

STATE OF NEVADA
DEPARTMENT OF STATE

**Questions to Be Voted Upon in State of
Nevada at the General Election,
November 6, 1984**



Compiled by

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SECRETARY OF STATE

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

I, Wm. D. Swackhamer, the duly elected, qualified and acting Secretary of State of the State of Nevada, do hereby certify that the following Constitutional Amendments and Questions are to appear on the 1984 General Election Ballot:

QUESTION NO. 1

Amendment to the Constitution

Senate Joint Resolution No. 3 of the 61st Session

Senate Joint Resolution—Proposing to amend article 10 of the constitution of the State of Nevada; relating to taxation, by adding a new section which exempts food for human consumption from sales and use tax.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That article 10 of the constitution of the State of Nevada be amended by adding thereto a new section which shall read as follows:

Sec. 3. The legislature shall provide by law for:

1. The exemption of food for human consumption from any tax upon the sale, storage, use or consumption of tangible personal property; and

2. These commodities to be excluded from any such exemption:

(a) Prepared food intended for immediate consumption.

(b) Alcoholic beverages.

CONDENSATION (ballot question)

Shall the Nevada constitution be amended to exempt food for human consumption, but not alcoholic beverages or prepared food, from any tax on sale or use?

Yes.....225,611.....☒
No.....45,316.....☐

EXPLANATION

Food for human consumption is now exempt from all the taxes on retail sales and the corresponding taxes on use of products bought outside the state. This exemption from the basic 2-percent tax cannot be changed without a vote of the people, but exemption from the other taxes totaling 3.75 to 4 percent depends upon the legislature. This amendment would put the entire exemption into the constitution.

ARGUMENT FOR PASSAGE

Passage of this amendment will ensure that food for human consumption will be exempt from state sales tax. If this measure is approved, any sales tax on food could be imposed only by vote of the people. Alcoholic beverages and prepared food such as restaurant meals are excluded from the exemption and will, therefore, continue to generate considerable sales tax revenue.

ARGUMENT AGAINST PASSAGE

Placing this type of language in the constitution restricts the legislature's ability to respond to changing financial situations.

QUESTION NO. 2

Amendment to the Constitution

Senate Joint Resolution No. 21 of the 61st Session

Senate Joint Resolution—Proposing to amend the Nevada constitution and to provide for the taxation of minerals by value.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That section 1 of article 10 of the constitution of the State of Nevada be amended to read as follows:

Section 1. 1. The legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal and possessory, except [mines and mining claims, when not patented, the proceeds alone of which shall be assessed and taxed, and when patented, each patented mine shall be assessed at not less than five hundred dollars (\$500), except when one hundred dollars (\$100) in labor has been actually performed on such patented mine during the year, in addition to the tax upon the net proceeds; shares] *property for which specific provision is made in this section.*

2. *Shares of stock (except shares of stock in banking corporations), bonds, mortgages, notes, bank deposits, book accounts and credits, and securities and choses in action of like character are deemed to represent interest in property already assessed and taxed, either in Nevada or elsewhere, and shall be exempt. [Notwithstanding the provisions of this section, the]*

3. *The legislature shall provide by law for the taxation of minerals, including without limitation coal, oil, natural gas and other hydrocarbons, at a rate not greater than 5 percent of their value as net proceeds.*

4. *The legislature may constitute agricultural and open-space real*

property having a greater value for another use than that for which it is being used, as a separate class for taxation purposes and may provide a separate uniform plan for appraisal and valuation of such property for assessment purposes. If such plan is provided, the legislature shall also provide for retroactive assessment for a period of not less than 7 years when agricultural and open-space real property is converted to a higher use conforming to the use for which other nearby property is used.

5. Personal property which is moving in interstate commerce through or over the territory of the State of Nevada, or which was consigned to a warehouse, public or private, within the State of Nevada from outside the State of Nevada for storage in transit to a final destination outside the State of Nevada, whether specified when transportation begins or afterward, shall be deemed to have acquired no situs in Nevada for purposes of taxation and shall be exempt from taxation. Such property shall not be deprived of such exemption because while in the warehouse the property is assembled, bound, joined, processed, disassembled, divided, cut, broken in bulk, relabeled or repackaged.

6. The legislature may exempt motor vehicles from the provisions of the tax required by this section, and in lieu thereof, if such exemption is granted, shall provide for a uniform and equal rate of assessment and taxation of motor vehicles, which rate shall not exceed five cents on one dollar of assessed valuation.

7. The legislature shall provide by law for a progressive reduction in the tax upon business inventories by 20 percent in each year following the adoption of this provision, and after the expiration of the 4th year such inventories are exempt from taxation. The legislature may exempt any other personal property, including livestock.

8. No inheritance or estate tax shall ever be levied. [, and there shall also be excepted such property as may be exempted by law]

9. *The legislature may exempt by law property used for municipal, educational, literary, scientific or other charitable purposes.*

CONDENSATION (ballot question)

Shall the Nevada constitution be amended to allow the taxing of proceeds of mines at a different rate from other property, but not higher than 5 percent?

Yes.....126,899.....☐
No.....133,748.....☒

EXPLANATION

Article 10 of the constitution provides that a mine itself is not taxed but its equipment and proceeds must be taxed at the same rate as other property. This amendment would retain the principle of taxing only the equipment and proceeds, but allow the rate to be different for the proceeds, within the same constitutional limit of \$5 for each \$100 of value. The tax would apply to coal, oil and natural gas as well as other minerals.

ARGUMENT FOR PASSAGE

If passed, this proposed constitutional amendment will sever the tie between the rate of tax on net proceeds of mines and the rate of ad valorem taxes generally—thereby allowing the legislature, at its discretion, to increase revenues from the tax on net proceeds of mines. Nevada's present system of taxing minerals provides revenues at a lower level than do some of the systems in other Western states. This amendment will enable the legislature to bring Nevada's revenues nearer to equality by allowing the tax rate to be increased to the constitutional limit of \$5 for each \$100 of value.

ARGUMENT AGAINST PASSAGE

A continuing strong mining industry is essential to sustain the economy of several counties in Nevada. This amendment may reduce the profitability of some mines in Nevada. Taxes on net proceeds of mines are an important source of revenue to several counties in Nevada. This amendment allows the legislature to determine distribution of the revenues from the tax on net proceeds of mines. Any loss of revenues to local governments from net proceeds of mines could result in increases in rates of property tax.

