IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF FERNLEY, NEVADA, a Nevada municipal corporation, Appellant, vs. THE STATE OF NEVADA ex rel. DEPARTMENT OF TAXATION; THE HONORABLE DAN SCHWARTZ, in his official capacity as TREASURER OF THE STATE OF NEVADA; and THE LEGISLATURE OF THE STATE OF NEVADA, Respondents.	Supreme Court No.: 66851 District Court Case No.: 12 OC 00168 1B

JOINT APPENDIX

VOLUME 4 PART 4

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History of the Consolidated Tax Distribution (CTX)

Senate Concurrent Resolution 40 (1995) created an interim study to review laws governing the distribution of tax revenues among local governments within counties – what is now known as the "second-tier" distribution. The interim study recommended the consolidation of state and local taxes from multiple sources (including the SCCRT) into a single fund – the Local Government Tax Distribution Fund (also known as the consolidated tax, or CTX) – for distribution at the second tier under a single formula.

Senate Bill 254 (1997) created the Local Government Tax Distribution Fund, as proposed under the SCR 40 interim study, to receive revenues from the BCCRT, SCCRT, Motor Vehicle Privilege Tax (now the Government Services Tax), Real Property Transfer Tax, Cigarette Tax, and Liquor Tax, and adopting a single formula for second tier distribution. The bill required the Executive Director of the Department of Taxation to administer the fund and distribute revenue to eligible local governments, special districts, and enterprise districts according to that formula.

Under the provisions of Senate Bill 254, the initial base amount that was set for each enterprise district, beginning with Fiscal Year 1999, was the average amount of revenue each enterprise district received during FY 1996 and FY 1997. For local governments and special districts, the base amount for FY 1999 was the average amount received during those fiscal years, adjusted for the percentage change between the total amounts received by all local governments and special districts in the county for FY 1997 and the average of the total amounts received by those entities during FY 1996 and FY 1997, and further adjusted by the change in the Consumer Price Index between July 1, 1997, and December 31, 1997.

To determine the distribution in subsequent years, the executive director must first, from each county's allocation at the first tier, allocate an amount to each enterprise district equal to the amount that the enterprise district received in the prior year. After that allocation is made, the executive director must then allocate to each local government or special district eligible for an allocation from the fund an amount equal to the amount allocated to that local government or special district for the preceding fiscal year multiplied by one plus the percentage change in the Consumer Price Index (All Items) for the year ending on December 31 immediately preceding the year in which the allocation is made. This amount is used by the department to establish the base monthly allocation to be made to each local government or special district. For the purpose of making adjustments to the base, the excess amount distributed to each local government or special district in the prior fiscal year is also included under the bill's provisions.

If there is not sufficient money available in the county's account to make the base monthly allocation for each local government or special district after the distribution to the enterprise district is made, the amount of available money shall be prorated and allocated according to the percentage of the amount that each local government or special district received as a total of the amount distributed among all local governments and special districts in the county in the fiscal year immediately preceding the year in which the allocation is made.

If the executive director determines that there is money remaining in the county's account in the fund after the base monthly allocation is made, the remaining money is to be allocated as follows:

- Each local government's share is determined by multiplying one-twelfth of the annual allocation for the local government by one plus the sum of:
    - The percentage change in the population of that local government for the fiscal year immediately preceding the year in which the allocation is made, as certified by the governor; and
    - The average percentage change in the assessed valuation of taxable property in the local government (except that assessed valuation attributable to the net proceeds of minerals) over the five fiscal years immediately preceding the year in which the allocation is made.

- Each special district's share is determined by multiplying one-twelfth of the annual allocation for the special district by one plus the average percentage change in the assessed valuation of taxable property in the special district (except that assessed valuation attributable to the net proceeds of minerals) over the five fiscal years immediately preceding the year in which the allocation is made.

The figures calculated above for each local government and special district in a county are multiplied by the local government's or special district's base amount, with each product added together to determine a total for the county. The allocation that is received for each local government or special district is the percentage that each local government or special district's calculation comprises of the sum.

If the executive director determines that there is money remaining in the county's account in the fund after the base monthly allocation is made, but there has been one or months in the same fiscal year where the base monthly allocation could not be made, the executive director must first allocate the money necessary to ensure that these base allocations can be made before any excess is to be distributed using the formulas above.

Senate Bill 254 also allowed the governing bodies of two or more local governments or special districts to enter into an interlocal agreement to set forth an alternative formula for the distribution of revenues under the CTX. The governing bodies of each local government or special district that is part of the agreement must approve the alternative formula by majority vote.

The provisions of the bill allowed any local government or special district that received any portion of the taxes included in the CTX before July 1, 1998, to request an adjustment to the base amount calculated for the initial year (FY 1999). The request

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was to be made to the Department of Taxation, who was required to take into account several criteria for evaluating the request, no later than December 31, 1997. The Committee on Local Government Finance (CLGF) was required to evaluate the findings of the Department and determine whether an adjustment is appropriate. If it determined an adjustment was appropriate, it was required to submit a recommendation to the Nevada Tax Commission specifying the amount of adjustment recommended. If the CLGF determined that an adjustment was not appropriate, then no action would be taken, and the decision was not subject to review by the Nevada Tax Commission.

If the CLGF made a recommendation to the Commission, the Commission was required to hold a public meeting within 30 days to review the recommendation, based on the information submitted by the Department and the CLGF. If the Commission determined that the adjustment was appropriate, the Department was required to adjust the base amount for that entity by the specified amount in the recommendation.

Finally, Senate Bill 254 also allows certain local governments or special districts created after July 1, 1998, to request the Nevada Tax Commission to direct the executive director to allocate money from the fund to that local government as it would to any other local government or special district eligible to receive an allocation. The executive director is required to review each request and make a determination as to the allocation, which is then reviewed by the Committee on Local Government Finance (CLGF). If the request is determined to be acceptable by the CLGF, it is submitted to the Nevada Tax Commission for final approval. If the allocation is not determined to be acceptable by the CLGF, then no distribution will occur, and the decision is not subject to review by the Tax Commission.

The Tax Commission is required to schedule a public meeting within 30 days after the recommendation by the CLGF is submitted, with public notice of the hearing given by the Commission at least 10 days before the hearing date. If, after the public hearing, the Commission determines that the CLGF's recommendation is appropriate, it shall order the Executive Director to make the appropriate distributions to the local government.

__Senate Bill 253 (1997)__ created an interim legislative committee and an advisory committee (composed of Executive Director of Department of Taxation and ten local government finance representatives) to study the distribution of revenue among local governments. The provisions authorizing the legislative committee were to expire on June 30, 2001.

__Assembly Bill 124 (1999)__ changed the name of the Local Government Tax Distribution Fund to the Local Government Tax Distribution Account. The account is also changed from a special revenue account within the state treasury to an intergovernmental fund.

__Senate Bill 534 (1999)__, which was one of the bills developed as a result of recommendations adopted by the interim committee created pursuant to Senate Bill 253 of the 1997 Session, created provisions requiring the executive director of the

Department of Taxation to review allocations in local governments or special districts where population and assessed valuation (except that assessed valuation that is attributable to the net proceeds of minerals) decreases in each of the three preceding fiscal years. The executive director may determine the necessity to adjust the distribution, and if an adjustment is determined necessary, the findings made by the executive director shall be submitted to the CLGF.

The CLGF shall review the findings and, if it is determined that the adjustment amount is appropriate, shall submit a recommendation to the Tax Commission. (If it is not deemed to be appropriate, the decision is not subject to review by the Tax Commission.) The Tax Commission is then required to hold a public hearing within 30 days after the submission of the recommendation by the CLGF to determine whether the adjustment is appropriate. If the Commission determines that the adjustment is appropriate, it shall order the executive director to make the adjustment to the allocation for the affected local government or special district.

Senate Bill 535 (1999), another of the bills developed as a result of recommendations adopted by the interim committee created pursuant to Senate Bill 253 of the 1997 Session, revised the calculation of assessed valuation, with respect to determining the local government distribution at the second tier, by requiring that the assessed valuation of a redevelopment agency located within a local government or special district be included in the calculation of assessed valuation for that local government or special district.

Senate Bill 538 (1999) clarified that the five-year period for which the average percentage change in assessed valuation is taken for determining second-tier allocations is the fiscal year for which the allocation is being made and the immediately preceding four fiscal years.

Senate Bill 317 (2001) clarified the procedures regarding excess allocations of revenue that occur if the certified population issued by the governor is higher than the population estimate made by the Census Bureau and the local government has filed a formal appeal with the Census Bureau. The bill also created provisions regarding the distribution of revenues based upon whether the appeal results in a population that was either greater or less than the population amount used to make the initial calculation.

Senate Bill 557 (2001) revised the prospective June 30, 2001, sunset of the interim committee created by Senate Bill 253 of the 1997 Session to study the distribution of revenue among local governments, extending the sunset for the committee until June 30, 2005.

Assembly Bill 10 of the 17th Special Session (2001) modified the distribution formula at the second tier by specifying that the base amount for a fiscal year for local governments and special districts is only amount of base revenue distributed in the prior fiscal year, multiplied by one plus the change in the Consumer Price Index for the year ending on December 31 immediately preceding the year in which the ~~allocation is made.~~

The amount of excess distributed to the entity in the prior year was no longer included in the base calculation under these provisions.

The bill also modified the second-tier distribution formula by phasing out the "one-plus" calculation established during the 1997 Session for the distribution of excess revenues remaining after base allocations are made, in favor of a "no one-plus" calculation, as follows:

- Each local government's share is determined by multiplying one-twelfth of the annual allocation for the local government by the sum of:
  - The average percentage change in the population of that local government for the fiscal year immediately preceding the fiscal year for which the allocation is being made and the four fiscal years immediately preceding the year in which the allocation is made, as certified by the governor; and
  - The average percentage change in the assessed valuation of taxable property in the local government, including the assessed value attributable to a redevelopment agency but excluding the assessed valuation attributable to the net proceeds of minerals, for the fiscal year for which the allocation is being made and the four fiscal years immediately preceding the year in which the allocation is made.

- Each special district's share is determined by multiplying one-twelfth of the annual allocation for the special district by the average percentage change in the assessed valuation of taxable property in the special district, including the assessed value attributable to a redevelopment agency but excluding the assessed valuation attributable to the net proceeds of minerals, over the five fiscal years immediately preceding the year in which the allocation is made.

As with the "one-plus" calculation, the figures calculated above for each local government and special district in a county are multiplied by each entity's base amount and then added together to determine a total for the county. The allocation that is received for each local government or special district is the percentage that each local government or special district's calculation comprises of the sum.

To minimize the distributional effects that this formula change would have on local governments and special districts, the change from "one-plus" to "no one-plus" was phased in:

- For FY 2002, the allocation would be made by using 25 percent of the no one-plus formula and 75 percent of the one-plus formula;
- For FY 2003, the allocation would be made by using 50 percent of the no one-plus formula and 50 percent of the one-plus formula;
- For FY 2004, the allocation would be made by using 75 percent of the no one-plus formula and 25 percent of the one-plus formula; and

- For FY 2005 and all future fiscal years, the allocation would be made by using 100 percent of the no one-plus formula.

The provisions of Assembly Bill 10 of the 17th Special Session also required an adjustment of the annual base allocation for the city of Henderson in the amount of $4 million, beginning in FY 2002.

Senate Bill 469 (2003), which contained the recommendations developed from the interim committee authorized pursuant to Senate Bill 557 of the 2001 Session, further revised the second-tier distribution of excess revenues to allow the usage of the one-plus formula in certain counties where the sum of population and assessed valuation growth for each local government is negative. The bill provides for two different formulas that can be used, depending on whether the average change in assessed valuation for special districts is positive or negative.

If the sum of the average population growth and average assessed valuation growth for all local governments is negative, and the average change in assessed valuation for all special districts is also negative, the following formula is used:

- Each local government's share is determined by multiplying one-twelfth of the annual allocation for the local government by one plus the sum of:
    - The average percentage change in the population of that local government for the five years immediately preceding the year in which the allocation is made, as certified by the governor; and
    - The average percentage change in the assessed valuation of taxable property in the local government, including the assessed value attributable to a redevelopment agency but excluding the assessed valuation attributable to the net proceeds of minerals, for the fiscal year for which the allocation is being made and the four fiscal years immediately preceding the year in which the allocation is made.

- Each special district's share is determined by multiplying one-twelfth of the annual allocation for the special district by one plus the average percentage change in the assessed valuation of taxable property in the special district, including the assessed value attributable to a redevelopment agency but excluding the assessed valuation attributable to the net proceeds of minerals, for the fiscal year for which the allocation is being made and the four fiscal years immediately preceding the year in which the allocation is made.

If the sum of the average population growth and average assessed valuation growth for all local governments is negative, but the average change in assessed valuation for any special district is positive, the following formula is used:

- Each local government's share is determined by multiplying one-twelfth of the annual allocation for the local government by one plus the sum of:

- The average percentage change in the population of that local government for the five years immediately preceding the year in which the allocation is made, as certified by the governor; and
- The average percent age change in the assessed valuation of taxable property in the local government, including the assessed value attributable to a redevelopment agency but ex cluding the assessed v aluation attributable to the net proceeds of miner als, for the fiscal year fo r which the allocation is being made and the f our for the fiscal year for which the allocation is being made and the four fiscal years imm ediately preceding the year in which the allocation is made.

- Each special district's share is determined by multiplying on e-twelfth of the annual allocation for the special district by one plus the sum of:
  - The average percentage change in the population of that loca l government for the five years immediately preceding the year in which the allocation is made, as certified by the governor; and
  - The average percent age change in the assessed valuation of taxable property in the special district, includi ng the assessed value attributable to a redevelopment agency but excluding the assessed valuation attributable to the net proceeds of minerals, for t he fiscal year for which the alloc ation is being made and the four fiscal years immediately preceding the year in which the allocation is made.

The bill als o revised the distribution of mo nthly base allocations to local gov ernments and special districts for any month in whic h there is not sufficient revenue to make the entire monthly base alloc ation to all loc al governments and special di stricts. The bill required that, in these instances, the amount of each distribution to local governments and special districts be reduced, such that the total a mount available for distribution is allocated to each local government and specia l district in an amount equal to it s proportionate percentage of the total amount of the base monthly allocations for all local governments and special districts in the county.

Senate Bill 38 (2005) further revised the alternate distribution formula established under Senate Bill 469 of t he 2003 Session by a llowing counties whose average of net proceeds of minerals was $50 m illion or more in t he five fiscal years immediately preceding the year for which the allocation is being made, or whose average population growth is negative in the five fiscal years immediately preceding t he year for which the allocation is being m ade, or wh o meet bot h of the above cr iteria, to use the one-plus calculation in lieu of the no one-plus calculation.

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CTX FIRST TIER TABLES

TABLE 1 - FIRST TIER

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Supplemental City-County Relief Tax (SCCRT)	$486.566	$518.427	$544.537	$550.881	$583.526	$664.155	$767.377	$840.886	$853.898	$814.401	$708.052	$640.357	$679.997
% Change: FY to FY		6.5%	5.0%	1.2%	5.9%	13.8%	15.5%	9.6%	1.5%	-4.6%	-13.1%	-9.6%	6.2%
% of FY Total	66.0%	65.5%	65.4%	64.6%	64.2%	63.7%	63.6%	63.8%	64.6%	64.9%	64.7%	64.7%	65.9%
Basic City-County Relief Tax (BCCRT)	$139.020	$148.130	$155.591	$157.407	$166.734	$189.826	$219.311	$240.334	$244.042	$232.834	$202.459	$182.990	$194.355
% Change: FY to FY		6.6%	5.0%	1.2%	5.9%	13.8%	15.5%	9.6%	1.5%	-4.6%	-13.0%	-9.6%	6.2%
% of FY Total	18.9%	18.7%	18.7%	18.5%	18.4%	18.2%	18.2%	18.2%	18.5%	18.6%	18.5%	18.5%	18.8
Governmental Services Tax (GST)	$76.347	$87.585	$92.869	$101.629	$108.834	$122.682	$137.281	$146.749	$153.065	$152.328	$138.753	$127.612	$120.436
% Change: FY to FY		14.7%	6.0%	9.4%	7.1%	12.7%	11.9%	6.9%	4.3%	-0.5%	-8.9%	-8.0%	-5.6%
% of FY Total	10.4%	11.1%	11.2%	11.9%	12.0%	11.8%	11.4%	11.1%	11.6%	12.1%	12.7%	12.9%	11.7%
Real Property Transfer Tax (RPTT)	$16.778	$18.012	$20.309	$23.871	$29.530	$47.793	$63.092	$70.452	$51.444	$36.716	$28.161	$22.785	$22.033
% Change: FY to FY		7.4%	12.8%	17.5%	23.7%	61.8%	32.0%	11.7%	-27.0%	-28.6%	-23.3%	-19.1%	-3.3%
% of FY Total	2.3%	2.3%	2.4%	2.8%	3.3%	4.6%	5.2%	5.3%	3.9%	2.9%	2.6%	2.3%	2.1%
Cigarette Tax	$16.515	$16.492	$17.065	$16.338	$17.255	$15.357	$15.796	$15.942	$15.736	$15.357	$13.439	$12.220	$11.838
% Change: FY to FY		-0.1%	3.5%	-4.3%	5.6%	-11.0%	2.9%	0.9%	-1.3%	-2.4%	-12.5%	-9.1%	-3.1%
% of FY Total	2.2%	2.1%	2.0%	1.9%	1.9%	1.5%	1.3%	1.2%	1.2%	1.2%	1.2%	1.2%	1.1%
Liquor Tax	$2.237	$2.420	$2.409	$2.404	$2.510	$2.803	$2.803	$3.049	$3.171	$3.220	$2.955	$3.184	$3.318
% Change: FY to FY		8.2%	-0.5%	-0.2%	4.4%	11.7%	0.0%	8.8%	4.0%	1.5%	-8.2%	7.8%	4.2%
% of FY Total	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%	0.2%	0.2%	0.2%	0.3%	0.3%	0.3%	0.3%
TOTAL	$737.464	$791.066	$832.781	$852.529	$908.388	$1,042.616	$1,205.661	$1,317.411	$1,321.356	$1,254.856	$1,093.819	$989.148	$1,031.978
% Change: FY to FY		7.3%	5.3%	2.4%	6.6%	14.8%	15.6%	9.3%	0.3%	-5.0%	-12.8%	-9.6%	4.3%

NOTES:

1.) Supplemental City-County Relief Tax (SCCRT): The SCCRT is a 1.75% sales and use tax rate imposed statewide and is governed by NRS Chapter 377. The proceeds from the SCCRT collected in all counties and from out-o state businesses are distributed each month amongst the 17 counties according to the provisions in NRS 377.057.

2.) Basic City-County Relief Tax (BCCRT): The BCCRT is a 0.5% sales and use tax rate imposed statewide and is governed by NRS Chapter 377. The proceeds from the BCCRT are distributed each month amongst the 17 counties according to the provisions in NRS 377.055. BCCRT proceeds collected in each county are retained by the county. BCCRT proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state are distributed to each county on a per-capita basis.

3.) Governmental Services Tax (GST): The GST is 4-cents on each $1 of valuation of a vehicle (4%) imposed statewide on the annual registration of vehicles in the state as governed by NRS Chapter 371. The proceeds from the 4-cent Basic GST belong to the county in which the vehicle is registered and the portion allocated to the CTX is distributed to the school district and the county according to the provisions in NRS 482.181. Beginning in FY 2010 through FY 2013, a portion of the proceeds from the 4-cent Basic GST are distributed to the State General Fund and beginning in FY 2014, this portion is distributed to the State Highway Fund.

4.) Real Property Transfer Tax (RPTT): The county portion of the RPTT that is part of the CTX is 55 cents per $500 of valuation and is governed by NRS Chapter 375. The proceeds from the 55-cent rate are retained by the county in which the real property transfer occurred.

5.) Cigarette Tax: The county portion of the Cigarette Tax that is part of the CTX is 5 mills per cigarette (10 cents per pack of 20 cigarettes) and is governed by NRS Chapter 370. The proceeds from the 10-cent rate are distributed each month amongst the 17 counties on a per-capita basis according to NRS 370.260 and NRS 360.285.

6.) Liquor Tax: The county portion of the Liquor Tax that is part of the CTX is 50 cents per gallon on liquor containing more than 22 percent alcohol by volume and is governed by NRS Chapter 369. The proceeds from the 50-cent rate are distributed each month amongst the 17 counties on a per-capita basis according to NRS 369.173 and NRS 360.285.

TABLE 2 - FIRST TIER: CARSON CITY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
CARSON CITY													
SCCRT	$12.765	$12.881	$14.262	$15.398	$14.894	$15.895	$17.190	$17.978	$17.439	$15.743	$13.300	$11.555	$12.454
% Change: FY to FY		0.91%	10.72%	7.97%	-3.27%	6.72%	8.15%	4.58%	-3.00%	-9.73%	-15.52%	-13.12%	7.78%
% of Carson City FY Total	67.18%	65.83%	66.75%	66.73%	65.93%	65.78%	66.07%	66.15%	66.24%	66.19%	65.66%	65.18%	67.12%
% of SCCRT Statewide FY Total	2.62%	2.48%	2.62%	2.80%	2.55%	2.39%	2.24%	2.14%	2.04%	1.93%	1.88%	1.80%	1.83%
% of Statewide FY Total	1.73%	1.63%	1.71%	1.81%	1.64%	1.52%	1.43%	1.36%	1.32%	1.25%	1.22%	1.17%	1.21%
BCCRT	$3.758	$3.804	$4.191	$4.508	$4.395	$4.627	$4.974	$5.212	$5.090	$4.631	$3.938	$3.445	$3.657
% Change: FY to FY		1.23%	10.17%	7.57%	-2.51%	5.27%	7.50%	4.79%	-2.34%	-9.01%	-14.96%	-12.53%	6.17%
% of Carson City FY Total	19.78%	19.44%	19.62%	19.54%	19.45%	19.15%	19.12%	19.18%	19.33%	19.47%	19.44%	19.43%	[illegible]
% of BCCRT Statewide FY Total	2.70%	2.57%	2.69%	2.86%	2.64%	2.44%	2.27%	2.17%	2.09%	1.99%	1.95%	1.88%	[illegible]
% of Statewide FY Total	0.51%	0.48%	0.50%	0.53%	0.48%	0.44%	0.41%	0.40%	0.39%	0.37%	0.36%	0.35%	0.35%
GST	$1.727	$1.984	$2.091	$2.250	$2.392	$2.655	$2.822	$2.906	$2.852	$2.725	$2.449	$2.157	$1.939
% Change: FY to FY		14.93%	5.37%	7.60%	6.33%	10.99%	6.30%	2.98%	-1.86%	-4.46%	-10.12%	-11.94%	-10.08%
% of Carson City FY Total	9.09%	10.14%	9.79%	9.75%	10.59%	10.99%	10.85%	10.69%	10.83%	11.46%	12.09%	12.16%	10.45%
% of GST Statewide FY Total	2.26%	2.27%	2.25%	2.21%	2.20%	2.16%	2.06%	1.98%	1.86%	1.79%	1.77%	1.69%	1.61%
% of Statewide FY Total	0.23%	0.25%	0.25%	0.26%	0.26%	0.25%	0.23%	0.22%	0.22%	0.22%	0.22%	0.22%	0.19%
RPTT	$0.220	$0.374	$0.300	$0.431	$0.411	$0.539	$0.586	$0.642	$0.520	$0.279	$0.222	$0.249	$0.190
% Change: FY to FY		69.71%	-19.69%	43.33%	-4.50%	31.01%	8.83%	9.44%	-18.99%	-46.40%	-20.46%	12.20%	-23.55%
% of Carson City FY Total	1.16%	1.91%	1.41%	1.87%	1.82%	2.23%	2.25%	2.36%	1.97%	1.17%	1.09%	1.40%	1.02%
% of RPTT Statewide FY Total	1.31%	2.08%	1.48%	1.80%	1.39%	1.13%	0.93%	0.91%	1.01%	0.76%	0.79%	1.09%	0.86%
% of Statewide FY Total	0.03%	0.05%	0.04%	0.05%	0.05%	0.05%	0.05%	0.05%	0.04%	0.02%	0.02%	0.03%	0.02%
CIGARETTE	$0.467	$0.457	$0.456	$0.426	$0.436	$0.379	$0.377	$0.370	$0.355	$0.336	$0.285	$0.257	$0.246
% Change: FY to FY		-1.95%	-0.23%	-6.55%	2.31%	-13.05%	-0.52%	-2.10%	-3.96%	-5.40%	-15.12%	-9.95%	-4.13%
% of Carson City FY Total	2.46%	2.34%	2.14%	1.85%	1.93%	1.57%	1.45%	1.36%	1.35%	1.41%	1.41%	1.45%	1.33%
% of Cigarette Statewide FY Total	2.83%	2.77%	2.67%	2.61%	2.53%	2.47%	2.39%	2.32%	2.26%	2.19%	2.12%	2.10%	2.08%
% of Statewide FY Total	0.06%	0.06%	0.05%	0.05%	0.05%	0.04%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.02%
LIQUOR	$0.063	$0.067	$0.064	$0.063	$0.063	$0.069	$0.067	$0.071	$0.071	$0.070	$0.063	$0.067	$0.069
% Change: FY to FY		6.16%	-4.00%	-2.63%	1.22%	9.05%	-3.21%	5.45%	1.14%	-1.59%	-10.95%	6.72%	[illegible]
% of Carson City FY Total	0.33%	0.34%	0.30%	0.27%	0.28%	0.29%	0.26%	0.26%	0.27%	0.30%	0.31%	0.38%	[illegible]
% of Liquor Statewide FY Total	2.83%	2.77%	2.67%	2.61%	2.53%	2.47%	2.39%	2.32%	2.25%	2.18%	2.12%	2.10%	2.08%
% of Statewide FY Total	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%
TOTAL	$18.999	$19.568	$21.364	$23.076	$22.592	$24.164	$26.017	$27.178	$26.327	$23.783	$20.256	$17.728	$18.556
% Change: FY to FY		2.99%	9.18%	8.01%	-2.10%	6.96%	7.67%	4.46%	-3.13%	-9.66%	-14.83%	-12.48%	4.67%
% of Statewide FY Total	2.58%	2.47%	2.57%	2.71%	2.49%	2.32%	2.16%	2.06%	1.99%	1.90%	1.85%	1.79%	1.80%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

Prepared by the Fiscal Analysis Division

TABLE 2 - FIRST TIER: CHURCHILL COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
CHURCHILL COUNTY													
SCCRT	$3.516	$3.627	$3.626	$3.516	$3.724	$3.972	$4.731	$5.594	$5.298	$4.900	$4.940	$3.487	$3.733
% Change: FY to FY		3.17%	-0.05%	-3.01%	5.90%	6.66%	19.13%	18.22%	-5.29%	-7.52%	0.83%	-29.42%	7.07%
% of Churchill County FY Total	61.64%	59.81%	60.03%	58.61%	58.18%	58.43%	59.52%	60.40%	60.95%	60.40%	61.82%	57.21%	57.29%
% of SCCRT Statewide FY Total	0.72%	0.70%	0.67%	0.64%	0.64%	0.60%	0.62%	0.67%	0.62%	0.60%	0.70%	0.54%	0.55%
% of Statewide FY Total	0.48%	0.46%	0.44%	0.41%	0.41%	0.38%	0.39%	0.42%	0.40%	0.39%	0.45%	0.35%	0.36%
BCCRT	$1.116	$1.142	$1.150	$1.123	$1.183	$1.235	$1.449	$1.696	$1.638	$1.522	$1.503	$1.097	$1.165
% Change: FY to FY		2.36%	0.66%	-2.35%	5.38%	4.36%	17.36%	17.07%	-3.46%	-7.06%	-1.22%	-27.03%	6.20%
% of Churchill County FY Total	19.56%	18.83%	19.04%	18.71%	18.48%	18.16%	18.23%	18.32%	18.84%	18.76%	18.81%	18.00%	17.[illegible]
% of BCCRT Statewide FY Total	0.80%	0.77%	0.74%	0.71%	0.71%	0.65%	0.66%	0.71%	0.67%	0.65%	0.74%	0.60%	0.[illegible]
% of Statewide FY Total	0.15%	0.14%	0.14%	0.13%	0.13%	0.12%	0.12%	0.13%	0.12%	0.12%	0.14%	0.11%	0.11%
GST	$0.741	$0.981	$0.945	$1.062	$1.163	$1.226	$1.313	$1.426	$1.404	$1.379	$1.303	$1.285	$1.100
% Change: FY to FY		32.47%	-3.66%	12.36%	9.52%	5.42%	7.06%	8.64%	-1.55%	-1.77%	-5.55%	-1.33%	-14.45%
% of Churchill County FY Total	12.99%	16.18%	15.65%	17.70%	18.17%	18.04%	16.52%	15.40%	16.15%	17.00%	16.30%	21.09%	16.88%
% of GST Statewide FY Total	0.97%	1.12%	1.02%	1.05%	1.07%	1.00%	0.96%	0.97%	0.92%	0.91%	0.94%	1.01%	0.91%
% of Statewide FY Total	0.10%	0.12%	0.11%	0.12%	0.13%	0.12%	0.11%	0.11%	0.11%	0.11%	0.12%	0.13%	0.11%
RPTT	$0.082	$0.070	$0.068	$0.075	$0.101	$0.159	$0.248	$0.340	$0.153	$0.119	$0.081	$0.073	$0.369
% Change: FY to FY		-14.71%	-2.12%	9.61%	34.95%	57.16%	56.54%	37.15%	-55.11%	-22.38%	-31.48%	-10.06%	404.12%
% of Churchill County FY Total	1.43%	1.15%	1.13%	1.25%	1.58%	2.33%	3.12%	3.68%	1.76%	1.46%	1.02%	1.20%	5.66%
% of RPTT Statewide FY Total	0.49%	0.39%	0.34%	0.31%	0.34%	0.33%	0.39%	0.48%	0.30%	0.32%	0.29%	0.32%	1.67%
% of Statewide FY Total	0.01%	0.01%	0.01%	0.01%	0.01%	0.02%	0.02%	0.03%	0.01%	0.01%	0.01%	0.01%	0.04%
CIGARETTE	$0.220	$0.213	$0.220	$0.195	$0.201	$0.174	$0.176	$0.172	$0.166	$0.159	$0.134	$0.120	$0.117
% Change: FY to FY		-3.05%	2.95%	-11.08%	2.77%	-13.05%	1.04%	-2.48%	-3.55%	-4.04%	-15.68%	-10.15%	-3.09%
% of Churchill County FY Total	3.86%	3.52%	3.63%	3.25%	3.13%	2.57%	2.22%	1.86%	1.91%	1.96%	1.68%	1.98%	1.79%
% of Cigarette Statewide FY Total	1.33%	1.29%	1.29%	1.19%	1.16%	1.14%	1.12%	1.08%	1.05%	1.04%	1.00%	0.99%	0.99%
% of Statewide FY Total	0.03%	0.03%	0.03%	0.02%	0.02%	0.02%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%
LIQUOR	$0.030	$0.031	$0.031	$0.029	$0.029	$0.032	$0.031	$0.033	$0.033	$0.033	$0.029	$0.031	$0.033
% Change: FY to FY		4.95%	-0.96%	-7.35%	1.68%	9.05%	-1.69%	5.02%	1.61%	-0.23%	-11.54%	6.53%	4.2[illegible]
% of Churchill County FY Total	0.52%	0.52%	0.51%	0.48%	0.46%	0.47%	0.39%	0.35%	0.38%	0.41%	0.37%	0.52%	0.[illegible]
% of Liquor Statewide FY Total	1.33%	1.29%	1.29%	1.19%	1.16%	1.14%	1.12%	1.08%	1.05%	1.03%	1.00%	0.99%	0.9[illegible]
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL	$5.704	$6.065	$6.039	$6.000	$6.401	$6.797	$7.949	$9.261	$8.692	$8.112	$7.991	$6.094	$6.516
% Change: FY to FY		6.33%	-0.42%	-0.65%	6.68%	6.20%	16.94%	16.51%	-6.15%	-6.67%	-1.49%	-23.74%	6.92%
% of Statewide FY Total	0.77%	0.77%	0.73%	0.70%	0.70%	0.65%	0.66%	0.70%	0.66%	0.65%	0.73%	0.62%	0.63%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

TABLE 2 - FIRST TIER: CLARK COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
CLARK COUNTY													
SCCRT	$337.604	$364.029	$383.218	$386.394	$413.840	$481.363	$564.836	$617.899	$624.099	$598.992	$514.635	$466.384	$499.947
% Change: FY to FY		7.83%	5.27%	0.83%	7.10%	16.32%	17.34%	9.39%	1.00%	-4.02%	-14.08%	-9.38%	7.20%
% of Clark County FY Total	66.00%	65.64%	65.35%	64.46%	64.18%	63.73%	63.85%	64.00%	64.65%	64.97%	64.68%	64.75%	66.19%
% of SCCRT Statewide FY Total	69.39%	70.22%	70.38%	70.14%	70.92%	72.48%	73.61%	73.48%	73.09%	73.55%	72.68%	72.83%	73.52%
% of Statewide FY Total	45.78%	46.02%	46.02%	45.32%	45.56%	46.17%	46.85%	46.90%	47.23%	47.73%	47.05%	47.15%	48.45%
BCCRT	$98.315	$105.977	$111.600	$112.778	$120.721	$139.417	$162.050	$177.192	$179.800	$173.576	$150.402	$136.905	$144.609
% Change: FY to FY		7.79%	5.31%	1.06%	7.04%	15.49%	16.23%	9.34%	1.47%	-3.46%	-13.35%	-8.97%	5.63%
% of Clark County FY Total	19.22%	19.11%	19.03%	18.82%	18.72%	18.46%	18.32%	18.35%	18.62%	18.83%	18.90%	19.01%	19.[illegible]
% of BCCRT Statewide FY Total	70.72%	71.54%	71.73%	71.65%	72.40%	73.44%	73.89%	73.73%	73.68%	74.55%	74.29%	74.82%	74.4[illegible]
% of Statewide FY Total	13.33%	13.40%	13.40%	13.23%	13.29%	13.37%	13.44%	13.45%	13.61%	13.83%	13.75%	13.84%	14.01%
GST	$50.639	$58.876	$63.154	$69.366	$73.764	$84.052	$94.992	$101.384	$106.539	$106.388	$96.206	$87.653	$82.716
% Change: FY to FY		16.27%	7.27%	9.84%	6.34%	13.95%	13.02%	6.73%	5.08%	-0.14%	-9.57%	-8.89%	-5.63%
% of Clark County FY Total	9.90%	10.62%	10.77%	11.57%	11.44%	11.13%	10.74%	10.50%	11.04%	11.54%	12.09%	12.17%	10.95%
% of GST Statewide FY Total	66.33%	67.22%	68.00%	68.25%	67.78%	68.51%	69.19%	69.09%	69.60%	69.84%	69.34%	68.69%	68.68%
% of Statewide FY Total	6.87%	7.44%	7.58%	8.14%	8.12%	8.06%	7.88%	7.70%	8.06%	8.48%	8.80%	8.86%	8.02%
RPTT	$12.411	$12.892	$15.108	$17.928	$22.649	$37.669	$49.601	$55.548	$41.467	$29.634	$22.588	$18.269	$17.082
% Change: FY to FY		3.88%	17.19%	18.67%	26.33%	66.32%	31.67%	11.99%	-25.35%	-28.54%	-23.78%	-19.12%	-6.49%
% of Clark County FY Total	2.43%	2.32%	2.58%	2.99%	3.51%	4.99%	5.61%	5.75%	4.30%	3.21%	2.84%	2.54%	2.26%
% of RPTT Statewide FY Total	73.97%	71.58%	74.39%	75.11%	76.70%	78.82%	78.62%	78.85%	80.61%	80.71%	80.21%	80.18%	77.53%
% of Statewide FY Total	1.68%	1.63%	1.81%	2.10%	2.49%	3.61%	4.11%	4.22%	3.14%	2.36%	2.07%	1.85%	1.66%
CIGARETTE	$11.083	$11.173	$11.653	$11.272	$12.043	$10.798	$11.166	$11.348	$11.227	$10.988	$9.661	$8.783	$8.529
% Change: FY to FY		0.82%	4.29%	-3.27%	6.84%	-10.34%	3.42%	1.62%	-1.06%	-2.13%	-12.08%	-9.09%	-2.89%
% of Clark County FY Total	2.17%	2.01%	1.99%	1.88%	1.87%	1.43%	1.26%	1.18%	1.16%	1.19%	1.21%	1.22%	1.13%
% of Cigarette Statewide FY Total	67.11%	67.75%	68.28%	68.99%	69.80%	70.31%	70.69%	71.18%	71.34%	71.55%	71.89%	71.87%	72.05%
% of Statewide FY Total	1.50%	1.41%	1.40%	1.32%	1.33%	1.04%	0.93%	0.86%	0.85%	0.88%	0.88%	0.89%	0.83%
LIQUOR	$1.501	$1.640	$1.645	$1.659	$1.751	$1.971	$1.981	$2.170	$2.263	$2.304	$2.124	$2.289	$2.391
% Change: FY to FY		9.24%	0.32%	0.82%	5.58%	12.55%	0.51%	9.54%	4.27%	1.83%	-7.81%	7.74%	4.[illegible]
% of Clark County FY Total	0.29%	0.30%	0.28%	0.28%	0.27%	0.26%	0.22%	0.22%	0.23%	0.25%	0.27%	0.32%	0.[illegible]
% of Liquor Statewide FY Total	67.09%	67.75%	68.28%	69.00%	69.78%	70.31%	70.68%	71.18%	71.35%	71.56%	71.89%	71.88%	72.05[illegible]
% of Statewide FY Total	0.20%	0.21%	0.20%	0.19%	0.19%	0.19%	0.16%	0.16%	0.17%	0.18%	0.19%	0.23%	0.23%
TOTAL	$511.552	$554.587	$586.378	$599.396	$644.767	$755.270	$884.625	$965.541	$965.394	$921.883	$795.616	$720.281	$755.274
% Change: FY to FY		8.41%	5.73%	2.22%	7.57%	17.14%	17.13%	9.15%	-0.02%	-4.51%	-13.70%	-9.47%	4.86%
% of Statewide FY Total	69.37%	70.11%	70.41%	70.31%	70.98%	72.44%	73.37%	73.29%	73.06%	73.47%	72.74%	72.82%	73.19%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

Prepared by the Fiscal Analysis Division

TABLE 2 - FIRST TIER: DOUGLAS COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
DOUGLAS COUNTY													
SCCRT	$10.357	$10.802	$11.398	$11.922	$12.523	$12.670	$13.310	$14.390	$15.573	$16.480	$16.735	$16.072	$13.905
% Change: FY to FY		4.30%	5.52%	4.60%	5.04%	1.17%	5.05%	8.12%	8.22%	5.82%	1.55%	-3.96%	-13.48%
% of Douglas County FY Total	68.13%	66.80%	66.29%	66.67%	64.95%	61.92%	60.78%	62.76%	66.02%	69.36%	72.84%	65.13%	71.16%
% of SCCRT Statewide FY Total	2.13%	2.08%	2.09%	2.16%	2.15%	1.91%	1.73%	1.71%	1.82%	2.02%	2.36%	2.51%	2.04%
% of Statewide FY Total	1.40%	1.37%	1.37%	1.40%	1.38%	1.22%	1.10%	1.09%	1.18%	1.31%	1.53%	1.62%	1.35%
BCCRT	$2.332	$2.582	$2.803	$2.785	$3.244	$3.768	$4.053	$4.085	$3.864	$3.538	$2.991	$4.614	$2.754
% Change: FY to FY		10.73%	8.53%	-0.63%	16.50%	16.13%	7.58%	0.77%	-5.41%	-8.43%	-15.45%	54.26%	-40.32%
% of Douglas County FY Total	15.34%	15.97%	16.30%	15.57%	16.83%	18.41%	18.51%	17.81%	16.38%	14.89%	13.02%	18.70%	14.[illegible]
% of BCCRT Statewide FY Total	1.68%	1.74%	1.80%	1.77%	1.95%	1.98%	1.85%	1.70%	1.58%	1.52%	1.48%	2.52%	1.4[illegible]
% of Statewide FY Total	0.32%	0.33%	0.34%	0.33%	0.36%	0.36%	0.34%	0.31%	0.29%	0.28%	0.27%	0.47%	0.27%
GST	$1.568	$1.786	$1.891	$2.072	$2.299	$2.560	$2.694	$2.796	$2.905	$2.701	$2.455	$3.510	$2.094
% Change: FY to FY		13.87%	5.90%	9.57%	10.93%	11.37%	5.25%	3.78%	3.88%	-7.00%	-9.13%	42.99%	-40.36%
% of Douglas County FY Total	10.32%	11.04%	11.00%	11.59%	11.92%	12.51%	12.30%	12.20%	12.31%	11.37%	10.68%	14.22%	10.71%
% of GST Statewide FY Total	2.05%	2.04%	2.04%	2.04%	2.11%	2.09%	1.96%	1.91%	1.90%	1.77%	1.77%	2.75%	1.74%
% of Statewide FY Total	0.21%	0.23%	0.23%	0.24%	0.25%	0.25%	0.22%	0.21%	0.22%	0.22%	0.22%	0.35%	0.20%
RPTT	$0.528	$0.580	$0.680	$0.718	$0.813	$1.100	$1.473	$1.281	$0.872	$0.674	$0.478	$0.196	$0.502
% Change: FY to FY		9.95%	17.14%	5.66%	13.17%	35.27%	33.98%	-13.03%	-31.93%	-22.69%	-29.05%	-59.07%	156.49%
% of Douglas County FY Total	3.47%	3.59%	3.95%	4.02%	4.22%	5.37%	6.73%	5.59%	3.70%	2.84%	2.08%	0.79%	2.57%
% of RPTT Statewide FY Total	3.15%	3.22%	3.35%	3.01%	2.75%	2.30%	2.34%	1.82%	1.70%	1.84%	1.70%	0.86%	2.28%
% of Statewide FY Total	0.07%	0.07%	0.08%	0.08%	0.09%	0.11%	0.12%	0.10%	0.07%	0.05%	0.04%	0.02%	0.05%
CIGARETTE	$0.368	$0.366	$0.369	$0.337	$0.350	$0.307	$0.314	$0.316	$0.313	$0.302	$0.258	$0.227	$0.222
% Change: FY to FY		-0.38%	0.88%	-8.89%	4.10%	-12.30%	2.06%	0.86%	-1.16%	-3.46%	-14.37%	-12.33%	-1.80%
% of Douglas County FY Total	2.42%	2.26%	2.15%	1.88%	1.82%	1.50%	1.43%	1.38%	1.33%	1.27%	1.12%	0.92%	1.14%
% of Cigarette Statewide FY Total	2.23%	2.22%	2.16%	2.06%	2.03%	2.00%	1.99%	1.98%	1.99%	1.97%	1.92%	1.85%	1.88%
% of Statewide FY Total	0.05%	0.05%	0.04%	0.04%	0.04%	0.03%	0.03%	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%
LIQUOR	$0.050	$0.054	$0.052	$0.050	$0.051	$0.056	$0.056	$0.060	$0.063	$0.063	$0.057	$0.059	$0.062
% Change: FY to FY		7.90%	-2.94%	-5.05%	2.96%	10.01%	-0.78%	8.70%	4.14%	0.41%	-10.18%	3.99%	5.5[illegible]
% of Douglas County FY Total	0.33%	0.33%	0.30%	0.28%	0.26%	0.27%	0.25%	0.26%	0.27%	0.27%	0.25%	0.24%	0.[illegible]
% of Liquor Statewide FY Total	2.23%	2.22%	2.16%	2.06%	2.03%	2.00%	1.99%	1.98%	1.99%	1.96%	1.92%	1.86%	1.88[illegible]
% of Statewide FY Total	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.00%	0.00%	0.00%	0.01%	0.01%	0.01%	0.01%
TOTAL	$15.202	$16.170	$17.193	$17.884	$19.281	$20.461	$21.900	$22.929	$23.590	$23.758	$22.975	$24.678	$19.540
% Change: FY to FY		6.37%	6.33%	4.02%	7.81%	6.12%	7.03%	4.70%	2.88%	0.72%	-3.30%	7.41%	-20.82%
% of Statewide FY Total	2.06%	2.04%	2.06%	2.10%	2.12%	1.96%	1.82%	1.74%	1.79%	1.89%	2.10%	2.49%	1.89%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

TABLE 2 - FIRST TIER: ELKO COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
ELKO COUNTY													
SCCRT	$10.962	$11.059	$11.458	$10.928	$10.912	$11.720	$13.628	$16.831	$19.219	$18.120	$17.850	$16.072	$20.085
% Change: FY to FY		0.88%	3.61%	-4.63%	-0.15%	7.41%	16.28%	23.50%	14.19%	-5.72%	-1.49%	-9.96%	24.97%
% of Elko County FY Total	65.19%	64.81%	64.82%	65.04%	63.82%	63.74%	64.43%	65.84%	60.24%	65.58%	65.77%	65.13%	67.42%
% of SCCRT Statewide FY Total	2.25%	2.13%	2.10%	1.98%	1.87%	1.76%	1.78%	2.00%	2.25%	2.22%	2.52%	2.51%	2.95%
% of Statewide FY Total	1.49%	1.40%	1.38%	1.28%	1.20%	1.12%	1.13%	1.28%	1.45%	1.44%	1.63%	1.62%	1.95%
BCCRT	$3.261	$3.301	$3.427	$3.294	$3.304	$3.451	$3.956	$4.824	$5.457	$5.175	$5.078	$4.614	$5.619
% Change: FY to FY		1.22%	3.81%	-3.86%	0.30%	4.43%	14.65%	21.95%	13.12%	-5.17%	-1.88%	-9.13%	21.77%
% of Elko County FY Total	19.40%	19.35%	19.39%	19.61%	19.32%	18.77%	18.70%	18.87%	17.11%	18.73%	18.71%	18.70%	18.[illegible]
% of BCCRT Statewide FY Total	2.35%	2.23%	2.20%	2.09%	1.98%	1.82%	1.80%	2.01%	2.24%	2.22%	2.51%	2.52%	2.[illegible]
% of Statewide FY Total	0.44%	0.42%	0.41%	0.39%	0.36%	0.33%	0.33%	0.37%	0.41%	0.41%	0.46%	0.47%	0.54%
GST	$1.956	$2.063	$2.161	$2.027	$2.301	$2.627	$2.917	$3.222	$3.489	$3.728	$3.695	$3.510	$3.582
% Change: FY to FY		5.47%	4.76%	-6.20%	13.52%	14.19%	11.03%	10.45%	8.27%	6.84%	-0.88%	-5.00%	2.04%
% of Elko County FY Total	11.63%	12.09%	12.22%	12.06%	13.46%	14.29%	13.79%	12.60%	10.94%	13.49%	13.61%	14.22%	12.02%
% of GST Statewide FY Total	2.56%	2.36%	2.33%	1.99%	2.11%	2.14%	2.13%	2.20%	2.28%	2.45%	2.66%	2.75%	2.97%
% of Statewide FY Total	0.27%	0.26%	0.26%	0.24%	0.25%	0.25%	0.24%	0.24%	0.26%	0.30%	0.34%	0.35%	0.35%
RPTT	$0.135	$0.141	$0.130	$0.130	$0.152	$0.209	$0.283	$0.322	$3.383	$0.265	$0.214	$0.196	$0.219
% Change: FY to FY		4.62%	-7.91%	-0.16%	16.92%	37.78%	35.42%	13.58%	951.54%	-92.17%	-19.12%	-8.60%	11.60%
% of Elko County FY Total	0.80%	0.83%	0.74%	0.77%	0.89%	1.14%	1.34%	1.26%	10.60%	0.96%	0.79%	0.79%	0.73%
% of RPTT Statewide FY Total	0.80%	0.78%	0.64%	0.54%	0.51%	0.44%	0.45%	0.46%	6.58%	0.72%	0.76%	0.86%	0.99%
% of Statewide FY Total	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%	0.26%	0.02%	0.02%	0.02%	0.02%
CIGARETTE	$0.442	$0.435	$0.439	$0.368	$0.375	$0.321	$0.313	$0.306	$0.296	$0.283	$0.249	$0.227	$0.225
% Change: FY to FY		-1.50%	0.88%	-16.16%	1.82%	-14.40%	-2.45%	-2.12%	-3.38%	-4.27%	-12.07%	-9.06%	-0.91%
% of Elko County FY Total	2.63%	2.55%	2.48%	2.19%	2.19%	1.74%	1.48%	1.20%	0.93%	1.03%	0.92%	0.92%	0.75%
% of Cigarette Statewide FY Total	2.68%	2.64%	2.57%	2.25%	2.17%	2.09%	1.98%	1.92%	1.88%	1.85%	1.85%	1.85%	1.90%
% of Statewide FY Total	0.06%	0.06%	0.05%	0.04%	0.04%	0.03%	0.03%	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%
LIQUOR	$0.060	$0.064	$0.062	$0.054	$0.055	$0.059	$0.056	$0.059	$0.060	$0.059	$0.055	$0.059	$0.063
% Change: FY to FY		6.67%	-2.94%	-12.65%	0.78%	7.30%	-5.07%	5.42%	1.76%	-0.35%	-7.81%	7.84%	6.[illegible]
% of Elko County FY Total	0.36%	0.37%	0.35%	0.32%	0.32%	0.32%	0.26%	0.23%	0.19%	0.22%	0.20%	0.24%	0.[illegible]
% of Liquor Statewide FY Total	2.68%	2.64%	2.57%	2.25%	2.17%	2.09%	1.98%	1.92%	1.88%	1.85%	1.85%	1.86%	1.90[illegible]
% of Statewide FY Total	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.00%	0.00%	0.00%	0.00%	0.01%	0.01%	0.01%
TOTAL	$16.816	$17.063	$17.677	$16.801	$17.098	$18.387	$21.154	$25.564	$31.903	$27.630	$27.141	$24.678	$29.792
% Change: FY to FY		1.47%	3.60%	-4.95%	1.77%	7.54%	15.05%	20.85%	24.80%	-13.39%	-1.77%	-9.08%	20.72%
% of Statewide FY Total	2.28%	2.16%	2.12%	1.97%	1.88%	1.76%	1.75%	1.94%	2.41%	2.20%	2.48%	2.49%	2.89%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

