

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON TAXATION**

**Seventy-Seventh Session
March 14, 2013**

The Committee on Taxation was called to order by Chairwoman Irene Bustamante Adams at 1:42 p.m. on Thursday, March 14, 2013, in Room 4100 of the Legislative Building, 401 S. Carson St., Carson City, NV. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at nelis.leg.state.nv.us/77th2013. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblywoman Irene Bustamante Adams, Chairwoman
Assemblywoman Peggy Pierce, Vice Chairwoman
Assemblywoman Teresa Benitez-Thompson
Assemblyman Jason Frierson
Assemblyman Tom Grady
Assemblyman Crescent Hardy
Assemblyman Pat Hickey
Assemblyman William C. Horne
Assemblywoman Marilyn K. Kirkpatrick
Assemblyman Randy Kirner
Assemblywoman Dina Neal
Assemblyman Lynn D. Stewart

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblyman Paul Aizley, Clark County Assembly District No. 41



STAFF MEMBERS PRESENT:

Russell J. Guindon, Principal Deputy Fiscal Analyst
Michael Nakamoto, Deputy Fiscal Analyst
Gina Hall, Committee Secretary
Gariety Pruitt, Committee Assistant

OTHERS PRESENT:

None

Chairwoman Bustamante Adams:

Good afternoon everyone. Let the record show all members are present and we have a quorum. Today we have two work sessions.

I will open the hearing on Assembly Bill 66.

Assembly Bill 66: Revises the circumstances under which the State Board of Equalization must provide notice of a proposed increase in the valuation of property. (BDR 32-301)

Chairwoman Bustamante Adams:

At this time I will ask Mr. Nakamoto to go through the work session document, which the Committee members have in their binders.

Michael Nakamoto, Deputy Fiscal Analyst:

The work session document ([Exhibit C](#)) for Assembly Bill 66 is located in Nevada Electronic Legislative Information System (NELIS). It is also in your binders, located behind the tab for A.B. 66.

This bill revises the circumstances under which the State Board of Equalization must provide notice of a proposed increase in the valuation of property. It was sponsored by this Committee, on behalf of the Department of Taxation, and was heard on February 21.

The bill clarifies that the State Board of Equalization is only required to give notice by Registered Mail or Certified Mail, or by personal service, if it proposes to increase the valuation of any property on the assessment roll in a proceeding to resolve an appeal or other complaint before the board.

The testimony in support of the bill was given by Mr. Nielsen and Ms. Rubald from the Department of Taxation. There was no testimony in opposition.

The only testimony otherwise was from Mr. Wilson, the Washoe County Assessor, testifying as neutral with respect to the bill.

There is an amendment attached to this. It is the second page of the work session document. It was based on concerns raised by Assemblyman Frierson and Mr. Wilson, with respect to notification of those people that otherwise were not affected by the broad equalization actions, or that were affected by the broad equalization actions, whether they would receive notice. The language that was proposed by the Department of Taxation would provide notice by United States mail for all of those people who would not be given notice by Registered Mail or Certified Mail.

That is all I have on this particular work session. If anybody has any questions, I will be glad to answer them.

Assemblyman Kirner:

Obviously for me this is a concern because I represent the folks at Incline Village and they went through a major reassessment. If I understand the amendment correctly, they still would have an obligation to be notified by mail, just not Certified Mail?

Michael Nakamoto:

That is correct. They would still receive a notice through the mail. It would just not be through the registered or certified process.

Chairwoman Bustamante Adams:

Are there any other questions from the members of the Committee on the bill? Seeing none I will entertain a motion to amend and do pass A.B. 66.

ASSEMBLYMAN HARDY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 66.

ASSEMBLYMAN HORNE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

I will close the hearing on A.B. 66 and open the hearing on Assembly Bill 75.

Assembly Bill 75: Revises provisions governing the publication of property tax rolls. (BDR 32-486)

Michael Nakamoto, Deputy Fiscal Analyst:

The work session document ([Exhibit D](#)) for Assembly Bill 75 is located in Nevada Electronic Legislative Information System (NELIS). It is also in your binders, located behind the tab for A.B. 75.

Assembly Bill 75 was sponsored by Assemblyman Aizley and would revise provisions governing the publication of property tax rolls. The bill was heard in this Committee on February 21.

Assembly Bill 75 allows the board of county commissioners to direct the county assessor in a county whose population is 100,000 or more, that is Clark and Washoe Counties, to choose to publish the annual list of taxpayers and assessed valuation on the secured property roll either in the newspaper of general circulation in the county, or on an Internet website maintained by the county assessor.

Testimony in support of the bill was given by Assemblyman Aizley, who also provided an amendment to the bill. I will discuss the amendment later within this work session.

Other testimony was given by Mr. Dawley, the Carson City Assessor, who also provided an amendment. This amendment will also be discussed.

The Committee received information from Daphne DeLeon, the Division Administrator for the Nevada State Library and Archives, relating to the availability of broadband Internet access in counties throughout the state.

Additional testimony in support was given by Ms. Vilardo from the Nevada Taxpayers Association; Mr. Wilson, the Washoe County Assessor, on behalf of the Nevada Assessors' Association; and Mr. Davis from the Nevada Conservation League.