QUESTION NO. 3

Amendment to the Constitution

Assembly Joint Resolution No. 30 of the 61st Session

Assembly Joint Resolution—Proposing to amend the Nevada constitution to remove the prohibition against increasing judges or changing the number of judicial districts during the term of an incumbent.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 5 of article 6 of the constitution of the State of Nevada be amended to read as follows:

Sec. 5. The state is hereby divided in Nine Judicial Districts of which the county of Storey shall constitute the First; The county of Ormsby the Second; the county of Lyon the Third; The county of Washoe the Fourth; The counties of Nye and Churchill the Fifth; The county of Humboldt the Sixth; The county of Lander the Seventh; The county of Douglas the Eighth; and the county of Esmeralda the Ninth. The county of Roop shall be attached to the county of Washoe for judicial purposes until otherwise provided by law. The Legislature may, however, provide by law for an alteration in the boundaries or divisions of the Districts herein prescribed, and also for increasing or diminishing the number of the Judicial Districts and Judges therein. But no [such change shall] *provision for diminishing the number of judges may take effect, except in case of a*

vacancy, or the expiration of the term of an incumbent of the office. At the first general election under this Constitution there shall be elected in each of the respective Districts (except as in this Section hereafter otherwise provided) One District Judge, who shall hold Office from and including the first Monday of December AD. Eighteen hundred and Sixty four and until the first Monday of January in the year Eighteen hundred and Sixty seven. After the said first election, there shall be elected at the General election which immediately precedes the expiration of the term of his predecessor, One District Judge in each of the respective Judicial Districts (except in the First District as in this Section hereinafter provided.) The District Judges shall be elected by the qualified electors of their respective districts, and shall hold office for the term of 6 years (excepting those elected at said first election) from and including the first Monday of January, next succeeding their election and qualification; Provided, that the First Judicial District shall be entitled to, and shall have Three District Judges, who shall possess co-extensive and concurrent jurisdiction, and who shall be elected at the same times, in the same manner, and shall hold office for the like terms as herein prescribed, in relation to the Judges in other Judicial Districts, any one of said Judges may preside on the [empanneling] *empaneling* of Grand Juries and the presentment and trial on indictments, under such rules and regulations as may be prescribed by law.

CONDENSATION (ballot question)

Shall the Nevada constitution be amended to permit the number of district judges to be increased during a term of office?

Yes 128, 007 ☐
No 134, 816 ☒

EXPLANATION

Section 5 of article 6 of the constitution literally prohibits any change in the number of district judges during a term of office, unless a vacancy occurs. Each term is 6 years long. This amendment would retain the prohibition against decreasing the number (so that no judge could be forced out of office by this means) but allow the legislature to increase the number more often.

ARGUMENT FOR PASSAGE

This amendment would conform the language of the constitution to the supreme court's interpretation of its purpose, by specifically providing that the number of the judges in any judicial district may be increased during the terms of the incumbents. The legislature needs the authority to add judges to meet the increased workload of the district courts. Under this amendment, the existing provision prohibiting any reduction in the number of district judges during their terms of office will be retained in the Nevada constitution.

ARGUMENT AGAINST PASSAGE

This amendment is unnecessary because the Nevada Supreme Court, in a 1981 decision, held that new judgeships can be added during the existing terms of district court judges.

QUESTION NO. 4

Amendment to the Constitution

Assembly Joint Resolution No. 25 of the 61st Session

Assembly Joint Resolution—Proposing to amend sections 9 and 10 of article 8 of the constitution of the State of Nevada to remove any prohibition against the deposit of public money in any bank, mutually owned depository or savings and loan association

Resolved by the Assembly and Senate of the State of Nevada, jointly, That sections 9 and 10 of article 8 of the constitution of the State of Nevada be amended to read as follows:

【Sec:】 *Sec. 9. The State shall not donate or loan money, or its credit, subscribe to or be, interested in the Stock of any company, association, or corporation, except corporations formed for educational or charitable purposes. This section does not prohibit the deposit of money of the state in any bank, savings and loan association or mutually owned depository.*

【Sec:】 *Sec. 10. No county, city, town, or other municipal corporation shall become a stockholder in any joint stock company, corporation or association whatever, or loan its credit in aid of any such company, corporation or association, except, rail-road corporations, companies or associations. This section does not prohibit the deposit of money of a county, city, town or other municipal corporation in any bank, savings and loan association or mutually owned depository.*

CONDENSATION (ballot question)

Shall the Nevada constitution be amended to permit deposit of public money in mutually owned financial institutions?

Yes.....113, 858.....☐
No.....148, 151.....☒

EXPLANATION

Sections 9 and 10 of article 8 of the constitution prohibit the state and its local governments from becoming stockholders in private corporations. In a federally chartered saving and loan association, in mutual savings banks organized under the laws of other states, and in credit

unions, the depositors are the owners and so are considered stockholders. This amendment would provide an exception to the general prohibition, allowing deposits in these institutions.

ARGUMENT FOR PASSAGE

There is a peculiarity in the Nevada constitution which allows the state and local governments to deposit public funds in major types of financial institutions except mutual savings and loan associations and credit unions. These institutions are owned by their depositors. If approved, this constitutional amendment will permit the deposit of public funds in mutual savings and loan associations and credit unions. Because these institutions are federally insured, the public's money will be secure. Approval of this amendment will allow the mutually owned savings and loans and credit unions to compete equally with other types of financial institutions for public investment.

ARGUMENT AGAINST PASSAGE

The framers of the Nevada constitution were correct in prohibiting the deposit of public money in those financial institutions which are mutually owned. Placement of public money in mutual savings and loan associations and credit unions is not proper because it would make the governmental entities partial owners of private businesses.

QUESTION NO. 5

Amendment to the Constitution

Senate Joint Resolution No. 39 of the 61st Session

Senate Joint Resolution—Proposing to amend the Nevada constitution to permit the legislature to delegate the task of reconciling separate bills amending the same provision of law.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That section 17 of article 4 of the constitution of the State of Nevada be amended to read as follows:

【Sec:】 *Sec. 17. 1. Each law enacted by the Legislature shall embrace but one subject, and matter, properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be revised or amended by reference to its title only; but, in such case, the act as revised or section as amended, shall be re-enacted and published at length.*

2. The legislature may provide by law for the correction of manifest clerical or typographical errors and for the reconciliation, after a session has adjourned, of two or more provision which affect the same section or chapter, if they are compatible in substance.