Prepared by the Fiscal Analysis Division

TABLE 2 - FIRST TIER: ESMERALDA COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
ESMERALDA COUNTY													
SCCRT	$0.768	$0.768	$0.843	$0.868	$0.912	$0.922	$0.932	$1.013	$1.134	$1.150	$1.168	$1.114	$0.970
% Change: FY to FY		0.00%	9.74%	2.94%	5.04%	1.17%	1.10%	8.68%	11.88%	1.43%	1.55%	-4.57%	-12.93%
% of Esmeralda County FY Total	81.15%	80.78%	85.45%	83.16%	83.52%	84.86%	83.65%	81.34%	82.47%	83.66%	84.84%	86.00%	82.32%
% of SCCRT Statewide FY Total	0.16%	0.15%	0.15%	0.16%	0.16%	0.14%	0.12%	0.12%	0.13%	0.14%	0.16%	0.17%	0.14%
% of Statewide FY Total	0.10%	0.10%	0.10%	0.10%	0.10%	0.09%	0.08%	0.08%	0.09%	0.09%	0.11%	0.11%	0.09%
BCCRT	$0.056	$0.055	$0.032	$0.032	$0.033	$0.036	$0.038	$0.045	$0.085	$0.064	$0.050	$0.031	$0.060
% Change: FY to FY		-1.54%	-41.34%	-0.34%	1.08%	9.31%	7.26%	16.62%	90.46%	-24.58%	-22.47%	-38.32%	94.87%
% of Esmeralda County FY Total	5.92%	5.81%	3.28%	3.09%	2.99%	3.28%	3.43%	3.58%	6.18%	4.66%	3.61%	2.37%	5.[illegible]
% of BCCRT Statewide FY Total	0.04%	0.04%	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%	0.03%	0.03%	0.02%	0.02%	0.[illegible]
% of Statewide FY Total	0.01%	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.01%	0.01%	0.00%	0.00%	0.01%
GST	$0.106	$0.112	$0.095	$0.131	$0.135	$0.117	$0.128	$0.141	$0.136	$0.144	$0.148	$0.140	$0.139
% Change: FY to FY		5.46%	-14.82%	37.59%	2.82%	-12.96%	9.50%	9.89%	-3.54%	6.19%	2.64%	-5.54%	-0.30%
% of Esmeralda County FY Total	11.18%	11.74%	9.64%	12.54%	12.32%	10.77%	11.50%	11.31%	9.89%	10.50%	10.76%	10.80%	11.83%
% of GST Statewide FY Total	0.14%	0.13%	0.10%	0.13%	0.12%	0.10%	0.09%	0.10%	0.09%	0.09%	0.11%	0.11%	0.12%
% of Statewide FY Total	0.01%	0.01%	0.01%	0.02%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%
RPTT	$0.001	$0.001	$0.001	$0.003	$0.003	$0.003	$0.007	$0.038	$0.011	$0.007	$0.003	$0.004	$0.003
% Change: FY to FY		6.11%	-28.19%	230.62%	-12.07%	-15.09%	158.94%	459.24%	-71.79%	-30.49%	-54.54%	16.14%	-32.27%
% of Esmeralda County FY Total	0.15%	0.15%	0.11%	0.33%	0.28%	0.24%	0.60%	3.02%	0.77%	0.54%	0.24%	0.30%	0.22%
% of RPTT Statewide FY Total	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.05%	0.02%	0.02%	0.01%	0.02%	0.01%
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
CIGARETTE	$0.013	$0.013	$0.013	$0.008	$0.008	$0.008	$0.008	$0.008	$0.008	$0.007	$0.006	$0.006	$0.005
% Change: FY to FY		-5.49%	4.30%	-39.76%	6.82%	-8.50%	-1.02%	1.92%	0.91%	-7.41%	-16.53%	-9.91%	-6.47%
% of Esmeralda County FY Total	1.41%	1.33%	1.34%	0.76%	0.78%	0.71%	0.69%	0.63%	0.57%	0.53%	0.44%	0.42%	0.44%
% of Cigarette Statewide FY Total	0.08%	0.08%	0.08%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.04%
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
LIQUOR	$0.002	$0.002	$0.002	$0.001	$0.001	$0.001	$0.001	$0.001	$0.002	$0.002	$0.001	$0.001	$0.001
% Change: FY to FY		2.25%	0.32%	-37.22%	5.47%	14.93%	-3.76%	9.84%	6.26%	-3.68%	-12.38%	6.70%	0.6[illegible]
% of Esmeralda County FY Total	0.19%	0.20%	0.19%	0.11%	0.11%	0.13%	0.12%	0.12%	0.12%	0.11%	0.10%	0.11%	0.[illegible]
% of Liquor Statewide FY Total	0.08%	0.08%	0.08%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.04%	0.04[illegible]
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL	$0.947	$0.951	$0.987	$1.044	$1.092	$1.087	$1.115	$1.246	$1.375	$1.375	$1.376	$1.296	$1.179
% Change: FY to FY		0.45%	3.74%	5.77%	4.60%	-0.43%	2.56%	11.77%	10.35%	-0.01%	0.13%	-5.85%	-9.03%
% of Statewide FY Total	0.13%	0.12%	0.12%	0.12%	0.12%	0.10%	0.09%	0.09%	0.10%	0.11%	0.13%	0.13%	0.11%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

TABLE 2 - FIRST TIER: EUREKA COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
EUREKA COUNTY													
SCCRT	$2.463	$2.966	$2.223	$2.206	$2.338	$2.457	$3.354	$1.013	$7.200	$4.777	$4.414	$4.095	$4.789
% Change: FY to FY		20.41%	-25.06%	-0.74%	5.96%	5.10%	36.54%	-69.79%	610.48%	-33.65%	-7.59%	-7.23%	16.95%
% of Eureka County FY Total	72.83%	74.79%	73.71%	72.73%	72.80%	73.83%	74.90%	81.34%	77.23%	75.87%	75.61%	75.21%	75.84%
% of SCCRT Statewide FY Total	0.51%	0.57%	0.41%	0.40%	0.40%	0.37%	0.44%	0.12%	0.84%	0.59%	0.62%	0.64%	0.70%
% of Statewide FY Total	0.33%	0.37%	0.27%	0.26%	0.26%	0.24%	0.28%	0.08%	0.54%	0.38%	0.40%	0.41%	0.46%
BCCRT	$0.660	$0.799	$0.604	$0.601	$0.640	$0.666	$0.895	$0.045	$1.884	$1.267	$1.171	$1.107	$1.266
% Change: FY to FY		20.95%	-24.37%	-0.43%	6.46%	4.06%	34.34%	-95.02%	4122.54%	-32.72%	-7.61%	-5.43%	14.34%
% of Eureka County FY Total	19.52%	20.14%	20.03%	19.83%	19.94%	20.02%	19.99%	3.58%	20.21%	20.13%	20.06%	20.34%	20.[illegible]
% of BCCRT Statewide FY Total	0.48%	0.54%	0.39%	0.38%	0.38%	0.35%	0.41%	0.02%	0.77%	0.54%	0.58%	0.61%	0.[illegible]
% of Statewide FY Total	0.09%	0.10%	0.07%	0.07%	0.07%	0.06%	0.07%	0.00%	0.14%	0.10%	0.11%	0.11%	0.12%
GST	$0.187	$0.182	$0.163	$0.205	$0.214	$0.189	$0.210	$0.141	$0.214	$0.230	$0.240	$0.226	$0.247
% Change: FY to FY		-2.87%	-10.48%	26.32%	4.36%	-11.99%	11.17%	-32.82%	52.16%	7.13%	4.33%	-5.74%	9.40%
% of Eureka County FY Total	5.53%	4.58%	5.39%	6.77%	6.67%	5.67%	4.68%	11.31%	2.30%	3.65%	4.10%	4.15%	3.91%
% of GST Statewide FY Total	0.24%	0.21%	0.18%	0.20%	0.20%	0.15%	0.15%	0.10%	0.14%	0.15%	0.17%	0.18%	0.21%
% of Statewide FY Total	0.03%	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%	0.01%	0.02%	0.02%	0.02%	0.02%	0.02%
RPTT	$0.054	$0.002	$0.007	$0.005	$0.005	$0.005	$0.008	$0.038	$0.013	$0.012	$0.004	$0.008	$0.004
% Change: FY to FY		-95.47%	188.91%	-27.40%	0.48%	-9.91%	60.67%	400.65%	-64.60%	-12.05%	-61.83%	76.57%	-52.04%
% of Eureka County FY Total	1.61%	0.06%	0.24%	0.17%	0.16%	0.14%	0.17%	3.02%	0.14%	0.19%	0.08%	0.14%	0.06%
% of RPTT Statewide FY Total	0.32%	0.01%	0.04%	0.02%	0.02%	0.01%	0.01%	0.05%	0.03%	0.03%	0.02%	0.03%	0.02%
% of Statewide FY Total	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
CIGARETTE	$0.015	$0.015	$0.017	$0.013	$0.012	$0.010	$0.010	$0.008	$0.009	$0.008	$0.007	$0.007	$0.007
% Change: FY to FY		-2.61%	12.71%	-21.39%	-9.57%	-19.25%	1.57%	-19.77%	17.33%	-7.55%	-14.39%	-4.43%	-1.39%
% of Eureka County FY Total	0.45%	0.37%	0.56%	0.43%	0.37%	0.29%	0.22%	0.63%	0.10%	0.13%	0.12%	0.13%	0.11%
% of Cigarette Statewide FY Total	0.09%	0.09%	0.10%	0.08%	0.07%	0.06%	0.06%	0.05%	0.06%	0.06%	0.05%	0.06%	0.06%
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
LIQUOR	$0.002	$0.002	$0.002	$0.002	$0.002	$0.002	$0.002	$0.001	$0.002	$0.002	$0.002	$0.002	$0.002
% Change: FY to FY		5.47%	8.35%	-18.17%	-10.24%	1.04%	-1.25%	-13.55%	23.53%	-3.79%	-10.03%	13.13%	6.[illegible]
% of Eureka County FY Total	0.06%	0.05%	0.08%	0.06%	0.05%	0.05%	0.04%	0.12%	0.02%	0.03%	0.03%	0.03%	0.[illegible]
% of Liquor Statewide FY Total	0.09%	0.09%	0.10%	0.08%	0.07%	0.06%	0.06%	0.05%	0.06%	0.06%	0.05%	0.06%	0.06%
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL	$3.382	$3.966	$3.016	$3.033	$3.211	$3.328	$4.478	$1.246	$9.322	$6.296	$5.838	$5.445	$6.315
% Change: FY to FY		17.25%	-23.96%	0.59%	5.86%	3.63%	34.57%	-72.18%	648.30%	-32.46%	-7.27%	-6.73%	15.98%
% of Statewide FY Total	0.46%	0.50%	0.36%	0.36%	0.35%	0.32%	0.37%	0.09%	0.71%	0.50%	0.53%	0.55%	0.61%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

Prepared by the Fiscal Analysis Division

TABLE 2 - FIRST TIER: HUMBOLDT COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
HUMBOLDT COUNTY													
SCCRT	$5.590	$5.019	$5.097	$5.146	$5.033	$5.517	$6.646	$8.191	$8.087	$8.332	$8.618	$7.843	$10.139
% Change: FY to FY		-10.22%	1.56%	0.96%	-2.20%	9.61%	20.47%	23.25%	-1.26%	3.02%	3.44%	-8.99%	29.27%
% of Humboldt County FY Total	67.01%	65.37%	66.35%	65.24%	64.60%	65.54%	66.68%	67.81%	67.43%	67.37%	68.23%	67.72%	70.19%
% of SCCRT Statewide FY Total	1.15%	0.97%	0.94%	0.93%	0.86%	0.83%	0.87%	0.97%	0.95%	1.02%	1.22%	1.22%	1.49%
% of Statewide FY Total	0.76%	0.63%	0.61%	0.60%	0.55%	0.53%	0.55%	0.62%	0.61%	0.66%	0.79%	0.79%	0.98%
BCCRT	$1.610	$1.466	$1.494	$1.512	$1.489	$1.587	$1.883	$2.297	$2.270	$2.340	$2.403	$2.211	$2.781
% Change: FY to FY		-8.90%	1.91%	1.20%	-1.56%	6.58%	18.69%	22.00%	-1.21%	3.09%	2.70%	-8.01%	25.80%
% of Humboldt County FY Total	19.30%	19.10%	19.45%	19.17%	19.11%	18.85%	18.89%	19.02%	18.92%	18.92%	19.02%	19.09%	19.2[illegible]
% of BCCRT Statewide FY Total	1.16%	0.99%	0.96%	0.96%	0.89%	0.84%	0.86%	0.96%	0.93%	1.00%	1.19%	1.21%	1.[illegible]
% of Statewide FY Total	0.22%	0.19%	0.18%	0.18%	0.16%	0.15%	0.16%	0.17%	0.17%	0.19%	0.22%	0.22%	0.27%
GST	$0.933	$0.960	$0.868	$1.034	$1.075	$1.078	$1.210	$1.335	$1.388	$1.461	$1.427	$1.365	$1.367
% Change: FY to FY		2.90%	-9.52%	19.13%	3.91%	0.29%	12.29%	10.29%	3.96%	5.31%	-2.31%	-4.36%	0.14%
% of Humboldt County FY Total	11.18%	12.50%	11.30%	13.11%	13.79%	12.80%	12.14%	11.05%	11.57%	11.82%	11.30%	11.79%	9.46%
% of GST Statewide FY Total	1.22%	1.10%	0.93%	1.02%	0.99%	0.88%	0.88%	0.91%	0.91%	0.96%	1.03%	1.07%	1.14%
% of Statewide FY Total	0.13%	0.12%	0.10%	0.12%	0.12%	0.10%	0.10%	0.10%	0.11%	0.12%	0.13%	0.14%	0.13%
RPTT	$0.026	$0.052	$0.043	$0.046	$0.045	$0.103	$0.095	$0.125	$0.119	$0.108	$0.075	$0.062	$0.059
% Change: FY to FY		101.37%	-16.43%	5.60%	-0.77%	128.77%	-7.85%	31.70%	-4.91%	-9.06%	-31.18%	-16.55%	-4.73%
% of Humboldt County FY Total	0.31%	0.67%	0.56%	0.58%	0.58%	1.23%	0.96%	1.04%	0.99%	0.88%	0.59%	0.54%	0.41%
% of RPTT Statewide FY Total	0.15%	0.29%	0.21%	0.19%	0.15%	0.22%	0.15%	0.18%	0.23%	0.30%	0.27%	0.27%	0.27%
% of Statewide FY Total	0.00%	0.01%	0.01%	0.01%	0.00%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%
CIGARETTE	$0.162	$0.158	$0.157	$0.130	$0.130	$0.113	$0.112	$0.110	$0.108	$0.104	$0.089	$0.080	$0.078
% Change: FY to FY		-2.32%	-0.89%	-16.94%	-0.17%	-13.25%	-0.39%	-1.98%	-2.22%	-3.88%	-13.96%	-9.93%	-3.19%
% of Humboldt County FY Total	1.94%	2.06%	2.04%	1.65%	1.67%	1.34%	1.13%	0.91%	0.90%	0.84%	0.71%	0.69%	0.54%
% of Cigarette Statewide FY Total	0.98%	0.96%	0.92%	0.80%	0.75%	0.73%	0.71%	0.69%	0.68%	0.67%	0.66%	0.66%	0.66%
% of Statewide FY Total	0.02%	0.02%	0.02%	0.02%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%
LIQUOR	$0.022	$0.023	$0.022	$0.019	$0.019	$0.021	$0.020	$0.021	$0.022	$0.022	$0.020	$0.021	$0.022
% Change: FY to FY		5.75%	-4.62%	-13.48%	-1.20%	8.79%	-3.07%	5.57%	3.01%	-0.01%	-9.76%	6.74%	4.1[illegible]
% of Humboldt County FY Total	0.26%	0.30%	0.29%	0.24%	0.24%	0.24%	0.20%	0.17%	0.18%	0.18%	0.16%	0.18%	0.[illegible]
% of Liquor Statewide FY Total	0.98%	0.96%	0.92%	0.80%	0.75%	0.73%	0.71%	0.69%	0.68%	0.67%	0.66%	0.66%	0.66[illegible]
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL	$8.342	$7.678	$7.681	$7.887	$7.790	$8.418	$9.967	$12.080	$11.993	$12.366	$12.632	$11.582	$14.446
% Change: FY to FY		-7.96%	0.05%	2.68%	-1.23%	8.05%	18.40%	21.20%	-0.71%	3.11%	2.15%	-8.31%	24.72%
% of Statewide FY Total	1.13%	0.97%	0.92%	0.93%	0.86%	0.81%	0.83%	0.92%	0.91%	0.99%	1.15%	1.17%	1.40%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

TABLE 2 - FIRST TIER: LANDER COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
LANDER COUNTY													
SCCRT	$2.324	$2.364	$2.418	$2.435	$2.461	$2.461	$2.461	$2.579	$2.740	$2.881	$2.926	$1.346	$2.431
% Change: FY to FY		1.74%	2.27%	0.72%	1.03%	0.00%	0.00%	4.82%	6.23%	5.16%	1.55%	-53.99%	80.60%
% of Lander County FY Total	72.17%	73.67%	75.24%	75.13%	76.64%	76.63%	65.88%	65.55%	58.88%	64.78%	61.50%	70.58%	58.10%
% of SCCRT Statewide FY Total	0.48%	0.46%	0.44%	0.44%	0.42%	0.37%	0.32%	0.31%	0.32%	0.35%	0.41%	0.21%	0.36%
% of Statewide FY Total	0.32%	0.30%	0.29%	0.29%	0.27%	0.24%	0.20%	0.20%	0.21%	0.23%	0.27%	0.14%	0.24%
BCCRT	$0.405	$0.357	$0.325	$0.290	$0.229	$0.248	$0.729	$0.731	$1.254	$0.869	$1.159	$0.123	$1.074
% Change: FY to FY		-11.93%	-8.85%	-10.92%	-20.98%	8.60%	193.25%	0.34%	71.54%	-30.68%	33.28%	-89.36%	771.34%
% of Lander County FY Total	12.57%	11.11%	10.11%	8.93%	7.13%	7.74%	19.51%	18.58%	26.95%	19.55%	24.35%	6.46%	25.[illegible]
% of BCCRT Statewide FY Total	0.29%	0.24%	0.21%	0.18%	0.14%	0.13%	0.33%	0.30%	0.51%	0.37%	0.57%	0.07%	0.5[illegible]
% of Statewide FY Total	0.05%	0.05%	0.04%	0.03%	0.03%	0.02%	0.06%	0.06%	0.09%	0.07%	0.11%	0.01%	0.10%
GST	$0.411	$0.408	$0.392	$0.455	$0.456	$0.443	$0.485	$0.559	$0.582	$0.633	$0.621	$0.401	$0.627
% Change: FY to FY		-0.83%	-3.81%	16.12%	0.07%	-2.67%	9.30%	15.31%	4.08%	8.88%	-1.87%	-35.50%	56.46%
% of Lander County FY Total	12.76%	12.70%	12.20%	14.04%	14.19%	13.81%	12.98%	14.20%	12.50%	14.24%	13.06%	21.02%	14.99%
% of GST Statewide FY Total	0.54%	0.47%	0.42%	0.45%	0.42%	0.36%	0.35%	0.38%	0.38%	0.42%	0.45%	0.31%	0.52%
% of Statewide FY Total	0.06%	0.05%	0.05%	0.05%	0.05%	0.04%	0.04%	0.04%	0.04%	0.05%	0.06%	0.04%	0.06%
RPTT	$0.007	$0.010	$0.009	$0.008	$0.013	$0.014	$0.018	$0.024	$0.037	$0.024	$0.017	$0.012	$0.018
% Change: FY to FY		39.83%	-5.69%	-15.62%	67.52%	5.13%	34.48%	28.22%	55.00%	-35.34%	-28.18%	-26.90%	46.35%
% of Lander County FY Total	0.22%	0.30%	0.29%	0.24%	0.41%	0.43%	0.49%	0.60%	0.79%	0.53%	0.36%	0.65%	0.43%
% of RPTT Statewide FY Total	0.04%	0.05%	0.05%	0.03%	0.04%	0.03%	0.03%	0.03%	0.07%	0.06%	0.06%	0.05%	0.08%
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
CIGARETTE	$0.065	$0.062	$0.061	$0.047	$0.046	$0.038	$0.036	$0.035	$0.034	$0.033	$0.028	$0.019	$0.026
% Change: FY to FY		-4.38%	-1.79%	-23.00%	-1.87%	-17.31%	-5.07%	-2.03%	-2.82%	-3.89%	-13.66%	-31.81%	34.78%
% of Lander County FY Total	2.01%	1.93%	1.89%	1.44%	1.43%	1.18%	0.97%	0.90%	0.74%	0.74%	0.60%	1.02%	0.63%
% of Cigarette Statewide FY Total	0.39%	0.38%	0.36%	0.29%	0.27%	0.25%	0.23%	0.22%	0.22%	0.21%	0.21%	0.16%	0.22%
% of Statewide FY Total	0.01%	0.01%	0.01%	0.01%	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
LIQUOR	$0.009	$0.009	$0.009	$0.007	$0.007	$0.007	$0.006	$0.007	$0.007	$0.007	$0.006	$0.005	$0.007
% Change: FY to FY		3.47%	-5.48%	-19.80%	-2.77%	3.54%	-7.60%	5.51%	2.38%	-0.03%	-9.38%	-19.22%	44.9[illegible]
% of Lander County FY Total	0.27%	0.28%	0.27%	0.21%	0.21%	0.22%	0.17%	0.17%	0.15%	0.16%	0.13%	0.27%	0.1[illegible]
% of Liquor Statewide FY Total	0.39%	0.38%	0.36%	0.29%	0.27%	0.25%	0.23%	0.22%	0.22%	0.21%	0.21%	0.16%	0.22%
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL	$3.220	$3.209	$3.214	$3.242	$3.211	$3.211	$3.735	$3.935	$4.653	$4.447	$4.758	$1.907	$4.184
% Change: FY to FY		-0.34%	0.14%	0.87%	-0.96%	0.01%	16.31%	5.36%	18.26%	-4.43%	6.98%	-59.91%	119.39%
% of Statewide FY Total	0.44%	0.41%	0.39%	0.38%	0.35%	0.31%	0.31%	0.30%	0.35%	0.35%	0.43%	0.19%	0.41%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

Prepared by the Fiscal Analysis Division

TABLE 2 - FIRST TIER: LINCOLN COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
LINCOLN COUNTY													
SCCRT	$1.031	$1.067	$1.112	$1.181	$1.181	$1.195	$1.195	$1.258	$1.322	$1.389	$1.411	$1.346	$1.172
% Change: FY to FY		3.55%	4.13%	6.28%	0.00%	1.17%	0.00%	5.25%	5.08%	5.09%	1.55%	-4.57%	-12.93%
% of Lincoln County FY Total	69.94%	69.14%	71.19%	69.94%	69.55%	69.61%	64.52%	62.57%	66.16%	68.69%	70.08%	70.58%	66.84%
% of SCCRT Statewide FY Total	0.21%	0.21%	0.20%	0.21%	0.20%	0.18%	0.16%	0.15%	0.15%	0.17%	0.20%	0.21%	0.17%
% of Statewide FY Total	0.14%	0.13%	0.13%	0.14%	0.13%	0.11%	0.10%	0.10%	0.10%	0.11%	0.13%	0.14%	0.11%
BCCRT	$0.125	$0.139	$0.123	$0.126	$0.120	$0.128	$0.160	$0.161	$0.163	$0.144	$0.127	$0.123	$0.156
% Change: FY to FY		11.08%	-11.06%	2.21%	-4.65%	6.18%	25.68%	0.64%	1.28%	-11.97%	-11.54%	-3.11%	26.21%
% of Lincoln County FY Total	8.46%	8.98%	7.89%	7.46%	7.07%	7.43%	8.65%	8.02%	8.18%	7.11%	6.32%	6.46%	[illegible]
% of BCCRT Statewide FY Total	0.09%	0.09%	0.08%	0.08%	0.07%	0.07%	0.07%	0.07%	0.07%	0.06%	0.06%	0.07%	[illegible]
% of Statewide FY Total	0.02%	0.02%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.02%
GST	$0.265	$0.287	$0.273	$0.334	$0.353	$0.344	$0.386	$0.424	$0.441	$0.433	$0.428	$0.401	$0.386
% Change: FY to FY		8.14%	-4.91%	22.38%	5.76%	-2.56%	12.11%	10.03%	4.00%	-1.92%	-1.10%	-6.39%	-3.77%
% of Lincoln County FY Total	18.00%	18.58%	17.47%	19.77%	20.79%	20.04%	20.82%	21.11%	22.09%	21.41%	21.27%	21.02%	22.00%
% of GST Statewide FY Total	0.35%	0.33%	0.29%	0.33%	0.32%	0.28%	0.28%	0.29%	0.29%	0.28%	0.31%	0.31%	0.32%
% of Statewide FY Total	0.04%	0.04%	0.03%	0.04%	0.04%	0.03%	0.03%	0.03%	0.03%	0.03%	0.04%	0.04%	0.04%
RPTT	$0.010	$0.009	$0.012	$0.010	$0.008	$0.019	$0.081	$0.137	$0.042	$0.028	$0.022	$0.012	$0.016
% Change: FY to FY		-13.40%	36.19%	-16.67%	-13.53%	121.35%	332.12%	68.77%	-69.26%	-33.50%	-22.70%	-42.50%	26.22%
% of Lincoln County FY Total	0.68%	0.56%	0.75%	0.58%	0.50%	1.09%	4.38%	6.81%	2.11%	1.38%	1.07%	0.65%	0.90%
% of RPTT Statewide FY Total	0.06%	0.05%	0.06%	0.04%	0.03%	0.04%	0.13%	0.19%	0.08%	0.08%	0.08%	0.05%	0.07%
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.01%	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%
CIGARETTE	$0.038	$0.037	$0.037	$0.033	$0.031	$0.027	$0.026	$0.025	$0.024	$0.023	$0.021	$0.019	$0.019
% Change: FY to FY		-2.68%	-0.26%	-9.72%	-6.70%	-14.22%	-3.74%	-1.89%	-3.73%	-3.38%	-11.15%	-6.55%	-1.77%
% of Lincoln County FY Total	2.58%	2.39%	2.36%	1.97%	1.83%	1.55%	1.38%	1.25%	1.21%	1.16%	1.03%	1.02%	1.09%
% of Cigarette Statewide FY Total	0.23%	0.22%	0.22%	0.20%	0.18%	0.17%	0.16%	0.16%	0.15%	0.15%	0.15%	0.16%	0.16%
% of Statewide FY Total	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
LIQUOR	$0.005	$0.005	$0.005	$0.005	$0.005	$0.005	$0.005	$0.005	$0.005	$0.005	$0.005	$0.005	$0.005
% Change: FY to FY		5.35%	-4.02%	-6.02%	-7.59%	7.53%	-6.33%	5.67%	1.41%	0.57%	-6.77%	10.66%	[illegible]
% of Lincoln County FY Total	0.35%	0.35%	0.33%	0.29%	0.27%	0.28%	0.25%	0.24%	0.24%	0.24%	0.23%	0.27%	[illegible]
% of Liquor Statewide FY Total	0.23%	0.22%	0.22%	0.20%	0.18%	0.17%	0.16%	0.16%	0.15%	0.15%	0.15%	0.16%	[illegible]
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL	$1.474	$1.544	$1.561	$1.689	$1.699	$1.717	$1.852	$2.011	$1.998	$2.022	$2.013	$1.907	$1.754
% Change: FY to FY		4.74%	1.13%	8.18%	0.56%	1.08%	7.89%	8.53%	-0.63%	1.22%	-0.45%	-5.26%	-8.06%
% of Statewide FY Total	0.20%	0.20%	0.19%	0.20%	0.19%	0.16%	0.15%	0.15%	0.15%	0.16%	0.18%	0.19%	0.17%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

TABLE 2 - FIRST TIER: LYON COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
LYON COUNTY													
SCCRT	$6.543	$6.824	$7.422	$7.888	$8.286	$8.383	$8.880	$9.906	$11.178	$12.248	$12.438	$11.870	$10.335
% Change: FY to FY		4.30%	8.76%	6.28%	5.04%	1.17%	5.93%	11.55%	12.84%	9.58%	1.55%	-4.57%	-12.93%
% of Lyon County FY Total	69.96%	69.09%	69.28%	68.18%	67.49%	63.33%	59.81%	59.54%	64.55%	67.96%	70.15%	71.61%	69.66%
% of SCCRT Statewide FY Total	1.34%	1.32%	1.36%	1.43%	1.42%	1.26%	1.16%	1.18%	1.31%	1.50%	1.76%	1.85%	1.52%
% of Statewide FY Total	0.89%	0.86%	0.89%	0.93%	0.91%	0.80%	0.74%	0.75%	0.85%	0.98%	1.14%	1.20%	1.00%
BCCRT	$1.109	$1.215	$1.362	$1.461	$1.386	$1.643	$1.988	$2.355	$2.115	$2.065	$1.889	$1.622	$1.643
% Change: FY to FY		9.49%	12.10%	7.32%	-5.19%	18.58%	21.00%	18.45%	-10.21%	-2.34%	-8.52%	-14.15%	1.28%
% of Lyon County FY Total	11.86%	12.30%	12.71%	12.63%	11.29%	12.41%	13.39%	14.15%	12.21%	11.46%	10.65%	9.78%	11.[illegible]
% of BCCRT Statewide FY Total	0.80%	0.82%	0.88%	0.93%	0.83%	0.87%	0.91%	0.98%	0.87%	0.89%	0.93%	0.89%	0.[illegible]
% of Statewide FY Total	0.15%	0.15%	0.16%	0.17%	0.15%	0.16%	0.16%	0.18%	0.16%	0.16%	0.17%	0.16%	0.16%
GST	$1.158	$1.289	$1.374	$1.585	$1.802	$2.144	$2.540	$2.891	$3.010	$2.947	$2.682	$2.446	$2.227
% Change: FY to FY		11.33%	6.54%	15.40%	13.66%	18.98%	18.49%	13.81%	4.10%	-2.09%	-8.97%	-8.80%	-8.95%
% of Lyon County FY Total	12.38%	13.06%	12.82%	13.70%	14.68%	16.20%	17.11%	17.38%	17.38%	16.35%	15.13%	14.76%	15.01%
% of GST Statewide FY Total	1.52%	1.47%	1.48%	1.56%	1.66%	1.75%	1.85%	1.97%	1.97%	1.93%	1.93%	1.92%	1.85%
% of Statewide FY Total	0.16%	0.16%	0.16%	0.19%	0.20%	0.21%	0.21%	0.22%	0.23%	0.23%	0.25%	0.25%	0.22%
RPTT	$0.221	$0.220	$0.217	$0.310	$0.457	$0.746	$1.101	$1.131	$0.643	$0.381	$0.385	$0.326	$0.332
% Change: FY to FY		-0.51%	-1.50%	42.74%	47.66%	63.16%	47.60%	2.67%	-43.11%	-40.74%	0.93%	-15.34%	2.01%
% of Lyon County FY Total	2.37%	2.23%	2.03%	2.68%	3.72%	5.64%	7.42%	6.80%	3.71%	2.11%	2.17%	1.96%	2.24%
% of RPTT Statewide FY Total	1.32%	1.22%	1.07%	1.30%	1.55%	1.56%	1.75%	1.60%	1.25%	1.04%	1.37%	1.43%	1.51%
% of Statewide FY Total	0.03%	0.03%	0.03%	0.04%	0.05%	0.07%	0.09%	0.09%	0.05%	0.03%	0.04%	0.03%	0.03%
CIGARETTE	$0.283	$0.286	$0.296	$0.283	$0.302	$0.271	$0.285	$0.298	$0.309	$0.316	$0.276	$0.248	$0.234
% Change: FY to FY		1.23%	3.50%	-4.53%	6.91%	-10.34%	5.31%	4.29%	3.64%	2.49%	-12.73%	-10.16%	-5.77%
% of Lyon County FY Total	3.02%	2.90%	2.76%	2.44%	2.46%	2.05%	1.92%	1.79%	1.78%	1.75%	1.56%	1.50%	1.57%
% of Cigarette Statewide FY Total	1.71%	1.74%	1.74%	1.73%	1.75%	1.76%	1.81%	1.87%	1.96%	2.06%	2.05%	2.03%	1.97%
% of Statewide FY Total	0.04%	0.04%	0.04%	0.03%	0.03%	0.03%	0.02%	0.02%	0.02%	0.03%	0.03%	0.03%	0.02%
LIQUOR	$0.038	$0.042	$0.042	$0.042	$0.044	$0.049	$0.051	$0.057	$0.062	$0.066	$0.061	$0.065	$0.065
% Change: FY to FY		9.70%	-0.43%	-0.49%	5.66%	12.56%	2.29%	12.46%	9.38%	6.49%	-8.49%	6.43%	1.4[illegible]
% of Lyon County FY Total	0.41%	0.43%	0.39%	0.36%	0.36%	0.37%	0.34%	0.34%	0.36%	0.37%	0.34%	0.39%	0.[illegible]
% of Liquor Statewide FY Total	1.71%	1.74%	1.74%	1.73%	1.75%	1.77%	1.81%	1.87%	1.96%	2.06%	2.05%	2.03%	1.97%
% of Statewide FY Total	0.01%	0.01%	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.01%	0.01%	0.01%	0.01%
TOTAL	$9.353	$9.877	$10.713	$11.569	$12.277	$13.237	$14.846	$16.637	$17.316	$18.024	$17.731	$16.576	$14.836
% Change: FY to FY		5.60%	8.46%	7.99%	6.12%	7.82%	12.16%	12.07%	4.08%	4.09%	-1.62%	-6.51%	-10.50%
% of Statewide FY Total	1.27%	1.25%	1.29%	1.36%	1.35%	1.27%	1.23%	1.26%	1.31%	1.44%	1.62%	1.68%	1.44%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

Prepared by the Fiscal Analysis Division

TABLE 2 - FIRST TIER: MINERAL COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

MINERAL COUNTY	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
SCCRT	$1.684	$1.684	$1.686	$1.697	$1.697	$1.717	$1.746	$1.798	$1.843	$1.843	$1.871	$1.786	$1.555
% Change: FY to FY		0.00%	0.13%	0.61%	0.00%	1.17%	1.72%	3.00%	2.46%	0.00%	1.55%	-4.57%	-12.93%
% of Mineral County FY Total	75.06%	74.09%	76.62%	76.23%	75.40%	75.96%	75.87%	70.85%	75.18%	74.68%	75.77%	76.16%	72.76%
% of SCCRT Statewide FY Total	0.35%	0.32%	0.31%	0.31%	0.29%	0.26%	0.23%	0.21%	0.22%	0.23%	0.26%	0.28%	0.23%
% of Statewide FY Total	0.23%	0.21%	0.20%	0.20%	0.19%	0.16%	0.14%	0.14%	0.14%	0.15%	0.17%	0.18%	0.15%
BCCRT	$0.226	$0.226	$0.198	$0.182	$0.191	$0.195	$0.176	$0.194	$0.203	$0.211	$0.193	$0.171	$0.215
% Change: FY to FY		-0.15%	-12.37%	-7.96%	4.78%	2.14%	-9.39%	9.85%	4.83%	3.88%	-8.61%	-11.46%	25.76%
% of Mineral County FY Total	10.07%	9.92%	8.98%	8.18%	8.47%	8.62%	7.67%	7.64%	8.29%	8.55%	7.81%	7.28%	10.[illegible]
% of BCCRT Statewide FY Total	0.16%	0.15%	0.13%	0.12%	0.11%	0.10%	0.08%	0.08%	0.08%	0.09%	0.10%	0.09%	0.1[illegible]
% of Statewide FY Total	0.03%	0.03%	0.02%	0.02%	0.02%	0.02%	0.01%	0.01%	0.02%	0.02%	0.02%	0.02%	0.02%
GST	$0.257	$0.291	$0.249	$0.292	$0.310	$0.300	$0.328	$0.347	$0.355	$0.368	$0.370	$0.350	$0.338
% Change: FY to FY		12.89%	-14.18%	17.21%	6.22%	-3.52%	9.47%	5.88%	2.12%	3.73%	0.72%	-5.58%	-3.39%
% of Mineral County FY Total	11.47%	12.78%	11.33%	13.13%	13.80%	13.26%	14.25%	13.68%	14.47%	14.90%	15.00%	14.92%	15.81%
% of GST Statewide FY Total	0.34%	0.33%	0.27%	0.29%	0.29%	0.24%	0.24%	0.24%	0.23%	0.24%	0.27%	0.27%	0.28%
% of Statewide FY Total	0.03%	0.04%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.04%	0.03%
RPTT	$0.005	$0.006	$0.004	$0.008	$0.009	$0.011	$0.013	$0.163	$0.016	$0.015	$0.009	$0.013	$0.004
% Change: FY to FY		30.01%	-40.48%	117.25%	7.01%	20.42%	27.86%	1106.63%	-89.94%	-7.67%	-42.71%	55.72%	-67.24%
% of Mineral County FY Total	0.22%	0.28%	0.17%	0.37%	0.39%	0.47%	0.59%	6.40%	0.67%	0.61%	0.35%	0.57%	0.21%
% of RPTT Statewide FY Total	0.03%	0.04%	0.02%	0.03%	0.03%	0.02%	0.02%	0.23%	0.03%	0.04%	0.03%	0.06%	0.02%
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%
CIGARETTE	$0.063	$0.058	$0.056	$0.041	$0.038	$0.032	$0.032	$0.031	$0.028	$0.026	$0.022	$0.020	$0.020
% Change: FY to FY		-7.56%	-3.56%	-27.47%	-6.27%	-14.72%	-1.59%	-4.07%	-7.00%	-10.20%	-15.40%	-8.81%	-1.07%
% of Mineral County FY Total	2.80%	2.55%	2.54%	1.82%	1.69%	1.44%	1.39%	1.21%	1.16%	1.04%	0.88%	0.84%	0.91%
% of Cigarette Statewide FY Total	0.38%	0.35%	0.33%	0.25%	0.22%	0.21%	0.20%	0.19%	0.18%	0.17%	0.16%	0.16%	0.16%
% of Statewide FY Total	0.01%	0.01%	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
LIQUOR	$0.009	$0.009	$0.008	$0.006	$0.006	$0.006	$0.006	$0.006	$0.006	$0.005	$0.005	$0.005	$0.005
% Change: FY to FY		-0.06%	-7.17%	-24.49%	-7.14%	6.89%	-4.20%	3.29%	-2.18%	-6.48%	-11.22%	8.13%	6.3[illegible]
% of Mineral County FY Total	0.38%	0.37%	0.36%	0.27%	0.25%	0.26%	0.25%	0.23%	0.23%	0.22%	0.19%	0.22%	0.[illegible]
% of Liquor Statewide FY Total	0.38%	0.35%	0.33%	0.25%	0.22%	0.21%	0.20%	0.19%	0.18%	0.17%	0.16%	0.16%	0.16[illegible]
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL	$2.244	$2.273	$2.201	$2.226	$2.250	$2.260	$2.301	$2.538	$2.451	$2.468	$2.470	$2.345	$2.137
% Change: FY to FY		1.32%	-3.17%	1.12%	1.10%	0.43%	1.85%	10.30%	-3.45%	0.68%	0.08%	-5.06%	-8.86%
% of Statewide FY Total	0.30%	0.29%	0.26%	0.26%	0.25%	0.22%	0.19%	0.19%	0.19%	0.20%	0.23%	0.24%	0.21%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

TABLE 2 - FIRST TIER: NYE COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

NYE COUNTY	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
SCCRT	$5.310	$5.538	$6.117	$6.501	$6.828	$6.908	$7.318	$7.865	$9.205	$8.034	$7.198	$6.504	$7.894
% Change: FY to FY		4.30%	10.44%	6.28%	5.04%	1.17%	5.93%	7.47%	17.04%	-12.72%	-10.40%	-9.65%	21.38%
% of Nye County FY Total	61.17%	61.03%	61.69%	62.24%	62.44%	57.90%	53.50%	52.19%	57.89%	56.62%	56.54%	56.62%	60.60%
% of SCCRT Statewide FY Total	1.09%	1.07%	1.12%	1.18%	1.17%	1.04%	0.95%	0.94%	1.08%	0.99%	1.02%	1.02%	1.16%
% of Statewide FY Total	0.72%	0.70%	0.73%	0.76%	0.75%	0.66%	0.61%	0.60%	0.70%	0.64%	0.66%	0.66%	0.76%
BCCRT	$1.412	$1.479	$1.570	$1.577	$1.635	$1.940	$2.471	$2.739	$2.798	$2.498	$2.248	$2.030	$2.378
% Change: FY to FY		4.75%	6.15%	0.45%	3.67%	18.66%	27.37%	10.82%	2.17%	-10.73%	-10.01%	-9.70%	17.16%
% of Nye County FY Total	16.27%	16.30%	15.84%	15.10%	14.95%	16.26%	18.07%	18.17%	17.60%	17.60%	17.65%	17.67%	18.[illegible]
% of BCCRT Statewide FY Total	1.02%	1.00%	1.01%	1.00%	0.98%	1.02%	1.13%	1.14%	1.15%	1.07%	1.11%	1.11%	1.[illegible]
% of Statewide FY Total	0.19%	0.19%	0.19%	0.18%	0.18%	0.19%	0.20%	0.21%	0.21%	0.20%	0.21%	0.21%	0.23%
GST	$1.485	$1.525	$1.688	$1.852	$1.996	$2.285	$2.633	$2.959	$3.081	$2.982	$2.714	$2.454	$2.284
% Change: FY to FY		2.67%	10.75%	9.66%	7.83%	14.47%	15.19%	12.38%	4.12%	-3.19%	-8.99%	-9.60%	-6.91%
% of Nye County FY Total	17.11%	16.80%	17.03%	17.73%	18.26%	19.16%	19.25%	19.63%	19.37%	21.02%	21.32%	21.36%	17.53%
% of GST Statewide FY Total	1.94%	1.74%	1.82%	1.82%	1.83%	1.86%	1.92%	2.02%	2.01%	1.96%	1.96%	1.92%	1.90%
% of Statewide FY Total	0.20%	0.19%	0.20%	0.22%	0.22%	0.22%	0.22%	0.22%	0.23%	0.24%	0.25%	0.25%	0.22%
RPTT	$0.181	$0.226	$0.207	$0.211	$0.158	$0.508	$0.961	$1.204	$0.504	$0.358	$0.292	$0.234	$0.213
% Change: FY to FY		24.99%	-8.39%	1.71%	-25.02%	221.31%	89.03%	25.30%	-58.11%	-29.03%	-18.41%	-19.89%	-8.83%
% of Nye County FY Total	2.09%	2.50%	2.09%	2.02%	1.45%	4.26%	7.02%	7.99%	3.17%	2.52%	2.29%	2.04%	1.64%
% of RPTT Statewide FY Total	1.08%	1.26%	1.02%	0.88%	0.54%	1.06%	1.52%	1.71%	0.98%	0.97%	1.04%	1.03%	0.97%
% of Statewide FY Total	0.02%	0.03%	0.02%	0.02%	0.02%	0.05%	0.08%	0.09%	0.04%	0.03%	0.03%	0.02%	0.02%
CIGARETTE	$0.258	$0.267	$0.291	$0.265	$0.277	$0.244	$0.252	$0.254	$0.260	$0.262	$0.229	$0.211	$0.202
% Change: FY to FY		3.63%	8.92%	-8.85%	4.57%	-11.97%	3.10%	0.93%	2.30%	0.86%	-12.47%	-8.07%	-4.46%
% of Nye County FY Total	2.97%	2.94%	2.93%	2.54%	2.54%	2.05%	1.84%	1.69%	1.63%	1.85%	1.80%	1.84%	1.55%
% of Cigarette Statewide FY Total	1.56%	1.62%	1.71%	1.62%	1.61%	1.59%	1.59%	1.59%	1.65%	1.71%	1.71%	1.73%	1.70%
% of Statewide FY Total	0.03%	0.03%	0.03%	0.03%	0.03%	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%
LIQUOR	$0.035	$0.039	$0.041	$0.039	$0.040	$0.045	$0.045	$0.049	$0.052	$0.055	$0.050	$0.055	$0.056
% Change: FY to FY		12.39%	4.74%	-5.01%	3.41%	10.45%	0.24%	8.74%	7.91%	4.84%	-8.16%	8.88%	2.[illegible]
% of Nye County FY Total	0.40%	0.43%	0.41%	0.37%	0.37%	0.37%	0.33%	0.32%	0.33%	0.39%	0.40%	0.48%	0.[illegible]
% of Liquor Statewide FY Total	1.56%	1.62%	1.71%	1.62%	1.61%	1.59%	1.59%	1.59%	1.65%	1.71%	1.71%	1.73%	1.70[illegible]
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.01%	0.01%
TOTAL	$8.681	$9.075	$9.915	$10.445	$10.936	$11.931	$13.679	$15.068	$15.900	$14.189	$12.732	$11.487	$13.028
% Change: FY to FY		4.54%	9.25%	5.35%	4.70%	9.10%	14.65%	10.16%	5.52%	-10.76%	-10.26%	-9.78%	13.41%
% of Statewide FY Total	1.18%	1.15%	1.19%	1.23%	1.20%	1.14%	1.13%	1.14%	1.20%	1.13%	1.16%	1.16%	1.26%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

Prepared by the Fiscal Analysis Division

TABLE 2 - FIRST TIER: PERSHING COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
PERSHING COUNTY													
SCCRT	$1.605	$1.674	$1.762	$1.822	$1.900	$1.922	$1.967	$1.967	$2.065	$2.184	$2.218	$2.116	$1.843
% Change: FY to FY		4.30%	5.31%	3.37%	4.29%	1.17%	2.33%	0.00%	4.99%	5.75%	1.55%	-4.57%	-12.93%
% of Pershing County FY Total	69.63%	66.81%	72.48%	71.25%	71.53%	73.41%	71.78%	69.88%	70.93%	71.62%	72.92%	73.75%	69.90%
% of SCCRT Statewide FY Total	0.33%	0.32%	0.32%	0.33%	0.33%	0.29%	0.26%	0.23%	0.24%	0.27%	0.31%	0.33%	0.27%
% of Statewide FY Total	0.22%	0.21%	0.21%	0.21%	0.21%	0.18%	0.16%	0.15%	0.16%	0.17%	0.20%	0.21%	0.18%
BCCRT	$0.279	$0.270	$0.276	$0.258	$0.249	$0.244	$0.267	$0.302	$0.326	$0.314	$0.292	$0.246	$0.282
% Change: FY to FY		-3.16%	2.29%	-6.76%	-3.37%	-1.86%	9.47%	12.79%	8.25%	-3.90%	-7.02%	-15.84%	15.01%
% of Pershing County FY Total	12.10%	10.78%	11.36%	10.07%	9.37%	9.33%	9.76%	10.72%	11.21%	10.29%	9.59%	8.55%	10.7
% of BCCRT Statewide FY Total	0.20%	0.18%	0.18%	0.16%	0.15%	0.13%	0.12%	0.13%	0.13%	0.13%	0.14%	0.13%	0.1
% of Statewide FY Total	0.04%	0.03%	0.03%	0.03%	0.03%	0.02%	0.02%	0.02%	0.02%	0.03%	0.03%	0.02%	0.03%
GST	$0.318	$0.472	$0.307	$0.409	$0.429	$0.377	$0.410	$0.442	$0.441	$0.472	$0.474	$0.456	$0.456
% Change: FY to FY		48.23%	-34.88%	32.95%	5.08%	-12.28%	8.91%	7.67%	-0.28%	7.19%	0.31%	-3.81%	0.13%
% of Pershing County FY Total	13.82%	18.85%	12.64%	15.98%	16.17%	14.39%	14.97%	15.69%	15.13%	15.49%	15.57%	15.88%	17.31%
% of GST Statewide FY Total	0.42%	0.54%	0.33%	0.40%	0.39%	0.31%	0.30%	0.30%	0.29%	0.31%	0.34%	0.36%	0.38%
% of Statewide FY Total	0.04%	0.06%	0.04%	0.05%	0.05%	0.04%	0.03%	0.03%	0.03%	0.04%	0.04%	0.05%	0.04%
RPTT	$0.032	$0.015	$0.012	$0.006	$0.014	$0.019	$0.040	$0.052	$0.029	$0.030	$0.015	$0.012	$0.015
% Change: FY to FY		-52.14%	-23.32%	-45.05%	120.35%	29.42%	117.25%	30.39%	-44.62%	4.25%	-48.95%	-23.61%	26.14%
% of Pershing County FY Total	1.40%	0.62%	0.49%	0.25%	0.54%	0.71%	1.47%	1.86%	1.00%	0.99%	0.51%	0.41%	0.57%
% of RPTT Statewide FY Total	0.19%	0.09%	0.06%	0.03%	0.05%	0.04%	0.06%	0.07%	0.06%	0.08%	0.05%	0.05%	0.07%
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
CIGARETTE	$0.062	$0.064	$0.065	$0.054	$0.055	$0.048	$0.047	$0.044	$0.042	$0.041	$0.035	$0.032	$0.031
% Change: FY to FY		3.80%	0.71%	-15.98%	1.77%	-13.30%	-1.96%	-7.22%	-3.70%	-3.41%	-13.70%	-8.32%	-2.92%
% of Pershing County FY Total	2.69%	2.56%	2.66%	2.13%	2.08%	1.83%	1.72%	1.55%	1.44%	1.33%	1.15%	1.12%	1.18%
% of Cigarette Statewide FY Total	0.37%	0.39%	0.38%	0.33%	0.32%	0.31%	0.30%	0.27%	0.27%	0.26%	0.26%	0.26%	0.26%
% of Statewide FY Total	0.01%	0.01%	0.01%	0.01%	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
LIQUOR	$0.008	$0.009	$0.009	$0.008	$0.008	$0.009	$0.008	$0.008	$0.008	$0.009	$0.008	$0.008	$0.009
% Change: FY to FY		12.55%	-3.10%	-12.46%	0.70%	8.73%	-4.47%	-0.22%	1.46%	0.46%	-9.44%	8.64%	4.4
% of Pershing County FY Total	0.36%	0.38%	0.38%	0.31%	0.30%	0.33%	0.31%	0.30%	0.29%	0.28%	0.25%	0.29%	0.
% of Liquor Statewide FY Total	0.37%	0.39%	0.38%	0.33%	0.32%	0.31%	0.30%	0.27%	0.27%	0.26%	0.26%	0.26%	0.26
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL	$2.304	$2.505	$2.432	$2.557	$2.656	$2.618	$2.740	$2.815	$2.912	$3.049	$3.041	$2.870	$2.636
% Change: FY to FY		8.70%	-2.92%	5.15%	3.87%	-1.42%	4.65%	2.72%	3.44%	4.72%	-0.26%	-5.64%	-8.14%
% of Statewide FY Total	0.31%	0.32%	0.29%	0.30%	0.29%	0.25%	0.23%	0.21%	0.22%	0.24%	0.28%	0.29%	0.26%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