The testimony in opposition to the bill was provided by Mr. Smith, Director of the Nevada Press Association; Ms. DiMarzio, from Lionel, Sawyer, and Collins [on behalf of the Nevada Press Association]; and Ms. Engelman, the former Director of the Nevada Press Association.

With respect to the amendments that were brought forth, Assemblyman Aizley's amendment is located beginning on page 3. There is some draft language that was prepared by Fiscal Analysis Division staff. This particular amendment would put in language in section 1 that would require the county assessor to provide one notice in the newspaper of general circulation in the county, on or before January 1, indicating that the information

is available on the county assessor's website. The notice would need to indicate the website address at which the information could be found, and it is required to be displayed in the format for advertisements and printed in at least 10-point bold type or font.

The second amendment is on the last page of the work session document. This was the amendment brought forth by Mr. Dawley from Carson City on behalf of the assessors from Carson City, Douglas County, and Lyon County. Their request was to expand the option to publish the list on the Internet instead of the newspaper to all 17 counties, instead of just Washoe and Clark Counties. They had additional requirements for these particular counties, which would include providing notices in the newspaper, as well as making ten copies of the list available for the public, free of charge, during normal business hours at the county administration office.

Based on conversations that were had between the sponsor, the Chairwoman, and the assessors, there was an additional item for consideration that is being brought forth for this particular meeting. Under current law, in *Nevada Revised Statutes* (NRS) 361.300, subsection 6, there is a requirement for the county assessor on or before December 18 of each year to provide a written notice to all the taxpayers in the state, that notifies them of their assessed valuation. This most commonly comes in the form of a postcard that people receive around that time of the year. It indicates what the assessed value of their property is. There was discussion with respect to that notice, whether language could be included that would give an additional notice to the taxpayer signifying that this list was available in areas that are specifically listed in this section: in a public area of the public libraries and branch libraries located in the county, posted at the office of the county assessor, on the Internet website. There was discussion, for your consideration, of adding language to this particular part of NRS 361.300 to include the specific website at which this information could be obtained on the Internet, so it is an additional notification that all taxpayers are receiving, along with their assessment.

With that I will now entertain any questions.

Assemblyman Kirner:

What is the broadband availability throughout the state, in the rural counties?

Michael Nakamoto:

That was information that was provided by the State Library and Archives, and it should be in NELIS from the February 21 hearing. I do not have the figures offhand. I can get that information for you.

Assemblyman Frierson:

I see different amendments from different places. Does Madam Chairwoman intend on entertaining any motions with respect to any of them? Has the sponsor of the bill indicated to Madam Chairwoman where he is on whether or not these are friendly amendments, consistent with what he was trying to accomplish?

Chairwoman Bustamante Adams:

All five amendments were discussed and agreed upon between the sponsor, myself, and the assessors.

I will have Mr. Nakamoto read the five amendments again, so they are consolidated, and the Committee understands what is included.

Michael Nakamoto:

The five different amendments that are for consideration today, through discussions between the sponsor, Chairwoman, and the assessors, are as follows: The first would expand the authority for the publication of the taxpayer roll on the Internet instead of in the newspaper, for all 17 counties, and not just Clark and Washoe Counties. The second would require that a notice be published in a newspaper of general circulation in the county, on or before January 1, if the list is published on the Internet website. The third would require that the notice must contain the website address, and be in an advertising format, with at least a 10-point bold type or font. This is similar to language that is already located within the statute for advertisements of this type. The fourth would require that in counties whose population is less than 100,000, those are all the counties except for Clark and Washoe Counties, the county assessor would be required to print at least ten copies of the list to be made available for the public at the county office during normal business hours. The fifth amendment would clarify the current requirement for the county assessor to provide written notice to the taxpayer, on or before December 18 of each year, to include language that states that the written notice must include language specifying this list will be available on the website on or before January 1, and that that notice would also be required to have the website address at which the list could be obtained.

Chairwoman Bustamante Adams:

Are there any questions from the members of the Committee?

Assemblyman Hickey:

Is there anything in this that would require or imply that lists would be available in the larger county assessor's office if people came in and requested it there?

Michael Nakamoto:

Under current law the list is already required to be published and made available in the libraries and at the office of the county assessor, so that is already part of current law. Current law already requires the county assessors to put that information on the assessment card when it is mailed out in December.

Chairwoman Bustamante Adams:

Are there any questions from the members of the Committee? [There were none.] I will entertain a motion to amend. What is the pleasure of the Committee?

ASSEMBLYMAN KIRNER MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 75.

ASSEMBLYMAN FRIERSON SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chairwoman Bustamante Adams:

I will close the hearing on A.B. 75. I will assign the floor statement to Assemblyman Aizley on A.B. 75. I will assign the floor statement of Assembly Bill 66 to Assemblyman Hickey.

Is there any public comment at this time? [There was none.] The meeting is adjourned [at 1:56 p.m.].

RESPECTFULLY SUBMITTED:

Gina Hall
Committee Secretary

APPROVED BY:

Assemblywoman Irene Bustamante Adams
Chairwoman

DATE: _____

EXHIBITS

Committee Name: Committee on Taxation

Date: March 14, 2013

Time of Meeting: 1:42 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 66	C	Michael Nakamoto	Work Session Document
A.B. 75	D	Michael Nakamoto	Work Session Document