CONDENSATION (ballot question)

Should the Nevada constitution be amended to allow the legislature to provide for reconciliation of separate but compatible changes of statute without further legislative action?

Yes.....78,169.....☐
No.....175,818.....☒

EXPLANATION

The purpose of the existing constitutional requirement to show the full text of a statutory section that is amended is to prevent hiding an important change, but one result is to require many technical amendments to reconcile conflicts when the same section is amended for several purposes in different bills. This proposal would require the change made by each bill to be shown in full, but permit the legislature to delegate the technical reconciliation to the legislative counsel as he prepares the supplement to Nevada Revised Statutes.

ARGUMENT FOR PASSAGE

After each legislative session, the legislative counsel integrates the laws into the Nevada Revised Statutes (NRS), which is all of the statute law of Nevada of a general nature enacted by the legislature. Occasionally, two or more bills are passed which amend the same chapter or section of the NRS. The legislative counsel reconciles any inconsistencies in those bills and then submits a bill to the next legislature requesting ratification of the necessary changes. Under the current practice, a dispute could arise as to what is the exact law. This measure would clearly give the legislature the authority to provide for the correction of clerical or typographical errors and for the reconciliation, after the session has adjourned, of provisions which affect the same section or chapter of the NRS. This would reduce the time the legislature now spends processing technical corrections to state law.

ARGUMENT AGAINST PASSAGE

The existing procedure for dealing with technical or minor corrections to the law may require additional time and appear to be cumbersome. It is, however, appropriate and necessary. Changes or apparent corrections to the laws passed by one legislature should be made by the next legislature. The legislature should not be permitted to delegate this responsibility.

QUESTION NO. 6

Amendment to the Constitution

Senate Joint Resolution No. 33 of the 61st Session

Senate Joint Resolution—Proposing to amend the Nevada constitution to exclude from the limitations on state indebtedness obligations

incurred by the state to finance the purchase of securities issued by certain municipalities.

Resolved by the Senate and Assembly of the State of Nevada, jointly, That section 3 of article 9 of the constitution of the State of Nevada be amended to read as follows:

Sec. 3. The state may contract public debts; but such debts shall never, in the aggregate, exclusive of interest, exceed the sum of one per cent of the assessed valuation of the state, as shown by the reports of the county assessors to the state controller, except for the purpose of defraying extraordinary expenses, as hereinafter mentioned. Every such debt shall be authorized by law for some purpose or purposes, to be distinctly specified therein; and every such law shall provide for levying an annual tax sufficient to pay the interest semiannually, and the principal within twenty years from the passage of such law, and shall specially appropriate the proceeds of said taxes to the payment of said principal and interest; and such appropriation shall not be repealed nor the taxes postponed or diminished until the principal and interest of said debts shall have been wholly paid. Every contract of indebtedness entered into or assumed by or on behalf of the state, when all its debts and liabilities amount to said sum before mentioned, shall be void and of no effect, except in cases of money borrowed to repel invasion, suppress insurrection, defend the state in time of war, or, if hostilities be threatened, provide for the public defense.

The state, notwithstanding the foregoing limitations, may, pursuant to authority of the legislature **[, make]** :

(a) *Make* and enter into any and all contracts necessary, expedient or advisable for the protection and preservation of any of its property or natural resources, or for the purposes of obtaining the benefits thereof, however arising and whether arising by or through any undertaking or project of the United States or by or through any treaty or compact between the states, or otherwise **[.]** ; and

(b) *Incur any obligation to finance the purchase of securities issued by any county, city, town, school district, general improvement district or other district, including an irrigation district, of this state.* The legislature may from time to time make such appropriations as may be necessary to carry out the obligations of the state under such contracts, and shall levy such tax as may be necessary to pay the same or carry them into effect.

CONDENSATION (ballot question)

Shall the Nevada constitution be amended to exempt debts contracted by the state to purchase securities issued by local governments from the state debt limit?

Yes.....73, 757.....☐
No.....179, 193.....☒

EXPLANATION

Section 3 of article 9 of the constitution imposes a limit on state debt equal to 1 percent of the assessed valuation of taxable property. There is an exemption for development of natural resources. The state now issues its own bonds to finance the purchase of bonds issued by local governments, to give them the benefit of a lower interest rate. This amendment would add a second exemption for this activity.

ARGUMENT FOR PASSAGE

Local governments in Nevada should be allowed to take advantage of the lowest possible interest rates on their public indebtedness. In certain instances, local governments must pay higher interest rates than are required of the state when they finance their debts. These higher rates are sometimes based on standard rating formulas which do not necessarily reflect the local entities' abilities to retire their debts. Approval of this constitutional amendment will provide a mechanism whereby local governments can take advantage of the state's bond rating.

ARGUMENT AGAINST PASSAGE

Nevada's constitution sets a limitation on the state's debt to ensure that the state can meet its future financial obligations. Passage of this proposed constitutional amendment could impair that ability. Citizens of the state should not be subjected to increased financial responsibility for paying off debts of local governments which default on their bonds.

QUESTION NO. 7

Amendment to the Constitution

Assembly Joint Resolution No. 2 of the 61st Session

Assembly Joint Resolution—Proposing to amend sections 6 and 15 of article 4 of the constitution of the State of Nevada to require the legislature to establish procedures for its standing and select committees and to abolish executive sessions of the senate.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That sections 6 and 15 of article 4 of the constitution of the State of Nevada be amended to read as follows:

【Sec:】 *Sec. 6. Each House shall judge of the qualifications, elections and returns of its own members, choose its own officers (except the President of the Senate), 【determine the rules of its proceedings and】 may punish its members for disorderly conduct, and with the concurrence of two thirds of all the members elected, expel a member. Each house shall determine the rules of its proceedings, except that the legislature shall provide by law procedures for the standing and the select committees of the legislature.*

【Sec:】 *Sec. 15.* The doors of each House shall be kept open during its session, **【except the Senate while sitting in executive session,】** and neither shall, without the consent of the other, adjourn for more than three days nor to any other place than that in which they may be holding their sessions.