TABLE 2 - FIRST TIER: STOREY COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
STOREY COUNTY													
SCCRT	$1.183	$1.234	$1.291	$1.372	$1.441	$1.446	$1.512	$1.587	$1.731	$1.817	$1.845	$1.760	$1.533
% Change: FY to FY		4.30%	4.61%	6.28%	5.04%	0.38%	4.57%	4.93%	9.07%	4.94%	1.55%	-4.57%	-12.93%
% of Storey County FY Total	70.68%	72.29%	69.94%	67.79%	72.97%	71.23%	66.89%	63.12%	66.65%	58.87%	71.55%	75.26%	71.85%
% of SCCRT Statewide FY Total	0.24%	0.24%	0.24%	0.25%	0.25%	0.22%	0.20%	0.19%	0.20%	0.22%	0.26%	0.27%	0.23%
% of Statewide FY Total	0.16%	0.16%	0.15%	0.16%	0.16%	0.14%	0.13%	0.12%	0.13%	0.14%	0.17%	0.18%	0.15%
BCCRT	$0.224	$0.194	$0.275	$0.362	$0.194	$0.217	$0.308	$0.442	$0.397	$0.778	$0.294	$0.224	$0.276
% Change: FY to FY		-13.18%	41.43%	31.80%	-46.56%	12.34%	41.84%	43.38%	-10.11%	95.62%	-62.13%	-23.89%	22.94%
% of Storey County FY Total	13.37%	11.38%	14.89%	17.90%	9.80%	10.71%	13.64%	17.59%	15.30%	25.20%	11.42%	9.58%	12.9
% of BCCRT Statewide FY Total	0.16%	0.13%	0.18%	0.23%	0.12%	0.11%	0.14%	0.18%	0.16%	0.33%	0.15%	0.12%	0.1
% of Statewide FY Total	0.03%	0.02%	0.03%	0.04%	0.02%	0.02%	0.03%	0.03%	0.03%	0.06%	0.03%	0.02%	0.03
GST	$0.172	$0.180	$0.205	$0.232	$0.246	$0.274	$0.301	$0.320	$0.333	$0.330	$0.316	$0.288	$0.258
% Change: FY to FY		4.81%	13.60%	13.55%	6.06%	11.24%	9.75%	6.27%	4.10%	-0.67%	-4.38%	-8.77%	-10.42%
% of Storey County FY Total	10.27%	10.55%	11.08%	11.48%	12.48%	13.50%	13.30%	12.71%	12.81%	10.71%	12.26%	12.32%	12.11%
% of GST Statewide FY Total	0.23%	0.21%	0.22%	0.23%	0.23%	0.22%	0.22%	0.22%	0.22%	0.22%	0.23%	0.23%	0.21%
% of Statewide FY Total	0.02%	0.02%	0.02%	0.03%	0.03%	0.03%	0.02%	0.02%	0.03%	0.03%	0.03%	0.03%	0.03%
RPTT	$0.058	$0.061	$0.038	$0.025	$0.060	$0.063	$0.109	$0.136	$0.106	$0.132	$0.097	$0.042	$0.043
% Change: FY to FY		5.94%	-37.64%	-33.96%	135.86%	5.19%	74.13%	24.00%	-21.81%	24.48%	-26.48%	-56.94%	2.12%
% of Storey County FY Total	3.47%	3.60%	2.08%	1.25%	3.02%	3.09%	4.84%	5.39%	4.08%	4.28%	3.76%	1.79%	2.00%
% of RPTT Statewide FY Total	0.35%	0.34%	0.19%	0.11%	0.20%	0.13%	0.17%	0.19%	0.21%	0.36%	0.34%	0.18%	0.19%
% of Statewide FY Total	0.01%	0.01%	0.00%	0.00%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.00%	0.00%
CIGARETTE	$0.033	$0.032	$0.032	$0.028	$0.030	$0.025	$0.026	$0.025	$0.025	$0.024	$0.021	$0.020	$0.019
% Change: FY to FY		-0.81%	0.13%	-13.97%	6.49%	-14.98%	1.06%	-1.47%	-0.66%	-3.58%	-11.74%	-8.11%	-3.97%
% of Storey County FY Total	1.95%	1.90%	1.76%	1.38%	1.50%	1.24%	1.13%	1.00%	0.96%	0.78%	0.82%	0.84%	0.88%
% of Cigarette Statewide FY Total	0.20%	0.20%	0.19%	0.17%	0.17%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
LIQUOR	$0.004	$0.005	$0.005	$0.004	$0.004	$0.005	$0.005	$0.005	$0.005	$0.005	$0.005	$0.005	$0.005
% Change: FY to FY		7.42%	-3.65%	-10.32%	5.39%	6.55%	-1.68%	6.11%	4.66%	0.35%	-7.43%	8.85%	3.3
% of Storey County FY Total	0.26%	0.28%	0.25%	0.20%	0.22%	0.23%	0.20%	0.19%	0.19%	0.16%	0.18%	0.22%	0.2
% of Liquor Statewide FY Total	0.20%	0.20%	0.19%	0.17%	0.17%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL	$1.674	$1.707	$1.845	$2.024	$1.975	$2.031	$2.261	$2.514	$2.597	$3.086	$2.578	$2.339	$2.133
% Change: FY to FY		1.98%	8.12%	9.65%	-2.42%	2.83%	11.35%	11.21%	3.29%	18.81%	-16.45%	-9.27%	-8.80%
% of Statewide FY Total	0.23%	0.22%	0.22%	0.24%	0.22%	0.19%	0.19%	0.19%	0.20%	0.25%	0.24%	0.24%	0.21%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

Prepared by the Fiscal Analysis Division

TABLE 2 - FIRST TIER: WASHOE COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
WASHOE COUNTY													
SCCRT	$80.460	$84.385	$87.989	$88.989	$92.941	$102.961	$114.980	$124.547	$122.758	$112.342	$93.264	$82.589	$84.534
% Change: FY to FY		4.88%	4.27%	1.14%	4.44%	10.78%	11.67%	8.32%	-1.44%	-8.48%	-16.98%	-11.45%	2.35%
% of Washoe County FY Total	64.90%	64.33%	64.25%	63.59%	63.05%	62.81%	62.85%	63.31%	63.57%	63.32%	62.36%	61.88%	62.75%
% of SCCRT Statewide FY Total	16.54%	16.28%	16.16%	16.15%	15.93%	15.50%	14.98%	14.81%	14.38%	13.79%	13.17%	12.90%	12.43%
% of Statewide FY Total	10.91%	10.67%	10.57%	10.44%	10.23%	9.88%	9.54%	9.45%	9.29%	8.95%	8.53%	8.35%	8.19%
BCCRT	$23.606	$24.710	$25.795	$26.142	$27.329	$30.002	$33.297	$36.055	$35.788	$33.022	$27.750	$24.669	$25.040
% Change: FY to FY		4.68%	4.39%	1.35%	4.54%	9.78%	10.98%	8.28%	-0.74%	-7.73%	-15.97%	-11.10%	1.50%
% of Washoe County FY Total	19.04%	18.84%	18.84%	18.68%	18.54%	18.30%	18.20%	18.33%	18.53%	18.61%	18.55%	18.48%	18.[illegible]
% of BCCRT Statewide FY Total	16.98%	16.68%	16.58%	16.61%	16.39%	15.80%	15.18%	15.00%	14.66%	14.18%	13.71%	13.48%	12.[illegible]
% of Statewide FY Total	3.20%	3.12%	3.10%	3.07%	3.01%	2.88%	2.76%	2.74%	2.71%	2.63%	2.54%	2.49%	2.4[illegible]
GST	$13.875	$15.602	$16.502	$17.698	$19.263	$21.402	$23.230	$24.605	$25.117	$24.583	$22.385	$21.060	$19.873
% Change: FY to FY		12.45%	5.77%	7.24%	8.85%	11.10%	8.54%	5.92%	2.08%	-2.12%	-8.94%	-5.92%	-5.64%
% of Washoe County FY Total	11.19%	11.89%	12.05%	12.65%	13.07%	13.06%	12.70%	12.51%	13.01%	13.86%	14.97%	15.78%	14.75%
% of GST Statewide FY Total	18.17%	17.81%	17.77%	17.41%	17.70%	17.44%	16.92%	16.77%	16.41%	16.14%	16.13%	16.50%	16.50%
% of Statewide FY Total	1.88%	1.97%	1.98%	2.08%	2.12%	2.05%	1.93%	1.87%	1.90%	1.96%	2.05%	2.13%	1.93%
RPTT	$2.795	$3.326	$3.451	$3.949	$4.607	$6.590	$8.428	$8.501	$6.474	$4.587	$3.638	$2.767	$2.934
% Change: FY to FY		18.98%	3.77%	14.41%	16.66%	43.05%	27.89%	0.87%	-23.84%	-29.15%	-20.69%	-23.93%	6.01%
% of Washoe County FY Total	2.25%	2.54%	2.52%	2.82%	3.13%	4.02%	4.61%	4.32%	3.35%	2.59%	2.43%	2.07%	2.18%
% of RPTT Statewide FY Total	16.66%	18.46%	16.99%	16.54%	15.60%	13.79%	13.36%	12.07%	12.58%	12.49%	12.92%	12.15%	13.31%
% of Statewide FY Total	0.38%	0.42%	0.41%	0.46%	0.51%	0.63%	0.70%	0.65%	0.49%	0.37%	0.33%	0.28%	0.28%
CIGARETTE	$2.847	$2.758	$2.807	$2.764	$2.848	$2.501	$2.556	$2.531	$2.475	$2.389	$2.069	$1.889	$1.818
% Change: FY to FY		-3.13%	1.80%	-1.55%	3.07%	-12.20%	2.21%	-0.98%	-2.24%	-3.46%	-13.41%	-8.70%	-3.74%
% of Washoe County FY Total	2.30%	2.10%	2.05%	1.97%	1.93%	1.53%	1.40%	1.29%	1.28%	1.35%	1.38%	1.42%	1.35%
% of Cigarette Statewide FY Total	17.24%	16.72%	16.45%	16.92%	16.51%	16.29%	16.18%	15.88%	15.73%	15.56%	15.39%	15.46%	15.36%
% of Statewide FY Total	0.39%	0.35%	0.34%	0.32%	0.31%	0.24%	0.21%	0.19%	0.19%	0.19%	0.19%	0.19%	0.18%
LIQUOR	$0.386	$0.405	$0.396	$0.407	$0.414	$0.457	$0.454	$0.484	$0.499	$0.501	$0.455	$0.492	$0.510
% Change: FY to FY		4.86%	-2.06%	2.58%	1.95%	10.14%	-0.59%	6.68%	3.00%	0.42%	-9.15%	8.17%	3.5[illegible]
% of Washoe County FY Total	0.31%	0.31%	0.29%	0.29%	0.28%	0.28%	0.25%	0.25%	0.26%	0.28%	0.30%	0.37%	0.[illegible]
% of Liquor Statewide FY Total	17.25%	16.72%	16.45%	16.91%	16.52%	16.28%	16.19%	15.88%	15.72%	15.55%	15.40%	15.45%	15.3[illegible]
% of Statewide FY Total	0.05%	0.05%	0.05%	0.05%	0.05%	0.04%	0.04%	0.04%	0.04%	0.04%	0.04%	0.05%	0.05%
TOTAL	$123.968	$131.184	$136.941	$139.948	$147.403	$163.911	$182.946	$196.725	$193.110	$177.424	$149.561	$133.467	$134.709
% Change: FY to FY		5.82%	4.39%	2.20%	5.33%	11.20%	11.61%	7.53%	-1.84%	-8.12%	-15.70%	-10.76%	0.93%
% of Statewide FY Total	16.81%	16.58%	16.44%	16.42%	16.23%	15.72%	15.17%	14.93%	14.61%	14.14%	13.67%	13.49%	13.05%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

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TABLE 2 - FIRST TIER: WHITE PINE COUNTY

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX) BY COUNTY BY REVENUE SOURCE BY FISCAL YEAR (Millions of Dollars)

Source: Department of Taxation and Applied Analysis

WHITE PINE COUNTY	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
SCCRT	$2.401	$2.505	$2.616	$2.616	$2.616	$2.646	$2.690	$2.817	$3.010	$3.172	$3.221	$3.074	$2.676
% Change: FY to FY		4.30%	4.43%	0.00%	0.00%	1.17%	1.66%	4.70%	6.85%	5.38%	1.55%	-4.57%	-12.93%
% of White Pine County FY Total	66.68%	68.73%	72.20%	70.54%	69.75%	69.83%	65.67%	54.07%	62.39%	64.15%	63.03%	65.52%	54.12%
% of SCCRT Statewide FY Total	0.49%	0.48%	0.48%	0.47%	0.45%	0.40%	0.35%	0.33%	0.35%	0.39%	0.45%	0.48%	0.39%
% of Statewide FY Total	0.33%	0.32%	0.31%	0.31%	0.29%	0.25%	0.22%	0.21%	0.23%	0.25%	0.29%	0.31%	0.26%
BCCRT	$0.527	$0.415	$0.366	$0.375	$0.393	$0.423	$0.614	$0.764	$0.909	$0.820	$0.971	$0.763	$1.382
% Change: FY to FY		-21.35%	-11.77%	2.66%	4.75%	7.50%	45.23%	24.40%	19.06%	-9.84%	18.41%	-21.45%	81.18%
% of White Pine County FY Total	14.63%	11.37%	10.09%	10.13%	10.49%	11.16%	14.99%	14.66%	18.85%	16.59%	19.00%	16.26%	27.[illegible]
% of BCCRT Statewide FY Total	0.38%	0.28%	0.24%	0.24%	0.24%	0.22%	0.28%	0.32%	0.37%	0.35%	0.48%	0.42%	0.[illegible]
% of Statewide FY Total	0.07%	0.05%	0.04%	0.04%	0.04%	0.04%	0.05%	0.06%	0.07%	0.07%	0.09%	0.08%	0.13%
GST	$0.550	$0.589	$0.510	$0.624	$0.635	$0.610	$0.683	$0.765	$0.781	$0.823	$0.839	$0.778	$0.803
% Change: FY to FY		7.16%	-13.45%	22.43%	1.73%	-3.96%	11.89%	12.09%	2.12%	5.30%	1.98%	-7.24%	3.12%
% of White Pine County FY Total	15.27%	16.17%	14.08%	16.84%	16.94%	16.10%	16.66%	14.69%	16.20%	16.64%	16.42%	16.59%	16.23%
% of GST Statewide FY Total	0.72%	0.67%	0.55%	0.61%	0.58%	0.50%	0.50%	0.52%	0.51%	0.54%	0.60%	0.61%	0.67%
% of Statewide FY Total	0.07%	0.07%	0.06%	0.07%	0.07%	0.06%	0.06%	0.06%	0.06%	0.07%	0.08%	0.08%	0.08%
RPTT	$0.011	$0.025	$0.021	$0.008	$0.025	$0.038	$0.039	$0.793	$0.054	$0.062	$0.021	$0.022	$0.031
% Change: FY to FY		117.87%	-14.54%	-62.40%	213.94%	53.09%	1.25%	1945.61%	-93.21%	16.01%	-66.39%	4.86%	39.44%
% of White Pine County FY Total	0.32%	0.68%	0.59%	0.21%	0.67%	1.01%	0.95%	15.23%	1.12%	1.26%	0.41%	0.47%	0.62%
% of RPTT Statewide FY Total	0.07%	0.14%	0.10%	0.03%	0.08%	0.08%	0.06%	1.13%	0.10%	0.17%	0.07%	0.10%	0.14%
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.06%	0.00%	0.00%	0.00%	0.00%	0.00%
CIGARETTE	$0.098	$0.097	$0.097	$0.074	$0.071	$0.061	$0.060	$0.059	$0.058	$0.056	$0.047	$0.043	$0.042
% Change: FY to FY		-1.81%	-0.01%	-23.77%	-4.09%	-13.42%	-1.32%	-2.02%	-2.31%	-3.90%	-14.63%	-8.86%	-3.55%
% of White Pine County FY Total	2.73%	2.65%	2.67%	1.99%	1.89%	1.62%	1.47%	1.14%	1.20%	1.12%	0.93%	0.92%	0.84%
% of Cigarette Statewide FY Total	0.60%	0.59%	0.57%	0.45%	0.41%	0.40%	0.38%	0.37%	0.37%	0.36%	0.35%	0.35%	0.35%
% of Statewide FY Total	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
LIQUOR	$0.013	$0.014	$0.014	$0.011	$0.010	$0.011	$0.011	$0.011	$0.012	$0.012	$0.010	$0.011	$0.012
% Change: FY to FY		6.32%	-3.79%	-20.63%	-5.05%	8.57%	-3.97%	5.52%	2.93%	-0.06%	-10.41%	7.99%	3.7
% of White Pine County FY Total	0.37%	0.39%	0.38%	0.29%	0.27%	0.29%	0.26%	0.22%	0.24%	0.24%	0.20%	0.24%	0.[illegible]
% of Liquor Statewide FY Total	0.60%	0.59%	0.57%	0.45%	0.41%	0.40%	0.38%	0.37%	0.37%	0.36%	0.35%	0.35%	0.35%
% of Statewide FY Total	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
TOTAL	$3.602	$3.644	$3.623	$3.708	$3.750	$3.790	$4.097	$5.210	$4.824	$4.944	$5.109	$4.691	$4.945
% Change: FY to FY		1.18%	-0.58%	2.35%	1.14%	1.06%	8.10%	27.16%	-7.41%	2.49%	3.35%	-8.19%	5.41%
% of Statewide FY Total	0.49%	0.46%	0.44%	0.43%	0.41%	0.36%	0.34%	0.40%	0.37%	0.39%	0.47%	0.47%	0.48%

NOTES:

1.) Proceeds from the SCCRT allocated to the CTX at the first-tier are distributed each month to guaranteed counties first based on a statutory rule and the amount remaining after distribution to guaranteed counties is distributed amongst the non-guaranteed counties based on each non-guaranteed county's monthly SCCRT proceeds as a share of the total monthly proceeds generated by all non-guaranteed counties.

2.) Proceeds from the BCCRT allocated to the CTX at the first-tier are distributed each month amongst the 17 counties with proceeds collected in each county retained by the county and proceeds collected from out-of-state businesses not maintaining a fixed place of business in the state distributed to each county on a per-capita basis.

3.) Proceeds from the GST allocated to the CTX at the first-tier are retained by the county in which the vehicle is registered and are distributed each month first to the school district and the remaining amount is distributed to the county. The school district share is based on a property tax formula using property tax rates from FY 1979 for the school district (current debt rate if higher) and from FY 1981 for local governments, enterprise districts, and special districts.

4.) Proceeds from the RPTT allocated to the CTX at the first-tier are retained by the county in which the real property transfer occurred.

5.) Proceeds from the portion of the Cigarette Tax and Liquor Tax allocated to the CTX at the first-tier are distributed each month amongst the 17 counties on a per-capita basis.

Prepared by the Fiscal Analysis Division

Table 2-First Tier: White Pine County: Page 17 of 17

TABLE 3 - FIRST TIER

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX):

COUNTY SHARE OF EACH REVENUE SOURCE AS A SHARE OF THE TOTAL REVENUE SOURCE BY FISCAL YEAR

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
SUPPLEMENTAL CITY-COUNTY RELIEF TAX (SCCRT): COUNTY SCCRT AS A SHARE OF TOTAL SCCRT													
Carson City	2.62%	2.48%	2.62%	2.80%	2.55%	2.39%	2.24%	2.14%	2.04%	1.93%	1.88%	1.80%	1.83%
Churchill	0.72%	0.70%	0.67%	0.64%	0.64%	0.60%	0.62%	0.67%	0.62%	0.60%	0.70%	0.54%	0.55%
Clark	69.39%	70.22%	70.38%	70.14%	70.92%	72.48%	73.61%	73.48%	73.09%	73.55%	72.68%	72.83%	73.52%
Douglas	2.13%	2.08%	2.09%	2.16%	2.15%	1.91%	1.73%	1.71%	1.82%	2.02%	2.36%	2.51%	2.04%
Elko	2.25%	2.13%	2.10%	1.98%	1.87%	1.76%	1.78%	2.00%	2.25%	2.22%	2.52%	2.51%	2.95%
Esmeralda	0.16%	0.15%	0.15%	0.16%	0.16%	0.14%	0.12%	0.12%	0.13%	0.14%	0.16%	0.17%	0.14%
Eureka	0.51%	0.57%	0.41%	0.40%	0.40%	0.37%	0.44%	0.12%	0.84%	0.59%	0.62%	0.64%	0.70%
Humboldt	1.15%	0.97%	0.94%	0.93%	0.86%	0.83%	0.87%	0.97%	0.95%	1.02%	1.22%	1.22%	1.49%
Lander	0.48%	0.46%	0.44%	0.44%	0.42%	0.37%	0.32%	0.31%	0.32%	0.35%	0.41%	0.21%	0.36%
Lincoln	0.21%	0.21%	0.20%	0.21%	0.20%	0.18%	0.16%	0.15%	0.15%	0.17%	0.20%	0.21%	0.17%
Lyon	1.34%	1.32%	1.36%	1.43%	1.42%	1.26%	1.16%	1.18%	1.31%	1.50%	1.76%	1.85%	1.52%
Mineral	0.35%	0.32%	0.31%	0.31%	0.29%	0.26%	0.23%	0.21%	0.22%	0.23%	0.26%	0.28%	0.23%
Nye	1.09%	1.07%	1.12%	1.18%	1.17%	1.04%	0.95%	0.94%	1.08%	0.99%	1.02%	1.02%	1.16%
Pershing	0.33%	0.32%	0.32%	0.33%	0.33%	0.29%	0.26%	0.23%	0.24%	0.27%	0.31%	0.33%	0.27%
Storey	0.24%	0.24%	0.24%	0.25%	0.25%	0.22%	0.20%	0.19%	0.20%	0.22%	0.26%	0.27%	0.23%
Washoe	16.54%	16.28%	16.16%	16.15%	15.93%	15.50%	14.98%	14.81%	14.38%	13.79%	13.17%	12.90%	12.43%
White Pine	0.49%	0.48%	0.48%	0.47%	0.45%	0.40%	0.35%	0.33%	0.35%	0.39%	0.45%	0.48%	0.39%
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.57%	100.00%	100.00%	100.00%	99.79%	100.00%
BASIC CITY-COUNTY RELIEF TAX (BCCRT): COUNTY BCCRT AS A SHARE OF TOTAL BCCRT													
Carson City	2.70%	2.57%	2.69%	2.86%	2.64%	2.44%	2.27%	2.17%	2.09%	1.99%	1.95%	1.88%	1.88%
Churchill	0.80%	0.77%	0.74%	0.71%	0.71%	0.65%	0.66%	0.71%	0.67%	0.65%	0.74%	0.60%	0.60%
Clark	70.72%	71.54%	71.73%	71.65%	72.40%	73.44%	73.89%	73.73%	73.68%	74.55%	74.29%	74.82%	74.40%
Douglas	1.68%	1.74%	1.80%	1.77%	1.95%	1.98%	1.85%	1.70%	1.58%	1.52%	1.48%	2.52%	1.42%
Elko	2.35%	2.23%	2.20%	2.09%	1.98%	1.82%	1.80%	2.01%	2.24%	2.22%	2.51%	2.52%	2.89%
Esmeralda	0.04%	0.04%	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%	0.03%	0.03%	0.02%	0.02%	0.03%
Eureka	0.48%	0.54%	0.39%	0.38%	0.38%	0.35%	0.41%	0.02%	0.77%	0.54%	0.58%	0.61%	0.65%
Humboldt	1.16%	0.99%	0.96%	0.96%	0.89%	0.84%	0.86%	0.96%	0.93%	1.00%	1.19%	1.21%	1.43%
Lander	0.29%	0.24%	0.21%	0.18%	0.14%	0.13%	0.33%	0.30%	0.51%	0.37%	0.57%	0.07%	0.55%
Lincoln	0.09%	0.09%	0.08%	0.08%	0.07%	0.07%	0.07%	0.07%	0.07%	0.06%	0.06%	0.07%	0.08%
Lyon	0.80%	0.82%	0.88%	0.93%	0.83%	0.87%	0.91%	0.98%	0.87%	0.89%	0.93%	0.89%	0.85%
Mineral	0.16%	0.15%	0.13%	0.12%	0.11%	0.10%	0.08%	0.08%	0.08%	0.09%	0.10%	0.09%	0.11%
Nye	1.02%	1.00%	1.01%	1.00%	0.98%	1.02%	1.13%	1.14%	1.15%	1.07%	1.11%	1.11%	1.22%
Pershing	0.20%	0.18%	0.18%	0.16%	0.15%	0.13%	0.12%	0.13%	0.13%	0.13%	0.14%	0.13%	0.15%
Storey	0.16%	0.13%	0.18%	0.23%	0.12%	0.11%	0.14%	0.18%	0.16%	0.33%	0.15%	0.12%	0.14%
Washoe	16.98%	16.68%	16.58%	16.61%	16.39%	15.80%	15.18%	15.00%	14.66%	14.18%	13.71%	13.48%	12.88%
White Pine	0.38%	0.28%	0.24%	0.24%	0.24%	0.22%	0.28%	0.32%	0.37%	0.35%	0.48%	0.42%	0.71%
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.50%	100.00%	100.00%	100.00%	100.55%	100.00%

Case No. 66851
JA 858

TABLE 3 - FIRST TIER

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX): COUNTY SHARE OF EACH REVENUE SOURCE AS A SHARE OF THE TOTAL REVENUE SOURCE BY FISCAL YEAR

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
GOVERNMENTAL SERVICES TAX (GST): COUNTY GST AS A SHARE OF TOTAL GST													
Carson City	2.26%	2.27%	2.25%	2.21%	2.20%	2.16%	2.06%	1.98%	1.86%	1.79%	1.77%	1.69%	1.61%
Churchill	0.97%	1.12%	1.02%	1.05%	1.07%	1.00%	0.96%	0.97%	0.92%	0.91%	0.94%	1.01%	0.91%
Clark	66.33%	67.22%	68.00%	68.25%	67.78%	68.51%	69.19%	69.09%	69.60%	69.84%	69.34%	68.69%	68.68%
Douglas	2.05%	2.04%	2.04%	2.04%	2.11%	2.09%	1.96%	1.91%	1.90%	1.77%	1.77%	2.75%	1.74%
Elko	2.56%	2.36%	2.33%	1.99%	2.11%	2.14%	2.13%	2.20%	2.28%	2.45%	2.66%	2.75%	2.97%
Esmeralda	0.14%	0.13%	0.10%	0.13%	0.12%	0.10%	0.09%	0.10%	0.09%	0.09%	0.11%	0.11%	0.12%
Eureka	0.24%	0.21%	0.18%	0.20%	0.20%	0.15%	0.15%	0.10%	0.14%	0.15%	0.17%	0.18%	0.21%
Humboldt	1.22%	1.10%	0.93%	1.02%	0.99%	0.88%	0.88%	0.91%	0.91%	0.96%	1.03%	1.07%	1.14%
Lander	0.54%	0.47%	0.42%	0.45%	0.42%	0.36%	0.35%	0.38%	0.38%	0.42%	0.45%	0.31%	0.52%
Lincoln	0.35%	0.33%	0.29%	0.33%	0.32%	0.28%	0.28%	0.29%	0.29%	0.28%	0.31%	0.31%	0.32%
Lyon	1.52%	1.47%	1.48%	1.56%	1.66%	1.75%	1.85%	1.97%	1.97%	1.93%	1.93%	1.92%	1.85%
Mineral	0.34%	0.33%	0.27%	0.29%	0.29%	0.24%	0.24%	0.24%	0.23%	0.24%	0.27%	0.27%	0.28%
Nye	1.94%	1.74%	1.82%	1.82%	1.83%	1.86%	1.92%	2.02%	2.01%	1.96%	1.96%	1.92%	1.90%
Pershing	0.42%	0.54%	0.33%	0.40%	0.39%	0.31%	0.30%	0.30%	0.29%	0.31%	0.34%	0.36%	0.38%
Storey	0.23%	0.21%	0.22%	0.23%	0.23%	0.22%	0.22%	0.22%	0.22%	0.22%	0.23%	0.23%	0.21%
Washoe	18.17%	17.81%	17.77%	17.41%	17.70%	17.44%	16.92%	16.77%	16.41%	16.14%	16.13%	16.50%	16.50%
White Pine	0.72%	0.67%	0.55%	0.61%	0.58%	0.50%	0.50%	0.52%	0.51%	0.54%	0.60%	0.61%	0.67%
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.94%	100.00%	100.00%	100.00%	100.68%	100.00%
REAL PROPERTY TRANSFER TAX (RPTT): COUNTY RPTT AS A SHARE OF TOTAL GST													
Carson City	1.31%	2.08%	1.48%	1.80%	1.39%	1.13%	0.93%	0.91%	1.01%	0.76%	0.79%	1.09%	0.86%
Churchill	0.49%	0.39%	0.34%	0.31%	0.34%	0.33%	0.39%	0.48%	0.30%	0.32%	0.29%	0.32%	1.67%
Clark	73.97%	71.58%	74.39%	75.11%	76.70%	78.82%	78.62%	78.85%	80.61%	80.71%	80.21%	80.18%	77.53%
Douglas	3.15%	3.22%	3.35%	3.01%	2.75%	2.30%	2.34%	1.82%	1.70%	1.84%	1.70%	0.86%	2.28%
Elko	0.80%	0.78%	0.64%	0.54%	0.51%	0.44%	0.45%	0.46%	6.58%	0.72%	0.76%	0.86%	0.99%
Esmeralda	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.05%	0.02%	0.02%	0.01%	0.02%	0.01%
Eureka	0.32%	0.01%	0.04%	0.02%	0.02%	0.01%	0.01%	0.05%	0.03%	0.03%	0.02%	0.03%	0.02%
Humboldt	0.15%	0.29%	0.21%	0.19%	0.15%	0.22%	0.15%	0.18%	0.23%	0.30%	0.27%	0.27%	0.27%
Lander	0.04%	0.05%	0.05%	0.03%	0.04%	0.03%	0.03%	0.03%	0.07%	0.06%	0.06%	0.05%	0.08%
Lincoln	0.06%	0.05%	0.06%	0.04%	0.03%	0.04%	0.13%	0.19%	0.08%	0.08%	0.08%	0.05%	0.07%
Lyon	1.32%	1.22%	1.07%	1.30%	1.55%	1.56%	1.75%	1.60%	1.25%	1.04%	1.37%	1.43%	1.51%
Mineral	0.03%	0.04%	0.02%	0.03%	0.03%	0.02%	0.02%	0.23%	0.03%	0.04%	0.03%	0.06%	0.02%
Nye	1.08%	1.26%	1.02%	0.88%	0.54%	1.06%	1.52%	1.71%	0.98%	0.97%	1.04%	1.03%	0.97%
Pershing	0.19%	0.09%	0.06%	0.03%	0.05%	0.04%	0.06%	0.07%	0.06%	0.08%	0.05%	0.05%	0.07%
Storey	0.35%	0.34%	0.19%	0.11%	0.20%	0.13%	0.17%	0.19%	0.21%	0.36%	0.34%	0.18%	0.19%
Washoe	16.66%	18.46%	16.99%	16.54%	15.60%	13.79%	13.36%	12.07%	12.58%	12.49%	12.92%	12.15%	13.31%
White Pine	0.07%	0.14%	0.10%	0.03%	0.08%	0.08%	0.06%	1.13%	0.10%	0.17%	0.07%	0.10%	0.14%
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.03%	105.83%	100.00%	100.00%	98.74%	100.00%

TABLE 3 - FIRST TIER

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX):

COUNTY SHARE OF EACH REVENUE SOURCE AS A SHARE OF THE TOTAL REVENUE SOURCE BY FISCAL YEAR

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
CIGARETTE TAX: COUNTY CIGARETTE TAX AS SHARE OF TOTAL CIGARETTE TAX													
Carson City	2.83%	2.77%	2.67%	2.61%	2.53%	2.47%	2.39%	2.32%	2.26%	2.19%	2.12%	2.10%	2.08%
Churchill	1.33%	1.29%	1.29%	1.19%	1.16%	1.14%	1.12%	1.08%	1.05%	1.04%	1.00%	0.99%	0.99%
Clark	67.11%	67.75%	68.28%	68.99%	69.80%	70.31%	70.69%	71.18%	71.34%	71.55%	71.89%	71.87%	72.05%
Douglas	2.23%	2.22%	2.16%	2.06%	2.03%	2.00%	1.99%	1.98%	1.99%	1.97%	1.92%	1.85%	1.88%
Elko	2.68%	2.64%	2.57%	2.25%	2.17%	2.09%	1.98%	1.92%	1.88%	1.85%	1.85%	1.85%	1.90%
Esmeralda	0.08%	0.08%	0.08%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.04%
Eureka	0.09%	0.09%	0.10%	0.08%	0.07%	0.06%	0.06%	0.05%	0.06%	0.06%	0.05%	0.06%	0.06%
Humboldt	0.98%	0.96%	0.92%	0.80%	0.75%	0.73%	0.71%	0.69%	0.68%	0.67%	0.66%	0.66%	0.66%
Lander	0.39%	0.38%	0.36%	0.29%	0.27%	0.25%	0.23%	0.22%	0.22%	0.21%	0.21%	0.16%	0.22%
Lincoln	0.23%	0.22%	0.22%	0.20%	0.18%	0.17%	0.16%	0.16%	0.15%	0.15%	0.15%	0.16%	0.16%
Lyon	1.71%	1.74%	1.74%	1.73%	1.75%	1.76%	1.81%	1.87%	1.96%	2.06%	2.05%	2.03%	1.97%
Mineral	0.38%	0.35%	0.33%	0.25%	0.22%	0.21%	0.20%	0.19%	0.18%	0.17%	0.16%	0.16%	0.16%
Nye	1.56%	1.62%	1.71%	1.62%	1.61%	1.59%	1.59%	1.59%	1.65%	1.71%	1.71%	1.73%	1.70%
Pershing	0.37%	0.39%	0.38%	0.33%	0.32%	0.31%	0.30%	0.27%	0.27%	0.26%	0.26%	0.26%	0.26%
Storey	0.20%	0.20%	0.19%	0.17%	0.17%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%
Washoe	17.24%	16.72%	16.45%	16.92%	16.51%	16.29%	16.18%	15.88%	15.73%	15.56%	15.39%	15.46%	15.36%
White Pine	0.60%	0.59%	0.57%	0.45%	0.41%	0.40%	0.38%	0.37%	0.37%	0.36%	0.35%	0.35%	0.35%
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.99%	100.00%	100.00%	100.00%	99.89%	100.00%
LIQUOR TAX: COUNTY LIQUOR TAX AS A SHARE OF TOTAL LIQUOR TAX													
Carson City	2.83%	2.77%	2.67%	2.61%	2.53%	2.47%	2.39%	2.32%	2.25%	2.18%	2.12%	2.10%	2.08%
Churchill	1.33%	1.29%	1.29%	1.19%	1.16%	1.14%	1.12%	1.08%	1.05%	1.03%	1.00%	0.99%	0.99%
Clark	67.09%	67.75%	68.28%	69.00%	69.78%	70.31%	70.68%	71.18%	71.35%	71.56%	71.89%	71.88%	72.05%
Douglas	2.23%	2.22%	2.16%	2.06%	2.03%	2.00%	1.99%	1.98%	1.99%	1.96%	1.92%	1.86%	1.88%
Elko	2.68%	2.64%	2.57%	2.25%	2.17%	2.09%	1.98%	1.92%	1.88%	1.85%	1.85%	1.86%	1.90%
Esmeralda	0.08%	0.08%	0.08%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.04%	0.04%
Eureka	0.09%	0.09%	0.10%	0.08%	0.07%	0.06%	0.06%	0.05%	0.06%	0.06%	0.05%	0.06%	0.06%
Humboldt	0.98%	0.96%	0.92%	0.80%	0.75%	0.73%	0.71%	0.69%	0.68%	0.67%	0.66%	0.66%	0.66%
Lander	0.39%	0.38%	0.36%	0.29%	0.27%	0.25%	0.23%	0.22%	0.22%	0.21%	0.21%	0.16%	0.22%
Lincoln	0.23%	0.22%	0.22%	0.20%	0.18%	0.17%	0.16%	0.16%	0.15%	0.15%	0.15%	0.16%	0.16%
Lyon	1.71%	1.74%	1.74%	1.73%	1.75%	1.77%	1.81%	1.87%	1.96%	2.06%	2.05%	2.03%	1.97%
Mineral	0.38%	0.35%	0.33%	0.25%	0.22%	0.21%	0.20%	0.19%	0.18%	0.17%	0.16%	0.16%	0.16%
Nye	1.56%	1.62%	1.71%	1.62%	1.61%	1.59%	1.59%	1.59%	1.65%	1.71%	1.71%	1.73%	1.70%
Pershing	0.37%	0.39%	0.38%	0.33%	0.32%	0.31%	0.30%	0.27%	0.27%	0.26%	0.26%	0.26%	0.26%
Storey	0.20%	0.20%	0.19%	0.17%	0.17%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%
Washoe	17.25%	16.72%	16.45%	16.91%	16.52%	16.28%	16.19%	15.88%	15.72%	15.55%	15.40%	15.45%	15.36%
White Pine	0.60%	0.59%	0.57%	0.45%	0.41%	0.40%	0.38%	0.37%	0.37%	0.36%	0.35%	0.35%	0.35%
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.99%	100.00%	100.00%	100.00%	99.90%	100.00%

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TABLE 3 - FIRST TIER

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX):
COUNTY SHARE OF EACH REVENUE SOURCE AS A SHARE OF THE TOTAL REVENUE SOURCE BY FISCAL YEAR

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
TOTAL - ALL SIX REVENUES: COUNTY TOTAL - ALL SIX REVENUES AS A SHARE OF TOTAL - ALL SIX REVENUES													
Carson City	2.58%	2.47%	2.57%	2.71%	2.49%	2.32%	2.16%	2.06%	1.99%	1.90%	1.85%	1.79%	1.80%
Churchill	0.77%	0.77%	0.73%	0.70%	0.70%	0.65%	0.66%	0.70%	0.66%	0.65%	0.73%	0.62%	0.63%
Clark	69.37%	70.11%	70.41%	70.31%	70.98%	72.44%	73.37%	73.29%	73.06%	73.47%	72.74%	72.82%	73.19%
Douglas	2.06%	2.04%	2.06%	2.10%	2.12%	1.96%	1.82%	1.74%	1.79%	1.89%	2.10%	2.49%	1.89%
Elko	2.28%	2.16%	2.12%	1.97%	1.88%	1.76%	1.75%	1.94%	2.41%	2.20%	2.48%	2.49%	2.89%
Esmeralda	0.13%	0.12%	0.12%	0.12%	0.12%	0.10%	0.09%	0.09%	0.10%	0.11%	0.13%	0.13%	0.11%
Eureka	0.46%	0.50%	0.36%	0.36%	0.35%	0.32%	0.37%	0.09%	0.71%	0.50%	0.53%	0.55%	0.61%
Humboldt	1.13%	0.97%	0.92%	0.93%	0.86%	0.81%	0.83%	0.92%	0.91%	0.99%	1.15%	1.17%	1.40%
Lander	0.44%	0.41%	0.39%	0.38%	0.35%	0.31%	0.31%	0.30%	0.35%	0.35%	0.43%	0.19%	0.41%
Lincoln	0.20%	0.20%	0.19%	0.20%	0.19%	0.16%	0.15%	0.15%	0.15%	0.16%	0.18%	0.19%	0.17%
Lyon	1.27%	1.25%	1.29%	1.36%	1.35%	1.27%	1.23%	1.26%	1.31%	1.44%	1.62%	1.68%	1.44%
Mineral	0.30%	0.29%	0.26%	0.26%	0.25%	0.22%	0.19%	0.19%	0.19%	0.20%	0.23%	0.24%	0.21%
Nye	1.18%	1.15%	1.19%	1.23%	1.20%	1.14%	1.13%	1.14%	1.20%	1.13%	1.16%	1.16%	1.26%
Pershing	0.31%	0.32%	0.29%	0.30%	0.29%	0.25%	0.23%	0.21%	0.22%	0.24%	0.28%	0.29%	0.26%
Storey	0.23%	0.22%	0.22%	0.24%	0.22%	0.19%	0.19%	0.19%	0.20%	0.25%	0.24%	0.24%	0.21%
Washoe	16.81%	16.58%	16.44%	16.42%	16.23%	15.72%	15.17%	14.93%	14.61%	14.14%	13.67%	13.49%	13.05%
White Pine	0.49%	0.46%	0.44%	0.43%	0.41%	0.36%	0.34%	0.40%	0.37%	0.39%	0.47%	0.47%	0.48%
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.63%	100.23%	100.00%	100.00%	100.02%	100.00%

TABLE 4 - FIRST TIER

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX):

EACH REVENUE SOURCE AS A SHARE OF THE COUNTY'S TOTAL FIRST-TIER REVENUE FROM ALL REVENUE SOURCES BY FISCAL YEAR

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
SUPPLEMENTAL CITY-COUNTY RELIEF TAX (SCCRT): COUNTY SCCRT AS A SHARE OF COUNTY TOTAL FIRST-TIER REVENUE FROM SIX REVENUE SOURCES													
Carson City	67.18%	65.83%	66.75%	66.73%	65.93%	65.78%	66.07%	66.15%	66.24%	66.19%	65.66%	65.18%	67.12%
Churchill	61.64%	59.81%	60.03%	58.61%	58.18%	58.43%	59.52%	60.40%	60.95%	60.40%	61.82%	57.21%	57.29%
Clark	66.00%	65.64%	65.35%	64.46%	64.18%	63.73%	63.85%	64.00%	64.65%	64.97%	64.68%	64.75%	66.19%
Douglas	68.13%	66.80%	66.29%	66.67%	64.95%	61.92%	60.78%	62.76%	66.02%	69.36%	72.84%	65.13%	71.16%
Elko	65.19%	64.81%	64.82%	65.04%	63.82%	63.74%	64.43%	65.84%	60.24%	65.58%	65.77%	65.13%	67.42%
Esmeralda	81.15%	80.78%	85.45%	83.16%	83.52%	84.86%	83.65%	81.34%	82.47%	83.66%	84.84%	86.00%	82.32%
Eureka	72.83%	74.79%	73.71%	72.73%	72.80%	73.83%	74.90%	81.34%	77.23%	75.87%	75.61%	75.21%	75.84%
Humboldt	67.01%	65.37%	66.35%	65.24%	64.60%	65.54%	66.68%	67.81%	67.43%	67.37%	68.23%	67.72%	70.19%
Lander	72.17%	73.67%	75.24%	75.13%	76.64%	76.63%	65.88%	65.55%	58.88%	64.78%	61.50%	70.58%	58.10%
Lincoln	69.94%	69.14%	71.19%	69.94%	69.55%	69.61%	64.52%	62.57%	66.16%	68.69%	70.08%	70.58%	66.84%
Lyon	69.96%	69.09%	69.28%	68.18%	67.49%	63.33%	59.81%	59.54%	64.55%	67.96%	70.15%	71.61%	69.66%
Mineral	75.06%	74.09%	76.62%	76.23%	75.40%	75.96%	75.87%	70.85%	75.18%	74.68%	75.77%	76.16%	72.76%
Nye	61.17%	61.03%	61.69%	62.24%	62.44%	57.90%	53.50%	52.19%	57.89%	56.62%	56.54%	56.62%	60.60%
Pershing	69.63%	66.81%	72.48%	71.25%	71.53%	73.41%	71.78%	69.88%	70.93%	71.62%	72.92%	73.75%	69.90%
Storey	70.68%	72.29%	69.94%	67.79%	72.97%	71.23%	66.89%	63.12%	66.65%	58.87%	71.55%	75.26%	71.85%
Washoe	64.90%	64.33%	64.25%	63.59%	63.05%	62.81%	62.85%	63.31%	63.57%	63.32%	62.36%	61.88%	62.75%
White Pine	66.68%	68.73%	72.20%	70.54%	69.75%	69.83%	65.67%	54.07%	62.39%	64.15%	63.03%	65.52%	54.12%
Total	65.98%	65.54%	65.39%	64.62%	64.24%	63.70%	63.65%	63.83%	64.62%	64.90%	64.73%	64.74%	65.89%
BASIC CITY-COUNTY RELIEF TAX (BCCRT): COUNTY BCCRT AS A SHARE OF COUNTY TOTAL FIRST-TIER REVENUE FROM SIX REVENUE SOURCES													
Carson City	19.78%	19.44%	19.62%	19.54%	19.45%	19.15%	19.12%	19.18%	19.33%	19.47%	19.44%	19.43%	19.71%
Churchill	19.56%	18.83%	19.04%	18.71%	18.48%	18.16%	18.23%	18.32%	18.84%	18.76%	18.81%	18.00%	17.88%
Clark	19.22%	19.11%	19.03%	18.82%	18.72%	18.46%	18.32%	18.35%	18.62%	18.83%	18.90%	19.01%	19.15%
Douglas	15.34%	15.97%	16.30%	15.57%	16.83%	18.41%	18.51%	17.81%	16.38%	14.89%	13.02%	18.70%	14.09%
Elko	19.40%	19.35%	19.39%	19.61%	19.32%	18.77%	18.70%	18.87%	17.11%	18.73%	18.71%	18.70%	18.86%
Esmeralda	5.92%	5.81%	3.28%	3.09%	2.99%	3.28%	3.43%	3.58%	6.18%	4.66%	3.61%	2.37%	5.07%
Eureka	19.52%	20.14%	20.03%	19.83%	19.94%	20.02%	19.99%	3.58%	20.21%	20.13%	20.06%	20.34%	20.05%
Humboldt	19.30%	19.10%	19.45%	19.17%	19.11%	18.85%	18.89%	19.02%	18.92%	18.92%	19.02%	19.09%	19.25%
Lander	12.57%	11.11%	10.11%	8.93%	7.13%	7.74%	19.51%	18.58%	26.95%	19.55%	24.35%	6.46%	25.67%
Lincoln	8.46%	8.98%	7.89%	7.46%	7.07%	7.43%	8.65%	8.02%	8.18%	7.11%	6.32%	6.46%	8.87%
Lyon	11.86%	12.30%	12.71%	12.63%	11.29%	12.41%	13.39%	14.15%	12.21%	11.46%	10.65%	9.78%	11.07%
Mineral	10.07%	9.92%	8.98%	8.18%	8.47%	8.62%	7.67%	7.64%	8.29%	8.55%	7.81%	7.28%	10.05%
Nye	16.27%	16.30%	15.84%	15.10%	14.95%	16.26%	18.07%	18.17%	17.60%	17.60%	17.65%	17.67%	18.25%
Pershing	12.10%	10.78%	11.36%	10.07%	9.37%	9.33%	9.76%	10.72%	11.21%	10.29%	9.59%	8.55%	10.71%
Storey	13.37%	11.38%	14.89%	17.90%	9.80%	10.71%	13.64%	17.59%	15.30%	25.20%	11.42%	9.58%	12.92%
Washoe	19.04%	18.84%	18.84%	18.68%	18.54%	18.30%	18.20%	18.33%	18.53%	18.61%	18.55%	18.48%	18.59%
White Pine	14.63%	11.37%	10.09%	10.13%	10.49%	11.16%	14.99%	14.66%	18.85%	16.59%	19.00%	16.26%	27.95%
TOTAL	18.85%	18.73%	18.68%	18.46%	18.35%	18.21%	18.19%	18.24%	18.47%	18.55%	18.51%	18.50%	18.83%

