1070)

AN ACT relating to public fallout shelters; requiring such shelters in new public building construction; establishing waiver procedures; requiring establishment of minimum standards; authorizing participation by agencies in federal assistance programs; designating the agencies which are responsible for enforcement; 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. Title 27 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 9, inclusive, of this act.

Sec. 2. Except as otherwise provided in this chapter, all buildings which are constructed, enlarged or revised in whole or in part by the use of state funds, or the funds of any county, city, town or school district of the state, shall be planned, designed and constructed so as to afford protection for the public, including at least the anticipated normal population of such buildings, against fallout gamma radiation hazards. The protected space provided in such buildings shall meet the minimum standards established by the governor under section 3 of this act.

Sec. 3. The governor shall establish minimum standards for protection against fallout gamma radiation hazards which shall be consistent with those established by the Federal Government; and may revise them from time to time. Such standards, and any revision thereof, shall be filed with the secretary of state.

Sec. 4. The governor shall prescribe rules and regulations governing exemption or waiver from the requirements of this section and may waive the requirement of section 2 of this act. These regulations shall prescribe procedures by which waiver from the requirements of section 2 shall be granted whenever it can be established to the satisfaction of the governor that:

1. The total cost of the building, alteration or modification, exclusive of land, architectural fees, equipment and off-site improvement, is less than \$100,000; or

2. The inclusion of protected space in a building:

(a) Will create an additional cost of more than 3 percent of the total cost of construction exclusive of land, architectural fees, equipment and off-site improvement; or

(b) Is considered impracticable or unnecessary; or

(c) Will impair the purpose or effectiveness of the building.

Sec. 5. No design for building construction which fails to meet the requirements set forth in this chapter shall be approved unless a waiver of such requirements has been authorized by the governor for the specific building concerned. Applications for waiver shall be considered by the governor as soon as practicable, and his decision given within 30 calendar days following receipt of the application.

Sec. 6. The governor may delegate any of the authority, powers or duties granted in this chapter to such officers of the state as he deems appropriate.

Sec. 7. Each state institution, agency, board, department or commission and each county, city, town or school district of the state is authorized to participate in such federal assistance programs as may be available or may become available to assist in carrying out the purpose of this chapter.

Sec. 8. This chapter shall apply only to the construction, alteration or modification of such buildings or structures which are commenced on or after July 1, 1971, and shall not be applicable to any such construction, alteration or modification the contracts for which were entered into prior to the effective date of this act.

Sec. 9. The following agencies shall be responsible for enforcement of this chapter:

1. Where state funds are utilized for such purposes, other than as provided in subsection 2, the state planning board.

2. Where state school funds are utilized:

(a) For constructing buildings or facilities for a state university or college, the board of regents of the University of Nevada with the assistance of the state planning board, as provided in NRS 341.155.

(b) For constructing buildings or facilities for a junior college, the governing body of the junior college.

(c) For constructing buildings or facilities for a public school, the board of trustees of the school district.

3. Where funds of counties, municipalities or other political subdivisions of the state are utilized for construction of buildings or facilities therefor, the governing bodies thereof.