CONDENSATION (ballot question)

Shall the Nevada constitution be amended to authorize the legislature as a whole to provide by law the procedures for its committees?

Yes.....121, 016.....☐
No.....131, 272.....☒

EXPLANATION

The constitution now provides that each house of the legislature must determine separately the rules of its own proceedings, including those of its committees. These are subject to change at any time. This amendment would retain the present provision for the houses themselves, but require the legislature collectively to enact permanent procedures for the committees, which could be changed only by the action of both houses subject to the governor's veto.

ARGUMENT FOR PASSAGE

This proposed amendment to the Nevada constitution is the legislature's response to the public belief, as identified during several committee hearings on the subject, that meetings of governmental bodies including the legislature should be open to public scrutiny. If approved by the voters, the amendment will cause two important changes in legislative procedures. First, it will abolish executive sessions of the senate which may be closed to the public. Second, it will require the legislature to provide, by law, procedures for its standing and select committees. Now, committee procedures are solely within the rulemaking power of each house. Placing committee procedures within the reach of law, which must be acted upon by both houses and is subject to veto by the governor, will add the necessary considerations to ensure that legislative committee meetings remain open to the public.

ARGUMENT AGAINST PASSAGE

Nevada's open meeting law does not apply to the legislature. Approval of this question does not guarantee that it will. The original version of this question, which was later reworded by the legislature, would have specifically required meetings of any standing or select committee of either house of the legislature to be open to the public. This reworded version, however, does not provide language of sufficient clarity to ensure that meetings of the legislature will be open.

QUESTION NO. 8

Proposal to Amend the Sales and Use Tax Act

Assembly Bill No. 140

Notice is hereby given that at the general election on November 6, 1984, a question will appear on the ballot for the adoption or rejection by the registered voters of the state of the following proposed act:

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

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

Section 1. The above entitled act, being chapter 397, Statutes of Nevada 1955, at page 766, is hereby amended by adding thereto two new sections to be designated as sections 18.2 and 47.5, respectively, which shall immediately follow sections 18.1 and 47.1, respectively, and shall read respectively as follows:

Sec. 18.2. *"Vehicle" has the meaning ascribed to it in NRS 482.135.*

Sec. 47.5 1. *Except as provided in subsection 2, for the purpose of computing the tax on the sale of a vehicle by a seller who is not required to be registered with the department, each vehicle must be depreciated according to the following schedule:*

<i>Age</i>	<i>Percentage of Initial Value</i>
<i>New.....</i>	<i>100 percent</i>
<i>1 year.....</i>	<i>85 percent</i>
<i>2 years.....</i>	<i>75 percent</i>
<i>3 years.....</i>	<i>65 percent</i>
<i>4 years.....</i>	<i>60 percent</i>
<i>5 years.....</i>	<i>55 percent</i>
<i>6 years.....</i>	<i>50 percent</i>
<i>7 years.....</i>	<i>45 percent</i>
<i>8 years.....</i>	<i>40 percent</i>
<i>9 years.....</i>	<i>35 percent</i>
<i>10 years.....</i>	<i>30 percent</i>
<i>11 years.....</i>	<i>25 percent</i>
<i>12 years.....</i>	<i>20 percent</i>
<i>13 years.....</i>	<i>15 percent</i>
<i>14 years or more.....</i>	<i>10 percent</i>

2. *The amount of depreciation calculated under subsection 1 must be rounded to the nearest whole multiple of \$20 and the depreciated value must not be reduced below \$100.*

Sec. 2. Sections 11 and 12, 15 and 18.1 of the above-entitled act, being chapter 397, Statutes of Nevada 1955, at pages 764, 765 and 766 respectively, are hereby amended to read as follows:

Sec. 11. 1. "Sales price" means the total amount for which tangible property is sold, valued in money, whether paid in money or otherwise, without any deduction on account of any of the following:

- (a) The cost of the property sold.
- (b) The cost of materials used, labor or service cost, interest charged, losses, or any other expenses.
- (c) The cost of transportation of the property prior to its purchase.

2. The total amount for which property is sold includes all of the following:

- (a) Any services that are a part of the sale.
- (b) Any amount for which credit is given to the purchaser by the seller.

3. "Sales price" does not include any of the following:

- (a) Cash discounts allowed and taken on sales.
- (b) The amount charged for property returned by customers when the entire amount charged therefor is refunded either in cash or credit; but this exclusion shall not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned.

(c) The amount charged for labor or services rendered in installing or applying the property sold.

(d) The amount of any tax (not including, however, any manufacturers' or importers' excise tax) imposed by the United States upon or with respect to retail sales whether imposed upon the retailer or the consumer.

(e) The amount of any allowance against the selling price given by a retailer for the value of a used vehicle which is taken in trade on the purchase of another vehicle.

4. *For the purpose of a sale of a vehicle by a seller who is not required to be registered with the department of taxation, the sales price is the value established by the department of motor vehicles or the county assessor, as agent of the department, based on the depreciated value of the vehicle as determined in accordance with the schedule in section 47.5 of this act. To determine the original price from which the depreciation is calculated, the department of motor vehicles shall use:*

(a) The manufacturer's suggested retail price in Nevada, excluding options and extras, as of the time the particular make and year model is first offered for sale in Nevada.

(b) If the vehicle is specially constructed, the original retail price to the original purchaser of the vehicle as evidenced by such document or documents as the department may require.

(c) The procedures set forth in subsections 3 and 4 of NRS 371.050; or

(d) If none of these applies, its own estimate from any available information.

Sec. 12. 1. "Gross receipts" means the total amount of the sale or lease or rental price, as the case may be, of the retail sales of retailers, valued in money, whether received in money or otherwise, without any deduction on account of any of the following:

(a) The cost of the property sold. However, in accordance with such rules and regulations as the tax commission may prescribe, a deduction may be taken if the retailer has purchased property for some other purpose than resale, has reimbursed his vendor for tax which the vendor is required to pay to the state or has paid the use tax with respect to the property, and has resold the property prior to making any use of the property other than retention, demonstration or display while holding it for sale in the regular course of business. If such a deduction is taken by the retailer, no refund or credit will be allowed to his vendor with respect to the sale of the property.

(b) The cost of the materials used, labor or service cost, interest paid, losses, or any other expense.

(c) The cost of transportation of the property prior to its sale to the purchaser.