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TABLE 4 - FIRST TIER

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX):
EACH REVENUE SOURCE AS A SHARE OF THE COUNTY'S TOTAL FIRST-TIER REVENUE FROM ALL REVENUE SOURCES BY FISCAL YEAR

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
GOVERNMENTAL SERVICES TAX (GST): COUNTY GST AS A SHARE OF COUNTY TOTAL FIRST-TIER REVENUE FROM SIX REVENUE SOURCES													
Carson City	9.09%	10.14%	9.79%	9.75%	10.59%	10.99%	10.85%	10.69%	10.83%	11.46%	12.09%	12.16%	10.45%
Churchill	12.99%	16.18%	15.65%	17.70%	18.17%	18.04%	16.52%	15.40%	16.15%	17.00%	16.30%	21.09%	16.88%
Clark	9.90%	10.62%	10.77%	11.57%	11.44%	11.13%	10.74%	10.50%	11.04%	11.54%	12.09%	12.17%	10.95%
Douglas	10.32%	11.04%	11.00%	11.59%	11.92%	12.51%	12.30%	12.20%	12.31%	11.37%	10.68%	14.22%	10.71%
Elko	11.63%	12.09%	12.22%	12.06%	13.46%	14.29%	13.79%	12.60%	10.94%	13.49%	13.61%	14.22%	12.02%
Esmeralda	11.18%	11.74%	9.64%	12.54%	12.32%	10.77%	11.50%	11.31%	9.89%	10.50%	10.76%	10.80%	11.83%
Eureka	5.53%	4.58%	5.39%	6.77%	6.67%	5.67%	4.68%	11.31%	2.30%	3.65%	4.10%	4.15%	3.91%
Humboldt	11.18%	12.50%	11.30%	13.11%	13.79%	12.80%	12.14%	11.05%	11.57%	11.82%	11.30%	11.79%	9.46%
Lander	12.76%	12.70%	12.20%	14.04%	14.19%	13.81%	12.98%	14.20%	12.50%	14.24%	13.06%	21.02%	14.99%
Lincoln	18.00%	18.58%	17.47%	19.77%	20.79%	20.04%	20.82%	21.11%	22.09%	21.41%	21.27%	21.02%	22.00%
Lyon	12.38%	13.06%	12.82%	13.70%	14.68%	16.20%	17.11%	17.38%	17.38%	16.35%	15.13%	14.76%	15.01%
Mineral	11.47%	12.78%	11.33%	13.13%	13.80%	13.26%	14.25%	13.68%	14.47%	14.90%	15.00%	14.92%	15.81%
Nye	17.11%	16.80%	17.03%	17.73%	18.26%	19.16%	19.25%	19.63%	19.37%	21.02%	21.32%	21.36%	17.53%
Pershing	13.82%	18.85%	12.64%	15.98%	16.17%	14.39%	14.97%	15.69%	15.13%	15.49%	15.57%	15.88%	17.31%
Storey	10.27%	10.55%	11.08%	11.48%	12.48%	13.50%	13.30%	12.71%	12.81%	10.71%	12.26%	12.32%	12.11%
Washoe	11.19%	11.89%	12.05%	12.65%	13.07%	13.06%	12.70%	12.51%	13.01%	13.86%	14.97%	15.78%	14.75%
White Pine	15.27%	16.17%	14.08%	16.84%	16.94%	16.10%	16.66%	14.69%	16.20%	16.64%	16.42%	16.59%	16.23%
TOTAL	10.35%	11.07%	11.15%	11.92%	11.98%	11.77%	11.39%	11.14%	11.58%	12.14%	12.69%	12.90%	11.67%
REAL PROPERTY TRANSFER TAX (RPTT): COUNTY RPTT AS A SHARE OF COUNTY TOTAL FIRST-TIER REVENUE FROM SIX REVENUE SOURCES													
Carson City	1.16%	1.91%	1.41%	1.87%	1.82%	2.23%	2.25%	2.36%	1.97%	1.17%	1.09%	1.40%	1.02%
Churchill	1.43%	1.15%	1.13%	1.25%	1.58%	2.33%	3.12%	3.68%	1.76%	1.46%	1.02%	1.20%	5.66%
Clark	2.43%	2.32%	2.58%	2.99%	3.51%	4.99%	5.61%	5.75%	4.30%	3.21%	2.84%	2.54%	2.26%
Douglas	3.47%	3.59%	3.95%	4.02%	4.22%	5.37%	6.73%	5.59%	3.70%	2.84%	2.08%	0.79%	2.57%
Elko	0.80%	0.83%	0.74%	0.77%	0.89%	1.14%	1.34%	1.26%	10.60%	0.96%	0.79%	0.79%	0.73%
Esmeralda	0.15%	0.15%	0.11%	0.33%	0.28%	0.24%	0.60%	3.02%	0.77%	0.54%	0.24%	0.30%	0.22%
Eureka	1.61%	0.06%	0.24%	0.17%	0.16%	0.14%	0.17%	3.02%	0.14%	0.19%	0.08%	0.14%	0.06%
Humboldt	0.31%	0.67%	0.56%	0.58%	0.58%	1.23%	0.96%	1.04%	0.99%	0.88%	0.59%	0.54%	0.41%
Lander	0.22%	0.30%	0.29%	0.24%	0.41%	0.43%	0.49%	0.60%	0.79%	0.53%	0.36%	0.65%	0.43%
Lincoln	0.68%	0.56%	0.75%	0.58%	0.50%	1.09%	4.38%	6.81%	2.11%	1.38%	1.07%	0.65%	0.90%
Lyon	2.37%	2.23%	2.03%	2.68%	3.72%	5.64%	7.42%	6.80%	3.71%	2.11%	2.17%	1.96%	2.24%
Mineral	0.22%	0.28%	0.17%	0.37%	0.39%	0.47%	0.59%	6.40%	0.67%	0.61%	0.35%	0.57%	0.21%
Nye	2.09%	2.50%	2.09%	2.02%	1.45%	4.26%	7.02%	7.99%	3.17%	2.52%	2.29%	2.04%	1.64%
Pershing	1.40%	0.62%	0.49%	0.25%	0.54%	0.71%	1.47%	1.86%	1.00%	0.99%	0.51%	0.41%	0.57%
Storey	3.47%	3.60%	2.08%	1.25%	3.02%	3.09%	4.84%	5.39%	4.08%	4.28%	3.76%	1.79%	2.00%
Washoe	2.25%	2.54%	2.52%	2.82%	3.13%	4.02%	4.61%	4.32%	3.35%	2.59%	2.43%	2.07%	2.18%
White Pine	0.32%	0.68%	0.59%	0.21%	0.67%	1.01%	0.95%	15.23%	1.12%	1.26%	0.41%	0.47%	0.62%
TOTAL	2.28%	2.28%	2.44%	2.80%	3.25%	4.58%	5.23%	5.35%	3.89%	2.93%	2.57%	2.30%	2.14%

TABLE 4 - FIRST TIER

FIRST-TIER DISTRIBUTION OF REVENUE SOURCES TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX):

EACH REVENUE SOURCE AS A SHARE OF THE COUNTY'S TOTAL FIRST-TIER REVENUE FROM ALL REVENUE SOURCES BY FISCAL YEAR

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
CIGARETTE TAX: COUNTY CIGARETTE TAX AS A SHARE OF COUNTY TOTAL FIRST-TIER REVENUE FROM SIX REVENUE SOURCES													
Carson City	2.46%	2.34%	2.14%	1.85%	1.93%	1.57%	1.45%	1.36%	1.35%	1.41%	1.41%	1.45%	1.33%
Churchill	3.86%	3.52%	3.63%	3.25%	3.13%	2.57%	2.22%	1.86%	1.91%	1.96%	1.68%	1.98%	1.79%
Clark	2.17%	2.01%	1.99%	1.88%	1.87%	1.43%	1.26%	1.18%	1.16%	1.19%	1.21%	1.22%	1.13%
Douglas	2.42%	2.26%	2.15%	1.88%	1.82%	1.50%	1.43%	1.38%	1.33%	1.27%	1.12%	0.92%	1.14%
Elko	2.63%	2.55%	2.48%	2.19%	2.19%	1.74%	1.48%	1.20%	0.93%	1.03%	0.92%	0.92%	0.75%
Esmeralda	1.41%	1.33%	1.34%	0.76%	0.78%	0.71%	0.69%	0.63%	0.57%	0.53%	0.44%	0.42%	0.44%
Eureka	0.45%	0.37%	0.56%	0.43%	0.37%	0.29%	0.22%	0.63%	0.10%	0.13%	0.12%	0.13%	0.119
Humboldt	1.94%	2.06%	2.04%	1.65%	1.67%	1.34%	1.13%	0.91%	0.90%	0.84%	0.71%	0.69%	0.54%
Lander	2.01%	1.93%	1.89%	1.44%	1.43%	1.18%	0.97%	0.90%	0.74%	0.74%	0.60%	1.02%	0.63%
Lincoln	2.58%	2.39%	2.36%	1.97%	1.83%	1.55%	1.38%	1.25%	1.21%	1.16%	1.03%	1.02%	1.09%
Lyon	3.02%	2.90%	2.76%	2.44%	2.46%	2.05%	1.92%	1.79%	1.78%	1.75%	1.56%	1.50%	1.57%
Mineral	2.80%	2.55%	2.54%	1.82%	1.69%	1.44%	1.39%	1.21%	1.16%	1.04%	0.88%	0.84%	0.91%
Nye	2.97%	2.94%	2.93%	2.54%	2.54%	2.05%	1.84%	1.69%	1.63%	1.85%	1.80%	1.84%	1.55%
Pershing	2.69%	2.56%	2.66%	2.13%	2.08%	1.83%	1.72%	1.55%	1.44%	1.33%	1.15%	1.12%	1.18%
Storey	1.95%	1.90%	1.76%	1.38%	1.50%	1.24%	1.13%	1.00%	0.96%	0.78%	0.82%	0.84%	0.88%
Washoe	2.30%	2.10%	2.05%	1.97%	1.93%	1.53%	1.40%	1.29%	1.28%	1.35%	1.38%	1.42%	1.35%
White Pine	2.73%	2.65%	2.67%	1.99%	1.89%	1.62%	1.47%	1.14%	1.20%	1.12%	0.93%	0.92%	0.84%
TOTAL	2.24%	2.08%	2.05%	1.92%	1.90%	1.47%	1.31%	1.21%	1.19%	1.22%	1.23%	1.24%	1.15%
LIQUOR TAX: COUNTY LIQUOR TAX AS A SHARE OF COUNTY TOTAL FIRST-TIER REVENUE FROM SIX REVENUE SOURCES													
Carson City	0.33%	0.34%	0.30%	0.27%	0.28%	0.29%	0.26%	0.26%	0.27%	0.30%	0.31%	0.38%	0.37%
Churchill	0.52%	0.52%	0.51%	0.48%	0.46%	0.47%	0.39%	0.35%	0.38%	0.41%	0.37%	0.52%	0.50%
Clark	0.29%	0.30%	0.28%	0.28%	0.27%	0.26%	0.22%	0.22%	0.23%	0.25%	0.27%	0.32%	0.32%
Douglas	0.33%	0.33%	0.30%	0.28%	0.26%	0.27%	0.25%	0.26%	0.27%	0.27%	0.25%	0.24%	0.32%
Elko	0.36%	0.37%	0.35%	0.32%	0.32%	0.32%	0.26%	0.23%	0.19%	0.22%	0.20%	0.24%	0.21%
Esmeralda	0.19%	0.20%	0.19%	0.11%	0.11%	0.13%	0.12%	0.12%	0.12%	0.11%	0.10%	0.11%	0.12%
Eureka	0.06%	0.05%	0.08%	0.06%	0.05%	0.05%	0.04%	0.12%	0.02%	0.03%	0.03%	0.03%	0.03?
Humboldt	0.26%	0.30%	0.29%	0.24%	0.24%	0.24%	0.20%	0.17%	0.18%	0.18%	0.16%	0.18%	0.15%
Lander	0.27%	0.28%	0.27%	0.21%	0.21%	0.22%	0.17%	0.17%	0.15%	0.16%	0.13%	0.27%	0.18%
Lincoln	0.35%	0.35%	0.33%	0.29%	0.27%	0.28%	0.25%	0.24%	0.24%	0.24%	0.23%	0.27%	0.31%
Lyon	0.41%	0.43%	0.39%	0.36%	0.36%	0.37%	0.34%	0.34%	0.36%	0.37%	0.34%	0.39%	0.44%
Mineral	0.38%	0.37%	0.36%	0.27%	0.25%	0.26%	0.25%	0.23%	0.23%	0.22%	0.19%	0.22%	0.26%
Nye	0.40%	0.43%	0.41%	0.37%	0.37%	0.37%	0.33%	0.32%	0.33%	0.39%	0.40%	0.48%	0.43%
Pershing	0.36%	0.38%	0.38%	0.31%	0.30%	0.33%	0.31%	0.30%	0.29%	0.28%	0.25%	0.29%	0.33%
Storey	0.26%	0.28%	0.25%	0.20%	0.22%	0.23%	0.20%	0.19%	0.19%	0.16%	0.18%	0.22%	0.25%
Washoe	0.31%	0.31%	0.29%	0.29%	0.28%	0.28%	0.25%	0.25%	0.26%	0.28%	0.30%	0.37%	0.38%
White Pine	0.37%	0.39%	0.38%	0.29%	0.27%	0.29%	0.26%	0.22%	0.24%	0.24%	0.20%	0.24%	0.24%
TOTAL	0.30%	0.31%	0.29%	0.28%	0.28%	0.27%	0.23%	0.23%	0.24%	0.26%	0.27%	0.32%	0.32%

TABLE 5 - FIRST TIER

FIRST-TIER DISTRIBUTION OF SUPPLEMENTAL CITY-COUNTY RELIEF TAX (SCCRT) REVENUE TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT: NON-GUARANTEED COUNTY VERSUS GUARANTEED COUNTY

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
SUPPLEMENTAL CITY-COUNTY RELIEF TAX (SCCRT): FIRST-TIER DISTRIBUTION AMOUNT													
Carson City	$12.765	$12.881	$14.262	$15.398	$14.894	$15.895	$17.190	$17.978	$17.439	$15.743	$13.300	$11.555	$12.454
% Change: FY to FY		0.91%	10.72%	7.97%	-3.27%	6.72%	8.15%	4.58%	-3.00%	-9.73%	-15.52%	-13.12%	7.78%
% of SCCRT FY Total	2.6%	2.5%	2.6%	2.8%	2.6%	2.4%	2.2%	2.1%	2.0%	1.9%	1.9%	1.8%	1.8%
Churchill	$3.516	$3.627	$3.626	$3.516	$3.724	$3.972	$4.731	$5.594	$5.298	$4.900	$4.940	$3.487	$3.733
% Change: FY to FY		3.17%	-0.05%	-3.01%	5.90%	6.66%	19.13%	18.22%	-5.29%	-7.52%	0.83%	-29.42%	7.07%
% of SCCRT FY Total	0.7%	0.7%	0.7%	0.6%	0.6%	0.6%	0.6%	0.7%	0.6%	0.6%	0.7%	0.5%	0.5%
Clark	$337.604	$364.029	$383.218	$386.394	$413.840	$481.363	$564.836	$617.899	$624.099	$598.992	$514.635	$466.384	$499.947
% Change: FY to FY		7.83%	5.27%	0.83%	7.10%	16.32%	17.34%	9.39%	1.00%	-4.02%	-14.08%	-9.38%	7.20%
% of SCCRT FY Total	69.4%	70.2%	70.4%	70.1%	70.9%	72.5%	73.6%	73.8%	73.1%	73.6%	72.7%	73.0%	73.5%
Douglas	$10.357	$10.802	$11.398	$11.922	$12.523	$12.670	$13.310	$14.390	$15.573	$16.480	$16.735	$16.072	$13.905
% Change: FY to FY		4.30%	5.52%	4.60%	5.04%	1.17%	5.05%	8.12%	8.22%	5.82%	1.55%	-3.96%	-13.48%
% of SCCRT FY Total	2.1%	2.1%	2.1%	2.2%	2.1%	1.9%	1.7%	1.7%	1.8%	2.0%	2.4%	2.5%	2.0%
Elko	$10.962	$11.059	$11.458	$10.928	$10.912	$11.720	$13.628	$16.831	$19.219	$18.120	$17.850	$16.072	$20.085
% Change: FY to FY		0.88%	3.61%	-4.63%	-0.15%	7.41%	16.28%	23.50%	14.19%	-5.72%	-1.49%	-9.96%	24.97%
% of SCCRT FY Total	2.3%	2.1%	2.1%	2.0%	1.9%	1.8%	1.8%	2.0%	2.3%	2.2%	2.5%	2.5%	3.0%
Esmeralda	$0.768	$0.768	$0.843	$0.868	$0.912	$0.922	$0.932	$1.013	$1.134	$1.150	$1.168	$1.114	$0.970
% Change: FY to FY		0.00%	9.74%	2.94%	5.04%	1.17%	1.10%	8.68%	11.88%	1.43%	1.55%	-4.57%	-12.93%
% of SCCRT FY Total	0.2%	0.1%	0.2%	0.2%	0.2%	0.1%	0.1%	0.1%	0.1%	0.1%	0.2%	0.2%	0.1%
Eureka	$2.463	$2.966	$2.223	$2.206	$2.338	$2.457	$3.354	$1.013	$7.200	$4.777	$4.414	$4.095	$4.789
% Change: FY to FY		20.41%	-25.06%	-0.74%	5.96%	5.10%	36.54%	-69.79%	610.48%	-33.65%	-7.59%	-7.23%	16.95%
% of SCCRT FY Total	0.5%	0.6%	0.4%	0.4%	0.4%	0.4%	0.4%	0.1%	0.8%	0.6%	0.6%	0.6%	0.7%
Humboldt	$5.590	$5.019	$5.097	$5.146	$5.033	$5.517	$6.646	$8.191	$8.087	$8.332	$8.618	$7.843	$10.139
% Change: FY to FY		-10.22%	1.56%	0.96%	-2.20%	9.61%	20.47%	23.25%	-1.26%	3.02%	3.44%	-8.99%	29.27%
% of SCCRT FY Total	1.1%	1.0%	0.9%	0.9%	0.9%	0.8%	0.9%	1.0%	0.9%	1.0%	1.2%	1.2%	1.5%
Lander	$2.324	$2.364	$2.418	$2.435	$2.461	$2.461	$2.461	$2.579	$2.740	$2.881	$2.926	$1.346	$2.431
% Change: FY to FY		1.74%	2.27%	0.72%	1.03%	0.00%	0.00%	4.82%	6.23%	5.16%	1.55%	-53.99%	80.60%
% of SCCRT FY Total	0.5%	0.5%	0.4%	0.4%	0.4%	0.4%	0.3%	0.3%	0.3%	0.4%	0.4%	0.2%	0.4%
Lincoln	$1.031	$1.067	$1.112	$1.181	$1.181	$1.195	$1.195	$1.258	$1.322	$1.389	$1.411	$1.346	$1.172
% Change: FY to FY		3.55%	4.13%	6.28%	0.00%	1.17%	0.00%	5.25%	5.08%	5.09%	1.55%	-4.57%	-12.93%
% of SCCRT FY Total	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%
Lyon	$6.543	$6.824	$7.422	$7.888	$8.286	$8.383	$8.880	$9.906	$11.178	$12.248	$12.438	$11.870	$10.335
% Change: FY to FY		4.30%	8.76%	6.28%	5.04%	1.17%	5.93%	11.55%	12.84%	9.58%	1.55%	-4.57%	-12.93%
% of SCCRT FY Total	1.3%	1.3%	1.4%	1.4%	1.4%	1.3%	1.2%	1.2%	1.3%	1.5%	1.8%	1.9%	1.5%
Mineral	$1.684	$1.684	$1.686	$1.697	$1.697	$1.717	$1.746	$1.798	$1.843	$1.843	$1.871	$1.786	$1.555
% Change: FY to FY		0.00%	0.13%	0.61%	0.00%	1.17%	1.72%	3.00%	2.46%	0.00%	1.55%	-4.57%	-12.93%
% of SCCRT FY Total	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%	0.2%	0.2%	0.2%	0.2%	0.3%	0.3%	0.2%
Nye	$5.310	$5.538	$6.117	$6.501	$6.828	$6.908	$7.318	$7.865	$9.205	$8.034	$7.198	$6.504	$7.894
% Change: FY to FY		4.30%	10.44%	6.28%	5.04%	1.17%	5.93%	7.47%	17.04%	-12.72%	-10.40%	-9.65%	21.38%
% of SCCRT FY Total	1.1%	1.1%	1.1%	1.2%	1.2%	1.0%	1.0%	0.9%	1.1%	1.0%	1.0%	1.0%	1.2%
Pershing	$1.605	$1.674	$1.762	$1.822	$1.900	$1.922	$1.967	$1.967	$2.065	$2.184	$2.218	$2.116	$1.843
% Change: FY to FY		4.30%	5.31%	3.37%	4.29%	1.17%	2.33%	0.00%	4.99%	5.75%	1.55%	-4.57%	-12.93%
% of SCCRT FY Total	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%	0.2%	0.2%	0.3%	0.3%	0.3%	0.3%

TABLE 5 - FIRST TIER

FIRST-TIER DISTRIBUTION OF SUPPLEMENTAL CITY-COUNTY RELIEF TAX (SCCRT) REVENUE TO THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT: NON-GUARANTEED COUNTY VERSUS GUARANTEED COUNTY

Source: Department of Taxation and Applied Analysis

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Storey	$1.183	$1.234	$1.291	$1.372	$1.441	$1.446	$1.512	$1.587	$1.731	$1.817	$1.845	$1.760	$1.533
% Change: FY to FY		4.30%	4.61%	6.28%	5.04%	0.38%	4.57%	4.93%	9.07%	4.94%	1.55%	-4.57%	-12.93%
% of SCCRT FY Total	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.3%	0.3%	0.2%
Washoe	$80.460	$84.385	$87.989	$88.989	$92.941	$102.961	$114.980	$124.547	$122.758	$112.342	$93.264	$82.589	$84.534
% Change: FY to FY		4.88%	4.27%	1.14%	4.44%	10.78%	11.67%	8.32%	-1.44%	-8.48%	-16.98%	-11.45%	2.35%
% of SCCRT FY Total	16.5%	16.3%	16.2%	16.2%	15.9%	15.5%	15.0%	14.9%	14.4%	13.8%	13.2%	12.9%	12.4%
White Pine	$2.401	$2.505	$2.616	$2.616	$2.616	$2.646	$2.690	$2.817	$3.010	$3.172	$3.221	$3.074	$2.676
% Change: FY to FY		4.30%	4.43%	0.00%	0.00%	1.17%	1.66%	4.70%	6.85%	5.38%	1.55%	-4.57%	-12.93%
% of SCCRT FY Total	0.5%	0.5%	0.5%	0.5%	0.4%	0.4%	0.4%	0.3%	0.4%	0.4%	0.5%	0.5%	0.4%
TOTAL	$486.566	$518.427	$544.537	$550.881	$583.526	$664.155	$767.377	$837.233	$853.898	$814.401	$708.052	$639.013	$679.997
% Change: FY to FY		6.55%	5.04%	1.16%	5.93%	13.82%	15.54%	9.10%	1.99%	-4.63%	-13.06%	-9.75%	6.41%

NOTES:

1.) The SCCRT is a 1.75% sales and use tax rate imposed statewide and is governed by NRS Chapter 377. The SCCRT was initially established during the 1981 Session, effective for FY 1982, with the proceeds distributed amongst the 17 counties according to a statutory formula based on assessed value and did not involve guaranteed and non-guaranteed counties.

2.) During the 1991 Session, the SCCRT was amended to establish what are referred to as "guaranteed" counties and "non-guaranteed" counties for the purpose of distributing the proceeds from the SCCRT beginning in FY 1992. An initial annual amount was established in 1991 legislation beginning in FY 1992 for the guaranteed counties and was adjusted for FY 1993 based on a statutory formula. Adjustments were made to the annual amounts to the guaranteed counties for FY 1994 and FY 1995 in 1993 legislation and the annual guaranteed amount for each county is adjusted each fiscal year based on a statutory formula.

3.) The SCCRT proceeds remaining after the required distribution to the guaranteed counties are distributed each month to the non-guarantee counties in the proportion that the SCCRT collected in each non-guaranteed county for the month bears to the total SCCRT collected for the month in all the non-guaranteed counties.

4.) Initially, the following 10 counties were established as guaranteed counties beginning in FY 1992 based on 1991 legislation: Douglas, Esmeralda, Eureka, Lincoln, Lyon, Mineral, Nye, Pershing, Storey, and White Pine. Lander was added as a guaranteed county beginning in FY 1994 based on 1993 legislation. Based on the statutory provisions in NRS 377.057, subsection 2, that require a county to exit guaranteed status if the specified criterion is met, Eureka became a non-guaranteed county beginning in FY 1993 and Nye became a non-guaranteed county beginning in FY 2007.

5.) The annual amount distributed to each guaranteed county in a fiscal year is calculated by adjusting the amount from the prior fiscal year by the lesser of: 1.) the percentage change in total statewide SCCRT proceeds in the prior fiscal year compared to the fiscal year preceding the prior fiscal year; or 2.) the sum of the percentage change in the population of the guaranteed county and the percentage change in Consumer Price Index for the calendar year preceding the fiscal year of distribution.

6.) Beginning in FY 1994, a minimum amount that must be distributed each month to each guaranteed county was established in NRS 377.057, subsection 5.

7.) NRS 377.057, subsection 2, establishes conditions under which a guaranteed county is required to become a non-guaranteed county. If the actual amount of SCCRT collected in a guaranteed county for the 12 most recent months for which information is available on February 15 of any year exceeds the actual amount of SCCRT distributed to the guaranteed county for the same 12-month period by more than 10 percent (10 percent rule), the county must exit guaranteed status and the SCCRT proceeds will be distributed to this county in all subsequent fiscal years as a non-guaranteed county, unless a waiver is requested and granted pursuant to the provisions in NRS 377.057, subsection 3. These provisions were initially established in 1991 legislation beginning in FY 1992, but the initial 12-month reference period was a fiscal year, and the current 12-month reference period was established in 1993 legislation beginning in FY 1994.

8.) A guaranteed county, which is required to begin receiving SCCRT proceeds as a non-guaranteed county under the 10 percent rule, may request a waiver from the Nevada Tax Commission to remain a guaranteed county under NRS 377.057, subsection 3. If the Commission determines that the increase in the actual SCCRT collected in the guaranteed county was primarily caused by: 1.) nonrecurring taxable sales, it shall grant the request for a waiver; or 2.) normal or sustainable growth in taxable sales, it shall deny the waiver request. A county granted a waiver is not required to request a waiver in any subsequent fiscal year to continue to be treated as a guaranteed county, unless the actual amount of SCCRT collected in the county meets the 10 percent rule. The waiver provisions were established in 1993 legislation effective for FY 1994.

TABLE 6 - FIRST TIER

COUNTY POPULATION: ESTIMATE USED TO DETERMINE FIRST-TIER DISTRIBUTION OF CIGARETTE TAX, LIQUOR TAX, AND BCCRT OUT-OF-STATE SALES TAX COLLECTIONS

Source: Department of Taxation and Applied Analysis

Population Estimate for:	July 1, 1997	July 1, 1998	July 1, 1999	July 1, 2000	July 1, 2001	July 1, 2002	July 1, 2003	July 1, 2004	July 1, 2005	July 1, 2006	July 1, 2007	July 1, 2008	July 1, 2009	July 1, 2010
	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Carson City	50,410	51,860	52,620	52,457	54,171	54,844	55,220	56,146	57,104	57,701	57,723	57,600	56,506	55,850
% Change: FY to FY	3.2%	2.9%	1.5%	-0.3%	3.3%	1.2%	0.7%	1.7%	1.7%	1.0%	0.0%	-0.2%	-1.9%	-1.2%
% of Statewide	2.83%	2.79%	2.67%	2.63%	2.54%	2.49%	2.40%	2.33%	2.27%	2.20%	2.12%	2.10%	2.08%	2.05%
Churchill	23,860	24,020	25,310	23,982	24,928	25,116	25,808	26,106	26,585	27,371	27,190	26,981	26,859	26,360
% Change: FY to FY	5.7%	0.7%	5.4%	-5.2%	3.9%	0.8%	2.8%	1.2%	1.8%	3.0%	-0.7%	-0.8%	-0.5%	-1.9%
% of Statewide	1.34%	1.29%	1.29%	1.20%	1.17%	1.14%	1.12%	1.08%	1.06%	1.04%	1.00%	0.99%	0.99%	0.97%
Clark	1,192,250	1,255,280	1,343,620	1,375,837	1,485,855	1,549,657	1,620,748	1,715,337	1,796,380	1,874,837	1,954,319	1,967,716	1,952,040	1,968,83
% Change: FY to FY	6.8%	5.3%	7.0%	2.4%	8.0%	4.3%	4.6%	5.8%	4.7%	4.4%	4.2%	0.7%	-0.8%	0.9
% of Statewide	66.98%	67.64%	68.28%	68.85%	69.68%	70.25%	70.57%	71.15%	71.32%	71.48%	71.89%	71.85%	72.00%	72.26%
Douglas	39,590	41,420	42,590	41,259	43,450	44,212	45,603	47,803	50,108	51,770	52,386	52,131	51,390	49,242
% Change: FY to FY	5.6%	4.6%	2.8%	-3.1%	5.3%	1.8%	3.1%	4.8%	4.8%	3.3%	1.2%	-0.5%	-1.4%	-4.2%
% of Statewide	2.22%	2.23%	2.16%	2.06%	2.04%	2.00%	1.99%	1.98%	1.99%	1.97%	1.93%	1.90%	1.90%	1.81%
Elko	47,710	49,230	50,620	45,291	46,668	46,577	45,805	46,499	47,586	48,339	50,434	50,561	51,325	52,097
% Change: FY to FY	4.6%	3.2%	2.8%	-10.5%	3.0%	-0.2%	-1.7%	1.5%	2.3%	1.6%	4.3%	0.3%	1.5%	1.5%
% of Statewide	2.68%	2.65%	2.57%	2.27%	2.19%	2.11%	1.99%	1.93%	1.89%	1.84%	1.86%	1.85%	1.89%	1.91%
Esmeralda	1,460	1,420	1,520	971	1,038	1,125	1,116	1,176	1,276	1,262	1,236	1,240	1,187	1,145
% Change: FY to FY	-2.0%	-2.7%	7.0%	-36.1%	6.9%	8.4%	-0.8%	5.4%	8.5%	-1.1%	-2.1%	0.3%	-4.3%	-3.5%
% of Statewide	0.08%	0.08%	0.08%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.05%	0.04%	0.04%
Eureka	1,660	1,640	1,930	1,651	1,506	1,384	1,420	1,484	1,485	1,460	1,458	1,553	1,562	1,609
% Change: FY to FY	0.6%	-1.2%	17.7%	-14.5%	-8.8%	-8.1%	2.6%	4.5%	0.1%	-1.7%	-0.1%	6.5%	0.6%	3.0%
% of Statewide	0.09%	0.09%	0.10%	0.08%	0.07%	0.06%	0.06%	0.06%	0.06%	0.06%	0.05%	0.06%	0.06%	0.06%
Humboldt	17,520	17,970	18,090	16,106	16,164	16,308	16,457	16,692	17,293	17,751	18,052	18,014	17,690	18,364
% Change: FY to FY	6.4%	2.6%	0.7%	-11.0%	0.4%	0.9%	0.9%	1.4%	3.6%	2.6%	1.7%	-0.2%	-1.8%	3.8%
% of Statewide	0.98%	0.97%	0.92%	0.81%	0.76%	0.74%	0.72%	0.69%	0.69%	0.68%	0.66%	0.66%	0.65%	0.67
Lander	7,030	7,040	7,010	5,794	5,761	5,547	5,277	5,357	5,509	5,655	5,747	5,891	6,003	5,99
% Change: FY to FY	4.8%	0.1%	-0.4%	-17.3%	-0.6%	-3.7%	-4.9%	1.5%	2.8%	2.7%	1.6%	2.5%	1.9%	-0.2%
% of Statewide	0.39%	0.38%	0.36%	0.29%	0.27%	0.25%	0.23%	0.22%	0.22%	0.22%	0.21%	0.22%	0.22%	0.22%
Lincoln	4,110	4,190	4,250	4,165	3,861	3,879	3,749	3,822	3,886	3,987	4,184	4,352	4,317	4,631
% Change: FY to FY	2.2%	1.9%	1.4%	-2.0%	-7.3%	0.5%	-3.4%	1.9%	1.7%	2.6%	4.9%	4.0%	-0.8%	7.3%
% of Statewide	0.23%	0.23%	0.22%	0.21%	0.18%	0.18%	0.16%	0.16%	0.15%	0.15%	0.15%	0.16%	0.16%	0.17%
Lyon	30,370	32,200	34,150	34,501	37,329	38,777	41,244	44,646	48,860	54,031	55,903	55,820	53,825	52,334
% Change: FY to FY	6.6%	6.0%	6.1%	1.0%	8.2%	3.9%	6.4%	8.2%	9.4%	10.6%	3.5%	-0.1%	-3.6%	-2.8%
% of Statewide	1.71%	1.74%	1.74%	1.73%	1.75%	1.76%	1.80%	1.85%	1.94%	2.06%	2.06%	2.04%	1.99%	1.92%
Mineral	6,860	6,620	6,450	5,071	4,743	4,695	4,687	4,673	4,629	4,399	4,377	4,401	4,474	4,471
% Change: FY to FY	0.7%	-3.5%	-2.6%	-21.4%	-6.5%	-1.0%	-0.2%	-0.3%	-0.9%	-5.0%	-0.5%	0.5%	1.7%	-0.1%
% of Statewide	0.39%	0.36%	0.33%	0.25%	0.22%	0.21%	0.20%	0.19%	0.18%	0.17%	0.16%	0.16%	0.17%	0.16%

TABLE 6 - FIRST TIER

COUNTY POPULATION: ESTIMATE USED TO DETERMINE FIRST-TIER DISTRIBUTION OF CIGARETTE TAX, LIQUOR TAX, AND BCCRT OUT-OF-STATE SALES TAX COLLECTIONS

Source: Department of Taxation and Applied Analysis

Population Estimate for:	July 1, 1997	July 1, 1998	July 1, 1999	July 1, 2000	July 1, 2001	July 1, 2002	July 1, 2003	July 1, 2004	July 1, 2005	July 1, 2006	July 1, 2007	July 1, 2008	July 1, 2009	July 1, 2010
	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Nye	27,610	29,730	33,550	32,485	34,384	35,039	36,651	38,181	41,302	44,795	46,308	47,370	46,360	45,459
% Change: FY to FY	9.4%	7.7%	12.8%	-3.2%	5.8%	1.9%	4.6%	4.2%	8.2%	8.5%	3.4%	2.3%	-2.1%	-1.9%
% of Statewide	1.55%	1.60%	1.71%	1.63%	1.61%	1.59%	1.60%	1.58%	1.64%	1.71%	1.70%	1.73%	1.71%	1.67%
Pershing	6,600	7,270	7,460	6,693	6,873	6,937	6,967	6,631	6,736	6,955	7,075	7,192	7,149	7,133
% Change: FY to FY	5.4%	10.2%	2.6%	-10.3%	2.7%	0.9%	0.4%	-4.8%	1.6%	3.3%	1.7%	1.7%	-0.6%	-0.2%
% of Statewide	0.37%	0.39%	0.38%	0.33%	0.32%	0.31%	0.30%	0.28%	0.27%	0.27%	0.26%	0.26%	0.26%	0.26%
Storey	3,520	3,670	3,740	3,399	3,714	3,639	3,736	3,797	4,012	4,110	4,293	4,384	4,317	4,23
% Change: FY to FY	6.0%	4.3%	1.9%	-9.1%	9.3%	-2.0%	2.7%	1.6%	5.7%	2.4%	4.5%	2.1%	-1.5%	-1.9
% of Statewide	0.20%	0.20%	0.19%	0.17%	0.17%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%
Washoe	308,700	311,350	323,670	339,486	353,271	359,423	373,233	383,453	396,844	409,085	418,061	423,833	416,632	417,379
% Change: FY to FY	1.8%	0.9%	4.0%	4.9%	4.1%	1.7%	3.8%	2.7%	3.5%	3.1%	2.2%	1.4%	-1.7%	0.2%
% of Statewide	17.34%	16.78%	16.45%	16.99%	16.57%	16.29%	16.25%	15.91%	15.75%	15.60%	15.38%	15.48%	15.37%	15.32%
White Pine	10,640	10,960	11,150	9,181	8,783	8,863	8,842	8,966	9,275	9,542	9,590	9,694	9,570	9,503
% Change: FY to FY	2.3%	3.0%	1.7%	-17.7%	-4.3%	0.9%	-0.2%	1.4%	3.4%	2.9%	0.5%	1.1%	-1.3%	-0.7%
% of Statewide	0.60%	0.59%	0.57%	0.46%	0.41%	0.40%	0.39%	0.37%	0.37%	0.36%	0.35%	0.35%	0.35%	0.35%
Statewide	1,779,900	1,855,870	1,967,730	1,998,329	2,132,499	2,206,022	2,296,563	2,410,769	2,518,870	2,623,050	2,718,336	2,738,733	2,711,206	2,724,634
% Change: FY to FY	5.7%	4.3%	6.0%	1.6%	6.7%	3.4%	4.1%	5.0%	4.5%	4.1%	3.6%	0.8%	-1.0%	0.5%

NOTES:

1. The proceeds from the Cigarette Tax, Liquor Tax, and BCCRT Out-of-State sales are distributed to the counties under the first-tier of the CTX on a per-capita basis each month. The certification and application of the population estimates prepared by the State Demographer and used by the Department of Taxation are governed by NRS 360.285. On or before March 1 of each year, the Governor certifies a population estimate for July 1 of the preceding calendar year for each county, city, town, and township in the state.

2. NRS 360.285 Certification of population by Governor.

1. For the purposes of this title, the Governor shall, on or before March 1 of each year, certify the population of each town, township, city and county in this state from the determination submitted to the Governor by the Department.

2. Where any tax is collected by the Department for apportionment in whole or in part to any political subdivision and the basis of the apportionment is the population of the political subdivision, th Department shall use the populations certified by the Governor. The transition from one such certification to the next must be made on July 1 following the certification for use in the fiscal year beginning then. Every payment before that date must be based upon the earlier certification and every payment on or after that date must be based upon the later certification.

3. Based on the Department of Taxation's application of the provisions of subsection 2 of NRS 360.285, the population estimate certified by the Governor on March 1 before each fiscal year for the July 1 preceding the beginning of each fiscal year is used to determine the per-capita distribution shares for 10 months of the fiscal year. The population estimate certified by the Governor on March 1 during the fiscal year for the July 1 beginning date for the fiscal year is used to determine the per-capita shares for the last 2 months of the fiscal year. For example, the population estimate certified on March 1, 1998, for July 1, 1997, was used to determine the per-capita shares for the first 10 months of FY 1999 and the population estimate certified on March 1, 1999, for July 1, 1998, was used to determine the per-capita shares for the last 2 months of FY 1999.

4. Per-capita first-tier distribution of cigarette tax, liquor tax, and BCCRT out-of-state sale tax collections are governed by: 1.) Cigarette Tax: NRS 370.260, subsection 3; 2.) Liquor Tax: NRS 369.173; and 3.) BCCRT Out-of-State Sales: NRS 377.055, subsection 2.

5. Under NRS 377.057, subsection 1, paragraph (a), the county population estimates certified under NRS 360.285 are used in the formula to determine the adjustment to the SCCRT amount each fiscal year for the guaranteed counties under the first-tier distribution of SCCRT collections to each county.

CTX SECOND TIER TABLES

TABLE 1 - SECOND TIER

SECOND-TIER DISTRIBUTION OF REVENUE FROM THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX): EXCESS DISTRIBUTION FACTORS BY COUNTY: 1-PLUS, NO 1-PLUS, OR INTERLOCAL AGREEMENT

Source: Department of Taxation

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
FACTOR USED TO DETERMINE SECOND-TIER EXCESS CTX REVENUE DISTRIBUTION SHARE														
Carson City	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	1 Plus - Subsec. 5
Churchill	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	1 Plus - Subsec. 5
Clark	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	Interlocal Agreement
Douglas	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	1 Plus - Subsec. 5
Elko	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5
Esmeralda	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	No 1 Plus	No 1 Plus	No 1 Plus	1 Plus - Subsec. 5
Eureka	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	1 Plus - Subsec. 7	1 Plus - Subsec. 7	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5
Humboldt	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	1 Plus - Subsec. 7	1 Plus - Subsec. 7	1 Plus - Subsec. 7	1 Plus - Subsec. 5	No 1 Plus	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5
Lander	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5
Lincoln	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus
Lyon	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus
Mineral	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	1 Plus - Subsec. 6	1 Plus - Subsec. 6	1 Plus - Subs. 5 & 6	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5
Nye	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5	1 Plus - Subsec. 5
Pershing	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	1 Plus - Subsec. 6	1 Plus - Subsec. 6	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus
Storey	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus
Washoe	1 Plus	1 Plus	1 Plus	75%-1 Plus; 25%-No 1-Plus	50%-1 Plus; 50%-No 1-Plus	25%-1 Plus; 75%-No 1-Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus	No 1 Plus
White Pine	1 Plus	1 Plus	Interlocal Agreement	Interlocal Agreement	Interlocal Agreement	Interlocal Agreement	Interlocal Agreement	Interlocal Agreement	Interlocal Agreement	Interlocal Agreement	Interlocal Agreement	Interlocal Agreement	Interlocal Agreement	Interlocal Agreement

NOTES:

1. At the second tier of the CTX, the revenue allocated each month to each county at the first-tier is first distributed as a base allocation amount to the enterprise districts, local governments, and special districts in the county, and as an excess amount, which is any money remaining after the required base allocation, that is distributed to local governments and special districts based on statutory rules referred to as No 1-Plus and 1-Plus.

Prepared by the Fiscal Analysis Division

TABLE 1 - SECOND TIER

SECOND-TIER DISTRIBUTION OF REVENUE FROM THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX):
EXCESS DISTRIBUTION FACTORS BY COUNTY: 1-PLUS, NO 1-PLUS, OR INTERLOCAL AGREEMENT

Source: Department of Taxation

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012

2.) The fiscal year base amount for enterprise districts, local governments, and special districts is determined by NRS 360.680 as follows: 1.) the fiscal year base amount for enterprise districts is equal to the amount the enterprise district received in the prior fiscal year, which means that an enterprise district's fiscal year base amount is equal to the amount initially established when the CTX was created beginning in FY 1999 or an enterprise district is allowed to receive money from the CTX and was established an initial fiscal year base amount; and 2.) the fiscal year base amount for each local government and special district in a county is equal to the actual amount distributed in the prior fiscal year, minus any excess amount, multiplied by 1 plus the percentage change in the Consumer Price Index for the year ending December 31 preceding the fiscal year in which the base amount will be distributed. Initial fiscal year base amounts for FY 1999 were established for local governments and special districts based on a statutory formula in the 1997 legislation creating the CTX.

3.) The fiscal year base allocation amount estimated pursuant to NRS 360.680, is required to be distributed each month to enterprise districts, local governments, and special districts in an amount equal to 1/12 of the fiscal year base allocation amount, but the actual base allocation amount distributed each month to local governments and special districts depends on the actual amount of CTX revenue available for distribution in the county at the second-tier.

a.) If the actual CTX revenue for a month that remains after making the required monthly base allocation to the enterprise districts (1/12 of their fiscal year base allocation amount) is less than the amount needed to make the monthly base allocation to the local governments and special districts (1/12 of each local government and special district fiscal year base allocation amount), the actual amount remaining after the enterprise district allocation is distributed to each local government and special district on a prorated basis equal to its fiscal year base allocation amount as a share of the total fiscal year base allocation amount for all local governments and special districts in the county.

b.) If the actual CTX revenue for a month that remains after making the required monthly base allocation to the enterprise districts (1/12 of their fiscal year base allocation amount) is greater than the amount needed to make the monthly base allocation to the local governments and special districts (1/12 of each local government and special district fiscal year base allocation amount), the actual amount remaining after the enterprise district allocation is distributed to each local government and special district in an amount equal to the monthly base allocation amount (1/12 of the local governments and special districts fiscal year base allocation amount). Any CTX remaining after making the full base monthly allocation to the local governments and special districts must be distributed as follows:

i.) Determine whether local governments and special districts in the county did not receive the full base allocation amount in any month of the fiscal year preceding the current distribution month. If so, then the revenue must first be allocated to local governments and special districts to true-up their monthly base allocation shortfalls from the preceding months of the fiscal year. Any revenue remaining after this true-up against base allocation shortfalls is deemed to be "excess" available for distribution to local governments and special districts based on shares derived from the application of No 1-Plus Factor and 1-Plus Factor rules, whichever is appropriate according to the provisions in NRS 360.690.

ii.) If no true-up against base allocation shortfalls is required, then the amount remaining after the base allocation to local governments and special districts is deemed to be "excess" available for distribution to local governments and special districts based on shares derived from the application of No 1-Plus Factor and 1-Plus Factor rules, whichever is appropriate according to the provisions in NRS 360.690.

4.) The 5-year average percentage change in population and/or the 5-year average percentage change in assessed value are used to compute a No 1-Plus Factor or 1-Plus Factor that is used to determine the share of any excess second-tier CTX revenue to be distributed each month during a fiscal year to each local government and special district in a county. The factor rule displayed in the table for each county would apply to all the local governments and special districts in the county, since different factor rules cannot be applied to subsets of the local governments and special districts in a county.

5.) The following is used for local governments and special districts in a county under the No 1-Plus Factor rule: 1.) for each local government (county, city, or town), the sum of the 5-year average percentage change in population of the local government and the 5-year average percentage change in the assessed value of the local government; and 2.) for each special district in the county, the 5-year average percentage change in the assessed value of the special district. The factor rule for special districts is based on the growth in assessed value only as no population estimates are available for special districts. For example, if the 5-year average percentage change in population is 2.0 percent (.02) and the 5-year average percentage change in assessed value is 5.0 percent (.05) for a local government, then the No 1-Plus Factor is .07 (.02 + .05) for the local government. If the 5-year average percentage change in assessed value for a special district is 5.0 percent (.05), then the No 1-Plus Factor is .05 for the special district.

6.) The following is used for local governments and special districts in a county under the 1-Plus Factor rule: 1.) for each local government (county, city, or town), 1 plus the sum of the 5-year average percentage change in population of the local government and the 5-year average percentage change in the assessed value of the local government; and 2.) for each special district in the county, 1 plus the 5-year average percentage change in the assessed value of the special district. The factor rule for special districts is based on the growth in assessed value only as no population estimates are available for special districts. For example, if the 5-year average percentage change in population is 2.0 percent (.02) and the 5-year average percentage change in assessed value is 5.0 percent (.05) for a local government, then the 1-Plus Factor is 1.07 (1 + .02 + .05) for the local government. If the 5-year average percentage change in assessed value for a special district is 5.0 percent (.05), then the 1-Plus Factor is 1.05 (1 + .05) for the special district.

7.) The 5-year average percentage change in population is based on the population of each local government over the 5 years preceding the fiscal year in which the distribution is made based on the estimates certified by the Governor pursuant to NRS 360.285. The 5-year average percentage change in assessed value for each local government and special district is based on the estimate, prepared by the Department of Taxation, for assessed value for the fiscal year in which the distribution is made and the 4 years preceding the fiscal year. The assessed value number for each local government and special district includes assessed value attributable to a redevelopment agency, but excludes the portion attributable to the net proceeds of minerals.

TABLE 1 - SECOND TIER

SECOND-TIER DISTRIBUTION OF REVENUE FROM THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (CTX):
EXCESS DISTRIBUTION FACTORS BY COUNTY: 1-PLUS, NO 1-PLUS, OR INTERLOCAL AGREEMENT

Source: Department of Taxation

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012

8.) When the CTX was created by the 1997 legislation, the only rule established was the 1-Plus Factor for determining the distribution shares of any excess CTX revenue to local governments and special districts in a county at the second-tier. Legislation from the 2001 Session created the No 1-Plus Factor but required a 4-year phase-in period from FY 2002 to FY 2005 to transition from the 1-Plus Factor to the No 1-Plus Factor. Based on issues brought forth regarding the application of the No 1-Plus Factor rule for the distribution shares of excess CTX revenue, amendments were made during the 2003 and 2005 sessions to require the use of the 1-Plus Factor rule when certain conditions are met by the local governments and special districts in a county.

9.) The provisions for determining whether the No 1-Plus Factor or 1-Plus Factor should be used in determining the distribution shares of excess CTX revenue in a county are established in subsections 4, 5, 6, and 7 of NRS 360.690. The default condition is to use the No 1-Plus Factor rule established in subsection 4, unless certain conditions are met as established in subsections 5, 6, and 7, as follows:

<u>Subsection 5</u>: The 1-Plus Factor rule is required to be used if: 1.) the 5-year average in net proceeds of minerals over the fiscal years preceding fiscal year in which distribution is made in the county is equal to or at least $50 million; or 2.) the 5-year average percentage change in population in the county is a negative number; or 3.) the 5-year average in net proceeds of minerals over the fiscal years preceding fiscal year in which distribution is made in the county is equal to or at least $50 million and the 5-year average percentage change in population in the county is a negative number.