2. The total amount of the sale or lease or rental price includes all of the following:

(a) Any services that are a part of the sale.

(b) All receipts, cash, credits, and property of any kind.

(c) Any amount for which credit is allowed by the seller to the purchaser.

3. "Gross receipts" do not include any of the following:

(a) Cash discounts allowed and taken on sales.

(b) Sale price of property returned by customers when the full sale price is refunded either in cash or credit; but this exclusion shall not apply in any instance when the customer, in order to obtain the refund, is required to purchase other property at a price greater than the amount charged for the property that is returned.

(c) The price received for labor or services used in installing or applying the property sold.

(d) The amount of any tax (not including, however, any manufacturers' or importers' excise tax) imposed by the United States upon or with respect to retail sales whether imposed upon the retailer or the consumer.

(e) The amount of any allowance against the selling price given by a retailer for the value of a used vehicle which is taken in trade on the purchase of another vehicle.

4. For purposes of the sales tax, if the retailers establish to

the satisfaction of the tax commission that the sales tax has been added to the total amount of the sale price and has not been absorbed by them, the total amount of the sale price shall be deemed to be the amount received exclusive of the tax imposed.

Sec. 15. 1. "Retailer" includes:

(a) Every seller who makes any retail sale or sales of tangible personal property, and every person engaged in the business of making retail sales at auction of tangible personal property owned by the person or others.

(b) Every person engaged in the business of making sales for storage, use, or other consumption or in the business of making sales at auction of tangible personal property owned by the person or others for storage, use, or other consumption.

(c) Every person making *any retail sale of a vehicle* or more than two retail sales of *other* tangible personal property during any 12-month period, including sales made in the capacity of assignee for the benefit of creditors, or receiver or trustee in bankruptcy.

2. When the tax commission determines that it is necessary for the efficient administration of this act to regard any salesman, representatives, peddlers, or canvassers as the agents of the dealers, distributors, supervisors, or employers under whom they operate or from whom they obtain the tangible personal property sold by them, irrespective of whether they are making sales on their own behalf or on behalf of such dealers, distributors, supervisors, or employers the tax commission may so regard them and may regard the dealers, distributors, supervisors, or employers as retailers for purposes of this act.

3. A licensed optometrist or physician and surgeon is a consumer of, and shall not be considered a retailer within the provisions of this act, with respect to the ophthalmic materials used or furnished by him in the performance of his professional services in the diagnosis, treatment or correction of conditions of the human eye, including the adptation of lenses or frames for the aid thereof.

Sec. 18.1. 1. "Occasional [sale]" *sale," except as otherwise provided in subsection 2,* includes:

(a) A sale of property not held or used by a seller in the course of an activity for which he is required to hold a seller's permit, [provided such] *if the* sale is not one of a series of sales sufficient in number, scope and character to constitute an activity requiring the holding of a seller's permit.

(b) Any transfer of all or substantially all the property held or used by a person in the course of such activity when after [such] *the* transfer the real or ultimate ownership of [such] *the* property is substantially similar to that which existed before [such] *the* transfer.

2. *The term does not include the sale of a vehicle other than the sale or transfer of a used vehicle to the seller's spouse, child, grandchild, parent, grandparent, brother or sister. For the purposes of this section, the relation of parent and child includes adoptive and illegitimate children and stepchildren.*

3. For the purposes of this section, stockholders, bondholders, partners, or other persons holding an interest in a corporation or other entity are regarded as having the "real or ultimate ownership" of the property of [such] the corporation or other entity.

Sec. 3. This act shall become effective on January 1, 1985.

CONDENSATION (ballot question)

Shall the Sales and Use Tax Act be amended to provide for excluding from the sales tax and use tax the value of any used vehicle taken in trade on the purchase of another vehicle and for removing the exemption from those taxes for occasional sales of vehicles except where such sales are between certain family members?

Yes.....99,197.....☐
No.....162,719.....☒

EXPLANATION

The proposed amendment to the Sales and Use Tax Act of 1955 would provide for excluding from the sales and use tax the value of any used vehicle taken in trade on the purchase of another vehicle and for removing the exemption from those taxes for occasional sales of vehicles except where such sales are between certain family members. The legislature has amended the Local School Support Tax Law and the City-County Relief Tax Law to provide for changes similar to those proposed for the Sales and Use Tax Act. A "Yes" vote is to provide for excluding from sales or use tax the value of a vehicle taken in trade on the purchase of another vehicle and to provide for removing the exemption from the tax for occasional sales of vehicles except between certain family members. A "No" vote is a vote to maintain the tax on the full value of each vehicle each time it is sold and to maintain the exemption from the tax for occasional sales of vehicles.

ARGUMENT FOR PASSAGE

The 1983 legislature excluded from the local sales taxes the value of any used motor vehicle taken in trade on the purchase of another vehicle. If passed, this question will extend the exclusion to the state's portion of the sales tax. Sales or trades of vehicles between family members will continue to be exempt from any sales tax. This proposal, which also removes the sales tax exemption from the private sale of motor vehicles, could generate additional, but small, annual revenues to the state.

ARGUMENT AGAINST PASSAGE

Passage of this question will place an additional tax burden on people involved in the private sale of their motor vehicles. The added tax burden will be heaviest on those middle and lower income families who rely on private transactions to purchase automobiles. Some people believe this measure would benefit automobile dealers at the expense of private sellers. Other private sales are not subject to sales tax. This measure's depreciation schedules could cause a person to pay sales tax on an amount higher than the actual purchase price of a vehicle he purchases in a private transaction.

QUESTION NO. 9

A Proposal to Issue State General Obligation Bonds in the Amount of \$10,000,000 for the Purpose of Building and Expanding Public Libraries

Senate Bill No. 359

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

Section 1. At the general election to be held in the State of Nevada in 1984, there shall be submitted to the voters of the state in the manner prescribed by chapter 349 of NRS a proposal to issue general obligation bonds of the State of Nevada for the purposes of building and expanding public libraries in this state in an amount of not more than \$10,000,000. If the proposal is carried, the bonds may be issued at one time or from time to time.

Sec. 2. 1. If, on the application of the state librarian with the approval of the Nevada council on libraries, the interim finance committee finds that one or more state-supported construction projects for public libraries ought to be commenced, it may direct:

(a) The state board of examiners to issue a sufficient amount of the bonds authorized pursuant to section 1 of this act; and

(b) The state librarian to make grants from the proceeds of the bonds to local governmental entities for construction projects for public libraries, computing the adjusted state and local shares according to the provisions of section 4 of this act.

2. The state librarian shall not expend more than the amount authorized unless he has obtained prior approval from the interim finance committee.

3. The provisions of the State Securities Law, contained in chapter 349 of NRS, apply to the issuance of bonds under this act.

Sec. 3. The state librarian shall administer the program of grants to local governmental entities for construction projects for public libraries, and he may adopt regulations as necessary to carry out the program. The Nevada council on libraries shall review applications for individual grants and may make recommendations concerning those applications. All applications must be forwarded to the interim finance committee, together with the recommendations of the council. The interim finance committee has final authority to approve or disapprove grants.

Sec. 4. In order to be eligible for a grant from the proceeds of the bonds, a local governmental entity planning a state-supported construction project must provide a local share to match the state share. The basic local share is equal to the state share and is adjusted in each case to reflect local financial ability. The amount of the adjusted local share is computed according to the following formula:

1. The total assessed valuation of the local governmental entity, as certified by the department of taxation for the most recent tax year, is divided by the population of that entity to determine the local assessed valuation per capita.

2. The total assessed valuation of the state, as certified by the department of taxation for the most recent tax year, is divided by the population of the state to determine the statewide assessed valuation per capita.

3. The local assessed valuation per capita is divided by the statewide assessed valuation per capita to determine what percentage the local average is of the statewide average.

4. The basic local share (50 percent of the estimated total cost of the state-supported project) is multiplied by the quotient computed in subsection 3 to determine the adjusted local share which must be provided in order to receive a construction grant. The adjusted state share of the project is determined by subtracting the adjusted local share from the estimated total cost.

CONDENSATION (ballot question)

Shall the State of Nevada be authorized to issue general obligation bonds up to the amount of \$10,000,000 to build and expand public libraries?

Yes.....152,245.....☒
No.....114,572.....☐

EXPLANATION

If the issuance of these bonds is approved, each project on which part of their proceeds is to be spent must be recommended by the state librarian, reviewed by the Nevada council on libraries, and approved by the interim finance committee. Each locality in which such a project is to be carried out must contribute a share of the cost determined according to its assessed valuation per capita compared to that of the whole state, but approximating half of the total cost.

ARGUMENT FOR PASSAGE

Libraries are a vital source of information in today's complex society. No funding presently exists, however, to assist local governments in financing public library construction projects which are greatly needed. Previously, the Fleischmann Foundation and various federal programs provided funding for construction and expansion of libraries in Nevada. The foundation was dissolved in 1981, and federal funds are no longer available for these projects. This bond issue, if approved, will allow the state to issue general obligation bonds for the purposes of building new libraries and expanding existing ones throughout the state.

ARGUMENT AGAINST PASSAGE

Approval of this bond issue will increase the state's indebtedness at a time when Nevada's economic conditions are unstable. This bond issue also fails to consider the need for other public facilities which may have a higher priority than libraries. The voters expressed their disapproval of a similar bond issue at the November 1982 general election.

QUESTION NO. 10

Proposal to Amend the Sales and Use Tax Act

Assembly Bill No. 155

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

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

Section 1. The above-entitled act, being chapter 397, Statutes of Nevada 1955, at page 762, is hereby amended by adding thereto a new section to be designated as section 62, which shall immediately follow section 61 and shall read as follows:

Sec. 62. 1. The tax imposed by this chapter must:

(a) When imposed on the privilege of selling a new manufactured home, be imposed on the sale of the materials used in constructing the manufactured home. For the purposes of this paragraph, the cost of the materials used in constructing a manufactured home is 60 percent of the cost of the manufactured home.

(b) Not be collected on the sale of any mobile home or manufactured home if the sale of the mobile home or manufactured

home or the materials used in constructing it have been previously taxed pursuant to this chapter.

2. As used in this section:

(a) "Manufactured home" means a structure which is:

- (1) Built on a permanent chassis;
- (2) Designed to be used with or without a permanent foundation as a dwelling when connected to utilities;
- (3) Transportable in one or more sections; and
- (4) Eight feet or more in body width or 40 feet or more in body length when transported, or, when erected on site, contains 320 square feet or more.

(b) "Mobile home" has the meaning ascribed to it in chapter 489 of NRS.

3. As used in this section, "manufactured home" includes:

(a) The plumbing, heating, air-conditioning and electrical systems of the structure; and

(b) Any structure:

(1) Which meets the requirements of subparagraphs (1), (2) and (3) of paragraph (a) of subsection 1; and

(2) With respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.), but does not include any structure built in compliance with the requirements of chapter 461 of NRS.

Sec. 2. This act shall become effective on July 1, 1985.

CONDENSATION (ballot question)

Shall the Sales and Use Tax Act be amended to provide for collection of the tax on the materials used in constructing a new manufactured home and to exempt certain used mobile homes and manufactured homes from the tax?

Yes 103,399 ☐
No 154,676 ☒

EXPLANATION

The proposed amendment to the Sales and Use Tax Act would provide for collecting the tax on the materials used to construct a new manufactured home and set the cost of materials at 60 percent of the price of the new manufactured home. It would exempt used mobile homes and used manufactured homes from the tax if a prior sale was taxed in this state. If the amendment is adopted, the legislature has provided that the Local School Support Tax Law and the City-County Relief Tax Law will be amended accordingly. A "Yes" vote is to provide for collecting the sales and use tax on 60 percent of the price of new manufactured homes and to exempt from the tax used mobile homes and used manufactured homes if

a prior sale was taxed in this state. A "No" vote is a vote to maintain the tax on the full value of each mobile home and each manufactured home each time it is sold.

ARGUMENT FOR PASSAGE

This amendment will provide more equality in the sales tax treatment of manufactured or mobile homes and conventional homes. Now, sales tax is paid on the full value of manufactured or mobile homes. Only the materials in conventional homes are subject to sales tax. The amendment would remove that difference and make the sales tax treatment similar. This would reduce the sales tax burden for persons buying new manufactured or mobile homes and eliminate the burden on manufactured or mobile homes on which sales tax has previously been paid. This reduction in sales tax would partially offset increased property taxes which were applicable to new manufactured or mobile homes sold on or after July 1, 1982. According to the department of taxation, passage of this amendment may save buyers of manufactured and mobile homes as much as \$2.9 million each year.