<u>Subsection 6</u>: The 1-Plus Factor rule is required to be used if: 1.) the sum of the 5-year average percentage change in population and the 5-year average percentage change in assessed value for each local government (county, city, town) in the county is a negative number; and 2.) the 5-year average percentage change in assessed value for each special district in the county is a negative number.

<u>Subsection 7</u>: A modified 1-Plus Factor rule is required to be used if: 1.) the sum of the 5-year average percentage change in population and the 5-year average percentage change in assessed value for each local government (county, city, town) in the county is a negative number; and 2.) the 5-year average percentage change in assessed value for <u>any</u> special district in the county is a positive number. The modification to the 1-Plus Factor rule is that the 5-year average percentage change in population for the county must be added to the 5-year average percentage change in assessed value of each special district when determining the 1-Plus Factor for each special district in the county.

10.) The excess CTX revenue distribution share is determined for each local government and special district in a county by multiplying each entity's No 1-Plus Factor or 1-Plus Factor, whichever is required, times the local government's or special district's estimated annual base allocation amount (determined pursuant to NRS 360.680) and calculating each local government's and special district's product from this multiplication in proportion to the sum of the product from this multiplication for all local governments and special districts in the county.

11.) Under NRS 360.730, the governing bodies of two or more local governments or special districts, or any combination thereof, may enter into a cooperative agreement that establishes an alternative formula for the second-tier distribution of the CTX revenue amongst the parties entering into the agreement. The governing bodies of each local government or special district that is a party to the agreement must approve the alternative formula by a majority vote. A cooperative agreement may not be terminated unless the governing body of each party to the agreement agrees to terminate the agreement.

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TABLE 2 - SECOND TIER

CONSUMER PRICE INDEX USED TO DETERMINE BASE ESTIMATE AMOUNT FOR SECOND-TIER DISTRIBUTION TO LOCAL GOVERNMENTS AND SPECIAL DISTRICTS UNDER NRS 360.650

Consumer Price Index - All Urban Consumer (All Items, U.S. City Average) for December

Source: Bureau of Labor Statistics of the U.S. Department of Labor

Consumer Price Index for:	Dec. 1, 1997	Dec. 1, 1998	Dec. 1, 1999	Dec. 1, 2000	Dec. 1, 2001	Dec. 1, 2002	Dec. 1, 2003
Used for Calculation in:	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
CPI	161.3	163.9	168.3	174.0	176.7	180.9	184.3
% Change: FY to FY	1.7%	1.6%	2.7%	3.4%	1.6%	2.4%	1.9%

Consumer Price Index for:	Dec. 1, 2004	Dec. 1, 2005	Dec. 1, 2006	Dec. 1, 2007	Dec. 1, 2008	Dec. 1, 2009	Dec. 1, 2010
Used for Calculation in:	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
CPI	190.3	196.8	201.8	210.0	210.2	215.9	219.2
% Change: FY to FY	3.3%	3.4%	2.5%	4.1%	0.1%	2.7%	1.5%

NOTES:

1. Under NRS 360.680, subsection 2, the Consumer Price Index is used to determine the annual adjustment to the base estimate amount for each fiscal year for the second-tier allocation to each local government and special district in each county.
2. Under NRS 377.057, subsection 1, paragraph (a), the Consumer Price Index is used in the formula to determine the adjustment to the SCCRT amount each fiscal year for the guaranteed counties under the first-tier distribution of SCCRT collections to each county.

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TABLE 3 - SECOND TIER

Second-Tier CTX Distribution by Entity: Total, Base and Excess Allocations

Source: Department of Taxation

(Amounts Shown in Millions)

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
CARSON CITY													
Enterprise Districts													
None													
Local Governments													
Carson City													
Total: (Base Actual + Excess Actual)	$18.730	$19.291	$21.062	$22.752	$22.277	$23.832	$25.666	$26.813	$25.949	$23.446	$19.970	$17.477	$18.286
% Change: FY to FY		3.0%	9.2%	8.0%	-2.1%	7.0%	7.7%	4.5%	-3.2%	-9.6%	-14.8%	-12.5%	4.6%
Base Estimate per NRS 360.680													
Excess Actual													
Base Actual less Base Estimate													
Difference as a % of Base Estimate													
Special Districts													
Carson-Truckee Water Conservancy													
Total: (Base Actual + Excess Actual)	$0.024	$0.025	$0.027	$0.029	$0.029	$0.030	$0.032	$0.034	$0.033	$0.030	$0.026	$0.023	$0.024
% Change: FY to FY		2.9%	9.1%	7.2%	-2.5%	5.8%	6.3%	4.3%	-1.3%	-8.1%	-14.8%	-12.5%	4.6%
Base Estimate per NRS 360.680													
Excess Actual													
Base Actual less Base Estimate													
Difference as a % of Base Estimate													
Sierra Forest Fire Protection													
Total: (Base Actual + Excess Actual)	$0.245	$0.252	$0.275	$0.295	$0.287	$0.302	$0.319	$0.332	$0.345	$0.306	$0.261	$0.228	$0.246
% Change: FY to FY		2.9%	9.1%	7.3%	-2.9%	5.3%	5.7%	4.0%	4.0%	-11.2%	-14.8%	-12.5%	7.7%
Base Estimate per NRS 360.680													
Excess Actual													
Base Actual less Base Estimate													
Difference as a % of Base Estimate													
Carson City Summary													
Enterprise Districts - Total	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
% Change: FY to FY													
Local Governments - Total	$18.730	$19.291	$21.062	$22.752	$22.277	$23.832	$25.666	$26.813	$25.949	$23.446	$19.970	$17.477	$18.286
% Change: FY to FY		3.0%	9.2%	8.0%	-2.1%	7.0%	7.7%	4.5%	-3.2%	-9.6%	-14.8%	-12.5%	4.6%
Special Districts - Total	$0.269	$0.277	$0.302	$0.324	$0.315	$0.332	$0.351	$0.365	$0.378	$0.337	$0.287	$0.251	$0.270
% Change: FY to FY		2.9%	9.1%	7.3%	-2.8%	5.3%	5.7%	4.1%	3.5%	-10.9%	-14.8%	-12.5%	7.4%
Carson City - Total All Entities	$18.999	$19.568	$21.364	$23.076	$22.592	$24.164	$26.017	$27.178	$26.327	$23.783	$20.256	$17.728	$18.556
% Change: FY to FY		3.0%	9.2%	8.0%	-2.1%	7.0%	7.7%	4.5%	-3.1%	-9.7%	-14.8%	-12.5%	4.7%

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TABLE 3 - SECOND TIER
Second-Tier CTX Distribution by Entity: Total, Base and Excess Allocations

Source: Department of Taxation
(Amounts Shown in Millions)

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
CHURCHILL COUNTY													
Enterprise Districts													
None													
Local Governments													
Churchill County													
Total: (Base Actual + Excess Actual)	$4.264	$4.533	$4.514	$4.484	$4.790	$5.084	$6.035	$7.013	$6.556	$6.017	$5.927	$4.555	$4.857
% Change: FY to FY		6.3%	-0.4%	-0.7%	6.8%	6.1%	18.7%	16.2%	-6.5%	-8.2%	-1.5%	-23.2%	6.6%
Base Estimate per NRS 360.680													
Excess Actual													
Base Actual less Base Estimate													
Difference as a % of Base Estimate													
Fallon													
Total: (Base Actual + Excess Actual)	$1.221	$1.299	$1.293	$1.285	$1.366	$1.457	$1.632	$1.907	$1.817	$1.792	$1.762	$1.305	$1.410
% Change: FY to FY		6.4%	-0.4%	-0.7%	6.3%	6.7%	12.0%	16.8%	-4.7%	-1.4%	-1.7%	-25.9%	8.0%
Base Estimate per NRS 360.680													
Excess Actual													
Base Actual less Base Estimate													
Difference as a % of Base Estimate													
Special Districts													
Carson-Truckee Water Conservancy													
Total: (Base Actual + Excess Actual)	$0.006	$0.007	$0.007	$0.007	$0.007	$0.008	$0.008	$0.010	$0.009	$0.009	$0.009	$0.007	$0.007
% Change: FY to FY		6.3%	-0.4%	-0.7%	5.8%	5.1%	9.3%	21.5%	-6.6%	-4.9%	-0.7%	-22.1%	6.3%
Base Estimate per NRS 360.680													
Excess Actual													
Base Actual less Base Estimate													
Difference as a % of Base Estimate													
Churchill Mosquito Abatement GID													
Total: (Base Actual + Excess Actual)	$0.213	$0.227	$0.226	$0.224	$0.237	$0.249	$0.273	$0.332	$0.310	$0.294	$0.293	$0.228	$0.242
% Change: FY to FY		6.3%	-0.4%	-0.7%	5.8%	4.9%	9.6%	21.5%	-6.7%	-4.9%	-0.5%	-22.3%	6.3%
Base Estimate per NRS 360.680													
Excess Actual													
Base Actual less Base Estimate													
Difference as a % of Base Estimate													

TABLE 3 - SECOND TIER

Second-Tier CTX Distribution by Entity: Total, Base and Excess Allocations

Source: Department of Taxation

(Amounts Shown in Millions)

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Churchill County Summary													
Enterprise Districts - Total	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
% Change: FY to FY													
Local Governments - Total	$5.484	$5.831	$5.807	$5.769	$6.156	$6.541	$7.668	$8.920	$8.373	$7.809	$7.689	$5.860	$6.267
% Change: FY to FY		6.3%	-0.4%	-0.7%	6.7%	6.2%	17.2%	16.3%	-6.1%	-6.7%	-1.5%	-23.8%	6.9%
Special Districts - Total	$0.220	$0.234	$0.233	$0.231	$0.245	$0.256	$0.281	$0.342	$0.319	$0.303	$0.302	$0.235	$0.249
% Change: FY to FY		6.3%	-0.4%	-0.7%	5.8%	4.9%	9.6%	21.5%	-6.7%	-4.9%	-0.5%	-22.3%	6.3%
Churchill County - Total All Entities	$5.704	$6.065	$6.039	$6.000	$6.401	$6.797	$7.949	$9.261	$8.692	$8.112	$7.991	$6.094	$6.51[illegible]
% Change: FY to FY		6.3%	-0.4%	-0.7%	6.7%	6.2%	16.9%	16.5%	-6.2%	-6.7%	-1.5%	-23.7%	6.9

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TABLE 3 - SECOND TIER

Second-Tier CTX Distribution by Entity: Total, Base and Excess Allocations

Source: Department of Taxation

(Amounts Shown in Millions)

	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
CLARK COUNTY													
Enterprise Districts													
Kyle Canyon Water District	$0.010	$0.010	$0.010	$0.010	$0.010	$0.010	$0.010	$0.010	$0.010	$0.010	$0.010	$0.010	$0.010
Local Governments													
Clark County													
Total: (Base Actual + Excess Actual)	$180.001	$194.114	$204.364	$207.486	$223.508	$264.091	$313.643	$341.791	$340.102	$324.869	$277.392	$249.384	$262.887
% Change: FY to FY		7.8%	5.3%	1.5%	7.7%	18.2%	18.8%	9.0%	-0.5%	-4.5%	-14.6%	-10.1%	5.4%
Base Estimate per NRS 360.680													
Excess Actual													
Base Actual less Base Estimate													
Difference as a % of Base Estimate													
Boulder City													
Total: (Base Actual + Excess Actual)	$5.537	$5.953	$6.258	$6.355	$6.805	$7.818	$8.301	$8.635	$8.818	$8.499	$8.046	$7.630	$7.935
% Change: FY to FY		7.5%	5.1%	1.5%	7.1%	14.9%	6.2%	4.0%	2.1%	-3.6%	-5.3%	-5.2%	4.0%
Base Estimate per NRS 360.680													
Excess Actual													
Base Actual less Base Estimate													
Difference as a % of Base Estimate													
Henderson													
Total: (Base Actual + Excess Actual)	$46.839	$50.678	$53.466	$58.405	$63.897	$78.291	$96.688	$102.988	$99.587	$92.537	$77.752	$70.111	$73.965
% Change: FY to FY		8.2%	5.5%	9.2%	9.4%	22.5%	23.5%	6.5%	-3.3%	-7.1%	-16.0%	-9.8%	5.5%
Base Estimate per NRS 360.680													
Excess Actual													
Base Actual less Base Estimate													
Difference as a % of Base Estimate													
Las Vegas													
Total: (Base Actual + Excess Actual)	$145.731	$157.090	$165.285	$167.791	$179.330	$206.944	$238.041	$264.253	$263.250	$250.914	$219.965	$201.519	$207.962
% Change: FY to FY		7.8%	5.2%	1.5%	6.9%	15.4%	15.0%	11.0%	-0.4%	-4.7%	-12.3%	-8.4%	3.2%
Base Estimate per NRS 360.680													
Excess Actual													
Base Actual less Base Estimate													
Difference as a % of Base Estimate													
Mesquite													
Total: (Base Actual + Excess Actual)	$4.499	$4.926	$5.216	$5.282	$5.744	$6.562	$7.622	$8.398	$9.109	$8.914	$7.254	$6.347	$7.047
% Change: FY to FY		9.5%	5.9%	1.3%	8.7%	14.2%	16.2%	10.2%	8.5%	-2.1%	-18.6%	-12.5%	11.0%
Base Estimate per NRS 360.680													
Excess Actual													
Base Actual less Base Estimate													
Difference as a % of Base Estimate													

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF FERNLEY, NEVADA, a Nevada municipal corporation,

Appellant,

vs.

THE STATE OF NEVADA ex rel. DEPARTMENT OF TAXATION; THE HONORABLE DAN SCHWARTZ, in his official capacity as TREASURER OF THE STATE OF NEVADA; and THE LEGISLATURE OF THE STATE OF NEVADA,

Respondents.

Supreme Court No.: 66851

District Court Case No.: 12 OC 00168 1B

<u>JOINT APPENDIX</u>

<u>VOLUME 4 PART 3</u>

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3	Reply in Support of Motion to Intervene	Nevada Legislature	08/24/12	626-635
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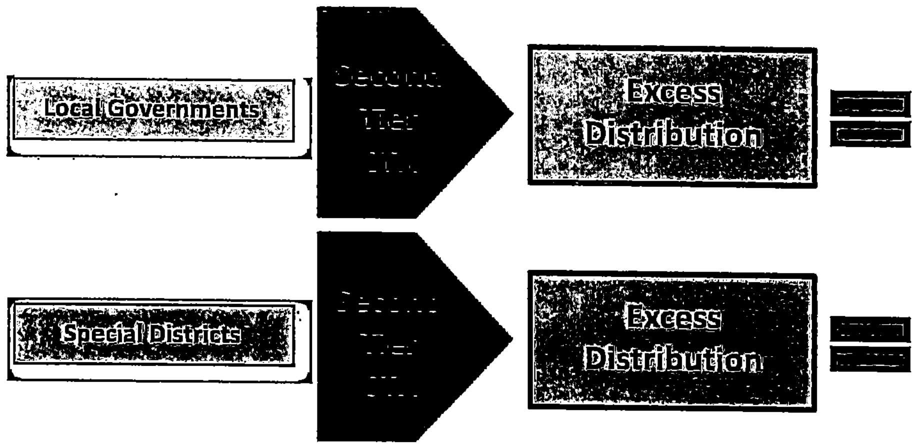
Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(c)- One-Plus and No One-Plus Factors Used to Determine Excess

Second Tier CTX Distribution to Entities within each County

Distribution of Excess Revenue to Local Governments and Special Districts (NRS 360.690)



Formulas based on growth in population and assessed value are used to determine factors (No 1-Plus or 1-Plus) that are used to determine the share of the excess revenue to be distributed among the Local Governments and Special Districts

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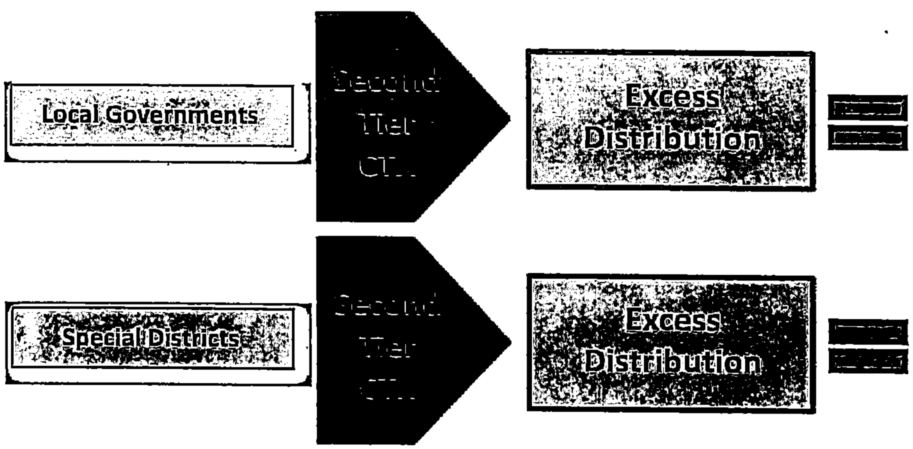
Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(c)- One-Plus and No One-Plus Factors Used to Determine Excess

Second Tier CTX Distribution to Entities within each County

Calculation of No One-Plus



A **local government's No 1-Plus factor** used to determine the distribution of excess revenue is calculated by taking the sum of the:

5 Year Average Percent Change in Population
and
5 Year Average Percent Change in Assessed Value

A **special district's No 1-Plus factor** used to determine the distribution of excess revenue is calculated by taking the:

5 Year Average Percent Change in Assessed Value

Each local government's and special district's Monthly Base Distribution is multiplied by the factor determined above for each entity.

These calculations are added together to create a total for all local governments and special districts – and the Excess Distribution is based on the proportion that each local government and special district's calculation comprises of this total.

THIS IS KNOWN AS THE
NO 1-PLUS DISTRIBUTION!

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(c)- One-Plus and No One-Plus Factors Used to Determine Excess

Second Tier CTX Distribution to Entities within each County

Hypothetical Example of Excess Revenue Distribution Under No One-Plus

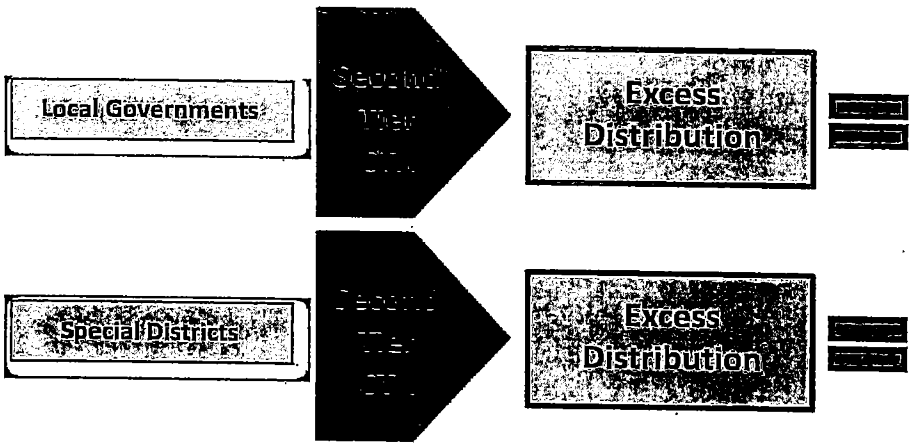
			(A+B)	(C/100)			(DxE)			(HxI)	
	A	B	C	D	E	F	G	H	I	J	K
Sample County	Population Growth 5-Year Average	Assessed Value Growth 5-Year Average	Population Growth + Assessed Value Growth	No 1-Plus Factor	Monthly Base Distribution Amount	% of Total Base	Monthly Base Distribution X No 1-Plus Factor	No 1-Plus Distribution Share	Total Excess Available for Distribution to All Entities	No 1-Plus Excess Distribution	No 1-Plus % of Excess
County	1.5%	3.0%	4.5%	0.045	$300,000	30%	$13,500	25.0%	$100,000	$25,000	25.0%
City 1	2.5%	5.0%	7.5%	0.075	$300,000	30%	$22,500	41.7%	$100,000	$41,667	41.7%
City 2	2.0%	4.0%	6.0%	0.060	$250,000	25%	$15,000	27.8%	$100,000	$27,778	27.8%
Special District 1		2.0%	2.0%	0.020	$100,000	10%	$2,000	3.7%	$100,000	$3,704	3.7%
Special District 2		2.0%	2.0%	0.020	$50,000	5%	$1,000	1.9%	$100,000	$1,852	1.9%
Total					$1,000,000	100%	$54,000	100.0%	$100,000	$100,000	100.0%

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(c)- One-Plus and No One-Plus Factors Used to Determine Excess

Second Tier CTX Distribution to Entities within each County

Calculation of One-Plus



A **local government's factor** used to determine the distribution of excess revenue is calculated by taking **(1+)** the sum of the:

5 Year Average Percent Change in Population
and
5 Year Average Percent Change in Assessed Value

A **special district's factor** used to determine the distribution of excess revenue is calculated by taking **(1+)** the:

5 Year Average Percent Change in Assessed Value

Each local government and special district's Monthly Base Distribution is multiplied by the factor determined above for each entity.

These calculations are added together to create a total for all local governments and special districts – and the Excess Distribution is based on the proportion that each local government and special district's calculation comprises of this total.

THIS IS KNOWN AS THE 1-PLUS DISTRIBUTION!

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(c)- One-Plus and No One-Plus Factors Used to Determine Excess

Second Tier CTX Distribution to Entities within each County

1-Plus

Hypothetical Example of Excess Revenue Distribution Under One-Plus

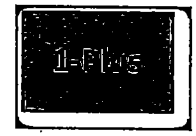
			(A+B)	1+(C/100)			(DxE)			(HxI)	
	A	B	C	D	E	F	G	H	I	J	K
Sample County	Population Growth 5-Year Average	Assessed Value Growth 5-Year Average	Population Growth + Assessed Value Growth	1-Plus Factor	Monthly Base Distribution Amount	% of Total Base	Monthly Base Distribution X 1-Plus Factor	1-Plus Distribution Share	Total Excess Available for Distribution to All Entities	1-Plus Excess Distribution	1-Plus % of Excess
County	1.5%	3.0%	4.5%	1.045	$300,000	30%	$313,500	29.7%	$100,000	$29,744	29.7%
City 1	2.5%	5.0%	7.5%	1.075	$300,000	30%	$322,500	30.6%	$100,000	$30,598	30.6%
City 2	2.0%	4.0%	6.0%	1.060	$250,000	25%	$265,000	25.1%	$100,000	$25,142	25.1%
Special District 1		2.0%	2.0%	1.020	$100,000	10%	$102,000	9.7%	$100,000	$9,677	9.7%
Special District 2		2.0%	2.0%	1.020	$50,000	5%	$51,000	4.8%	$100,000	$4,839	4.8%
Total					$1,000,000	100%	$1,054,000	100.0%	$100,000	$100,000	100.0%

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(c)- One-Plus and No One-Plus Factors Used to Determine Excess

Second Tier CTX Distribution to Entities within each County

Comparison of Hypothetical Examples of Excess Revenue Distribution Under No One-Plus vs. One-Plus



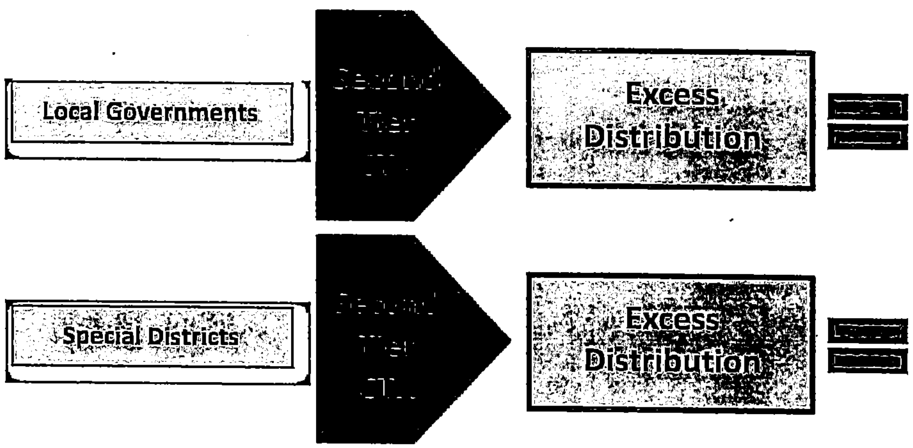
			(A+B)	(C/100)	1+(C/100)			(D1xE)	(D2xE)				(H1xI)	(H2xI)		
	A	B	C	D1	D2	E	F	G1	G2	H1	H2	I	J1	J2	K	K
				Factor						Distribution Share			Excess Distribution Amount		% of Total Excess	
Sample County	Population Growth 5-Year Average	Assessed Value Growth 5-Year Average	Population Growth + Assessed Value Growth	No 1-Plus	1-Plus	Monthly Base Distribution Amount	% of Total Base	Monthly Base Distribution X No 1-Plus Factor	Monthly Base Distribution X 1-Plus Factor	No 1-Plus	1-Plus	Total Excess Available for Distribution to All Entities	No 1-Plus	1-Plus	No 1-Plus	1-Plus
County	1.5%	3.0%	4.5%	0.045	1.045	$300,000	30%	$13,500	$313,500	25.0%	29.7%	$100,000	$25,000	$29,744	25.0%	29.7%
City 1	2.5%	5.0%	7.5%	0.075	1.075	$300,000	30%	$22,500	$322,500	41.7%	30.6%	$100,000	$41,667	$30,598	41.7%	30.6%
City 2	2.0%	4.0%	6.0%	0.060	1.060	$250,000	25%	$15,000	$265,000	27.8%	25.1%	$100,000	$27,778	$25,142	27.8%	25.1%
Special District 1		2.0%	2.0%	0.020	1.020	$100,000	10%	$2,000	$102,000	3.7%	9.7%	$100,000	$3,704	$9,677	3.7%	9.7%
Special District 2		2.0%	2.0%	0.020	1.020	$50,000	5%	$1,000	$51,000	1.9%	4.8%	$100,000	$1,852	$4,839	1.9%	4.8%
Total						$1,000,000	100%	$54,000	$1,054,000	100.0%	100.0%	$100,000	$100,000	$100,000	100.0%	100.0%

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(c)- One-Plus and No One-Plus Factors Used to Determine Excess

Second Tier CTX Distribution to Entities within each County

Use of the One-Plus Factor for Distribution Under NRS 360.690, Subsection 5



Pursuant to NRS 360.690, Subsection 4, the No 1-Plus formula is the default formula used for the distribution of Excess Revenue to Local Governments and Special Districts...

...unless certain conditions regarding population growth, assessed value growth and net proceeds of minerals growth are met.

- If the average net proceeds of minerals in the county over the previous five fiscal years exceeds $50 million;

- If the average change in population in the county over the previous five fiscal years is negative;

Or Both

- If the average net proceeds of minerals in the county over the previous five fiscal years exceeds $50 million; and

- If the average change in population in the county over the previous five fiscal years is negative;

Pursuant to NRS 360.690, Subsection 5, the 1-Plus formula is used for the distribution of Excess Revenue if any of these events occur.

Case No. 66851
JA 778

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Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(c)- One-Plus and No One-Plus Factors Used to Determine Excess

Second Tier CTX Distribution to Entities within each County

Use of the One-Plus Factor for Distribution Under NRS 360.690, Subsection 6

Local Governments → Second Tier CTX → Excess Distribution

Special Districts → Second Tier CTX → Excess Distribution

Pursuant to NRS 360.690, Subsection 4, the No 1-Plus formula is the default formula used for the distribution of Excess Revenue to Local Governments and Special Districts...

No 1-Plus

...unless certain conditions regarding population growth, assessed value growth and net proceeds of minerals growth are met.

•If the average change in population and assessed value in **each** local government is negative, and the average change in assessed value in **each** special district is negative.

Pursuant to NRS 360.690, Subsection 6, the 1-Plus formula is used for the distribution of Excess Revenue if this event occurs.

1-Plus

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(c)- One-Plus and No One-Plus Factors Used to Determine Excess

Second Tier CTX Distribution to Entities within each County

Use of the One-Plus Factor for Distribution Under NRS 360.690, Subsection 7

Local Governments → Second Tier CT... → Excess Distribution

Special Districts → Second Tier CT... → Excess Distribution

Pursuant to NRS 360.690, Subsection 4, the No 1-Plus formula is the default formula used for the distribution of Excess Revenue to Local Governments and Special Districts...

No 1-Plus

...unless certain conditions regarding population growth, assessed value growth and net proceeds of minerals growth are met.

•If the average change in population and assessed value in **each** local government is negative, but the average change in assessed value in **any** special district is positive.

Special Districts

1-Plus — Under 1-Plus - The 1-Plus factor for Special Districts is based on **Assessed Value growth within the Special District only.**

Modified 1-Plus — Under the Modified 1-Plus, the 1-Plus factor for Special Districts is based on **Population growth within the County and Assessed Value growth within the Special District**

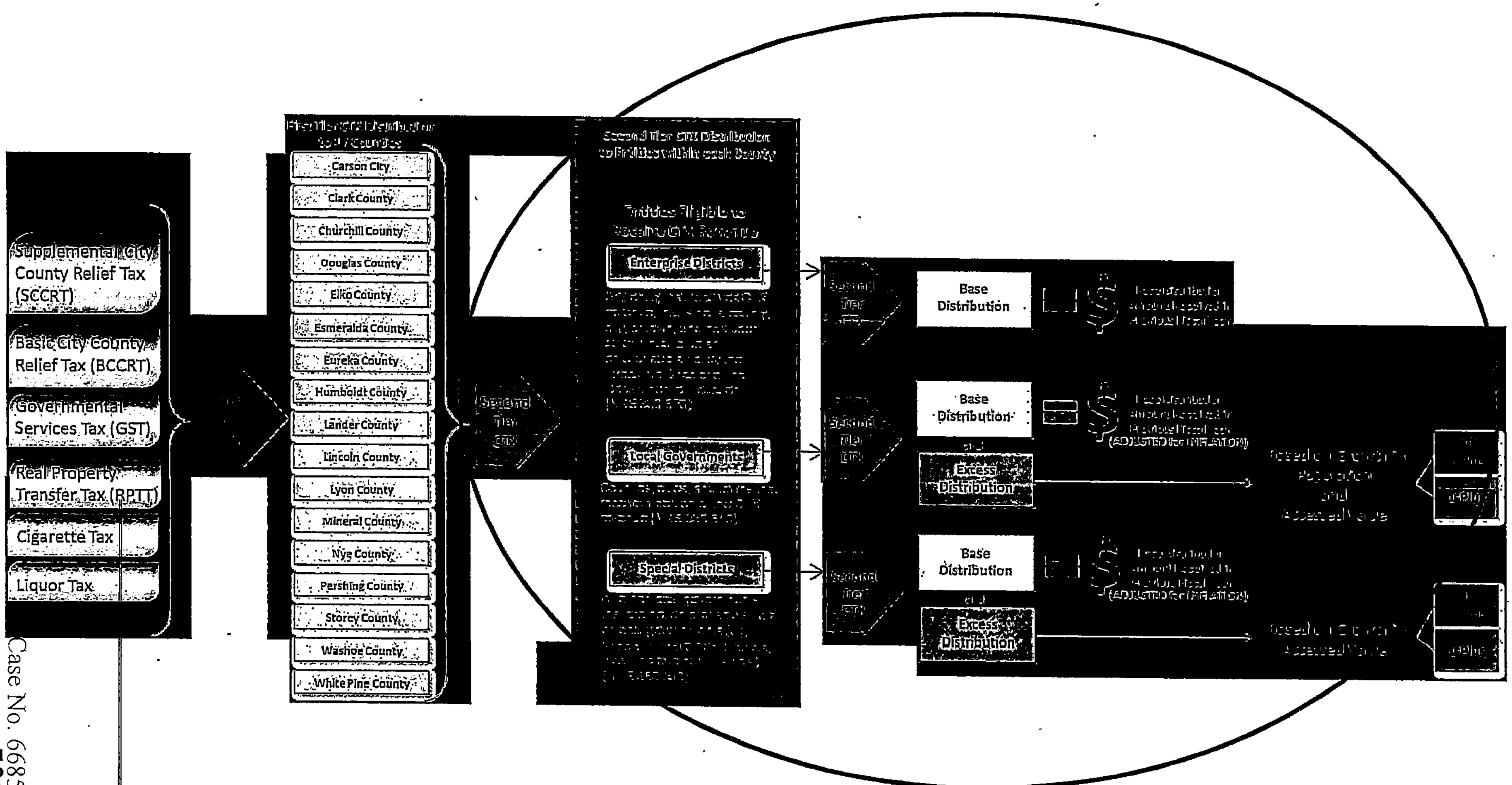
Pursuant to NRS 360.690, Subsection 7, a modified 1-Plus formula is used for the distribution of Excess Revenue

Modified 1-Plus

Case No. 66851
JA 780
57

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX
Agenda Item VI(d)

ADDITIONAL ISSUES RELATED TO DISTRIBUTION AND USE OF SECOND-TIER CTX REVENUES



Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Possible Adjustment to Local Government's or Special District's Base Annual Allocation Amount after Decrease in Population and Assessed Value
NRS 360.695

If the population and assessed value for a local government or special district in a county has decreased each of the three fiscal years preceding the current fiscal year, the Department of Taxation is required to review the base annual allocation amount, calculated under NRS 360.680, to determine whether to adjust the amount.

> If the Department determines an adjustment to the base annual allocation amount is necessary, the Department shall submit its findings to the Committee on Local Government Finance (CLGF).
>
> The CLGF is required to review the Department's findings and make a determination whether an adjustment is appropriate or not.
>
> > If the CLGF finds an adjustment is appropriate, it must submit a recommendation to the Nevada Tax Commission on the amount of the recommended adjustment.
> >
> > If the CLGF determines an adjustment is not appropriate, the decision is not subject to review by the Commission.

The Commission is required to hold a public hearing after receiving the recommendation on the adjustment from the CLGF with material relevant to the recommendation provided to each local government and special district in the county.

> If the Commission determines the CLGF's recommended adjustment is appropriate, it must order the Department to adjust the annual base allocation amount determined pursuant to NRS 360.680.

Case No. 66851
JA 782
59

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Provisions Relating to the Pledge of CTX Revenue to the Payment of Bonds
NRS 360.700, 360.698, and 360.720

Under NRS 360.700, the Department of Taxation is required to ensure that each enterprise district, local government, or special district receives CTX revenue at least equal to the amount which would have been received before July 1, 1998, that was pledged to the payment of bonds or other types of obligations that:

1.) on or before July 1, 1998, received any portion of one of the six revenue sources included in the CTX; and
2.) pledged a portion of any of these six revenue sources to secure the payment of bonds or other types of obligations,

Under NRS 360.698, a local government or special district, which receives CTX revenue, may pledge not more than 15 percent of that revenue to the payment of any general obligation bond or revenue bond issued pursuant to NRS Chapter 350.

For bonds issued under this section of NRS before July 1, 1998, a pledge of 15 percent of the CTX revenue is substituted for the pledge of 15 percent of the SCCRT revenue distributed under NRS 377.057 as the section existed on January 1, 1997.

The percentage is required to be increased to the extent necessary to provide a pledge to those bonds that is equivalent to the of 15 percent of the SCCRT revenue distributed under NRS 377.057 as the section existed on January 1, 1997.

Under NRS 360.720, an enterprise district cannot pledge any portion of their CTX revenue to secure the payment of bonds or other obligations.

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Inter-local Agreement to Establish Alternative Formula for Distribution of CTX Revenue at the Second-Tier
NRS 360.730

The governing bodies of two or more local governments or special districts, or any combination thereof, may enter into an inter-local agreement that establishes an alternative formula for the distribution of the second-tier CTX revenue amongst the parties in the agreement.

> The governing bodies of each local government or special district that is a party to the agreement must approve the alternative formula by a majority vote.
>
> An inter-local agreement may not be terminated unless the governing body of each local government or special district that is a party to the agreement agrees to terminate the agreement.

The governing bodies of the local governments and special districts that have entered into an inter-local agreement may amend the terms of the agreement by majority vote.

> The terms of the agreement cannot be amended more than once during the first two years after the agreement is effective and once every year thereafter, unless the CLGF approves the amendment.

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Inter-local Agreement to Establish Alternative Formula for Distribution of CTX Revenue at the Second-Tier (Continued)
NRS 360.730

County clerk is required to transmit a copy of the agreement to the Department of Taxation:

> Within 10 days after the agreement is approved by each of the governing bodies that parties to the agreement; and
>
> Not later than December 31 of the year preceding the fiscal year that will be governed by the agreement.

Department of Taxation is required to continue to calculate the amount of CTX revenue each entity that is a party to the agreement would receive under the base and excess distribution provisions in NRS 360.680 and 360.690.

> If an agreement is terminated, the Department must distribute the CTX revenue according to these calculations and the provisions of NRS 360.680 and 360.690.

The CTX revenue continues to be distributed under the base and excess allocation formulas in NRS 360.680 and 360.690 to any local governments and special districts in the county not a party to the inter-local agreement.

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Governmental Entity Created between July 1, 1996, and July 1, 1998, Ability to Receive CTX Revenue
NRS 360.720

Under NRS 360.720, a governmental entity created between July 1, 1996, and July 1, 1998, cannot receive CTX revenue unless it provides police protection and at least two of these three services: 1.) fire protection, 2.) construction, maintenance, and repair of roads; or 3.) parks and recreation, using the definitions for these four government service categories as provided in subsection 8 of NRS 360.740.

Newly Created Local Government or Special District Ability to Receive CTX Revenue
NRS 360.740

The governing body of a local government or special district that is created after July 1, 1998, (New Entity) may, by majority vote, request the Nevada Tax Commission to direct the Department of Taxation to make base and excess allocations of CTX revenue to the New Entity pursuant to the provisions of NRS 360.680 and 360.690.

To be eligible to make the request to the Commission, the New Entity must provide police protection and at least two of these three services: 1.) fire protection, 2.) construction, maintenance, and repair of roads; or 3.) parks and recreation, using the definitions for these four government service categories as provided in subsection 8 of NRS 360.740.

The New Entity may enter into an inter-local agreement with another governmental entity for the provision of these services if the New Entity compensates the governmental entity in amount equal to the value of those services provided.

A governing body of a New Entity that submits a request to the Commission must submit the request to the Department of Taxation on or before December 31 of the year preceding the fiscal year in which CTX revenue would be distributed to the New Entity.

Copies of the request and any information submitted to the Department supporting the request must be provided to each existing local government and special district in the county receiving CTX revenue.

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Newly Created Local Government or Special District Ability to Receive CTX Revenue (Continued)
NRS 360.740

The Department is required to review the request and submit its findings to the Committee on Local Government Finance (CLGF).

The Department is required to establish an amount of CTX revenue to be allocated to the New Entity under the provisions of NRS 360.680 and 360.690 for the initial fiscal year of distribution to the new entity.

If the New Entity will provide a service that was provided by another local government or special district before the creation of the New Entity, the amount of CTX revenue allocated to the existing governmental entity which previously provided the service must be decreased by the amount allocated to the New Entity.

The Department must consider the effect of the distribution of CTX revenue to the New Entity on the amount of CTX revenue that existing local governments and special districts in the county will receive.

The Department must also compare the amount of CTX revenue that would be allocated to the New Entity to the amount of CTX revenue allocated the other existing local governments and special districts in the county.

The CLGF is required to review the Department's findings and:

If the CLGF determines the distribution of CTX revenue to the New Entity is appropriate, it must submit a recommendation to the Nevada Tax Commission.

If the CLGF determines a distribution is not appropriate, the decision is not subject to review by the Commission.

The Commission is required to hold a public hearing after receiving the recommendation on the adjustment from the CLGF with material relevant to the CLGF's recommendation provided to each local government and special district in the county.

If the Commission determines the CLGF's recommended adjustment is appropriate, it must order the Department to distribute CTX revenue to the new local government or special district pursuant to NRS 360.680 and 360.690.

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Initial Calculation of Base Revenue Amounts for Enterprise Districts, Local Governments and Special Districts
Senate Bill 254 of the 1997 Session

Entities that received at least one of the six revenue sources making up the CTX before July 1, 1998, were eligible to receive a base allocation at the second tier of the CTX

For the initial base calculation for the first distribution in FY 1999, the Department of Taxation was required to distribute base revenues as follows:

- ❖**Enterprise districts** received the average amount of proceeds received from each of the six taxes that the district received during Fiscal Years 1996 and 1997.

- ❖**Local Governments and Special Districts** received the average amount of proceeds received from each of the six taxes that the district received during Fiscal Years 1996 and 1997, multiplied by one plus the percentage change between the:
  - o Total amounts received by the local governments and special districts located in the same county during FY 1997; and
  - o Average of the total amounts received by the local governments and special districts in the same county during FY 1996 and FY 1997.

This product was then multiplied by one plus the percentage change in the Consumer Price Index between July 1, 1997, and December 1, 1997, to determine the base amount for each entity in FY 1999.

For unincorporated towns who were allowed to include a debt rate in its maximum allowed property tax revenue pursuant to NRS 354.5987, the average and total amounts used for the base calculation were required to be adjusted to determine the initial base for FY 1999.

Case No. 66851
JA 788
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Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Appeal of Initial Calculation of Base Revenue Amounts for Local Governments and Special Districts
Senate Bill 254 of the 1997 Session

The governing body of any local government receiving any portion of proceeds from the six revenue sources before July 1, 1998, was permitted to submit a request to the Department of Taxation to adjust the calculation of their initial base for FY 1999, as was calculated in Senate Bill 254 of the 1997 Session

- ❖The request was to be made to the Department no later than **December 31, 1997**

The Department was required to consider several factors, including:

- ❖The revenues available to the local government or special district in FY 1981;
- ❖The property tax levied by the local government or special district in FY 1981;
- ❖The change in the property tax rate for the five years immediately preceding FY 1981;
- ❖The change in assessed valuation for the five years immediately preceding FY 1981, excluding the net proceeds of minerals;
- ❖The effect that an adjustment would have on other local governments or special districts in the county; and
- ❖The factors, if any, that caused the local government or special district to experience growth or other effects not properly accounted for in the SCCRT distribution factors used before July 1, 1998.

The Committee on Local Government Finance (CLGF) was required to review the findings of the Department and determine whether an adjustment is appropriate. If the CLGF determined an adjustment was appropriate, it was required to submit a recommendation to the Nevada Tax Commission specifying the amount of adjustment recommended. If the CLGF determined that an adjustment was not appropriate, then no action would be taken, and the decision was not subject to review by the Nevada Tax Commission.

If the CLGF made a recommendation to the Tax Commission, the Commission was required to hold a public meeting within 30 days to review the recommendation, based on the information submitted by the Department and the CLGF. If the Commission determined that the adjustment was appropriate, the Department was required to adjust the base amount for that entity by the specified amount in the recommendation.

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Distribution of CTX Revenue at the Second Tier to Library Districts

Currently, there are a total of eight library districts receiving a portion of CTX revenue at the second tier:

Clark County: Boulder City Library District, Henderson Library District, Las Vegas/Clark County Library District
Nye County: Amargosa Library District, Beatty Library District, Pahrump Library District, Smoky Valley Library District, Tonopah Library District

At the time that the CTX was created, each of these library districts was receiving revenue from SCCRT and/or GST; thus, under the provisions establishing the initial CTX base in Senate Bill 254 of the 1997 Session, these entities were eligible to receive CTX revenue on an ongoing basis beginning in FY 1999.

Assembly Bill 441 (1993)

❖Amended the charter of the City of North Las Vegas by adding a new section authorizing the creation of a library district by the city council

Sec. 2.310 Powers of city council: Creation of library district.
1. The city council may create a municipal library district to include all of the territory of the city except any such territory included within another library district on the date of creation of the municipal library district. The city council may designate itself as the governing authority of the municipal library district or may appoint a board of trustees as the governing authority.
2. The governing authority of the municipal library district has the powers and duties provided for the trustees of a public library by NRS 379.025, and the city council may provide for a tax upon all taxable property in the district at the same rate as is levied for the same year for the consolidated library district which includes the City of Las Vegas.
3. The district is not entitled to receive any distribution of supplemental city-county relief tax.

Because the provisions of the bill specifically excluded the North Las Vegas Library District from receiving SCCRT revenue, they were not receiving any portion of the six revenues that make up the first tier of the CTX prior to its creation; thus, under the provisions creating the initial base distributions in Senate Bill 254 of the 1997 Session, the North Las Vegas library district was not eligible to receive any distribution of revenue under the CTX beginning in FY 1999.

Case No. 66851
JA 790

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Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Legislation Affecting Second-Tier CTX Distribution Among Local Governments and Special Districts

Senate Bill 534 (1999)

- ❖Implemented the provisions of NRS 360.695, which allow for base allocations for local governments or special districts to be adjusted in certain circumstances

Assembly Bill 10 of the 17th Special Session (2001)

- ❖Specified that the annual base allocation for a local government or a special district was only the prior year's annual base allocation adjusted for the change in the Consumer Price Index (CPI), rather than the total allocation in the prior year (base plus excess) adjusted for the CPI

- ❖Phased out the one-plus formula for allocation of excess revenue in favor of the no one-plus formula over a four-year period beginning in FY 2002, with the formula fully at no one-plus beginning in FY 2005

- ❖Provided for an adjustment of the annual base allocation for the City of Henderson of $4 million, beginning in FY 2002

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Legislation Affecting Second-Tier CTX Distribution Among Local Governments and Special Districts (Continued)

<u>Senate Bill 469 (2003)</u>

Required the use of the one-plus formula in counties where the sum of the average population growth and average assessed valuation growth for all local governments is negative, and the average change in assessed valuation for all special districts is also negative

Required the use of a modified one-plus formula in counties where the sum of the average population growth and average assessed valuation growth for all local governments is negative, but the average change in assessed valuation for any special district is positive

> The modified one-plus formula requires special districts to account for the 5-year average change in the county's population, in addition to its change in assessed valuation, in computing the one-plus factor

Required the monthly base allocation to be reduced in proportion to each local government's and special districts share of the total base allocation in a county, in the event that there was not enough money for the Department of Taxation to distribute the total monthly base allocation to each local government and special district

<u>Senate Bill 38 (2005)</u>

Required the use of the one-plus formula in counties where one of the following criteria are met:

- The average net proceeds of minerals for the county for the five immediately preceding fiscal years was $50 million or more
- The county's average population growth for the five immediately preceding years is negative
- The average net proceeds of minerals for the county for the five immediately preceding fiscal years was $50 million or more **<u>and</u>** the county's average population growth for the five immediately preceding years is negative

Case No. 66851
JA 792

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Legislation Creating Interim Committees or Studies Related to the Consolidated Tax Distribution

Senate Concurrent Resolution 40 (1995)

Required the Legislative Commission to appoint a subcommittee consisting of three members of the Senate Government Affairs Committee and two members of the Assembly Government Affairs Committee to examine:

- ❖The current allocation of responsibility among the state, counties and cities for the provision of services;
- ❖The methods used by other states to provide flexibility to their local governments in the provision of services;
- ❖The most appropriate method for delegating broader authority to county and city governments; and
- ❖The existing statutory provisions that provide direction to county and city governments, including, but not limited to, chapters 244 and 268 of NRS

The committee chair was required to appoint an advisory committee tasked with obtaining the information necessary for the study. The members of the advisory committee consisted of:

- ❖One member involved in the government of the City of Las Vegas;
- ❖One member involved in the government of a city organized under general law;
- ❖One member involved in the government of a city organized by charter;
- ❖One member involved in the government of Clark County;
- ❖One member involved in the government of Washoe County;
- ❖One member involved in the government of a rural county; and
- ❖Two members of the general public

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Legislation Creating Interim Committees or Studies Related to the Consolidated Tax Distribution

Senate Concurrent Resolution 40 (1995) (Continued)

The recommendations of the Subcommittee to the 1997 Session of the Legislature included legislation that would:

- ❖Provide for a new formula for the distribution among the local governments within a county of BCCRT, SCCRT, Liquor, Tobacco, RPTT, and the Motor Vehicle Privilege Tax
- ❖Provide for appropriate adjustments to the bases of the formula for revenue distribution of one or more local governments when previous functions are taken over or no longer exist
- ❖Allow two or more local governments within the same county to agree by cooperative agreement to alternative formulae for revenue distribution
- ❖Provide transitory language allowing a local government to request an adjustment to the base of the formula for revenue distribution purposes
- ❖Provide for the number and type of services required to be provided by a new entity for inclusion in the formula for revenue distribution and to freeze the revenues of "enterprise" special districts at the base year
- ❖Create a legislative committee to continue the study of the distribution among local governments of revenue from state and local taxes

The Subcommittee also recommended that the SCR 40 Advisory Committee continue its analyses of local government revenues and to report its findings and recommendations to the Assembly and Senate Committees on Government Affairs during the 1997 Session

The recommendations of the Subcommittee were enacted in Senate Bill 254 of the 1997 Session, which created the CTX

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Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Legislation Creating Interim Committees or Studies Related to the Consolidated Tax Distribution

Senate Bill 253 (1997)

Created a statutory legislative committee for the 1997-1998 and 1999-2000 interims to study the distribution among local governments of revenue from state and local taxes, including the:

- Local School Support Tax
- Motor vehicle and aviation fuel taxes
- Liquor Taxes
- Special Fuel Taxes
- Tobacco Taxes
- Motor Vehicle Privilege Tax
- Gaming License Taxes
- Real Property Transfer Taxes
- Any other state or local tax

The membership of the committee consisted of:

- Two members of the Senate Government Affairs Committee;
- Two members of the Senate Taxation Committee;
- Two members of the Assembly Government Affairs Committee; and
- Two members of the Assembly Taxation Committee

The committee was required to consult with an advisory committee consisting of the Executive Director of the Department of Taxation and eight additional members appointed by the Legislative Commission:

- Two members of the Committee on Local Government Finance
- Three members involved in the government of a county
- Three members involved in the government of an incorporated city

The provisions creating the committee expired on June 30, 2001.