ARGUMENT AGAINST PASSAGE

If ratified, this amendment could cause a revenue loss of as much as \$2.9 million annually to the state and local governments. Although conventional homes are subject to sales tax only on the cost of materials in them, they are also subject to real property transfer taxes which do not apply to most manufactured or mobile homes. Prior to July 1, 1982, owners of manufactured and mobile homes enjoyed certain tax advantages because of depreciation schedules used by county assessors to value personal property. A similar question was defeated by the voters at the November 1982 general election.

QUESTION NO. 11

Proposal to Issue State Bonds for Purchase of Land in the Tahoe Basin

Assembly Bill No. 534

An Act relating to the Tahoe Basin; requiring that a proposal to issue state general obligation bonds for the purchase of land in the Tahoe Basin be submitted to a vote of the people; providing for a commission on land acquisition; providing for administration by the state land registrar if the bonds are approved; 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. 1. At the general election to be held in the State of Nevada in 1984, there shall be submitted to the voters of the state, in the manner prescribed by chapter 349 of NRS, a proposal to issue general obligation bonds of the State of Nevada in an amount of not more than \$20,000,000 to be used to purchase privately owned land in the Tahoe Basin to preserve the resources and natural beauty of the area and to protect the state's interest in retaining those resources and natural beauty. If the proposal is carried, the bonds may be issued at one time or from time to time.

2. No more than one-fourth of the proceeds of bonds issued at any one time may be used to control erosion or mitigate or prevent pollution in the Tahoe Basin.

Sec. 2. If the proposal is carried, the commission for land acquisition in the Tahoe Basin, consisting of seven members is created. The members of the commission must be appointed no later than January 1, 1985. The governor shall appoint four members to the commission, the board of county commissioners of Douglas County shall appoint one member, the board of supervisors of Carson City shall appoint one member and the board of county commissioners of Washoe County shall appoint one member. The state land registrar shall serve as secretary to the commission and shall furnish such staff as necessary for the use of the commission.

Sec. 3. 1. The commission shall study all aspects of the program to purchase land in the Tahoe Basin and report to the state land registrar, the governor and the legislature concerning the program.

2. The commission shall include in its report its recommendations concerning the program to purchase land including the following:

(a) Designating the agency or agencies who should purchase the land and manage it after the purchase;

(b) Involving any private, nonprofit agencies for conservation in the purchase;

(c) Coordinating purchases with federal, state or local agencies or political subdivisions making similar purchases;

(d) Establishing which areas have priority for the purchases based on environmental, social, economic or other considerations consistent with this act;

(e) Recommending the purchase of an interest less than fee in the land including easements, remainders after life estates, the transfer of development rights or rights from special assessments on the property;

(f) Determining formulas to use to establish the fair value for the property;

(g) Protecting those persons involved in the program to purchase the land from civil liability;

(h) Obtaining money from the Federal Government for the program;

(i) Establishing which areas, projects and sources of pollution have a priority for the expenditure of money under the program and those methods or programs on which the money may be most effectively spent.

Sec. 4. The commission shall report to the state land registrar, the governor and the legislative commission no later than July 1, 1986. The terms of the members of the commission expire on January 1, 1987.

Sec. 5. 1. After the state land registrar considers the report and recommendations of the commission, if, upon his application, the state board of examiners finds that the program for the purchase of lands or the mitigation or prevention of pollution in the Tahoe Basin should be commenced, the board may:

(a) Issue a sufficient amount of bonds authorized pursuant to section 1 of this act;

(b) Direct the state land registrar to purchase land in the Tahoe Basin pursuant to this act; and

(c) Transmit the report to the state land registrar to be carried out as the board may recommend.

2. The state land registrar shall not expend more than the amount authorized unless he has prior approval from the state board of examiners.

3. The provisions of the State Securities Law, in chapter 349 of NRS, apply to the issuance of bonds under this act.

Sec. 6. The state land registrar shall administer the purchase of land in the Tahoe Basin and he may adopt regulations necessary to carry out the program. The state land registrar shall make all offers for the purchase of the land but the state board of examiners has the final authority to approve or disapprove the purchase.

CONDENSATION (ballot question)

Shall the State of Nevada be authorized to issue general obligation bonds up to the amount of \$20,000,000 to purchase private land in the Tahoe Basin?

Yes.....119,385.....☐
No.....143,499.....☒

EXPLANATION

If this proposal is approved, a commission will be established to recommend the manner of purchase and the areas where land should be acquired for the greatest effect in preserving natural resources and reducing pollution of Lake Tahoe. These recommendations will be reviewed by the governor, the legislative commission and the state land registrar. Any purchases to be made must first be approved by the state board of examiners.

ARGUMENT FOR PASSAGE

Lake Tahoe is a natural and scenic resource of national significance. The citizens of Nevada and California have invested a considerable amount of time and money in its preservation. Two high-priority needs within the Lake Tahoe Basin are purchasing environmentally sensitive property and providing facilities for erosion control. California voters have approved an \$85 million bond issue for those needs on the California side of the Lake. The Federal Government is also acquiring land to preserve Lake Tahoe's sensitive environment. Approval by Nevadans of this \$20 million bond proposal will provide money for the purchase of property and the construction of erosion control facilities on the Nevada side of the Lake.

ARGUMENT AGAINST PASSAGE

State and local governments in Nevada are already expending a substantial amount of money for preservation of the Lake Tahoe Basin. Several state recreational facilities have been established at the Lake. In addition, Washoe and Douglas counties allocate funds for erosion control projects within the Basin. Approval of this bond issue will increase the state's indebtedness at a time when state economic conditions are unstable and could diminish the state's ability to finance other important projects.

END OF FORM OF BALLOT LABEL

Section 293.253 of Nevada Revised Statutes places a duty upon the Secretary of State as well as upon the county clerks. NRS 293.253 provides:

293.253 Publication of constitutional amendments, statewide measures: Duties of secretary of state, county clerks; costs.

1. The secretary of state shall provide each county clerk with copies of any proposed constitution, constitutional amendment or statewide measure which will appear on the general election ballot together with the explanation prepared pursuant to NRS 293.250.

2. Whenever feasible, he shall provide such copies on or before the 1st Monday in August of the year in which such proposals will appear on the ballot. Copies of any additional proposals shall be provided as soon after their filing as feasible.

3. Each county clerk shall cause a copy of any such constitution, amendment or measure and its explanation to be published, in conspicuous display advertising format of not less than 10 column inches, in a newspaper of general circulation in the county three times at intervals of not less than 7 days, the first publication to be on or before the 1st Monday in October. If no such newspaper is published in the county, then the publication may be made in a newspaper of general circulation published in the nearest Nevada county.

4. When a copy is furnished by the secretary of state too late to be published at 7-day intervals, it shall be published three times at the longest intervals feasible in each county.

5. The portion of the cost of publication which is attributable to publishing the questions and explanations of proposed constitutions, constitutional amendments or statewide measures is a charge against the state and shall be paid from the reserve for statutory contingency fund upon recommendation by the secretary of state and approval by the state board of examiners.

(Added to NRS by 1960, 250; A 1967, 846; 1975, 938; 1977, 1010)

Pursuant to NRS 293.247, the Secretary of State has promulgated rules and regulations for the conduct of elections. Rules A-9, A-10 and A-11 read as follows:

A-9. *Ballot questions to be numbered.* Before every question or constitutional amendment to be voted upon there shall be placed a number, to be designated by the Secretary of State, in boldface type not smaller than 24-point.

A-10. *Ballot questions to be answerable by "Yes" or "No."* Whenever any question is to be submitted to the vote of the people, it shall be printed upon the ballot or ballot page assembly in such manner as to enable the electors to vote "Yes" or "No" upon the question submitted in the manner provided by law.

A-11. *Ballot questions to be explained.* A brief statement of the purport of the question, in plain language readily understandable by the ordinary lay person, shall be enclosed with each mailed copy of the sample ballot and posted at convenient locations in each polling place.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State, at my office in Carson City, Nevada, this 1st day of May, 1984.



Secretary of State

(SEAL)

SUPPLEMENT TO THE HANDBOOK ENTITLED:
QUESTIONS TO BE VOTED UPON IN STATE OF
NEVADA AT THE GENERAL ELECTION
NOVEMBER 6, 1984

QUESTION NO. 12

INITIATIVE PETITION TO
AMEND THE CONSTITUTION
OF THE STATE OF NEVADA

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

Article 10 of the constitution of the State of Nevada is hereby amended by adding new sections, and section 2 of the constitution is correspondingly amended, to read respectively as follows:

Sec. 4. The legislature and local governments shall not impose any new tax, fee for licenses or permits, or service charge not in existence on January 1, 1984, unless the proposed tax, fee or service charge is first approved in the case of the state by the affirmative vote of two-thirds of the members elected to each house of the legislature, or in the case of local government by the affirmative vote of two-thirds of the members elected to the governing body, and is then approved by a majority of the voters voting on the question at a general or special election in the jurisdiction to be affected.

Sec. 5

1. Unless the increase is first approved in the case of the state by the affirmative vote of two-thirds of the members elected to each house of the legislature, or in the case of local government by the affirmative vote of two-thirds of the members elected to the governing body, and is then approved by a majority of the voters voting on the question at a general or special election in the jurisdiction to be affected, the legislature and local governments shall not increase:

- (a) Any tax (except taxes ad valorem and taxes levied for debt service);
- (b) Any fee for licenses and permits; or
- (c) Any service charge beyond the amount reasonably necessary to cover an increased cost of providing the service.

2. For each fiscal year beginning on or after July 1, 1984, the revenue derived from taxes ad valorem, except those levied for debt service, must not be more than 5 percent greater than taxes ad valorem levied for the preceding fiscal year unless the excess levy is first approved by a majority of the voters voting on the question at a general or special election in the jurisdiction to be affected.

Sec. 6 The legislature and local governments may levy a tax or a service charge necessary to cover costs of indebtedness existing as of January 1, 1987. The legislature and local governments shall not incur indebtedness after January 1, 1987, unless the proposed indebtedness is first approved by a majority of the voters voting on the question at a special or general election in the jurisdiction to be affected or by the affirmative vote of two-thirds of the members elected to each house of the legislature.

Sec. 2. Subject to Article 10 of this Constitution, the [The] legislature shall provide by law for an annual tax sufficient to defray the estimated expenses of the state for each fiscal year; and whenever the expenses of any year shall exceed the income, the legislature shall provide for levying a tax sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of such ensuing year or two years. Any moneys paid for the purpose of providing compensation for industrial accidents and occupational diseases, and for administrative expenses incidental thereto, and for the purpose of funding and administering a public employees' retirement system, shall be segregated in proper accounts in the state treasury, and such moneys shall never be used for any other purposes, and they are hereby declared to be trust funds for the uses and purposes herein specified.

CONDENSATION (ballot question)

Shall the Nevada Constitution be amended so that substantially all state and local government taxes and fees may be imposed or raised only by a two-thirds vote of the respective public legislative body and a majority vote of those voting in the affected area, and a limit placed on property tax revenue?

YES..... 132,488

NO..... 143,874 ✓

EXPLANATION

Presently most taxes, fees and service charges are set by the legislature, county commissioners, city councils, et cetera, and can be imposed or raised at their discretion. If this amendment is adopted, these revenue measures may only be imposed or raised by a two-thirds vote of the appropriate public legislative body and an affirmative vote by a majority of those voting in the affected area. Also, property tax revenues could not increase more than five percent per year unless a higher level is approved by a majority vote of those voting in the affected area. Taxes and fees for payment of existing debt are excepted from some of these restrictions. New indebtedness would require approval of two-thirds of the legislature or a majority of those voting in the affected area. To be adopted, this constitutional amendment would have to be approved by the voters at the 1984 and 1986 elections.

A "yes" vote would require this measure to be placed on the 1986 general election ballot for further approval by the voters.

A "no" vote would defeat this measure immediately.

ARGUMENT FOR PASSAGE

This proposed constitutional amendment is intended to stabilize taxes, fees and service charges at all levels of government by requiring any new revenue measure, regardless of its name, to be imposed only by a two-thirds vote of the respective governing body and approval by a majority of the voters affected.

ARGUMENT AGAINST PASSAGE

Placing this type of fiscal limitation in the State Constitution could create an inflexible situation which might prevent governing bodies from making necessary and desirable changes to meet the demands of rapidly changing conditions.