Legislation Creating Interim Committees or Studies Related to the Consolidated Tax Distribution

Senate Bill 253 (1997) (Continued)

As a result of meetings held during the 1997-98 interim, the recommendations of the interim committee to the 1999 Session of the Legislature included:

Providing for the review of the base monthly allocation of a local government for possible adjustment if the population and assessed valuation of the local government have decreased for more than three consecutive years; and
Including the assessed valuation attributable to a redevelopment agency in the calculation of the assessed valuation of a local government or a special district for the purposes of distribution from the Local Government Tax Distribution Account

These provisions were enacted by the Legislature in Senate Bill 534 and Senate Bill 535 of the 1999 Session.

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(d) – Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

Legislation Creating Interim Committees or Studies Related to the Consolidated Tax Distribution

Senate Bill 557 (2001)

Revised the prospective June 30, 2001, sunset of the interim committee created by Senate Bill 253 of the 1997 Session, extending the sunset of the committee until June 30, 2005

During the 2001-02 interim, the interim committee met and developed the following recommendations to the 2003 Legislature:

Adjust the consolidated tax distribution formula to allocate to each local government and special district an amount equal to its proportionate percentage of the total amount of the base monthly allocations when there is insufficient money in the county's subaccount to make the actual base monthly allocation.
Adjust the CTX distribution formula to use one-plus when all entities in a county have a negative excess distribution factor because of negative growth in population and assessed value
Adjust the CTX distribution formula to use county population as a second growth factor when county population is declining at a greater rate than assessed valuation is increasing, to ensure that special districts do not receive all of the excess revenue

The recommendations of the interim committee were enacted as a result of Senate Bill 469 of the 2003 Session

CTX REVENUE
SOURCES

TABLE 1
Overview of the Six Revenue Sources Making Up the First Tier of the Local Government Tax Distribution Account or Consolidated Tax Distribution (CTX) under Current Statute

Revenue Source	Summary	Rate	Distribution of Rate	FY 2011 Revenue to Local Governments Through CTX
Supplemental City-County Relief Tax (SCCRT)	Portion of statewide 6.85 percent tax imposed upon the taxable sale or use of tangible personal property. The Legislature made imposition mandatory in all counties during the 1981 Session.	1.75 percent on the taxable sale or use of tangible personal property in the state.	* Guaranteed counties receive a fixed monthly distribution of in-state and out-of-state SCCRT proceeds from the Local Government Tax Distribution Account, based on statutory formulas. * Non-guaranteed counties receive a monthly distribution of in-state and out-of-state SCCRT proceeds that remain after the guaranteed distributions are made, in proportion to that county's SCCRT revenue as a share of all non-guaranteed counties' SCCRT revenue.	$679,996,548
Basic City-County Relief Tax (BCCRT)	Portion of statewide 6.85 percent tax imposed upon the taxable sale or use of tangible personal property. First authorized during the 1969 Session as an optional tax; Legislature made imposition mandatory in all counties during the 1981 Session.	0.5 percent on the taxable sale or use of tangible personal property in the state.	Proceeds from in-state collections are returned to the county in which the collections were generated. Proceeds from out-of-state collections are returned to the counties in proportion to each county's share of the statewide population.	$194,354,954
Governmental Services Tax (GST)	Tax imposed in lieu of a personal property tax upon motor vehicles operated in the state. Pursuant to Article 10, Section 1 of the *Nevada Constitution*, the rate imposed may not exceed 5 cents per dollar of the value of the vehicle. Originally called the Motor Vehicle Privilege Tax, this revenue source was first enacted during the 1963 Session.	4 cents per dollar of value, as established pursuant to statutory rules. An optional supplemental rate of up to 1 cent per dollar is imposed in Churchill and Clark Counties.	After a portion of the revenue is distributed to the State General Fund, the remaining revenue is distributed to the county in which the vehicle is registered and distributed between the county's school district and the Local Government Tax Distribution Account via statutory formulas contained in NRS 482.181. For vehicles registered as motor carriers pursuant to Chapter 706 of NRS, the amount distributed to each county for distribution between the school district and the Local Government Tax Distribution Account is based upon percentages contained within NRS 482.181.	$120,436,227

Prepared by the Fiscal Analysis Division

TABLE 1
Overview of the Six Revenue Sources Making Up the First Tier of the Local Government Tax Distribution Account or Consolidated Tax Distribution (CTX) under Current Statute

Revenue Source	Summary	Rate	Distribution of Rate	FY 2011 Revenue to Local Governments Through CTX
Real Property Transfer Tax (RPTT)	Tax levied on the value of real property transferred from one person to another where the value of the transfer, exclusive of any encumbrance, exceeds $100. The tax is collected by the county recorder when the deed showing the transfer of title is to be recorded. The first RPTT was approved by the Legislature during the 1967 Session.	* Clark County: $2.55 per $500 of value * Washoe and Churchill Counties: $2.05 per $500 of value * All other counties: $1.95 per $500 of value	In Clark County, 60 cents is transferred to the Clark County School District's Capital Construction Fund. In Washoe and Churchill Counties, 10 cents is transferred to the county general fund. In all 17 counties, the distribution of $1.95 of the rate is as follows: * $1.30 to State General Fund * 10 cents to Low-Income Housing Trust Fund * 55 cents to Local Government Tax Distribution Account. The money placed in this account is returned to the county in which the transfer was recorded.	$22,033,292
Cigarette Tax	Excise tax levied on each cigarette sold at wholesale in the state. Tax is paid by wholesalers based on the stamp affixed to each package of cigarettes. The first portion of the cigarette tax approved for local government revenue was enacted during the 1949 Session.	40 mills per cigarette (80 cents per pack of 20)	35 mills per cigarette (70 cents per pack) to State General Fund, and 5 mills per cigarette (10 cents per pack) to Local Government Tax Distribution Account for distribution to each county in proportion to its share of the statewide population.	$11,838,432
Liquor Tax	Excise tax imposed upon wholesalers of intoxicating beverages imported or sold in the state. The first liquor tax was imposed statewide during the 1933 Session; local governments first received a share of the revenue during the 1969 Session.	* Malt beverages: 16 cents/gallon * Liquor containing 1/2 percent up to and including 14 percent alcohol: 70 cents/gallon * Liquor containing more than 14 percent up to and including 22 percent alcohol: $1.30/gallon * Liquor containing more than 22 percent alcohol: $3.60/gallon	All proceeds from this tax are deposited in the State General Fund, with the exception of the proceeds from 65 cents of the rate on liquor containing more than 22 percent alcohol. Of that 65 cents, 15 cents are transferred to the Tax on Liquor Program Account, and 50 cents are placed in the Local Government Tax Distribution Account and distributed to counties in proportion to each county's share of the statewide population.	$3,318,381

TABLE 2 - SCCRT

Overview and History of the Six Revenue Sources Making Up the First Tier of the Local Government Tax Distribution Account and the Consolidated Tax Distribution (CTX)

Revenue Source

Supplemental City-County Relief Tax (SCCRT)

Description

Portion of the statewide 6.85 percent sales and use tax rate imposed on the taxable sale or use of tangible personal property. (State General Fund: 2 percent; Local School Support Tax: 2.6 percent; BCCRT: 0.5 percent; SCCRT: 1.75 percent)

Additional local option taxes collected in 12 of Nevada's 17 counties create a total sales tax rate between 6.85 percent and 8.1 percent, depending on the county.

Current Rate and Distribution

1.75 percent on the taxable sale or use of tangible personal property in the state. The tax is collected and remitted to the Department of Taxation, less a 0.25 percent collection allowance that may be kept by the taxpayer.

Distribution to Counties Under First Tier of the CTX Under Current Statute

Guaranteed Counties

Proceeds from the tax derived from in-state and out-of-state sales, less a 1.75 percent commission deposited in the State General Fund to defray the costs of collecting the tax, are remitted to the Local Government Tax Distribution Account and are first distributed monthly to Douglas, Esmeralda, Lander, Lincoln, Lyon, Mineral, Pershing, Storey, and White Pine Counties, as guaranteed counties, in an amount equal to one-twelfth of the amount distributed to each county in the prior fiscal year, multiplied by one plus the lesser of the percentage change in the total receipts from the SCCRT from the fiscal year 2 years preceding the immediately preceding fiscal year to the fiscal year preceding the immediately preceding fiscal year, or the percentage change in the population in the county, as certified by the Governor, added to the percentage change in the Consumer Price Index for the year ending on December 31 next preceding the year of distribution.

If the amount of SCCRT revenue collected in a guaranteed county in the 12-month period for which actual information is available on February 15 of each year is more than 10 percent higher than the guaranteed amount distributed, the guaranteed county must be moved to non-guarantee status, unless a waiver of this requirement is granted by the Tax Commission. The Tax Commission shall allow a waiver of the requirement to move to non-guarantee status if it is established that the SCCRT growth in the county was as a result of nonrecurring taxable sales, and not as a result of normal or sustainable growth in taxable sales.

Pursuant to NRS 377.050, the minimum monthly SCCRT revenue that must be distributed to each guaranteed county is as follows:

* Douglas County: $580,993
* Esmeralda County: $53,093
* Lander County: $155,106
* Lincoln County: $72,973
* Lyon County: $356,858
* Mineral County: $118,299
* Nye County: $296,609 **(NOTE: Nye County is statutorily listed as guaranteed, but became a non-guaranteed county in FY 2007.)**
* Pershing County: $96,731
* Storey County: $69,914
* White Pine County: $158,863

Distribution to Counties Under First Tier of the CTX Under Current Statute (continued)	
Guaranteed Counties (continued)	Based upon the established statutory formulas, the monthly distribution for each county in FY 2012 is as follows: * Douglas County: $1,060,068 * Esmeralda County: $73,977 * Lander County: $185,355 * Lincoln County: $89,363 * Lyon County: $787,963 * Mineral County: $118,541 * Pershing County: $140,497 * Storey County: $116,860 * White Pine County: $204,031
Non-Guaranteed Counties	After all distributions have been made to guaranteed counties, the remaining amount of collections from in-state and out-of-state sales is made to each non-guaranteed county "in the proportion that the amount of supplemental city-county relief tax for the month bears to the total amount of supplemental city-county relief tax collected for that month" in the non-guaranteed counties. (NRS 377.050 (1) (b))
Legislative History of Distribution to County Under First Tier of CTX Under Current Statute	
No changes to revenue distribution since creation of Local Government Tax Distribution Account.	
Legislative History of Revenue Source (Rates and Distribution to County) Prior to CTX	
Senate Bill 365 (1969)	Authorized counties with one or more incorporated cities to enact an ordinance imposing a sales and use tax rate (County-City Relief Tax) of 0.5 percent within the county. Each incorporated city in the county was required to request that the ordinance be established by the county. (Counties with no incorporated cities were not permitted to enact an ordinance imposing the tax.) The proceeds of the tax, less a collection commission of 1 percent to be kept by the state for credit to the State General Fund, were distributed among local governments as follows: * In counties with one incorporated city, the proceeds were apportioned to the county and city general funds by population, as determined by the last decennial census. * In counties with two or more incorporated cities, the proceeds would be apportioned among the cities by population. Counties were not entitled to a portion of the proceeds of this tax under these circumstances. * Out-of-state collections were apportioned by population among those counties imposing the rate. **NOTE: The provisions of Senate Bill 365 allowed Carson City to impose the County-City Relief Tax upon approval of the Board of Supervisors. The proceeds of the tax, less the collection commission kept by the State, were to be credited to the city's general fund.** The ordinance enacted by the board of county commissioners was required to contain provisions substantially identical to those of the Local School Support Tax Law, which was enacted pursuant to Senate Bill 15 of the 1967 Session. This legislation, which instituted a mandatory statewide sales and use tax rate of 1 percent for the support of K-12 education, permitted a collection allowance of 0.5 percent to be kept by taxpayers who made timely payment of their sales and use tax, to reimburse the cost of collecting the Local School Support Tax (LSST). Thus, the 0.5 percent collection allowance provisions also applied to the County-City Relief Tax.
Assembly Bill 288 (1971)	Expanded the authority to impose this tax to all counties without incorporated cities. In these counties, all proceeds, less the commission retained by the State, were to be remitted to the county's general fund.
Assembly Bill 317 (1975)	Revised the name of the tax to the "City-County Relief Tax" (CCRT).

Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)	
Assembly Bill 369 (1981)	Increased the CCRT rate from 0.5 percent to 2.25 percent and made imposition of the tax mandatory in all 17 counties. The original 0.5 percent portion of the rate was known as the Basic City-County Relief Tax (BCCRT), and the increased portion (1.75 percent) was known as the Supplemental City-County Relief Tax (SCCRT). Revenue generated from taxes, fees, penalties, and interest generated from the SCCRT portion, both in-state and out-of-state, was distributed using the following formulas: 1) Each county received $20,000 per month. 2) An additional $71,110 per month in FY 1982 (reduced by $7,111 in each fiscal year, beginning in FY 1983) would be distributed to the following local governments by their respective percentage: * Churchill County: 3.23 percent * City of North Las Vegas: 46.52 percent * City of Carlin: 2.72 percent * Esmeralda County: 0.20 percent * Eureka County: 0.71 percent * City of Winnemucca: 5.56 percent * City of Caliente: 0.46 percent * City of Yerington: 4.77 percent * Mineral County: 9.96 percent * City of Gabbs: 4.31 percent * Pershing County: 2.52 percent * City of Lovelock: 5.77 percent * White Pine County: 5.37 percent * City of Ely: 7.90 percent 3) An amount equal to the basic ad valorem revenue is to be distributed as equally as possible among the counties by the Department of Taxation. (Basic ad valorem revenue is the rate levied for the county times the assessed value, with a maximum rate of 80 cents per $100 of assessed value for counties whose rate was less than 50 cents in FY 1981, and a maximum rate of $1.10 per $100 in assessed value for those counties whose rate was higher than 50 cents in FY 1981.) The amount distributed within each county to the various local governments (excluding school districts) was required to be in proportion with each local government's share of the basic ad valorem revenue to the total basic ad valorem revenue for the county. 4) Any excess revenue reverted to the reserve fund for the SCCRT established within the bill. Assembly Bill 369 decreased the commission that may be kept for credit to the State General Fund to defray the costs of collecting the tax from 1 percent to 0.5 percent, and also increased the taxpayer collection allowance that may be kept for timely payment of the SCCRT (in addition to the LSST, BCCRT, and other local sales and use taxes) from 0.5 percent to 1.5 percent. This change made the taxpayer collection allowance consistent among all sales and use tax rates, as the allowance for the 2% sales tax rate for the State General Fund was reduced from 2 percent to 1.5 percent in the bill. The provisions of Assembly Bill 369 requiring the collection of a 1.75 percent SCCRT were to expire on June 30, 1983. Effective July 1, 1983, the combined rate for the SCCRT and BCCRT would revert to the original 0.5 percent rate previously established for the CCRT.
Senate Bill 411 (1981)	Created a formula to determine the maximum revenue that could be generated for any local government (excluding school districts) from combined SCCRT and ad valorem property tax revenue. The bill set forth a maximum allowed combined revenue (MACR) that could be generated from each county, based on the combined amount of ad valorem revenue and SCCRT revenue allowed for each county. Beginning in FY 1982, the assessed valuation used to determine the ad valorem portion of MACR could be adjusted for inflation.
Senate Bill 687 (1981)	Provided for the distribution of BCCRT and SCCRT proceeds generated from transmission of energy from energy projects whose construction commences on or after January 1, 1982. Under these provisions, 10 percent of the proceeds are distributed to the county in which the project is located, and the remainder is distributed among all other counties in proportion to population. This distribution was required to be made before any other distribution of BCCRT/SCCRT revenue. (These provisions were repealed pursuant to Senate Bill 104 of the 1991 Session.)

Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)	
Assembly Bill 449 (1983)	Repealed the June 30, 1983, sunset of the SCCRT, continuing the imposition of a 0.5 percent BCCRT rate and a 1.75 percent SCCRT rate.
Senate Bill 27 (1983)	Revised the maximum allowed combined revenue (MACR) formula to allow local governments, beginning in FY 1984, to set a maximum property tax rate that would generate 104.5 percent of the revenue generated in the prior year. If total ad valorem revenue dropped by more than 20 percent of the MACR allowed for the county, the bill permitted the rate to be set such that the total proceeds generated were equal to the MACR, less the revenue generated from the SCCRT.
Assembly Bill 72 (1987)	Removed assessed valuation attributable to net proceeds of minerals from the calculation of ad valorem revenue used to determine MACR.
Assembly Bill 801 (1989)	Made numerous changes to the distribution of SCCRT revenues, including: * Increasing SCCRT distributions to Churchill, Clark, and Elko Counties for three fiscal years; * Decreasing SCCRT distributions to Douglas and Washoe Counties for the same three fiscal years; and * Eliminating MACR as a factor in the distribution formula. Growth in assessed valuation, adjusted for inflation, was used instead. To offset the loss in SCCRT revenue for Washoe and Douglas Counties, the bill allowed these counties to impose a property tax rate of up to 5 cents per $100 for the funding of various capital projects. The bill also created an emergency fund, not to exceed $2.5 million, which the Interim Finance Committee could use to make distributions of up to $400,000 for unforeseen and urgent situtations. Finally, Assembly Bill 801 created an interim study committee to expore future distribution issues related to the SCCRT.
Assembly Bill 104 (1991)	Known as the "Fair Share" bill, Assembly Bill 104 made significant first-tier distributional changes to the SCCRT based on the findings of the interim committee established under Assembly Bill 801 of the 1989 Session. These major provisions were as follows: * The old formula, which was based on assessed valuation, was replaced with a fixed-dollar base for rural importing counties. This base was indexed to grow by the lesser of the combined growth of the CPI and population or the annual growth in statewide SCCRT collections for the previous fiscal year. * Rural importing counties, also known as "guaranteed" counties, would receive an additional subsidy to ensure that they were held harmless as a result of the distributional change. Under the provisions of Assembly Bill 104, ten counties -- Douglas, Esmeralda, Eureka, Lincoln, Lyon, Mineral, Nye, Pershing, Storey, and White Pine -- were designated as guaranteed counties. * For the exporting counties (and Washoe County) -- also known as the "nonguaranteed" counties -- the formula was designed to ensure that, upon full implementation, approximately 97 cents of each dollar of SCCRT revenue generated would be returned to the county of origin. Washoe County, Carson City, Churchill, Clark, Elko, Humboldt, and Lander were designated as nonguaranteed counties under the provisions of Assembly Bill 104. * Any of the ten guaranteed counties whose actual SCCRT collections in the county in a fiscal year were 10 percent higher than their guaranteed distribution amount for the same fiscal year would automatically be moved into nonguaranteed status. The distributional changes implemented in Assembly Bill 104 were to be phased in over a period of five years, with the changes fully implemented in FY 1995-96, because of additional provisions that required approximately $13 million to be repaid by Washoe County to other counties due to perceived inequities in the SCCRT distribution since its inception. To provide additional revenue for counties affected by these distributional changes, sections 27 through 38 of Assembly Bill 104, known as the Local Government Tax Act of 1991, allowed certain counties the right to impose one or more of the following additional taxes: * An additional local option sales tax rate of 0.25 percent; * A supplemental rate of 1 cent per dollar on the Motor Vehicle Privilege Tax (MVPT); * An increase in county-imposed gaming license fees; * An additional Real Property Transfer Tax rate of 10 cents per $500; * An increase in the property tax rate of 5 cents per $100 in assessed value (which could not decrease unless all affected local governments consented to the reduction); and * An additional increase in the property tax rate if SCCRT revenue did not generate a certain amount (comparable to a tax rate of $1.15 per $100 of assessed value). The additional rate could only be imposed in any fiscal year in which a shortfall occurred.

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Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)	
Assembly Bill 104 (1991) -- continued	The taxes authorized under the Local Government Tax Act of 1991 could not be imposed after June 30, 1996, in Carson City, Churchill, Elko, Humboldt, and Lander Counties. No sunset of these taxes was provided for in Washoe County. Finally, Assembly Bill 104 repealed the SCCRT emergency fund established in Assembly Bill 801 of the 1989 Session and required the distribution of any remaining funds to the counties.
Assembly Bill 295 (1991)	Reduced the taxpayer collection allowance that may be kept for timely payment of the 2% state sales tax, BCCRT, SCCRT, LSST, and other local sales and use taxes from 1.5 percent to 1.25 percent.
Senate Bill 665 (1991)	Deleted provisions in Assembly Bill 104 of the 1991 Session that increased SCCRT distributions to 10 of the state's 17 counties. The bill did not make any changes to Washoe County's distribution of $697,813 per month.
Senate Bill 334 (1993)	Increased the General Fund commission on the SCCRT (and other local sales taxes collected by the Department of Taxation) that is kept by the state to cover collection costs from 0.5 percent to 1.0 percent.
Senate Bill 506 (1993)	Made further changes to the distributional formulas developed during the 1991 Session: * Churchill County's SCCRT distribution was increased by $588,000 over two years to correct specific reporting errors. * Lander County was moved into guaranteed status. * Provisions were added to allow guaranteed counties where growth in SCCRT collections would otherwise require the county to permanently move to non-guaranteed status to petition the Nevada Tax Commission for a waiver that would allow the county to stay in guaranteed status, if it was determined that the increase in taxable sales in the county was due to one-time or nonrecurring sales. Eureka County, who moved from guaranteed to non-guaranteed status in FY 1993 as a result of increased mining activity in the county, was given special permission to apply for a waiver to the Tax Commission no later than February 20, 1994, to be returned to guaranteed status beginning in FY 1995. * The bill also clarified that, for the purposes of determining whether a guaranteed county should be moved to non-guaranteed county, the actual SCCRT collections for the twelve-month period before February 15 be used to determine whether a county would be moved to non-guaranteed status for the upcoming fiscal year. Under this change in the law, if the county's actual SCCRT collections for that twelve-month period were more than 10 percent higher than the guaranteed distributions in the county for that same twelve-month period, the county would automatically be moved into non-guaranteed status, unless it applied for and received a waiver from the Tax Commission. * The method for adjusting the SCCRT distribution to guaranteed counties was changed to use the annual growth in actual fiscal year SCCRT collections from two fiscal years prior, rather than annual growth from the immediately preceding fiscal year. Because this adjustment in the formula resulted in a negative revenue effect in certain counties, these provisions were phased in over a two-year period, and affected counties (Douglas, Esmeralda, Lincoln, Lyon, Mineral, Nye, Pershing, Storey, and White Pine) were permitted to impose additional taxes (those originally authorized under Assembly Bill 104 of the 1991 Session) during FY 1995 to offset the revenue loss. *A specific monthly minimum distribution amount was added in statute for each of the guaranteed counties, based on the adjusted amounts that were distributed to each of the guaranteed counties in FY 1994 and FY 1995. Senate Bill 506 also removed the provisions from Assembly Bill 104 of the 1991 Session that prohibited Churchill County from imposing the additional taxes authorized in that bill for the purpose of recovering lost revenue after June 30, 1996.
Senate Bill 254 (1997)	Repealed the distribution provisions among local governments established in 1981, requiring revenues to be distributed among local governments according to second-tier formulas for CTX enacted in the bill. At the first tier, SCCRT revenue was to be distributed as follows: * Guaranteed counties receive one-twelfth of the amount distributed in the preceding year multiplied by one plus the lesser of: * The annual percentage change in total receipts for SCCRT statewide from two fiscal years prior to the year for which the distribution is being made; or * The percentage change in the county population added to the percentage change in the CPI for the year ending on December 31 next preceding the year of distribution. For guaranteed counties, the monthly distribution could not be less than the guaranteed amount established in statute. * Non-guaranteed counties receive their share of the remaining revenue in proportion to the amount that the SCCRT collected in that month in the county bears to the total SCCRT collected in that month by all of the non-guaranteed counties.

Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)	
Senate Bill 245 (1997)	Decreased the General Fund commission on the SCCRT (and other local sales taxes collected by the Department of Taxation) from 1.0 percent to 0.5 percent.
Assembly Bill 288 (1999)	Increased the General Fund commission on the SCCRT (and other local sales taxes collected by the Department of Taxation) from 0.5 percent to 0.75 percent.
Assembly Bill 4 (20th Special Session -- 2003)	Reduced the taxpayer collection allowance that may be kept for timely payment of the 2% state sales tax, BCCRT, SCCRT, LSST, and other local sales and use taxes from 1.25 percent to 0.5 percent.
Senate Bill 2 (25th Special Session -- 2008)	Reduced the taxpayer collection allowance that may be kept for timely payment of the 2% state sales tax, BCCRT, SCCRT, LSST, and other local sales and use taxes from 0.5 percent to 0.25 percent, effective January 1, 2009. These provisions were to expire on June 30, 2009; effective July 1, 2009, the taxpayer collection allowance would increase to 0.5 percent.
Assembly Bill 552 (2009)	Increased the General Fund commission on the BCCRT (and all local sales taxes collected by the Department of Taxation except for the LSST) from 0.75 percent to 1.75 percent. The bill also repealed the June 30, 2009, sunset of the expiration of the provisions in Senate Bill 2 of the 25th Special Session relating to the taxpayer collection allowance, making the reduction of the taxpayer collection allowance to 0.25 percent permanent.
Fiscal Year Proceeds First Distributed to Local Governments	
First Year Counties Received Revenue	FY 1982
First Year Cities Received Revenue	FY 1982

TABLE 2 - BCCRT

Overview and History of the Six Revenue Sources Making Up the First Tier of the Local Government Tax Distribution Account and the Consolidated Tax Distribution (CTX)

Revenue Source

Basic City-County Relief Tax (BCCRT)

Description

Portion of the statewide 6.85 percent sales and use tax rate imposed on the taxable sale or use of tangible personal property. (State General Fund: 2 percent; Local School Support Tax: 2.6 percent; BCCRT: 0.5 percent; SCCRT: 1.75 percent)
Additional local option taxes collected in 12 of Nevada's 17 counties create a total sales tax rate between 6.85 percent and 8.1 percent, depending on the county.

Current Rate and Distribution

0.5 percent on the taxable sale or use of tangible personal property in the state. The tax is collected and remitted to the Department of Taxation, less a 0.25 percent collection allowance that may be kept by the taxpayer.

Distribution to Counties Under First Tier of the CTX Under Current Statute

In-State Collections	Proceeds from the tax derived from in-state sales, less a 1.75 percent allowance deposited in the State General Fund to defray the costs of collecting the tax, are remitted to the Local Government Tax Distribution Account and distributed to counties based on where the taxable activity occured.
Out-Of-State Collections	Proceeds from the tax derived from businesses not maintaining a fixed place of business in the state, less a 1.75 percent allowance deposited in the State General Fund to defray the costs of collecting the tax, are remitted to the Local Government Tax Distribution Account and distributed to each county based on its proportional share of the statewide population.

Legislative History of Distribution to County Under First Tier of CTX Under Current Statute

No changes to revenue distribution since creation of Local Government Tax Distribution Account.

Legislative History of Revenue Source (Rates and Distribution to County) Prior to CTX

Senate Bill 365 (1969)	Authorized counties with one or more incorporated cities to enact an ordinance imposing a sales and use tax rate (County-City Relief Tax) of 0.5 percent within the county. Each incorporated city in the county was required to request that the ordinance be established by the county. (Counties with no incorporated cities were not permitted to enact an ordinance imposing the tax.) The proceeds of the tax, less a collection commission of 1 percent to be kept by the state for credit to the State General Fund, were distribured among local governments as follows: * In counties with one incorporated city, the proceeds were apportioned to the county and city general funds by population, as determined by the last decennial census. * In counties with two or more incorporated cities, the proceeds would be apportioned among the cities by population. Counties were not entitled to a portion of the proceeds of this tax under these circumstances. * Out-of-state collections were apportioned by population among those counties imposing the rate. **NOTE: Senate Bill 365 allowed Carson City to impose the County-City Relief Tax upon approval of the Board of Supervisors. The proceeds of the tax, less the collection commission kept by the State, were to be credited to the city's general fund.** The ordinance enacted by the board of county commissioners was required to contain provisions substantially identical to those of the Local School Support Tax Law, which was enacted pursuant to Senate Bill 15 of the 1967 Session. This legislation, which instituted a mandatory statewide sales and use tax rate of 1 percent for the support of K-12 education, permitted a collection allowance of 0.5 percent to be kept by taxpayers who made timely payment of their sales and use tax, to reimburse the cost of collecting the Local School Support Tax (LSST). Thus, the 0.5 percent collection allowance provisions also applied to the County-City Relief Tax.
Assembly Bill 288 (1971)	Expanded the authority to impose this tax to all counties without incorporated cities. In these counties, all proceeds, less the commission retained by the State, were to be remitted to the county's general fund.
Assembly Bill 317 (1975)	Revised the name of the tax to the "City-County Relief Tax" (CCRT).

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Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)	
Assembly Bill 369 (1981)	Increased the CCRT rate from 0.5 percent to 2.25 percent and made imposition of the tax mandatory in all 17 counties. The original 0.5 percent portion of the rate became known as the Basic City-County Relief Tax (BCCRT), and the increased portion (1.75 percent) became known as the Supplemental City-County Relief Tax (SCCRT). The distribution of the BCCRT portion was determined as follows: * In counties with one incorporated city, the proceeds were apportioned to the county and city general funds by population, as certified annually by the Governor * In counties with two or more incorporated cities, the proceeds would be apportioned among the cities by population. * In counties with no incorporated city (and Carson City), the county general fund received all proceeds from the tax. Out-of-state collections continued to be apportioned among all counties, in proportion to each county's population as a percentage of the statewide population. Assembly Bill 369 decreased the commission that may be kept for credit to the State General Fund to defray the costs of collecting the tax from 1 percent to 0.5 percent, and also increased the taxpayer collection allowance that may be kept for timely payment of the BCCRT (in addition to the LSST, SCCRT, and other local sales and use taxes) from 0.5 percent to 1.5 percent. This change made the taxpayer collection allowance consistent among all sales and use tax rates, as the allowance for the 2% sales tax rate for the State General Fund was reduced from 2 percent to 1.5 percent in the bill.
Senate Bill 687 (1981)	Provided for the distribution of BCCRT and SCCRT proceeds generated from transmission of energy from energy projects whose construction commences on or after January 1, 1982. Under these provisions, 10 percent of the proceeds are distributed to the county in which the project is located, and the remainder is distributed among all other counties in proportion to population. This distribution was required to be made before any other distribution of BCCRT/SCCRT revenue. (These provisions were repealed pursuant to Senate Bill 104 of the 1991 Session.)
Assembly Bill 295 (1991)	Reduced the taxpayer collection allowance that may be kept for timely payment of the 2% state sales tax, BCCRT, SCCRT, LSST, and other local sales and use taxes from 1.5 percent to 1.25 percent.
Senate Bill 416 (1991)	Required the payment of the 0.5 percent collection allowance to the State General Fund to be made before any other distribution of BCCRT revenue. Prior to the passage of this bill, certain distributions (particularly the distributions made for energy transmission projects pursuant to Senate Bill 687 (1981)) were required to be made before the collection allowance was distributed to the State General Fund.
Senate Bill 334 (1993)	Increased the collection commission to be kept by the state from 0.5 percent to 1.0 percent.
Senate Bill 254 (1997)	Repeals distribution provisions among local governments established in 1981, requiring revenues to be distributed among local governments according to second-tier formulas for CTX enacted in the bill. In-state BCCRT is distributed at the first tier to each county based on where the revenue is generated, and out-of-state BCCRT is distributed at the first-tier to each county in proportion to its population.
Senate Bill 245 (1997)	Decreased the General Fund commission on the BCCRT (and other local sales taxes collected by the Department of Taxation) from 1.0 percent to 0.5 percent.
Assembly Bill 288 (1999)	Increased the General Fund commission on the BCCRT (and other local sales taxes collected by the Department of Taxation) from 0.5 percent to 0.75 percent.
Senate Bill 2 (25th Special Session -- 2008)	Reduced the taxpayer collection allowance that may be kept for timely payment of the 2% state sales tax, BCCRT, SCCRT, LSST, and other local sales and use taxes from 0.5 percent to 0.25 percent, effective January 1, 2009. These provisions were to expire on June 30, 2009; effective July 1, 2009, the taxpayer collection allowance would increase to 0.5 percent.
Assembly Bill 552 (2009)	Increased the General Fund commission on the BCCRT (and all local sales taxes collected by the Department of Taxation except for the LSST) from 0.75 percent to 1.75 percent. The bill also repealed the June 30, 2009, sunset of the expiration of the provisions in Senate Bill 2 of the 25th Special Session relating to the taxpayer collection allowance, making the reduction of the taxpayer collection allowance to 0.25 percent permanent.
Fiscal Year Proceeds First Distributed to Local Governments	
First Year Counties Received Revenue	FY 1970
First Year Cities Received Revenue	FY 1970

TABLE 2 - GST

Overview and History of the Six Revenue Sources Making Up the First Tier of the Local Government Tax Distribution Account and the Consolidated Tax Distribution (CTX)

Revenue Source

Governmental Services Tax (GST)

Description

Tax imposed in lieu of a personal property tax upon motor vehicles operated in the state. Pursuant to Article 10, Section 1 of the *Nevada Constitution*, the rate imposed may not exceed 5 cents per dollar of the value of the vehicle.

Current Rate and Distribution

Statewide rate of 4 cents per dollar of determined value; value is determined by taking 35 percent of the vehicle's original manufacturer's suggested retail price times a depreciation factor based on the age of the vehicle. Proceeds from the 4-cent portion are divided between the State General Fund; school districts; and the Local Government Tax Distribution Account via statutory formulas. Supplemental rates of 1 cent per dollar of determined value are imposed in Clark County (for general operating purposes, pursuant to Assembly Bill 543 of the 2009 Session) and Churchill County (for general operating purposes, pursuant to Senate Bill 104 of the 1991 Session).

Distribution to Counties Under First Tier of the CTX Under Current Statute

After distributions have been made to the State General Fund, the remaining revenue is returned to the county in which the vehicle was registered and distributed between the county's school district and the Local Government Tax Distribution Account for that county. For GST revenue collected on vehicles subject to the motor carrier provisions in Chapter 706 of NRS, each county receives a fixed percentage of the total revenue generated, which is then divided between the school district and the Local Government Tax Distribution Account. (NRS 482.181)

Legislative History of Distribution to County Under First Tier of CTX Under Current Statute

No changes to revenue distribution since creation of Local Government Tax Distribution Account.

Legislative History of Revenue Source (Rates and Distribution to County) Prior to CTX

Senate Bill 17 (1951)	This bill, which created the Motor Vehicle Fund to which all revenues received by the Department of Motor Vehicles are credited, required the Department to pay each county 75 cents per vehicle registered within that county.
Assembly Bill 157 (1957)	Increased the amount to be paid by the Department to each county from 75 cents per vehicle to $1.00 per vehicle.
Senate Bill 258 (1959)	Required the payment of personal property taxes on motor vehicles to the Department of Motor Vehicles. The Department was required to certify, on a monthly basis, the amount of personal property taxes collected by the Department and apportion that amount to each county based on where the vehicle was registered. Unlike other types of personal property, however, the Department was not entitled to keep the 6 percent commission that counties were entitled to keep when collecting other personal property taxes.
Senate Bill 93 (1960)	Allowed a 5 percent commission to be kept by the county treasurer in counties where the treasurer collected the personal property tax on motor vehicles on behalf of the Department. An additional 1 percent commission was also kept and deposited into the State General Fund.
Assembly Joint Resolution 6 (1960)	Proposed a constitutional amendment that would amend Article 10, Section 1 of the *Nevada Constitution* to exempt motor vehicles from personal property taxes. The constitutional amendment required the imposition of a privilege tax on motor vehicles in lieu of the personal property tax. The provisions of A.J.R. 6 also stipulated that the privilege tax levied in lieu of the property tax would not be subject to the provisions of Article 9, Section 5 of the *Nevada Constitution*, which requires that revenue generated from licensing and registration of motor vehicles to be used only for the construction, maintenance, and repair of public highways. **The joint resolution was approved by the Legislature during the 1960 and 1961 Sessions, and was placed into the *Nevada Constitution* following voter approval of Question No. 1 at the November 6, 1962 General Election.**

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JA **810**

Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)

Senate Bill 256 (1963)	Imposed the first Motor Vehicle Privilege Tax (MVPT) at the rate of 4 cents per dollar of the vehicle's value. The value of each vehicle subject to the tax was determined at the rate of 35 percent of the manufacturer's suggested retail price, excluding options and extras, at the time that particular make and model was first offered for sale in the state. The bill also provided for depreciation of the value of each vehicle subject to the tax, based upon the age of the vehicle, such that the vehicle's value would be taxed based on the amounts listed below. AGE OF VEHICLE / CARS AND LIGHT TRUCKS / TRUCKS AND BUSES: New: 100 percent / 100 percent 1 year old: 85 percent / 75 percent 2 years old: 75 percent / 59 percent 3 years old: 65 percent / 47 percent 4 years old: 55 percent / 37 percent 5 years old: 45 percent / 28 percent 6 years old: 35 percent / 23 percent 7 years old: 25 percent / 20 percent 8 years old: 15 percent / 17 percent 9 years old: 5 percent / 15 percent 10 years old or older: 5 percent / 13 percent The proceeds from the MVPT were to be returned to the county of origin and distributed in the same manner, to the same recipients, and in the same ratio as the personal property tax on motor vehicles in the last year during which this tax was imposed. The State of Nevada, however, was not entitled to receive any portion of the distribution. For vehicles engaged in interstate or intercounty operations, the bill required that MVPT be distributed among the counties as follows: * Churchill County: 5.21 percent * Clark County: 22.54 percent * Douglas County: 2.52 percent * Elko County: 13.31 percent * Esmeralda County: 2.52 percent * Eureka County: 3.10 percent * Humboldt County: 8.25 percent * Lander County: 3.88 percent * Lincoln County: 3.12 percent * Lyon County: 2.90 percent * Mineral County: 2.40 percent * Nye County: 4.09 percent * Ormsby County: 1.07 percent * Pershing County: 7.00 percent * Storey County: 0.19 percent * Washoe County: 12.24 percent * White Pine County: 5.66 percent
Assembly Bill 435 (1965)	Permitted the Department of Vehicles to retain a commission of 1 percent of the proceeds of the MVPT in those counties where the county acted as an agent for the Department. In those counties where the Department has a branch office, the commission that could be kept was 6 percent.
Senate Bill 75 (1969)	This bill, which created the consolidated municipality of Carson City from the separate governments of Carson City and Ormsby County, fixed the commission that may be kept by the Department in Carson City at 1 percent.
Senate Bill 577 (1971)	Revised the distribution of MVPT proceeds to require that these proceeds be distributed in the same ratio as all other personal property taxes, rather than by the distribution of personal property taxes on motor vehicles in the last year that the tax was imposed, as required pursuant to Senate Bill 256 of the 1963 Session. The state was still prohibited from receiving any portion of the MVPT under this distribution method.
Assembly Bill 341 (1975)	Further revised the distribution of MVPT proceeds among the local governments in a county by allowing local governments to receive a share of the MVPT proceeds for that county in the same ratio as all property taxes were levied in that county in the prior fiscal year. This calculation continued to exclude the State of Nevada from receiving any proceeds of the tax, but the revenue generated by any debt service rate imposed for the school district was to be included. Assembly Bill 341 also prohibited the distribution of any MVPT revenue to a local government, other than an incorporated city, that would receive less than 0.5 percent of the total county allocation. The undistributed revenue would accrue to the county's general fund.

Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)	
Assembly Bill 422 (1977)	Further revised the distribution of MVPT proceeds among local governments within a county to prohibit any local government from receiving a portion of the MVPT if the total distribution is less than $100. The bill also revised the commission amount that may be kept by the Department of Motor Vehicles to 6 percent in counties whose population is 100,000 or more, and 1 percent in counties whose population is less than 100,000.
Senate Bill 204 (1979)	Defined, for the purpose of distributing the MVPT, the school tax rate as that rate established pursuant to NRS 361.455 for Fiscal Year 1979. (This section of NRS defines the procedure by which local governments and school districts establish their property tax rates based on that entity's annual budget.)
Assembly Bill 43 (1981)	Required the county assessor to act as an agent for the Department in those counties whose population is less than 30,000. The bill allowed the county treasurer to keep a commission of 1 percent in those counties whose population was less than 30,000. The 6 percent commission was retained for the Department in those counties whose population was 30,000 or more.
Senate Bill 43 (1981)	Defined, for the purpose of distributing the MVPT, the property tax rate to be used for all local government entities other than school districts as that rate established pursuant to NRS 361.455 for Fiscal Year 1981. The rate to be used for school districts was the rate for FY 1979, as required pursuant to Senate Bill 204 of the 1979 Session.
Senate Bill 328 (1981)	Required Nevada's school districts to create a capital projects fund, and also required that proceeds from the MVPT received by the school district be deposited in this fund for use for capital projects. The bill also revised the distribution formula for school districts to require that the debt rate for the school district to be used if that rate in any year is higher than the school district's tax rate in FY 1979.
Assembly Bill 292 (1985)	Further revised the distribution of the MVPT by requiring that the county general fund retain at least 5 percent of the total distribution to that county. The bill also removed the requirement that the county assessor act as an agent for the Department in counties whose population is less than 30,000, and revised the commission structure to require that 1 percent of the MVPT collected by county assessors, and 6 percent of all other MVPT collected, be retained by the state.
Senate Bill 56 (1987)	Revised the distribution of MVPT revenue within a county by excluding redevelopment districts and tax increment areas from receiving a distribution of this revenue, unless they were entitled to receive a distribution during FY 1988. The amount distributed to these entities in FY 1988 was required to be continued in future years, but the amount of the distribution could not be increased in future years.
Assembly Bill 752 (1989)	Authorized the creation of general improvement districts for the provision of public schools pursuant to Chapter 318, and required that the portion of the MVPT attributable to any portion of the debt service of a school district transferred to that GID be payable to the GID. (These provisions were repealed pursuant to Assembly Bill 358 of the 1995 Session.)
Senate Bill 104 (1991)	Known as the "fair share" bill, Senate Bill 104 allowed Carson City, Churchill, Elko, Humboldt, Lander, and Washoe Counties to impose an additional 1 cent MVPT rate to make up revenue lost as a result of the redistribution of SCCRT revenue required under this bill. The rate, which was imposed without voter approval in these counties, could not be imposed in all counties except Washoe County after June 30, 1996. In Washoe County, the 1-cent rate could not be decreased unless all of the local governments in the county who received a share of the revenue consented to a decrease in the rate.
Senate Bill 112 (1991)	This bill, which provided for the creation of transportation districts in counties pursuant to Chapter 244, authorized a board of county commissioners, upon approval of a majority of voters at a general or special election, to impose a supplemental MVPT in that county of up to 1 cent. The proceeds of this tax must be distributed to the county in which the tax was imposed and must be used for certain transportation projects within that district.

Case No. 66851
JA 812

Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)	
Senate Bill 506 (1993)	This bill, which made further distributional adjustments to the SCCRT from the fair share provisions from Senate Bill 104 of the 1991 Session, extended the provisions allowing the imposition of an additional 1-cent MVPT for general fund revenue to Douglas, Esmeralda, Lincoln, Lyon, Mineral, Nye, Pershing, Storey, and White Pine Counties; however, these counties could not impose the additional rate after June 30, 1995. The bill also removed the limitation preventing Churchill County from imposing the additional MVPT after June 30, 1996, as originally required pursuant to Senate Bill 104 of the 1991 Session, due to distributional changes to the SCCRT made in Senate Bill 506 that significantly affected that county.
Assembly Bill 698 (1995)	Clarified that the commission retained to defray the costs of collecting the MVPT were payable to the Department of Motor Vehicles.
Senate Bill 556 (1995)	Modified the distribution of MVPT revenues in counties with respect to certain unincorporated towns created after July 1, 1980. The bill required that the rate used for the purposes of the distribution of the MVPT for these towns would be the average rate levied in FY 1981 for unincorporated towns included in the same common levy in existence on July 1, 1980.
Senate Bill 338 (1995)	Expanded the allowable usage of supplemental MVPT revenues collected for transportation districts. If a limited-access highway was being constructed within that district, 1 percent of the revenue could be used to purchase residential real property along that highway that had no access to the highway. The proceeds of the tax could also be used to pay the moving costs of those residents whose property was condemned as a result of the construction of that highway.
Senate Bill 254 (1997)	The legislation that created the Local Government Tax Distribution Fund that is used to distribute certain revenues among local governments today, Senate Bill 254 required that certain proceeds of the basic MVPT be distributed through the statutory formula created within the bill. The provisions of the bill require that, before any other distribution is made to the CTX, school districts receive their portion of the tax based on their certified property valuation as a proportion of the certified valuation of all local governments. The remaining proceeds of the tax must be distributed through the CTX to local governments, with the exception of enterprise districts and special districts, who were not entitled to receive a distribution of the revenue.
Senate Bill 453 (1999)	Clarified that enterprise districts and special districts were entitled to receive a distribution of MVPT revenue distributed through the CTX.
Assembly Bill 471 (1999)	Required the board of county commissioners of Washoe County to reduce the 1-cent supplemental GST rate imposed pursuant to Senate Bill 104 of the 1991 Session, such that a rate of 0.8 cents is imposed in FY 2002, 0.6 cents is imposed in FY 2003, 0.4 cents is imposed in FY 2004, and 0.2 cents is imposed in FY 2005. Pursuant to Assembly Bill 471, the rate is reduced to zero in FY 2006 and future years. Beginning in FY 2006, the only county that was permitted to impose a supplemental GST rate pursuant to Senate Bill 104 of the 1991 Session and Senate Bill 506 of the 1993 Session is Churchill County.
Assembly Bill 668 (1999)	Increased the commission that may be retained by a county assessor for collecting the MVPT from 1 percent to 6 percent. The bill required that, of the 6 percent, 1 percent be transferred to the Department and 5 percent be kept by the county for credit to the county's general fund.
Senate Bill 59 (2001)	Changed the name of the tax from the MVPT to the Governmental Services Tax (GST).
Assembly Bill 501 (2001)	Revised the distribution of the GST to school districts to include any rate levied for capital projects pursuant to NRS 387.3285 in the rate used to calculate the share to be distributed to the school district before the remainder is distributed to the Local Government Tax Distribution Account. (These provisions were repealed pursuant to Senate Bill 465 of the 2003 Session.)

Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)

Senate Bill 429 (2009)

Changed the depreciation schedule for motor vehicles subject to the GST by increasing the value subject to the tax by 10 percent for all vehicles, except for new vehicles. The additional revenue generated by the change in the depreciation schedule is to be credited to the State General Fund until June 30, 2013; after this date, the additional revenue generated is to be credited to the State Highway Fund. The bill also increased the minimum GST to be imposed on all vehicles, except for trailers with an unladen weight of 1,000 pounds or less, from $6 to $16.

Under the provisions of Senate Bill 429, the depreciation schedules are as follows:

AGE OF VEHICLE	CARS AND LIGHT TRUCKS	TRUCKS AND BUSES
New	100 percent	100 percent
1 year old	95 percent	85 percent
2 years old	85 percent	69 percent
3 years old	75 percent	57 percent
4 years old	65 percent	47 percent
5 years old	55 percent	38 percent
6 years old	45 percent	33 percent
7 years old	35 percent	30 percent
8 years old	25 percent	27 percent
9 years old	15 percent	25 percent
10 years old or older	15 percent	23 percent

Assembly Bill 543 (2009)

Changed the provisions for imposing the 1-cent supplemental governmental services tax in Washoe County and expanded the purposes for which the proceeds from the supplemental governmental services tax may be used in Washoe County, if imposed, and Clark County, where it is already imposed. This bill removed the requirement to receive voter approval before the board of county commissioners in a county whose population is more than 100,000 but less than 400,000 can impose the supplemental government services tax of 1 cent on each $1 of valuation of the vehicle.

This bill also allowed counties with a population of 100,000 or more to use the proceeds from the supplemental governmental services tax to pay the operating costs of the county and any other costs to carry out governmental functions of the county.

Fiscal Year Proceeds First Distributed to Local Governments

First Year Counties Received Revenue	FY 1964
First Year Cities Received Revenue	FY 1964

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Case No. 66851
JA 815

TABLE 2 - RPTT

Overview and History of the Six Revenue Sources Making Up the First Tier of the Local Government Tax Distribution Account and the Consolidated Tax Distribution (CTX)

Revenue Source

Real Property Transfer Tax

Description

Tax levied on the value of real property transferred from one person to another where the value of the transfer, exclusive of any encumbrance, exceeds $100. The tax is collected by the county recorder when the deed showing the transfer of title is to be recorded.

Current Rate and Distribution

Clark County	$2.55 per $500 of value ($1.30 to State General Fund; $0.60 to Clark County School District Capital Construction Fund; $0.55 to Local Government Tax Distribution Account; $0.10 to Low-Income Housing Trust Fund)
Churchill and Washoe Counties	$2.05 per $500 of value ($1.30 to State General Fund; $0.55 to Local Government Tax Distribution Account; $0.10 to Low-Income Housing Trust Fund; $0.10 to respective county general fund pursuant to Local Government Tax Act of 1991)
All other counties	$1.95 per $500 of value ($1.30 to State General Fund; $0.55 to Local Government Tax Distribution Account; $0.10 to Low-Income Housing Trust Fund).

NOTE: Under current law, counties whose population is less than 700,000 may also impose an additional rate of $0.05 to support Nevada Department of Agriculture programs to control invasive species and certain endemic pests and weeds. At present, no counties are imposing this additional rate.

Distribution to Counties Under First Tier of the CTX Under Current Statute

The proceeds generated from the tax for credit to the Local Government Tax Distribution Account are returned to the county where the transfer occurred. (NRS 375.070(1)(c))

NOTE: NRS 375.023 permits the county recorder of each county to deduct and withhold 1 percent of the State General Fund portion of the tax collected to reimburse the county recorder for the cost of collecting the tax. This amount is kept by the county and is not distributed through the CTX.

Legislative History of Distribution to County Under First Tier of CTX Under Current Statute

No changes to revenue distribution since creation of Local Government Tax Distribution Account.

Legislative History of Revenue Source (Rates and Distribution to County) Prior to CTX

Senate Bill 456 (1967)	First tax on transfer of real property instituted in the state, at a rate of 55 cents per $500 value. The State General Fund received 95 percent of the proceeds, with the county treasury of the county in which the transfer was recorded receiving the remaining 5 percent. Under the provisions of this bill, the amount of any lien or encumbrance remaining on the interest or the property at the time of the sale could be deducted from the value subject to the tax.
Assembly Bill 196 (1971)	Distribution of the tax proceeds revised, such that the State General Fund received only 75 percent of the proceeds of the tax. The county treasury of the county in which the transfer was recorded now received 25 percent of the proceeds.
Assembly Bill 268 (1979)	Removed the State General Fund as a beneficiary of the tax, making local governments the lone recipients of the revenue. The revenue was to be distributed according to the following formula: * If the county had no incorporated cities, all revenues were deposited in the county treasury * If the county had one or more incorporated cities, the county received 25 percent of the proceeds of the tax, with the remaining 75 percent of the revenue distributed as follows: 1) If the county had one incorporated city, the remaining 75 percent would be distributed between the city and county based on their respective populations. 2) If the county had two or more incorporated cities, the remaining 75 percent would be wholly distributed among the incorporated cities based on their respective populations. **NOTE: The county was entitled to retain a fee equal to 2 percent of the revenue distributed to each city as a collection commission.**

Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)	
Senate Bill 417 (1991)	Increased the amount of the tax from 55 cents per $500 to 60 cents per $500, with the additional 5 cents to be credited to the Low-Income Housing Trust Fund (effective July 1, 1991).
Assembly Bill 479 (1991)	Superseded the provisions of Senate Bill 417 (1991) by increasing the tax from 55 cents per $500 to 65 cents per $500, effective July 1, 1991. The additional 10 cents were to be credited to the Low-Income Housing Trust Fund.
Assembly Bill 104 (1991)	The "fair share" bill allowed certain counties adversely affected by the distributional changes to the Supplemental City-County Relief Tax (SCCRT) to impose a countywide RPTT rate of 10 cents per $500, for credit to the county's general fund. The provisions of the bill prohibited the imposition of the tax after June 30, 1996, in Carson City, Churchill, Elko, Humboldt, and Lander Counties; however, no sunset of the tax was provided for in Washoe County.
Senate Bill 506 (1993)	In addition to further distributional changes to the SCCRT, this bill allowed Douglas, Esmeralda, Lincoln, Lyon, Mineral, Nye, Pershing, Storey, and White Pine Counties to impose a 10-cent RPTT rate until June 30, 1995. The bill also removed the provisions from Assembly Bill 104 (1991) prohibiting Churchill County from imposing the additional 10-cent RPTT in that county after June 30, 1996. These provisions meant that only Churchill and Washoe Counties were legally permitted to impose the additional 10-cent tax on or after July 1, 1996.
Assembly Bill 353 (1997)	Imposed an additional rate of 60 cents per $500 in counties whose population was 400,000 or more (Clark County only). The proceeds from this additional rate were to be deposited with the county for credit to the school district's capital projects fund.
Senate Bill 254 (1997)	Repeals distribution provisions among local governments established in Assembly Bill 268 of the 1979 Session, requiring revenues to be distributed among local governments according to second-tier formulas for CTX enacted in the bill. RPTT revenue is still distributed to each county (at first tier of CTX) based on where the transfer was recorded.
Senate Bill 238 (2001)	Removed the provisions allowing the amount of any lien or encumbrance to be deducted from the value of the property to which the tax applies.
Senate Bill 370 (2003)	Authorized counties whose population is less than 400,000 (all counties except for Clark) to impose an additional tax of 5 cents per $500 for the control of invasive species and certain endemic pests and weeds.
Senate Bill 8 (20th Special Session -- 2003)	Imposed an additional rate of $1.30 per $500 to be collected by the county treasurer and remitted to the State General Fund, less a collection allowance that could be kept by the county to defray the costs of collecting the additional tax. Under the provisions of the bill, the collection allowance was 0.2 percent in counties whose population was 100,000 or more (Clark and Washoe Counties) and 1 percent in counties whose population was less than 100,000.
Senate Bill 390 (2005)	Increased the collection allowance in counties whose population was 100,000 or more to 1 percent, making the collection allowance uniform throughout the state.
Assembly Bill 545 (2011)	Among the numerous changes to population thresholds contained within this bill, this bill changed the requirement for the 60-cent tax for the school district's capital projects fund to only apply to counties whose population is 700,000 or more. By making this change, this portion of the tax is still only required to be imposed in Clark County. Additionally, the population threshold limiting the additional 5-cent tax for the control of invasive species and certain endemic pests and weeds to certain counties was also increased to 700,000, maintaining the authority for this tax only within all counties except for Clark County.
Fiscal Year Proceeds First Distributed to Local Governments	
First Year Counties Received Revenue	FY 1968
First Year Cities Received Revenue	FY 1980

TABLE 2 - CIGARETTE TAX

Overview and History of the Six Revenue Sources Making Up the First Tier of the Local Government Tax Distribution Account and the Consolidated Tax Distribution (CTX)

Revenue Source

Cigarette Tax

Description

Excise tax levied on each cigarette sold at wholesale in the state. Tax is paid by wholesalers based on the stamp affixed to each package of cigarettes.

Current Rate and Distribution

40 mills per cigarette (80 cents per pack of 20 cigarettes) -- 35 mills per cigarette (70 cents per pack) to State General Fund, and 5 mills per cigarette (10 cents per pack) to Local Government Tax Distribution Account (NRS 370.165; NRS 370.260).

Distribution to Counties Under First Tier of the CTX Under Current Statute

The money deposited into the Local Government Tax Distribution Account "is hereby appropriated to Carson City and each of the counties in proportion to their respective populations" (NRS 370.260(3)).

Legislative History of Distribution to County Under First Tier of CTX Under Current Statute

No changes to revenue distribution since creation of Local Government Tax Distribution Account.

Legislative History of Revenue Source (Rates and Distribution to County) Prior to CTX

Assembly Bill 94 (1947)	State's first cigarette tax introduced, at a rate of 2 cents per pack of 20. Larger packs were taxed at a higher amount based on the number of cigarettes per pack. All proceeds from the tax were deposited in the State General Fund, with no distribution for local governments. The bill also contained a provision for a taxpayer collection allowance, which permitted taxpayers to keep a commission of 10 percent of the tax due to defray the cost of collecting and remitting the tax to the Nevada Tax Commission.
Assembly Bill 309 (1949)	Tax increased from 2 cents per pack of 20 to 3 cents per pack of 20, with larger packs taxed at a higher rate based on the number of cigarettes per pack. Counties received 12.5 percent of cigarette tax revenue generated; each county receives its proportion based on total cigarette tax revenue generated in that county during the calendar quarter, as determined by the Nevada Tax Commission. Assembly Bill 309 reduced the taxpayer collection allowance from 10 percent of the tax due to 7 percent of the tax due.
Assembly Bill 356 (1955)	Reduced the taxpayer collection allowance from 7 percent of the tax due to 5 percent of the tax due.
Senate Bill 139 (1961)	Increased the tax to 7 cents per pack of 20, with larger packs taxed at an additional rate of 7 cents per 20 cigarettes or fraction thereof. Proceeds from the tax are distributed as follows: * 66.5 percent of proceeds distributed to the State General Fund * 28.5 percent of proceeds distributed to counties and incorporated cities based on the population of each incorporated city and county (less incorporated cities) as a proportion of the state's population, as determined by the U.S. Census Bureau at the last decennial census * 5.5 percent of proceeds distributed to the counties based on the total cigarette tax revenue generated in that county during the quarter, as determined by the Nevada Tax Commission. Senate Bill 139 also reduced the taxpayer collection commission from 5 percent of the tax due to 4 percent of the tax due.
Assembly Bill 389 (1965)	Further revised the distribution of cigarette tax revenue, as follows: * 30 percent of proceeds distributed to the State General Fund * 64.5 percent of proceeds distributed to counties and incorporated cities based on the population of each incorporated city and county (less incorporated cities) as a proportion of the state's population, as determined by the U.S. Census Bureau at the last decennial census * 5.5 percent of proceeds distributed to the counties based on the total cigarette tax revenue generated in that county during the quarter, as determined by the Nevada Tax Commission.

Case No. 66851
JA
818

Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)	
Senate Bill 379 (1967)	Declared that the cigarette tax was exclusively a local revenue source, with distribution of the proceeds to each county based on that county's proportional share of the state population, as determined by the prior decennial census. Within each county, revenue was distributed as follows: * If the county had no incorporated cities, all revenues were deposited in the county treasury * If the county had one incorporated city, the revenue would be apportioned between the city and county based on population * If the county had two or more incorporated cities, each incorporated city would receive its proportional share of the revenue based upon its population.
Assembly Bill 445 (1969)	Required that $33,000 of the amount distributed to the counties be withheld and deposited by the state treasurer to the Tax Commission as compensation for the costs of collecting the tax.
Senate Bill 236 (1969)	Increased the tax to a rate of 10 cents per pack of 20, plus an additional 10 cents for each quantity of 20 or fraction thereof. The bill also created a separate distribution threshold for counties whose population was less than 5,000, as follows: * If the county had no incorporated cities or unincorporated towns, all revenues were deposited in the county treasury * If the county had one incorporated city or unincorporated town, the revenue would be apportioned between the city/town and county based on population * If the county had two or more incorporated cities, unincorporated towns, or a combination thereof, each incorporated city or unincorporated town would receive its proportional share of the revenue based upon its population.
Senate Bill 445 (1971)	Removed the annual $33,000 distribution to the Tax Commission, requiring the Legislature to specify the amount that would be remitted to the Tax Commission as compensation for collecting the tax.
Senate Bill 577 (1971)	Required the proceeds from the tax to be remitted to counties on a monthly basis, rather than quarterly.
Assembly Bill 369 (1981)	Required the Department of Taxation to use the population numbers certified annually by the Governor for the purposes of distributing cigarette tax revenues.
Senate Bill 97 (1983)	Increased the cigarette tax from 10 cents per pack of 20 to 15 cents per pack of 20, with the additional 5 cents to be credited to the State General Fund. This bill did not change the imposition or distribution of the 10-cent tax for local governments.
Assembly Bill 371 (1983)	Provided for a June 30, 1985, sunset of the 5-cent tax for the State General Fund passed pursuant to Senate Bill 97 (1983). Effective July 1, 1985, the tax would revert to the old 10-cent rate, with all proceeds distributed to local governments under the 1967 and 1969 formulas.
Assembly Bill 18 (1985)	Modified the tax from a per-pack rate to a per-cigarette rate, at a rate of 7.5 mills per cigarette (15 cents per pack of 20) until June 30, 1985, and 5 mills per cigarette (10 cents per pack) effective July 1, 1985, based on the tax rates approved under Assembly Bill 371 (1983). Packs of fewer than 20 cigarettes are taxed at a minimum rate of 15 cents per pack until June 30, 1985, and a minimum of 10 cents per pack on and after July 1, 1985. Counties continue to receive the equivalent of 10 cents per pack under the new rate structure.
Assembly Bill 555 (1985)	Removed the prospective June 30, 1985, expiration of the additional 2.5 mills per cigarette (5 cents per pack) for the State General Fund; and raised the total cigarette tax to 11.5 mills per cigarette (23 cents per pack). The State General Fund would receive 6.5 mills (13 cents per pack), with the remaining 5 mills per cigarette (10 cents per pack) distributed to local governments. **NOTE: The proposed rate increase in AB 555 (1985) was only to become effective upon the expiration of a federal cigarette tax under Section 283 of Public Law 97-248. However, since this federal law never expired, the bill never became effective, and Nevada's cigarette tax reverted to 7.5 mills per cigarette (15 cents per pack) on July 1, 1985.**
Assembly Bill 76 (1987)	Increased the cigarette tax to 10 mills per cigarette (20 cents per pack), with 5 mills per cigarette (10 cents per pack) distributed to the State General Fund and 5 mills per cigarette (10 cents per pack) distributed to local governments under the established statutory formulas. This rate increase was to expire on June 30, 1989.
Assembly Bill 873 (1989)	Increased the threshold to determine distribution of cigarette tax revenues among counties, incorporated cities, and unincorporated towns established in Senate Bill 236 (1969) from counties whose population was less than 5,000 to counties whose population was less than 6,000.

Case No. 66851
JA 819

Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)	
Assembly Bill 942 (1989)	Increased the cigarette tax to 17.5 mills per cigarette (35 cents per pack), with 12.5 mills per cigarette (25 cents per pack) distributed to the State General Fund and 5 mills per cigarette (10 cents per pack) distributed to local governments under the established statutory formulas. This rate increase was to expire on June 30, 1991, at which point the tax would revert to the 10 mills per cigarette (20 cents per pack) rate established under Assembly Bill 76 (1987).
Assembly Bill 295 (1991)	Reduced the taxpayer collection allowance from 4 percent of the tax due to 3 percent of the tax due.
Senate Bill 357 (1991)	Repealed the sunset provisions of Assembly Bill 942 (1989), maintaining the tax rate at 17.5 mills (35 cents per pack), effective July 1, 1991.
Senate Bill 254 (1997)	Repeals distribution provisions among local governments established in 1969 and 1971, requiring revenues to be distributed among local governments according to second-tier formulas for CTX enacted in the bill. Cigarette revenue is still distributed to each county (at first tier of CTX) by that county's population as a proportion of the statewide population.
Assembly Bill 4 (20th Special Session -- 2003)	Reduced the taxpayer collection allowance from 3 percent to 0.5 percent.
Senate Bill 8 (20th Special Session -- 2003)	Increased the cigarette tax to 40 mills per cigarette (80 cents per pack), with 35 mills per cigarette (70 cents per pack) distributed to the State General Fund and 5 mills per cigarette (10 cents per pack) distributed to local governments under the CTX distribution forumals.
Senate Bill 2 (25th Special Session - 2008)	Reduced the the taxpayer collection allowance from 0.5 percent to 0.25 percent, effective January 1, 2009. These provisions were to expire on June 30, 2009; effective July 1, 2009, the allowance would revert to 0.5 percent.
Assembly Bill 552 (2009)	Removed the June 30, 2009, sunset of the provisions of Senate Bill 2 of the 25th Special Session, making the 0.25 percent collection allowance permanent.
Fiscal Year Proceeds First Distributed to Local Governments	
First Year Counties Received Revenue	FY 1950
First Year Cities Received Revenue	FY 1962
First Year Towns Received Revenue	FY 1970

Case No. 66851
JA 820

TABLE 2 - LIQUOR TAX

Overview and History of the Six Revenue Sources Making Up the First Tier of the Local Government Tax Distribution Account and the Consolidated Tax Distribution (CTX)

Revenue Source

Liquor Tax

Description

Excise tax imposed upon wholesalers of intoxicating beverages sold in the state.

Current Rate and Distribution

* Malt beverages (including beer): 16 cents per gallon (State General Fund)
* Liquor containing 1/2 percent up to and including 14 percent alcohol by volume: 70 cents per gallon or proportionate part thereof (State General Fund)
* Liquor containing more than 14 percent, up to and including 22 percent alcohol by volume: $1.30 per gallon or proportionate part thereof (State General Fund)
* Liquor containing more than 22 percent alcohol by volume: $3.60 per gallon or proportionate part thereof ($2.95 to State General Fund; 50 cents to Local Government Tax Distribution Account; 15 cents to Liquor Program Account)

Distribution to Counties Under First Tier of the CTX Under Current Statute

Proceeds from the amount equivalent to 50 cents per gallon on the tax from liquor containing more than 22 percent of alcohol by volume is credited to the Local Government Distribution Account and allocated among Carson City and the counties of the state "in proportion to their respective populations." (NRS 369.173)

Legislative History of Distribution to County Under First Tier of CTX Under Current Statute

No changes to revenue distribution since creation of Local Government Tax Distribution Account.

Legislative History of Revenue Source (Rates and Distribution to County) Prior to CTX

Senate Bill 199 (1933)	Authorized Nevada's incorporated cities to "fix, impose and collect a license tax on, and regulate the sale of beer, wines or other beverages now or hereafter authorized to be sold by act of Congress." This law, which was signed by the Governor on March 24, 1933, followed federal legislation passed by President Roosevelt on March 22 which legalized the sale of beer and wine in the United States whose alcohol content did not exceed 3.2 percent, effective April 7, 1933.
Assembly Bill 40 (1935)	Imposed the first statewide liquor tax, and required that wholesalers and importers to obtain liquor licenses from the state. The tax was collected by the Tax Commission, who sold stamps to be affixed to liquor packages sold in the state. The following rates were established by the bill for the stamps: * For beverages containing between 1 percent and 8 percent alcohol by volume, 1/4 cent per package (1 to 16 ounces); 1/2 cent per package (17 to 32 ounces); 1 cent per package (33 to 64 ounces); or 2 cents per package (above 64 ounces). * For beverages containing between 8 and 14 percent alcohol by volume, 2.5 cents per quart * For beverages containing between 14 and 22 percent alcohol by volume, 5 cents per quart * For beverages containing more than 22 percent alcohol by volume, 1 cent per package (4 ounces or less); 2.5 cents per package (4 to 8 ounces); 5 cents per package (8 to 16 ounces); 10 cents per package (16 to 32 ounces); or 10 cents per quart or portion thereof (for packages above 32 ounces). The proceeds of the tax were required to be distributed as follows: * $24,000 per year to the Contingent University Fund * $100,000 per year to the State Distributive School Fund * Any remaining revenue to the State Emergency Employment Bond Interest and Redemption Fund The bill also prohibited the levy of any other tax upon liquor, except for any general personal property taxes levied by the state, county, city, or town. However, local governments were not prohibited from requiring licenses to be obtained by establishments selling liquor.

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JA 822

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Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)	
Senate Bill 157 (1937)	Revised the distribution of the liquor tax proceeds, allowing up to 5 percent of the proceeds to be retained by the Nevada Tax Commission to pay for costs related to administration and enforcement of the tax. The remaining proceeds were distributed as follows: * 50 percent of the proceeds to the State Distributive School Fund * 35 percent to the State Emergency Employment Bond Interest and Redemption Fund * 15 percent to the University Contingent Fund
Senate Bill 100 (1939)	Further revised the distribution of the liquor tax proceeds, as follows: * 50 percent of the proceeds to the State Distributive School Fund * 40 percent to the University Contingent Fund * 10 percent to the Consolidated Bond Interest and Redemption Fund The bill also required the Nevada Tax Commission to revert any portion of the tax held for administration costs in excess of $1,000 on June 30 of each year.
Senate Bill 54 (1943)	Requires all liquor tax revenues, less the portion withheld by the Nevada Tax Commission for administration, to be deposited in the State General Fund.
Assembly Bill 178 (1945)	Removes the requirement for stamps to be purchased and affixed on alcohol containers, instead imposing an excise tax on manufacturers or importers of liquor. The tax is imposed at the following rates: * Malt beverages (including beer): 3 cents per gallon * Liquor containing 8 percent up to and including 14 percent alcohol by volume: 15 cents per gallon or proportionate part thereof * Liquor containing more than 14 percent, up to and including 22 percent alcohol by volume: 25 cents per gallon or proportionate part thereof * Liquor containing more than 22 percent alcohol by volume: 60 cents per gallon or proportionate part thereof The proceeds of the tax, less a commission of up to 5 percent kept by the Nevada Tax Commission to pay for administrative costs, were to be distributed to the State General Fund. The bill also required the Tax Commission to deposit any remaining amount kept from these proceeds in excess of $3,000 on June 30 of each year. The bill maintained the prohibition of any other taxes on liquor, except for any personal property taxes levied by the state, county, city or town.
Assembly Bill 151 (1947)	Required the tax to be paid on all alcoholic beverages above 1/2 percent alcohol by volume. The bill also increased the rate on liquors above 22 percent alcohol by volume from 60 cents to 80 cents. Accordingly, Nevada's liquor tax rates were as follows: * Malt beverages (including beer): 3 cents per gallon * Liquor containing 1/2 percent up to and including 14 percent alcohol by volume: 15 cents per gallon or proportionate part thereof * Liquor containing more than 14 percent, up to and including 22 percent alcohol by volume: 25 cents per gallon or proportionate part thereof * Liquor containing more than 22 percent alcohol by volume: 80 cents per gallon or proportionate part thereof
Senate Bill 211 (1955)	Allows retailers to keep 2 percent of the tax due if the taxes due for a particular month are paid by the 15th of the month. (Taxes were due and payable on the 20th of each month.)
Senate Bill 150 (1961)	Increased the allowance that may be kept by taxpayers who pay their taxes due by the 15th of each month from 2 percent to 3 percent.
Senate Bill 201 (1961)	Increased the liquor tax to the following rates: * Malt beverages (including beer): 6 cents per gallon * Liquor containing 1/2 percent up to and including 14 percent alcohol by volume: 30 cents per gallon or proportionate part thereof * Liquor containing more than 14 percent, up to and including 22 percent alcohol by volume: 50 cents per gallon or proportionate part thereof * Liquor containing more than 22 percent alcohol by volume: $1.40 per gallon or proportionate part thereof

Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)	
Senate Bill 439 (1969)	Increased the tax on liquor containing more than 22 percent of alcohol by volume from $1.40 per gallon to $1.90 per gallon, effective October 1, 1969. The bill also required the transfer of five-nineteenths of the revenue generated from the $1.90 tax (or 50 cents of the rate) to each county based on that county's population in proportion to the statewide total, as determined by the last census conducted by the U.S. Census Bureau. The bill required the revenue to be distributed among local governments, as follows: * If a county had no incorporated cities, all revenues were deposited in the county treasury. * If a county had one incorporated city, the revenues were apportioned between the city and county based on population. * If the county had two or more incorporated cities, the revenues were apportioned between the cities based on population, and the county received no revenue. * In Carson City, all revenues were deposited in the city treasury. Following the passage of Senate Bill 439, liquor tax rates were as follows: * Malt beverages (including beer): 6 cents per gallon * Liquor containing 1/2 percent up to and including 14 percent alcohol by volume: 30 cents per gallon or proportionate part thereof * Liquor containing more than 14 percent, up to and including 22 percent alcohol by volume: 50 cents per gallon or proportionate part thereof * Liquor containing more than 22 percent alcohol by volume: $1.90 per gallon or proportionate part thereof ($1.40 to State General Fund; 50 cents to counties and cities)
Senate Bill 577 (1971)	Required the revenue generated from the liquor tax for the benefit of local governments to be transferred by the State Controller to the counties on a monthly basis.
Assembly Bill 247 (1981)	Increased the tax on liquor containing more than 22 percent of alcohol by volume from $1.90 per gallon to $2.05 per gallon, effective July 1, 1981. The proceeds from the additional 15 cents are to be deposited in the Account for Alcohol and Drug Abuse in the Gift Fund of the Department of Human Resources. Following the passage of Assembly Bill 247, liquor tax rates were as follows: * Malt beverages (including beer): 6 cents per gallon * Liquor containing 1/2 percent up to and including 14 percent alcohol by volume: 30 cents per gallon or proportionate part thereof * Liquor containing more than 14 percent, up to and including 22 percent alcohol by volume: 50 cents per gallon or proportionate part thereof * Liquor containing more than 22 percent alcohol by volume: $2.05 per gallon or proportionate part thereof ($1.40 to State General Fund; 50 cents to counties and cities; 15 cents to Account for Alcohol and Drug Abuse)
Assembly Bill 369 (1981)	Changed the method of calculation for distribution of these revenues among counties and cities by requiring that the population figure used was that which was certified by the Governor, rather than that of the prior decennial census. The bill required the Governor to certify populations for counties and cities on or before January 1, which would then be used for distributions beginning on July 1 of that same year.
Senate Bill 183 (1983)	Revised rates on three of the four categories of liquor (all rates except the tax on liquor above 22 percent) at the beginning of Fiscal Year 1984, with the increased rates to be imposed only for Fiscal Years 1984 and 1985. These revised rates were as follows: * Malt beverages (including beer): 9 cents per gallon * Liquor containing 1/2 percent up to and including 14 percent alcohol by volume: 40 cents per gallon or proportionate part thereof * Liquor containing more than 14 percent, up to and including 22 percent alcohol by volume: 75 cents per gallon or proportionate part thereof * Liquor containing more than 22 percent alcohol by volume: $2.05 per gallon or proportionate part thereof ($1.40 to State General Fund; 50 cents to counties and cities; 15 cents to Account for Alcohol and Drug Abuse) Under the provisions of Senate Bill 183, on July 1, 1985, the rates would revert to those rates imposed prior to the effective date of the bill, as established pursuant to Assembly Bill 247 of the 1981 Session.
Assembly Bill 556 (1985)	Repealed the prospective June 30, 1985, sunset of the increased liquor taxes approved during the 1983 Session, making the rates approved pursuant to Senate Bill 183 of the 1983 Session permanent.

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Legislative History of Revenue Source (Rates and Distribution to Counties) Prior to CTX (continued)	
Senate Bill 254 (1997)	Repeals distribution provisions among local governments established in 1969, requiring revenues to be distributed among local governments according to second-tier formulas for CTX enacted in the bill. The proceeds from 50 cents of the tax on liquor whose alcohol by volume exceeds 22 percent are to be distributed at the first tier to each county in proportion to its population.
Assembly Bill 4 (20th Special Session - 2003)	Reduced the allowance that may be kept by taxpayers who pay their taxes due by the 15th of each month from 3 percent to 0.5 percent.
Senate Bill 8 (20th Special Session - 2003)	Increased the liquor tax, effective August 1, 2003, to the current rates, as follows: * Malt beverages (including beer): 16 cents per gallon * Liquor containing 1/2 percent up to and including 14 percent alcohol by volume: 70 cents per gallon or proportionate part thereof * Liquor containing more than 14 percent, up to and including 22 percent alcohol by volume: $1.30 per gallon or proportionate part thereof * Liquor containing more than 22 percent alcohol by volume: $3.60 per gallon or proportionate part thereof ($2.95 to State General Fund; 50 cents to Local Government Tax Distribution Account; 15 cents to Tax on Liquor Program Account)
Senate Bill 2 (25th Special Session - 2008)	Reduced the allowance that may be kept by taxpayers who pay their taxes due by the 15th of each month from 0.5 percent to 0.25 percent, effective January 1, 2009. These provisions were to expire on June 30, 2009; effective July 1, 2009, the allowance would revert to 0.5 percent.
Assembly Bill 552 (2009)	Removed the June 30, 2009, sunset of the provisions of Senate Bill 2 of the 25th Special Session, making the 0.25 percent collection allowance permanent.
Fiscal Year Proceeds First Distributed to Local Governments	
First Year Counties Received Revenue	FY 1970
First Year Cities Received Revenue	FY 1970

CTX LEGISLATIVE HISTORY

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF FERNLEY, NEVADA, a Nevada municipal corporation, Appellant, vs. THE STATE OF NEVADA ex rel. DEPARTMENT OF TAXATION; THE HONORABLE DAN SCHWARTZ, in his official capacity as TREASURER OF THE STATE OF NEVADA; and THE LEGISLATURE OF THE STATE OF NEVADA, Respondents.	Supreme Court No.: 66851 District Court Case No.: 12 OC 00168 1B

<u>JOINT APPENDIX</u>

<u>VOLUME 4 PART 2</u>

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Docket 66851 Document 2015-15475

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City of Fernley v. State of Nevada et al., Case No. 66851

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Sample Excess Distribution

The Revenue Available to Distribute less the Base Distribution equals the amount of excess distribution. In the case where the amount of revenue is less than the base distribution, there is no excess distribution.

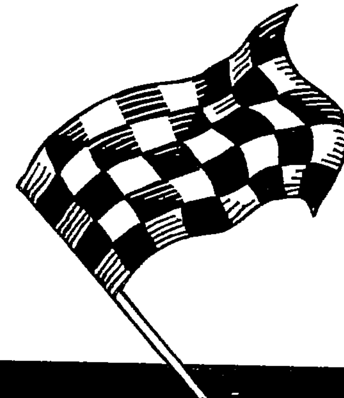
FY 06-07	BASE DISTRIBUTION	WITH 1 PLUS EXCESS % DISTRIBUTION	NO 1 PLUS EXCESS % DISTRIBUTION	EXCESS DISTRIBUTION	TOTAL DISTRIBUTION
THE COUNTY OF CHURCHILL					
REVENUE AVAILABLE TO DISTRIBUTE	643,309.90			77,134.76	
LOCAL GOVERNMENTS					
CHURCHILL COUNTY	423,136.25	-	0.7789	60,079.17	483,215.41
FALLON	121,237.70	-	0.1909	14,725.43	135,963.14
SPECIAL DISTRICTS					
CARSON-TRUCKEE WATER CONSERVANCY	636.39	-	0.0009	67.96	704.36
CHURCHILL MOSQUITO ABATEMENT GID	21,164.79	-	0.0293	2,262.20	23,426.99
TOTAL CHURCHILL COUNTY	566,175.14	0.0000	1.0000	77,134.76	643,309.90

This column is calculated according to a statutory formula

<u>Using "1 Plus" or "No 1 Plus"</u>

- "No 1 plus" is always the default
- [redacted]
- Conditions for using "1 Plus" (NRS 360.690):
  - The sum of the population growth factor & assessed value growth factor for <u>each</u> entity in the county is a negative number **AND** the average change of assessed value in <u>each</u> special district is <u>negative</u>; OR
  - The sum of the population growth factor & assessed value growth factor for <u>each</u> entity is a negative number **AND** the average change of assessed value in <u>any</u> special district is <u>positive</u>; OR
  - The county has a $50 million or greater 5 year average in Net Proceeds of Minerals (NPM) **OR** the 5 year average of population is <u>negative</u> **OR** $50 million in NPM <u>and</u> negative population

Summary



- The CTX distributes six different tax types
- The first tier calculation is the gross revenue allocated to each of the 17 counties
- The second tier calculation allocates the revenue among the entities within a county
- The base distribution is calculated prior to the excess distribution
- The excess distribution may be distributed using the One Plus or No One Plus formula

LEGISLATIVE COMMISSION'S SUBCOMMITTEE TO STUDY THE ALLOCATION OF MONEY DISTRIBUTED FROM THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (ASSEMBLY BILL 71, 2011 LEGISLATURE)

Wednesday, February 1, 2012, 3:00 p.m.

Grant Sawyer State Office Building
555 East Washington Avenue
Las Vegas, Nevada
Room 4401

Videoconference to:

Legislative Building
401 South Carson Street
Carson City, Nevada
Room 3138

Great Basin College
1500 College Parkway
Elko, Nevada
High Tech Center, Room 120

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

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MEETING NOTICE AND AGENDA

Name of Organization: LEGISLATIVE COMMISSION'S SUBCOMMITTEE TO STUDY THE ALLO CATION OF MONEY DISTRIBUTED FROM THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT (ASSEMBLY BILL 71, 2011 LEGISLATURE)

Date and Time of Meeting: February 1, 2012 – 3:00 p.m.

Place of Meeting: Grant Sawyer State Office Building
Room 4401
555 East Washington Avenue
Las Vegas, Nevada

Note: S ome members of the co mmittee may be attending the meeting and other persons may observe the meeting and provide testimony through a simult aneous videoconference conducted at the following locations:

Legislative Building Room 3138 401 South Carson Street Carson City, Nevada	Great Basin College High Tech Center Room 120 1500 College Parkway Elko, Nevada

If you cannot attend the meeting, you can listen to or view it live over the Internet. The address for the Nevada Legislature website is http://www.leg.state.nv.us. Click on the link "Live Meetings – Listen or View."

Note: Please provide the secretary with electronic or written copies of testimony and visual presentations if you wish to have complete versions included as exhibits with the minutes.

AGENDA

Note: Items on this agenda may be taken in a different order than listed. Two or more agenda items may be combined for consideration. An item may be removed from this agenda or discussion relating to an item on this agenda may be delayed at any time.

I. ROLL CALL.

II. INTRODUCTION AND OPENING REMARKS.
ASSEMBLYWOMAN MARILYN KIRKPATRICK, CHAIR

III. PUBLIC COMMENT.
(Because of time considerations, the period for public comment by each speaker may be limited, and speakers are urged to avoid repetition of comments made by previous speakers.)

IV. OVERVIEW OF THE LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT AND THE CONSOLIDATED TAX DISTRIBUTION (CTX).

V. OVERVIEW OF THE SIX REVENUE SOURCES DEDICATED TO THE CTX AND THEIR DISTRIBUTION TO COUNTIES UNDER THE FIRST TIER OF THE CTX: SUPPLEMENTAL CITY-COUNTY RELIEF TAX (SCCRT), BASIC CITY-COUNTY RELIEF TAX (BCCRT), GOVERNMENTAL SERVICES TAX (GST), REAL PROPERTY TRANSFER TAX (RPTT), CIGARETTE TAX, AND LIQUOR TAX.
a) Current Rates and Distribution
b) Historical Overview of the Structure and Distribution of Each Revenue Source

VI. OVERVIEW OF THE DISTRIBUTION OF FIRST-TIER REVENUES TO ENTITIES WITHIN A COUNTY AT THE SECOND TIER OF THE CTX.
a) Entities within a County that are Eligible to Receive a Distribution at the Second Tier
b) Base and Excess Distribution of First-Tier CTX Revenues at the Second Tier
c) One-Plus and No One-Plus Factors Used to Determine Excess Distribution
d) Additional Issues Related to Distribution and Use of Second-Tier CTX Revenues

VII. OVERVIEW OF THE CREATION OF THE CTX AND CHANGES TO THE CTX.
Marvin Leavitt, Chair, Committee on Local Government Finance
Guy Hobbs, Principal, Hobbs, Ong and Associates

VIII. PRESENTATION OF ACTUAL REVENUES DISTRIBUTED UNDER THE FIRST TIER AND SECOND TIER OF THE CTX AND OTHER STATISTICS RELATED TO THE CTX DISTRIBUTION.

IX. POTENTIAL ISSUES FROM LOCAL GOVERNMENTS REGARDING THE CTX.
David Fraser, Executive Director, Nevada League of Cities and Municipalities
Jeff Fontaine, Executive Director, Nevada Association of Counties

X. SCHEDULING OF FUTURE MEETINGS.

XI. PUBLIC COMMENT.
(Because of time considerations, the period for public comment by each speaker may be limited, and speakers are urged to avoid repetition of comments made by previous speakers.)

XII. ADJOURNMENT.

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Fiscal Analysis Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call the Fiscal Analysis Division at (775) 684-6821 as soon as possible.

Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street. Notice of this meeting was faxed for posting to the following Las Vegas, Nevada, locations: Clark County Government Center, 500 South Grand Central Parkway; and Grant Sawyer State Office Building, 555 East Washington Avenue. Notice of this meeting was posted on the Internet through the Nevada Legislature's website at www.leg.state.nv.us.

Assembly Bill No. 71–Committee on
Legislative Operations and Elections

CHAPTER..........

AN ACT relating to taxation; directing the Legislative Commission to conduct an interim study concerning the equitable allocation of money distributed from the Local Government Tax Distribution Account; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the deposit of certain proceeds from liquor taxes, cigarette taxes, real property transfer taxes, city-county relief taxes and governmental services taxes into the Local Government Tax Distribution Account. (NRS 369.173, 370.260, 375.070, 377.055, 377.057, 482.181) Under existing law, the Executive Director of the Department of Taxation is required to allocate the money deposited in the Account to local governments, special districts and enterprise districts in each county in accordance with a specified formula. (NRS 360.680, 360.690)

This bill requires the Legislative Commission to appoint a subcommittee to conduct an interim study to examine whether the formula for the allocation of money distributed from the Local Government Tax Distribution Account results in an equitable allocation to all those governmental entities, including any local library districts that do not currently receive such an allocation, and, if not, to consider possible alternative methodologies to achieve a more equitable allocation.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

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

Section 1. 1. The Legislative Commission shall appoint a subcommittee, consisting of three members of the Senate and three members of the Assembly, to conduct a study during the 2011-2013 interim concerning the formula for the allocation of money distributed from the Local Government Tax Distribution Account.

2. The subcommittee appointed pursuant to subsection 1 shall, without limitation:

(a) Review the structural components of the formula used for the allocation of money distributed from the Local Government Tax Distribution Account to local governments, special districts and enterprise districts from the inception of the formula to the present day; and

(b) Examine whether the formula results in an equitable allocation among all those governmental entities, including, without limitation, any local library districts which do not currently receive such an allocation, and, if not, consider possible alternative methodologies to achieve a more equitable allocation among all those governmental entities.

3. Any recommendations for legislation proposed by the subcommittee must be approved by a majority of the members of the Senate and a majority of the members of the Assembly appointed to the subcommittee.

4. The Legislative Commission shall submit a report of the results of the study and any recommendations for legislation to the 77th Session of the Nevada Legislature.

Sec. 2. This act becomes effective on July 1, 2011.

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DISTRIBUTION OF PROCEEDS OF CERTAIN TAXES TO LOCAL GOVERNMENTS

NRS 360.600 Definitions. As used in NRS 360.600 to 360.740, inclusive, unless the context otherwise requires, the words and terms defined in NRS 360.605 to 360.650, inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by 1997, 3278; A 1999, 9, 1092)

NRS 360.605 "Account" defined. "Account" means the Local Government Tax Distribution Account created pursuant to NRS 360.660.

(Added to NRS by 1999, 9)

NRS 360.610 "County" defined. "County" includes Carson City.

(Added to NRS by 1997, 3278)

NRS 360.620 "Enterprise district" defined. "Enterprise district" means a governmental entity which:

1. Is not a county, city or town;
2. Receives any portion of the proceeds of a tax which is included in the Account; and
3. The Executive Director determines is an enterprise district pursuant to the provisions of NRS 360.710.

(Added to NRS by 1997, 3278; A 1999, 9)

NRS 360.640 "Local government" defined. "Local government" means any county, city or town that receives any portion of the proceeds of a tax which is included in the Account.

(Added to NRS by 1997, 3278; A 1999, 10)

NRS 360.650 "Special district" defined. "Special district" means a governmental entity that receives any portion of the proceeds of a tax which is included in the Account and which is not:

1. A county;
2. A city;
3. A town; or
4. An enterprise district.

(Added to NRS by 1997, 3278; A 1999, 10)

NRS 360.660 Local Government Tax Distribution Account: Creation; administration by Executive Director. The Local Government Tax Distribution Account is hereby created in the intergovernmental fund. The Executive Director shall administer the Account.

(Added to NRS by 1997, 3278; A 1999, 10)

NRS 360.670 Eligibility for allocation from Account. Except as otherwise provided in NRS 360.740, each:

1. Local government that receives, before July 1, 1998, any portion of the proceeds of a tax which is included in the Account;
2. Special district that receives, before July 1, 1998, any portion of the proceeds of a tax which is included in the Account; and
3. Enterprise district,

↳ is eligible for an allocation from the Account in the manner prescribed in NRS 360.680.

(Added to NRS by 1997, 3278; A 1999, 10)

NRS 360.680 Annual allocations from Account.

1. On or before July 1 of each year, the Executive Director shall allocate to each enterprise district an amount equal to the amount that the enterprise district received from the Account in the immediately preceding fiscal year.

2. Except as otherwise provided in NRS 360.690 and 360.730, the Executive Director, after subtracting the amount allocated to each enterprise district pursuant to subsection 1, shall allocate to each local government or special district which is eligible for an allocation from the Account pursuant to NRS 360.670 an amount from the Account that is equal to the amount allocated to the local government or special district for the preceding fiscal year, minus any excess amount allocated pursuant to subsection 4, 5, 6 or 7 of NRS 360.690, multiplied by 1 plus the percentage change in the Consumer Price Index (All Items) for the year ending on December 31 immediately preceding the year in which the allocation is made.

(Added to NRS by 1997, 3279; A 1999, 10; 2001 Special Session, 109; 2003, 1626; 2005, 7)

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NRS 360.690 Establishment of base monthly allocations from Account; remission of allocations to local governments; estimates of allocations for future year for use in preparation of budgets.

1. Except as otherwise provided in NRS 360.730, the Executive Director shall estimate monthly the amount each local government, special district and enterprise district will receive from the Account pursuant to the provisions of this section.

2. The Executive Director shall establish a base monthly allocation for each local government, special district and enterprise district by dividing the amount determined pursuant to NRS 360.680 for each local government, special district and enterprise district by 12, and the State Treasurer shall, except as otherwise provided in subsections 3 to 8, inclusive, remit monthly that amount to each local government, special district and enterprise district.

3. If, after making the allocation to each enterprise district for the month, the Executive Director determines there is not sufficient money available in the county's subaccount in the Account to allocate to each local government and special district the base monthly allocation determined pursuant to subsection 2, he or she shall prorate the money in the county's subaccount and allocate to each local government and special district an amount equal to its proportionate percentage of the total amount of the base monthly allocations determined pursuant to subsection 2 for all local governments and special districts within the county. The State Treasurer shall remit that amount to the local government or special district.

4. Except as otherwise provided in subsections 5 to 8, inclusive, if the Executive Director determines that there is money remaining in the county's subaccount in the Account after the base monthly allocation determined pursuant to subsection 2 has been allocated to each local government, special district and enterprise district, he or she shall immediately determine and allocate each:

(a) Local government's share of the remaining money by:

(1) Multiplying one-twelfth of the amount allocated pursuant to NRS 360.680 by the sum of the:

(I) Average percentage of change in the population of the local government over the 5 fiscal years immediately preceding the year in which the allocation is made, as certified by the Governor pursuant to NRS 360.285, except as otherwise provided in subsection 9; and

(II) Average percentage of change in the assessed valuation of the taxable property in the local government, including assessed valuation attributable to a redevelopment agency but excluding the portion attributable to the net proceeds of minerals, over the year in which the allocation is made, as projected by the Department, and the 4 fiscal years immediately preceding the year in which the allocation is made; and

(2) Using the figure calculated pursuant to subparagraph (1) to calculate and allocate to each local government an amount equal to the proportion that the figure calculated pursuant to subparagraph (1) bears to the total amount of the figures calculated pursuant to subparagraph (1) of this paragraph and subparagraph (1) of paragraph (b), respectively, for the local governments and special districts located in the same county multiplied by the total amount available in the subaccount; and

(b) Special district's share of the remaining money by:

(1) Multiplying one-twelfth of the amount allocated pursuant to NRS 360.680 by the average change in the assessed valuation of the taxable property in the special district, including assessed valuation attributable to a redevelopment agency but excluding the portion attributable to the net proceeds of minerals, over the year in which the allocation is made, as projected by the Department, and the 4 fiscal years immediately preceding the year in which the allocation is made; and

(2) Using the figure calculated pursuant to subparagraph (1) to calculate and allocate to each special district an amount equal to the proportion that the figure calculated pursuant to subparagraph (1) bears to the total amount of the figures calculated pursuant to subparagraph (1) of this paragraph and subparagraph (1) of paragraph (a), respectively, for the local governments and special districts located in the same county multiplied by the total amount available in the subaccount.

↪ The State Treasurer shall remit the amount allocated to each local government or special district pursuant to this subsection.

5. Except as otherwise provided in subsection 6 or 7, if the Executive Director determines that there is money remaining in the county's subaccount in the Account after the base monthly allocation determined pursuant to subsection 2 has been allocated to each local government, special district and enterprise district and that the average amount over the 5 fiscal years immediately preceding the year in which the allocation is made of the assessed valuation of taxable property which is attributable to the net proceeds of minerals in the county is equal to at least $50,000,000 or that the average percentage of change in population of the county over the 5 fiscal years immediately preceding the year in which the allocation is made, as certified by the Governor pursuant to NRS 360.285, except as otherwise provided in subsection 9, is a negative figure or that the average amount over the 5 fiscal years immediately preceding the year in which the allocation is made of

the assessed valuation of taxable property which is attributable to the net proceeds of minerals in the county is equal to at least $50,000,000 and the average percentage of change in population of the county over the 5 fiscal years immediately preceding the year in which the allocation is made, as certified by the Governor pursuant to NRS 360.285, except as otherwise provided in subsection 9, is a negative figure, the Executive Director shall immediately determine and allocate each:

(a) Local government's share of the remaining money by:

(1) Multiplying one-twelfth of the amount allocated pursuant to NRS 360.680 by 1 plus the sum of the:

(I) Average percentage of change in the population of the local government over the 5 fiscal years immediately preceding the year in which the allocation is made, as certified by the Governor pursuant to NRS 360.285, except as otherwise provided in subsection 9; and

(II) Average percentage of change in the assessed valuation of the taxable property in the local government, including assessed valuation attributable to a redevelopment agency but excluding the portion attributable to the net proceeds of minerals, over the year in which the allocation is made, as projected by the Department, and the 4 fiscal years immediately preceding the year in which the allocation is made; and

(2) Using the figure calculated pursuant to subparagraph (1) to calculate and allocate to each local government an amount equal to the proportion that the figure calculated pursuant to subparagraph (1) bears to the total amount of the figures calculated pursuant to subparagraph (1) of this paragraph and subparagraph (1) of paragraph (b), respectively, for the local governments and special districts located in the same county multiplied by the total amount available in the subaccount; and

(b) Special district's share of the remaining money by:

(1) Multiplying one-twelfth of the amount allocated pursuant to NRS 360.680 by 1 plus the average change in the assessed valuation of the taxable property in the special district, including assessed valuation attributable to a redevelopment agency but excluding the portion attributable to the net proceeds of minerals, over the year in which the allocation is made, as projected by the Department, and the 4 fiscal years immediately preceding the year in which the allocation is made; and

(2) Using the figure calculated pursuant to subparagraph (1) to calculate and allocate to each special district an amount equal to the proportion that the figure calculated pursuant to subparagraph (1) bears to the total amount of the figures calculated pursuant to subparagraph (1) of this paragraph and subparagraph (1) of paragraph (a), respectively, for the local governments and special districts located in the same county multiplied by the total amount available in the subaccount.

➥ The State Treasurer shall remit the amount allocated to each local government or special district pursuant to this subsection.

6. Except as otherwise provided in subsection 8, if the Executive Director determines that there is money remaining in the county's subaccount in the Account after the base monthly allocation determined pursuant to subsection 2 has been allocated to each local government, special district and enterprise district, that the sum of the average percentage of change in population and the average percentage of change in the assessed valuation of taxable property, as calculated pursuant to subparagraph (1) of paragraph (a) of subsection 4 for each of those local governments, is a negative figure, and that the average change in the assessed valuation of the taxable property in each of those special districts, as calculated pursuant to subparagraph (1) of paragraph (b) of subsection 4, is a negative figure, he or she shall immediately determine and allocate each:

(a) Local government's share of the remaining money by:

(1) Multiplying one-twelfth of the amount allocated pursuant to NRS 360.680 by 1 plus the sum of the:

(I) Average percentage of change in the population of the local government over the 5 fiscal years immediately preceding the year in which the allocation is made, as certified by the Governor pursuant to NRS 360.285, except as otherwise provided in subsection 9; and

(II) Average percentage of change in the assessed valuation of the taxable property in the local government, including assessed valuation attributable to a redevelopment agency but excluding the portion attributable to the net proceeds of minerals, over the year in which the allocation is made, as projected by the Department, and the 4 fiscal years immediately preceding the year in which the allocation is made; and

(2) Using the figure calculated pursuant to subparagraph (1) to calculate and allocate to each local government an amount equal to the proportion that the figure calculated pursuant to subparagraph (1) bears to the total amount of the figures calculated pursuant to subparagraph (1) of this paragraph and subparagraph (1) of paragraph (b), respectively, for the local governments and special districts located in the same county multiplied by the total amount available in the subaccount; and

(b) Special district's share of the remaining money by:

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(1) Multiplying one-twelfth of the amount allocated pursuant to NRS 360.680 by 1 plus the average change in the assessed valuation of the taxable property in the special district, including assessed valuation attributable to a redevelopment agency but excluding the portion attributable to the net proceeds of minerals, over the year in which the allocation is made, as projected by the Department, and the 4 fiscal years immediately preceding the year in which the allocation is made; and

(2) Using the figure calculated pursuant to subparagraph (1) to calculate and allocate to each special district an amount equal to the proportion that the figure calculated pursuant to subparagraph (1) bears to the total amount of the figures calculated pursuant to subparagraph (1) of this paragraph and subparagraph (1) of paragraph (a), respectively, for the local governments and special districts located in the same county multiplied by the total amount available in the subaccount.

➥ The State Treasurer shall remit the amount allocated to each local government or special district pursuant to this subsection.

7. Except as otherwise provided in subsection 8, if the Executive Director determines that there is money remaining in the county's subaccount in the Account after the base monthly allocation determined pursuant to subsection 2 has been allocated to each local government, special district and enterprise district, that the sum of the average percentage of change in population and the average percentage of change in the assessed valuation of taxable property, as calculated pursuant to subparagraph (1) of paragraph (a) of subsection 4 for each of those local governments, is a negative figure, and that the average change in the assessed valuation of the taxable property in any of those special districts, as calculated pursuant to subparagraph (1) of paragraph (b) of subsection 4, is a positive figure, he or she shall immediately determine and allocate each:

(a) Local government's share of the remaining money by:

(1) Multiplying one-twelfth of the amount allocated pursuant to NRS 360.680 by 1 plus the sum of the:

(I) Average percentage of change in the population of the local government over the 5 fiscal years immediately preceding the year in which the allocation is made, as certified by the Governor pursuant to NRS 360.285, except as otherwise provided in subsection 9; and

(II) Average percentage of change in the assessed valuation of the taxable property in the local government, including assessed valuation attributable to a redevelopment agency but excluding the portion attributable to the net proceeds of minerals, over the year in which the allocation is made, as projected by the Department, and the 4 fiscal years immediately preceding the year in which the allocation is made; and

(2) Using the figure calculated pursuant to subparagraph (1) to calculate and allocate to each local government an amount equal to the proportion that the figure calculated pursuant to subparagraph (1) bears to the total amount of the figures calculated pursuant to subparagraph (1) of this paragraph and subparagraph (1) of paragraph (b), respectively, for the local governments and special districts located in the same county multiplied by the total amount available in the subaccount; and

(b) Special district's share of the remaining money by:

(1) Multiplying one-twelfth of the amount allocated pursuant to NRS 360.680 by 1 plus the sum of the:

(I) Average percentage of change in the population of the county over the 5 fiscal years immediately preceding the year in which the allocation is made, as certified by the Governor pursuant to NRS 360.285, except as otherwise provided in subsection 9; and

(II) Average change in the assessed valuation of the taxable property in the special district, including assessed valuation attributable to a redevelopment agency but excluding the portion attributable to the net proceeds of minerals, over the year in which the allocation is made, as projected by the Department, and the 4 fiscal years immediately preceding the year in which the allocation is made; and

(2) Using the figure calculated pursuant to subparagraph (1) to calculate and allocate to each special district an amount equal to the proportion that the figure calculated pursuant to subparagraph (1) bears to the total amount of the figures calculated pursuant to subparagraph (1) of this paragraph and subparagraph (1) of paragraph (a), respectively, for the local governments and special districts located in the same county multiplied by the total amount available in the subaccount.

➥ The State Treasurer shall remit the amount allocated to each local government or special district pursuant to this subsection.

8. The Executive Director shall not allocate any amount to a local government ~~or special district pursuant~~ to subsection 4, 5, 6 or 7 unless the amount distributed and allocated to each of the local governments and special districts in the county in each preceding month of the fiscal year in which the allocation is to be made was at least equal to the base monthly allocation determined pursuant to subsection 2. If the amounts distributed to the local governments and special districts in the county for the preceding months of the fiscal year in which the allocation is to be made were less than the base monthly allocation determined pursuant to

subsection 2 and the Executive Director determines there is money remaining in the county's subaccount in the Account after the distribution for the month has been made, he or she shall:

(a) Determine the amount by which the base monthly allocations determined pursuant to subsection 2 for each local government and special district in the county for the preceding months of the fiscal year in which the allocation is to be made exceeds the amounts actually received by the local governments and special districts in the county for the same period; and

(b) Compare the amount determined pursuant to paragraph (a) to the amount of money remaining in the county's subaccount in the Account to determine which amount is greater.

↪ If the Executive Director determines that the amount determined pursuant to paragraph (a) is greater, he or she shall allocate the money remaining in the county's subaccount in the Account pursuant to the provisions of subsection 3. If the Executive Director determines that the amount of money remaining in the county's subaccount in the Account is greater, he or she shall first allocate the money necessary for each local government and special district to receive the base monthly allocation determined pursuant to subsection 2 and the State Treasurer shall remit that money so allocated. The Executive Director shall allocate any additional money in the county's subaccount in the Account pursuant to the provisions of subsection 4, 5, 6 or 7, as appropriate.

9. The percentage changes in population calculated pursuant to subsections 4 to 7, inclusive, must:

(a) Except as otherwise provided in paragraph (c), if the Bureau of the Census of the United States Department of Commerce issues population totals that conflict with the totals certified by the Governor pursuant to NRS 360.285, be an estimate of the change in population for the calendar year, based upon the population totals issued by the Bureau of the Census.

(b) If a new method of determining population is established pursuant to NRS 360.283, be adjusted in a manner that will result in the percentage change being based on population determined pursuant to the new method for both the fiscal year in which the allocation is made and the fiscal year immediately preceding the year in which the allocation is made.

(c) If a local government files a formal appeal with the Bureau of the Census concerning the population total of the local government issued by the Bureau of the Census, be calculated using the population total certified by the Governor pursuant to NRS 360.285 until the appeal is resolved. If additional money is allocated to the local government because the population total certified by the Governor is greater than the population total issued by the Bureau of the Census, the State Treasurer shall deposit that additional money in a separate interest-bearing account. Upon resolution of the appeal, if the population total finally determined pursuant to the appeal is:

(1) Equal to or less than the population total initially issued by the Bureau of the Census, the State Treasurer shall transfer the total amount in the separate interest-bearing account, including interest but excluding any administrative fees, to the Local Government Tax Distribution Account for allocation among the local governments in the county pursuant to subsection 4, 5, 6 or 7, as appropriate.

(2) Greater than the population total initially issued by the Bureau of the Census, the Executive Director shall calculate the amount that would have been allocated to the local government pursuant to subsection 4, 5, 6 or 7, as appropriate, if the population total finally determined pursuant to the appeal had been used and the State Treasurer shall remit to the local government an amount equal to the difference between the amount actually distributed and the amount calculated pursuant to this subparagraph or the total amount in the separate interest-bearing account, including interest but excluding any administrative fees, whichever is less.

10. On or before February 15 of each year, the Executive Director shall provide to each local government, special district and enterprise district a preliminary estimate of the revenue it will receive from the Account for that fiscal year.

11. On or before March 15 of each year, the Executive Director shall:

(a) Make an estimate of the receipts from each tax included in the Account on an accrual basis for the next fiscal year in accordance with generally accepted accounting principles, including an estimate for each county of the receipts from each tax included in the Account; and

(b) Provide to each local government, special district and enterprise district an estimate of the amount that local government, special district or enterprise district would receive based upon the estimate made pursuant to paragraph (a) and calculated pursuant to the provisions of this section.

12. A local government, special district or enterprise district may use the estimate provided by the Executive Director pursuant to subsection 11 in the preparation of its budget.

(Added to NRS by 1997, 3279; A 1999, 10, 1092, 1096; 2001, 70, 1821; 2001 Special Session, 109, 112, 115, 118; 2003, 259, 1626, 1632; 2005, 7; 2009, 1210)

NRS 360.695 Adjustment of allocation to local government or special district after decrease in population and assessed valuation of taxable property.

1. If the population and assessed valuation of the taxable property, except any assessed valuation attributable to the net proceeds of minerals, within a local government or special district has decreased in each of the 3 fiscal years immediately preceding the current fiscal year, the Executive Director shall review the amount allocated to the local government or special district from the Account pursuant to NRS 360.680, to determine whether to adjust the allocation. The local government or special district may submit information to assist the Executive Director in making a determination. If the Executive Director determines that an adjustment to the allocation of the local government or special district is necessary, the Executive Director shall submit his or her findings on the matter to the Committee on Local Government Finance.

2. The Committee on Local Government Finance shall review the findings submitted by the Executive Director pursuant to subsection 1. If the committee determines that an adjustment to the amount allocated to the local government or special district pursuant to NRS 360.680 is appropriate, the committee shall submit a recommendation to the Nevada Tax Commission that sets forth the amount of the recommended adjustment. If the Committee determines that the adjustment is not appropriate, that decision is not subject to review by the Nevada Tax Commission.

3. The Nevada Tax Commission shall schedule a public hearing within 30 days after the Committee on Local Government Finance submits its recommendation. The Nevada Tax Commission shall provide public notice of the hearing at least 10 days before the date on which the hearing will be held. The Executive Director shall provide copies of all documents relevant to the adjustment recommended by the Committee on Local Government Finance to the governing body of each local government and special district that is located in the same county as the local government or special district that is subject to the recommended adjustment.

4. If, after the public hearing, the Nevada Tax Commission determines that the recommended adjustment is appropriate, it shall order the Executive Director to adjust the amount allocated to the local government or special district pursuant to NRS 360.680.

(Added to NRS by 1999, 1091)

NRS 360.698 Pledge of percentage of revenue to payment of bonds.

1. A local government or special district which receives revenue pursuant to NRS 360.680, 360.690 and 360.700 may pledge not more than 15 percent of that revenue to the payment of any general obligation bond or revenue bond issued by the local government or special district pursuant to chapter 350 of NRS.

2. Any revenue pledged pursuant to subsection 1 for the payment of a general obligation bond issued by a local government or special district pursuant to chapter 350 of NRS shall be deemed to be pledged revenue of the project for the purposes of NRS 350.020.

3. For bonds issued pursuant to this section before July 1, 1998, by a local government, special district or enterprise district:

(a) A pledge of 15 percent of the revenue distributed pursuant to NRS 360.680, 360.690 and 360.700 is substituted for the pledge of 15 percent of the revenue distributed pursuant to NRS 377.057, as that section existed on January 1, 1997; and

(b) A local government, special district or enterprise district shall increase the percentage specified in paragraph (a) to the extent necessary to provide a pledge to those bonds that is equivalent to the pledge of 15 percent of the amount that would have been received by that local government, special district or enterprise district pursuant to NRS 377.057, as that section existed on January 1, 1997.

(Added to NRS by 1991, 2327; A 1997, 3292; 2003, 1316)—(Substituted in revision for NRS 377.080)

NRS 360.700 Guaranteed allocation from Account for tax proceeds pledged to secure obligations. The Executive Director shall ensure that each local government, special district or enterprise district that:

1. Received, before July 1, 1998, any portion of the proceeds of a tax which is included in the Account; and

2. Pledged a portion of the money described in subsection 1 to secure the payment of bonds or other types of obligations,

↳ receives an amount at least equal to that amount which the local government, special district or enterprise district would have received before July 1, 1998, that is pledged to secure the payment of those bonds or other types of obligations.

(Added to NRS by 1997, 3281; A 1999, 13)

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NRS 360.710 Determination of whether governmental entity is enterprise district.

1. The Executive Director shall determine whether a governmental entity is an enterprise district.

2. In determining whether a governmental entity is an enterprise district, the Executive Director shall consider:

(a) Whether the governmental entity should account for substantially all of its operations in an enterprise fund as defined in NRS 354.517;

(b) The number and type of governmental services that the governmental entity provides;

(c) Whether the governmental entity provides a product or a service directly to a user of that product or service, including, without limitation, water, sewerage, television and sanitation; and

(d) Any other factors the Executive Director deems relevant.

(Added to NRS by 1997, 3281)

NRS 360.720 Enterprise districts prohibited from pledging revenue from Account to secure obligations; qualifications of certain governmental entities for allocations from Account.

1. An enterprise district shall not pledge any portion of the revenues from any of the taxes included in the Account to secure the payment of bonds or other obligations.

2. The Executive Director shall ensure that a governmental entity created between July 1, 1996, and July 1, 1998, does not receive money from the taxes included in the Account unless that governmental entity provides police protection and at least two of the following services:

(a) Fire protection;

(b) Construction, maintenance and repair of roads; or

(c) Parks and recreation.

3. As used in this section:

(a) "Construction, maintenance and repair of roads" has the meaning ascribed to it in NRS 360.740.

(b) "Fire protection" has the meaning ascribed to it in NRS 360.740.

(c) "Parks and recreation" has the meaning ascribed to it in NRS 360.740.

(d) "Police protection" has the meaning ascribed to it in NRS 360.740.

(Added to NRS by 1997, 3282; A 1999, 13)

NRS 360.730 Establishment of alternative formula for distribution of taxes in Account by cooperative agreement.

1. The governing bodies of two or more local governments or special districts, or any combination thereof, may, pursuant to the provisions of NRS 277.045, enter into a cooperative agreement that sets forth an alternative formula for the distribution of the taxes included in the Account to the local governments or special districts which are parties to the agreement. The governing bodies of each local government or special district that is a party to the agreement must approve the alternative formula by majority vote.

2. The county clerk of a county in which a local government or special district that is a party to a cooperative agreement pursuant to subsection 1 is located shall transmit a copy of the cooperative agreement to the Executive Director:

(a) Within 10 days after the agreement is approved by each of the governing bodies of the local governments or special districts that are parties to the agreement; and

(b) Not later than December 31 of the year immediately preceding the initial year of distribution that will be governed by the cooperative agreement.

3. The governing bodies of two or more local governments or special districts shall not enter into more than one cooperative agreement pursuant to subsection 1 that involves the same local governments or special districts.

4. If at least two cooperative agreements exist among the local governments and special districts that are located in the same county, the Executive Director shall ensure that the terms of those cooperative agreements do not conflict.

5. Any local government or special district that is not a party to a cooperative agreement pursuant to subsection 1 must continue to receive money from the Account pursuant to the provisions of NRS 360.680 and 360.690.

6. The governing bodies of the local governments and special districts that have entered into a cooperative agreement pursuant to subsection 1 may, by majority vote, amend the terms of the agreement. The governing bodies shall not amend the terms of a cooperative agreement more than once during the first 2 years after the cooperative agreement is effective and once every year thereafter, unless the Committee on Local Government Finance approves the amendment. The provisions of this subsection do not apply to any interlocal agreements for the consolidation of governmental services entered into by local governments or

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special districts pursuant to the provisions of NRS 277.080 to 277.180, inclusive, that do not relate to the distribution of taxes included in the Account.

7. A cooperative agreement executed pursuant to this section may not be terminated unless the governing body of each local government or special district that is a party to a cooperative agreement pursuant to subsection 1 agrees to terminate the agreement.

8. For each fiscal year the cooperative agreement is in effect, the Executive Director shall continue to calculate the amount each local government or special district that is a party to a cooperative agreement pursuant to subsection 1 would receive pursuant to the provisions of NRS 360.680 and 360.690.

9. If the governing bodies of the local governments or special districts that are parties to a cooperative agreement terminate the agreement pursuant to subsection 7, the Executive Director must distribute to those local governments or special districts an amount equal to the amount the local government or special district would have received pursuant to the provisions of NRS 360.680 and 360.690 according to the calculations performed pursuant to subsection 8.

(Added to NRS by 1997, 3282; A 1999, 13; 2011, 399)

NRS 360.740 Request of newly created local government or special district for allocation from Account.

1. The governing body of a local government or special district that is created after July 1, 1998, and which provides police protection and at least two of the following services:

(a) Fire protection;

(b) Construction, maintenance and repair of roads; or

(c) Parks and recreation,

↳ may, by majority vote, request the Nevada Tax Commission to direct the Executive Director to allocate money from the Account to the local government or special district pursuant to the provisions of NRS 360.680 and 360.690.

2. On or before December 31 of the year immediately preceding the first fiscal year that the local government or special district would receive money from the Account, a governing body that submits a request pursuant to subsection 1 must:

(a) Submit the request to the Executive Director; and

(b) Provide copies of the request and any information it submits to the Executive Director in support of the request to each local government and special district that:

(1) Receives money from the Account; and

(2) Is located within the same county.

3. The Executive Director shall review each request submitted pursuant to subsection 1 and submit his or her findings to the Committee on Local Government Finance. In reviewing the request, the Executive Director shall:

(a) For the initial year of distribution, establish an amount to be allocated to the new local government or special district pursuant to the provisions of NRS 360.680 and 360.690. If the new local government or special district will provide a service that was provided by another local government or special district before the creation of the new local government or special district, the amount allocated to the local government or special district which previously provided the service must be decreased by the amount allocated to the new local government or special district; and

(b) Consider:

(1) The effect of the distribution of money in the Account, pursuant to the provisions of NRS 360.680 and 360.690, to the new local government or special district on the amounts that the other local governments and special districts that are located in the same county will receive from the Account; and

(2) The comparison of the amount established to be allocated pursuant to the provisions of NRS 360.680 and 360.690 for the new local government or special district to the amounts allocated to the other local governments and special districts that are located in the same county.

4. The Committee on Local Government Finance shall review the findings submitted by the Executive Director pursuant to subsection 3. If the Committee determines that the distribution of money in the Account to the new local government or special district is appropriate, it shall submit a recommendation to the Nevada Tax Commission. If the Committee determines that the distribution is not appropriate, that decision is not subject to review by the Nevada Tax Commission.

5. The Nevada Tax Commission shall schedule a public hearing within 30 days after the Committee on Local Government Finance submits its recommendation. The Nevada Tax Commission shall provide public notice of the hearing at least 10 days before the date on which the hearing will be held. The Executive Director shall provide copies of all documents relevant to the recommendation of the Committee on Local

Government Finance to the governing body of each local government and special district that is located in the same county as the new local government or special district.

6. If, after the public hearing, the Nevada Tax Commission determines that the recommendation of the Committee on Local Government Finance is appropriate, it shall order the Executive Director to distribute money in the Account to the new local government or special district pursuant to the provisions of NRS 360.680 and 360.690.

7. For the purposes of this section, the local government or special district may enter into an interlocal agreement with another governmental entity for the provision of the services set forth in subsection 1 if that local government or special district compensates the governmental entity that provides the services in an amount equal to the value of those services.

8. As used in this section:

(a) "Construction, maintenance and repair of roads" includes the acquisition, operation or use of any material, equipment or facility that is used exclusively for the construction, maintenance or repair of a road and that is necessary for the safe and efficient use of the road except alleys and pathways for bicycles that are separate from the roadway and, including, without limitation:

(1) Grades or regrades;
(2) Gravel;
(3) Oiling;
(4) Surfacing;
(5) Macadamizing;
(6) Paving;
(7) Cleaning;
(8) Sanding or snow removal;
(9) Crosswalks;
(10) Sidewalks;
(11) Culverts;
(12) Catch basins;
(13) Drains;
(14) Sewers;
(15) Manholes;
(16) Inlets;
(17) Outlets;
(18) Retaining walls;
(19) Bridges;
(20) Overpasses;
(21) Tunnels;
(22) Underpasses;
(23) Approaches;
(24) Sprinkling facilities;
(25) Artificial lights and lighting equipment;
(26) Parkways;
(27) Fences or barriers that control access to the road;
(28) Control of vegetation;
(29) Rights-of-way;
(30) Grade separators;
(31) Traffic separators;
(32) Devices and signs for control of traffic;
(33) Facilities for personnel who construct, maintain or repair roads; and
(34) Facilities for the storage of equipment or materials used to construct, maintain or repair roads.

(b) "Fire protection" includes the provision of services related to:

(1) The prevention and suppression of fire; and
(2) Rescue,

➥ and the acquisition and maintenance of the equipment necessary to provide those services.

(c) "Parks and recreation" includes the employment by the local government or special district, on a permanent and full-time basis, of persons who administer and maintain recreational facilities and parks. "Parks and recreation" does not include the construction or maintenance of roadside parks or rest areas that are constructed or maintained by the local government or special district as part of the construction, maintenance and repair of roads.

(d) "Police protection" includes the employment by the local government or special district, on a permanent and full-time basis, of at least three persons whose primary functions specifically include:

(1) Routine patrol;

(2) Criminal investigations;

(3) Enforcement of traffic laws; and

(4) Investigation of motor vehicle accidents.

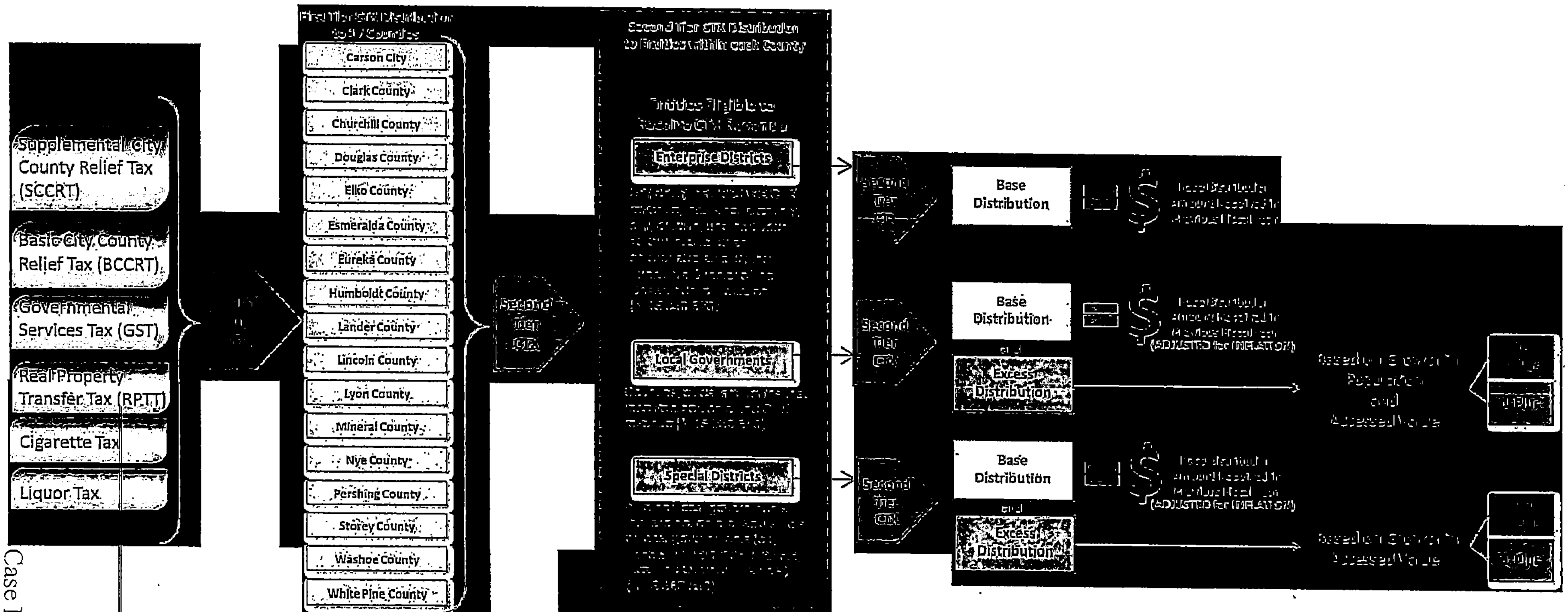
(Added to NRS by 1997, 3283; A 1999, 15)

Case No. 66851
JA 735

CTX PRESENTATION

Overview of the CTX
Agenda Item IV

OVERVIEW OF THE
LOCAL GOVERNMENT TAX DISTRIBUTION ACCOUNT
AND
THE CONSOLIDATED TAX DISTRIBUTION (CTX)



Case No. 66851
JA 738
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Overview of the CTX
Agenda Item IV

- Supplemental City County Relief Tax (SCCRT)
- Basic City County Relief Tax (BCCRT)
- Governmental Services Tax (GST)
- Real Property Transfer Tax (RPTT)
- Cigarette Tax
- Liquor Tax

There are 6 Revenue Sources Dedicated to the Local Government Tax Distribution Account, generally referred to as the Consolidated Tax Distribution (CTX)

Overview of the CTX
Agenda Item IV

- Supplemental City County Relief Tax (SCCRT)
- Basic City County Relief Tax (BCCRT)
- Governmental Services Tax (GST)
- Real Property Transfer Tax (RPTT)
- Cigarette Tax
- Liquor Tax

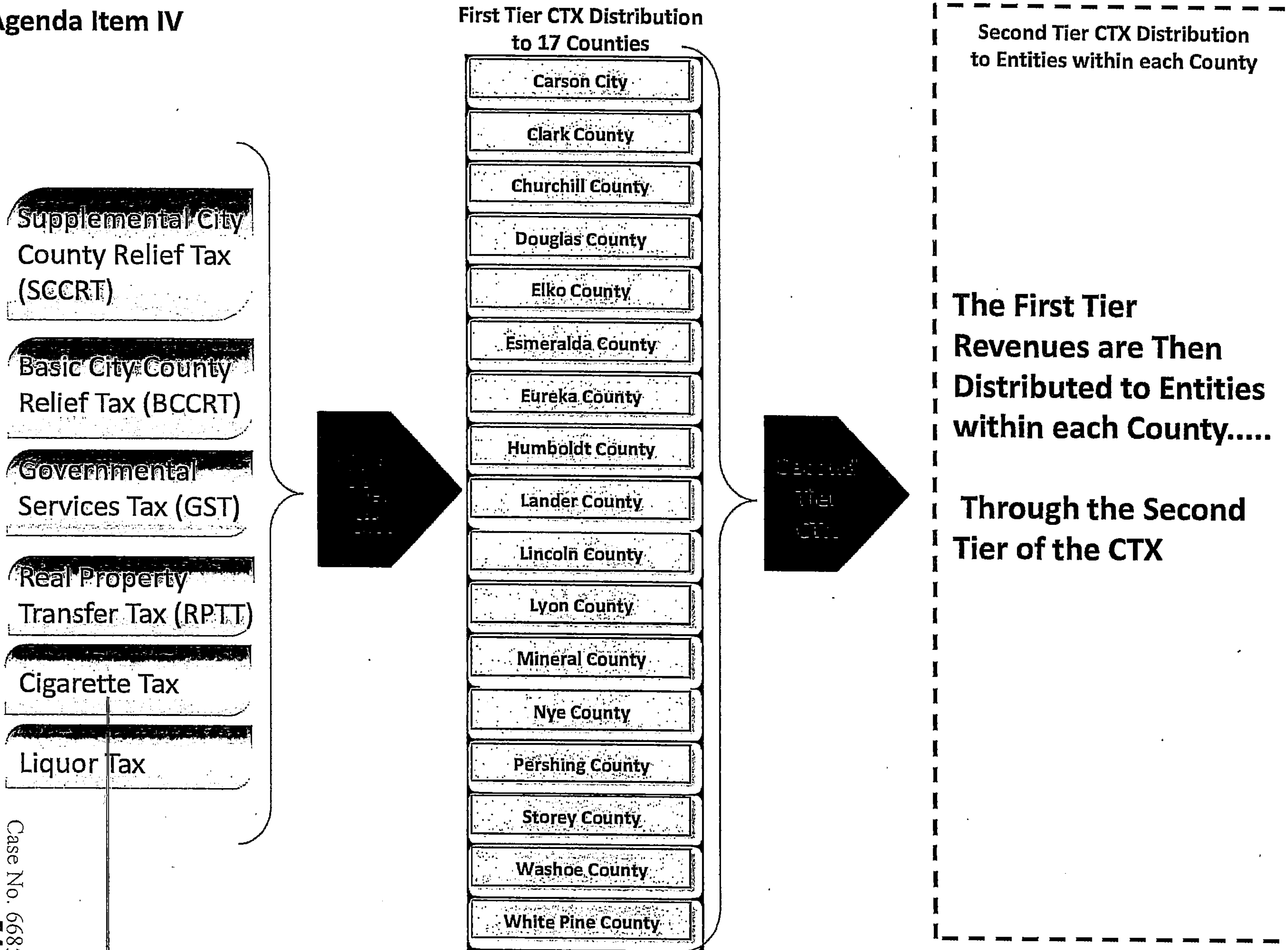
First Tier CTX Distribution to 17 Counties

- Carson City
- Clark County
- Churchill County
- Douglas County
- Elko County
- Esmeralda County
- Eureka County
- Humboldt County
- Lander County
- Lincoln County
- Lyon County
- Mineral County
- Nye County
- Pershing County
- Storey County
- Washoe County
- White Pine County

The 6 Revenue Sources are Distributed to the Counties Through the First Tier of the CTX

Case No. 66851
JA 740

Overview of the CTX
Agenda Item IV



Overview of the CTX
Agenda Item IV

- Supplemental City County Relief Tax (SCCRT)
- Basic City County Relief Tax (BCCRT)
- Governmental Services Tax (GST)
- Real Property Transfer Tax (RPTT)
- Cigarette Tax
- Liquor Tax

First Tier CTX Distribution to 17 Counties

- Carson City
- Clark County
- Churchill County
- Douglas County
- Elko County
- Esmeralda County
- Eureka County
- Humboldt County
- Lander County
- Lincoln County
- Lyon County
- Mineral County
- Nye County
- Pershing County
- Storey County
- Washoe County
- White Pine County

Second Tier CTX Distribution to Entities within each County

Entities Eligible to Receive CTX Revenue

Enterprise Districts

Any entity that receives CTX revenue; that is not a county, city, or town; and has been determined to be an enterprise district by the Executive Director of the Department of Taxation. (NRS 360.620)

Local Governments

Counties, cities, and towns that receive a portion of the CTX revenue (NRS 360.640)

Special Districts

All other local governments that are not enterprise districts or local governments (e.g. special improvement districts, local improvement districts) (NRS 360.650)

Case No. 66851
JA 742
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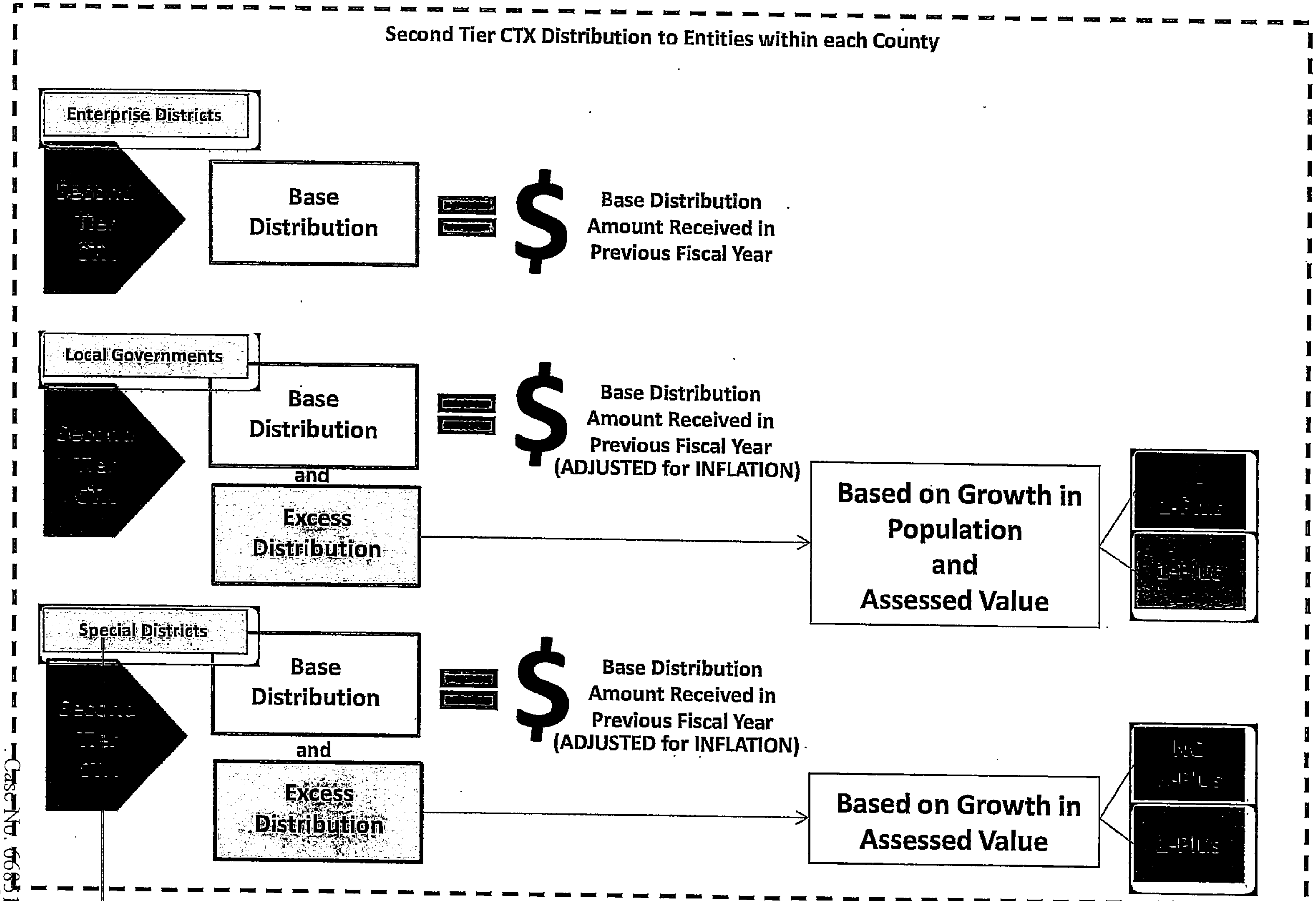
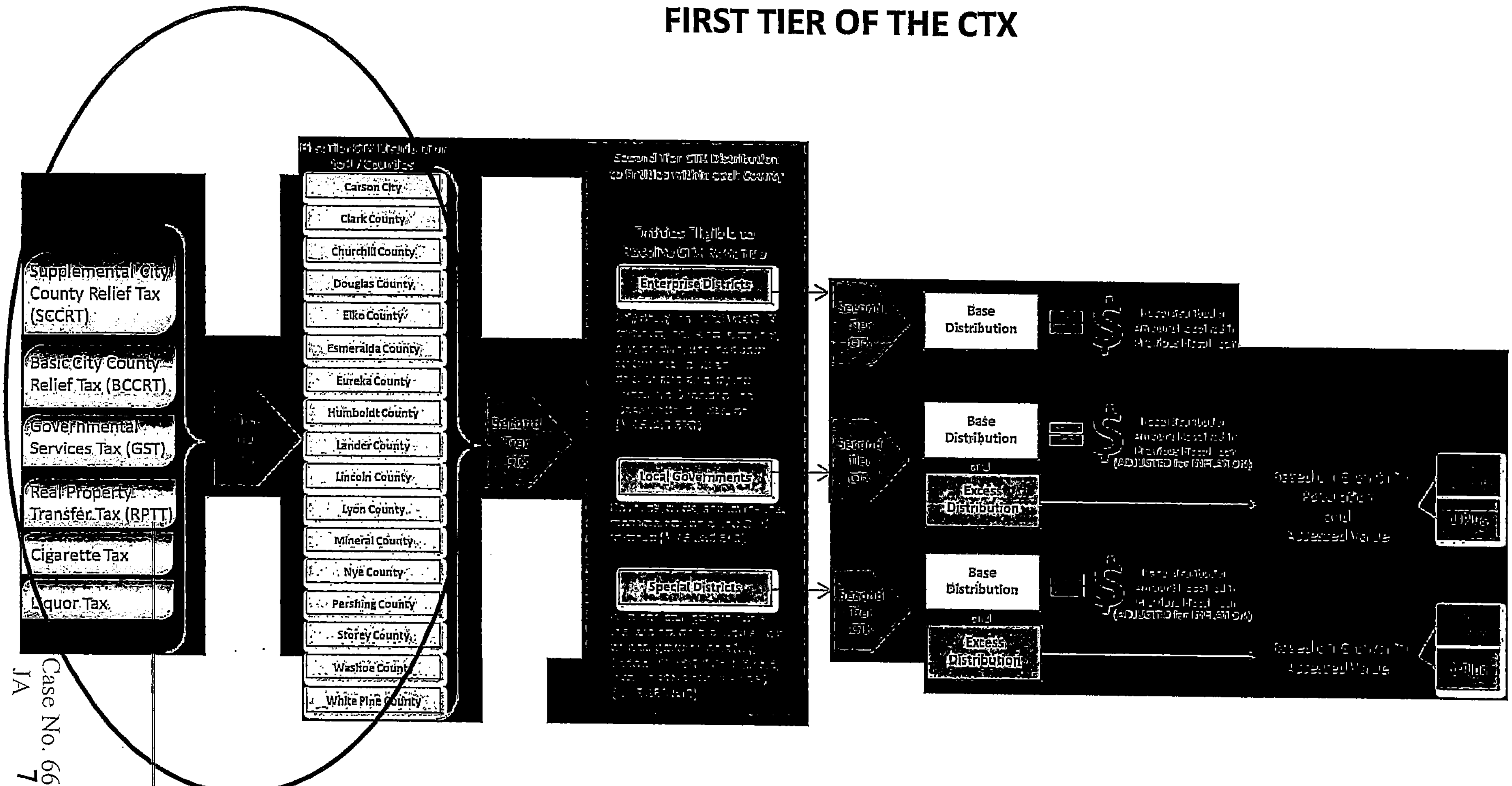
Overview of the CTX

Agenda Item IV



OVERVIEW OF THE SIX REVENUE SOURCES DEDICATED TO THE CTX AND THEIR DISTRIBUTION TO COUNTIES UNDER THE FIRST TIER OF THE CTX



Case No. 66851
JA 744

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Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(a) – Current Rates and Distribution

	FY 2011 % of Total First-Tier CTX Revenue
Supplemental City County Relief Tax (SCCRT)	65.9%
Basic City County Relief Tax (BCCRT)	18.8%
Governmental Services Tax (GST)	11.1%
Real Property Transfer Tax (RPTT)	2.1%
Cigarette Tax	1.1%
Liquor Tax	0.3%

Each Revenue Source is Allocated Amongst the 17 Counties

Each of these 6 revenue sources have different statutory criteria for distributing the Local Portion of each revenue back to the counties through the First Tier CTX Distribution

- Carson City
- Clark County
- Churchill County
- Douglas County
- Elko County
- Esmeralda County
- Eureka County
- Humboldt County
- Lander County
- Lincoln County
- Lyon County
- Mineral County
- Nye County
- Pershing County
- Storey County
- Washoe County
- White Pine County

Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(a) – Current Rates and Distribution

FY 2011
% of Total
First-Tier CTX Revenue

Supplemental City County Relief Tax (SCCRT) **65.9%**

❖Summary: Portion of the statewide 6.85 percent sales and use tax rate. (State General Fund: 2 percent; Local School Support Tax: 2.6 percent; BCCRT: 0.5 percent; SCCRT: 1.75 percent).

Additional local option rates imposed in 12 of Nevada's 17 counties create a total sales tax rate between 6.85 percent and 8.1 percent, depending on the county.

❖Rate: 1.75 percent (NRS Chapter 377). The tax is collected and remitted to the Department of Taxation, less a 0.25 percent collection allowance that may be kept by the taxpayer. The proceeds from the 1.75 percent portion of the rate, less a 1.75 percent collection commission deposited in the State General Fund, are distributed to the Local Government Tax Distribution Account.

Each Revenue Source is Allocated Amongst the 17 Counties

SCCRT

Distributed based on a statutory formula to Guaranteed Counties and Non-Guaranteed Counties

County	FY 2012 Status
Carson City	Non-Guaranteed
Clark County	Non-Guaranteed
Churchill County	Non-Guaranteed
Douglas County	Guaranteed
Elko County	Non-Guaranteed
Esmeralda County	Guaranteed
Eureka County	Non-Guaranteed
Humboldt County	Non-Guaranteed
Lander County	Guaranteed
Lincoln County	Guaranteed
Lyon County	Guaranteed
Mineral County	Guaranteed
Nye County	Non-Guaranteed
Pershing County	Guaranteed
Storey County	Guaranteed
Washoe County	Non-Guaranteed
White Pine County	Guaranteed

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JA 746
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Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(a) – Current Rates and Distribution

	FY 2011 % of Total First-Tier CTX Revenue
Supplemental City County Relief Tax (SCCRT)	65.9%

❖Summary: Portion of the statewide 6.85 percent sales and use tax rate. (State General Fund: 2 percent; Local School Support Tax: 2.6 percent; BCCRT: 0.5 percent; SCCRT: 1.75 percent).

Additional local option rates imposed in 12 of Nevada's 17 counties create a total sales tax rate between 6.85 percent and 8.1 percent, depending on the county.

❖Rate: 1.75 percent (NRS Chapter 377). The tax is collected and remitted to the Department of Taxation, less a 0.25 percent collection allowance that may be kept by the taxpayer. The proceeds from the 1.75 percent portion of the rate, less a 1.75 percent collection commission deposited in the State General Fund, are distributed to the Local Government Tax Distribution Account.

Each Revenue Source is Allocated Amongst the 17 Counties

SCCRT

Distributed based on a statutory formula to Guaranteed Counties and Non-Guaranteed Counties

Guaranteed Counties

Receive an annual distribution equal the amount distributed to the county in the prior fiscal year, adjusted by the lesser of:

The growth in statewide SCCRT revenue
or
The sum of inflation and the county's population growth

County	FY 2012 Status
Carson City	
Clark County	
Churchill County	
Douglas County	Guaranteed
Elko County	
Esmeralda County	Guaranteed
Eureka County	
Humboldt County	
Lander County	Guaranteed
Lincoln County	Guaranteed
Lyon County	Guaranteed
Mineral County	Guaranteed
Nye County	
Pershing County	Guaranteed
Storey County	Guaranteed
Washoe County	
White Pine County	Guaranteed

Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(a) – Current Rates and Distribution

FY 2011
% of Total
First-Tier CTX Revenue

Supplemental City County Relief Tax (SCCRT) **65.9%**

❖Summary: Portion of the statewide 6.85 percent sales and use tax rate. (State General Fund: 2 percent; Local School Support Tax: 2.6 percent; BCCRT: 0.5 percent; SCCRT: 1.75 percent).

Additional local option rates imposed in 12 of Nevada's 17 counties create a total sales tax rate between 6.85 percent and 8.1 percent, depending on the county.

❖Rate: 1.75 percent (NRS Chapter 377). The tax is collected and remitted to the Department of Taxation, less a 0.25 percent collection allowance that may be kept by the taxpayer. The proceeds from the 1.75 percent portion of the rate, less a 1.75 percent collection commission deposited in the State General Fund, are distributed to the Local Government Tax Distribution Account.

Each Revenue Source is Allocated Amongst the 17 Counties

SCCRT

Distributed based on a statutory formula to Guaranteed Counties and Non-Guaranteed Counties

Non-Guaranteed Counties

Receive the revenue remaining after distributions have been made to guaranteed counties, in proportion to each non-guaranteed county's SCCRT collections as a share of total SCCRT collections from all the non-guaranteed counties.

County	FY 2012 Status
Carson City	Non-Guaranteed
Clark County	Non-Guaranteed
Churchill County	Non-Guaranteed
Douglas County	
Elko County	Non-Guaranteed
Esmeralda County	
Eureka County	Non-Guaranteed
Humboldt County	Non-Guaranteed
Lander County	
Lincoln County	
Lyon County	
Mineral County	
Nye County	Non-Guaranteed
Pershing County	
Storey County	
Washoe County	Non-Guaranteed
White Pine County	

Case No. 66851
JA 748

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Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(a) – Current Rates and Distribution

FY 2011
% of Total
First-Tier CTX Revenue

Basic City County Relief Tax (BCCRT) **18.8%**

❖Summary: Portion of the statewide 6.85 percent sales and use tax rate. (State General Fund: 2 percent; Local School Support Tax: 2.6 percent; BCCRT: 0.5 percent; SCCRT: 1.75 percent).

Additional local option rates imposed in 12 of Nevada's 17 counties create a total sales tax rate between 6.85 percent and 8.1 percent, depending on the county.

❖Rate: 0.5 percent (NRS Chapter 377). The tax is collected and remitted to the Department of Taxation, less a 0.25 percent collection allowance that may be kept by the taxpayer. The proceeds from the 0.5 percent portion of the rate, less a 1.75 percent collection commission deposited in the State General Fund, are distributed to the Local Government Tax Distribution Account.

Each Revenue Source is Allocated Amongst the 17 Counties

BCCRT

Distributed to counties based on tax collections from in-state sales versus out-of-state sales

In-State-Sales

Proceeds from in-state sales are remitted to the Local Government Tax Distribution Account and distributed to counties based on where the taxable activity occurred.

- Carson City
- Clark County
- Churchill County
- Douglas County
- Elko County
- Esmeralda County
- Eureka County
- Humboldt County
- Lander County
- Lincoln County
- Lyon County
- Mineral County
- Nye County
- Pershing County
- Storey County
- Washoe County
- White Pine County

Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(a) – Current Rates and Distribution

FY 2011
% of Total
First-Tier CTX Revenue

Basic City County Relief Tax (BCCRT) **18.8%**

❖Summary: Portion of the statewide 6.85 percent sales and use tax rate. (State General Fund: 2 percent; Local School Support Tax: 2.6 percent; BCCRT: 0.5 percent; SCCRT: 1.75 percent).

Additional local option rates imposed in 12 of Nevada's 17 counties create a total sales tax rate between 6.85 percent and 8.1 percent, depending on the county.

❖Rate: 0.5 percent (NRS Chapter 377). The tax is collected and remitted to the Department of Taxation, less a 0.25 percent collection allowance that may be kept by the taxpayer. The proceeds from the 0.5 percent portion of the rate, less a 1.75 percent collection commission deposited in the State General Fund, are distributed to the Local Government Tax Distribution Account.

Each Revenue Source is Allocated Amongst the 17 Counties

BCCRT

Distributed to counties based on tax collections from in-state sales versus out-of-state sales

Out-of-State Sales

Proceeds from businesses not maintaining a fixed place of business in the state (out-of-state sales) are remitted to the Local Government Tax Distribution Account and distributed to each county based on its proportional share of the statewide population.

- Carson City
- Clark County
- Churchill County
- Douglas County
- Elko County
- Esmeralda County
- Eureka County
- Humboldt County
- Lander County
- Lincoln County
- Lyon County
- Mineral County
- Nye County
- Pershing County
- Storey County
- Washoe County
- White Pine County

Case No. 66851
JA 750
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Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(a) – Current Rates and Distribution

FY 2011
% of Total
First-Tier CTX Revenue

Governmental Services Tax (GST) 11.1%

Each Revenue Source is Allocated Amongst the 17 Counties

- Summary: Tax imposed in lieu of a personal property tax upon motor vehicles operated in the state. Pursuant to Article 10, Section 1 of the *Nevada Constitution*, the rate imposed may not exceed 5 cents per dollar of the value of the vehicle. (NRS Chapters 371 and 482)

- Rate: Statewide rate of 4 cents per dollar of determined value; value is determined by taking 35 percent of the vehicle's original manufacturer's suggested retail price times a depreciation factor based on the age of the vehicle. Proceeds from the 4-cent portion are divided between the State General Fund; school districts; and the Local Government Tax Distribution Account via statutory formulas.

GST

After a portion of the revenue is distributed to the State General Fund, the remaining revenue is distributed to the county in which the vehicle is registered and distributed between the county's school district and the Local Government Tax Distribution Account.

- Carson City
- Clark County
- Churchill County
- Douglas County
- Elko County
- Esmeralda County
- Eureka County
- Humboldt County
- Lander County
- Lincoln County
- Lyon County
- Mineral County
- Nye County
- Pershing County
- Storey County
- Washoe County
- White Pine County

Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(a) – Current Rates and Distribution

FY 2011
% of Total
First-Tier CTX Revenue

Governmental Services Tax (GST) 11.1%

Each Revenue Source is Allocated Amongst the 17 Counties

- Carson City
- Clark County
- Churchill County
- Douglas County
- Elko County
- Esmeralda County
- Eureka County
- Humboldt County
- Lander County
- Lincoln County
- Lyon County
- Mineral County
- Nye County
- Pershing County
- Storey County
- Washoe County
- White Pine County

GST

Distribution of County GST Revenue Between School Districts and the First Tier of the CTX

After revenue has been distributed to the State General Fund, the remaining GST revenue is returned to the county in which the vehicle is registered and divided between the school district and the Local Government Tax Distribution Account based upon the share of property taxes calculated for the school district and each eligible enterprise district, local government, and special district.

- The school district's share of the GST is calculated by taking the district's total current assessed value times its property tax operating and debt rates from FY 1979 (or, if the current debt rate is higher in any fiscal year, that higher debt rate)

- The share for the Local Government Tax Distribution Account is calculated by taking each enterprise district, local government, and special district tax rate from FY 1981 times its current assessed value.

Pursuant to NRS 482.181, school districts and the Local Government Tax Distribution Account receive GST revenue based on their proportionate shares from these calculations based on property tax rates.

Case No. 66851
JA 752

Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(a) – Current Rates and Distribution

FY 2011
% of Total
First-Tier CTX Revenue

Real Property Transfer Tax (RPTT) 2.1%

Each Revenue Source is Allocated Amongst the 17 Counties

RPTT

The revenue generated from 55 cents per $500 in value is distributed to the Local Government Tax Distribution Account for credit to the county in which the transfer was recorded.

- Carson City
- Clark County
- Churchill County
- Douglas County
- Elko County
- Esmeralda County
- Eureka County
- Humboldt County
- Lander County
- Lincoln County
- Lyon County
- Mineral County
- Nye County
- Pershing County
- Storey County
- Washoe County
- White Pine County

❖Summary: Tax levied on the value of real property transferred where the value of the transfer, exclusive of any encumbrance, exceeds $100. The tax is collected by the county recorder when the deed showing the transfer of title is to be recorded. (NRS Chapter 375)

❖Rates:
Clark County: $2.55 per $500 of value ($1.30 to State General Fund; $0.60 to Clark County School District Capital Construction Fund; $0.55 to Local Government Tax Distribution Account; $0.10 to Low-Income Housing Trust Fund)

Churchill and Washoe Counties: $2.05 per $500 of value ($1.30 to State General Fund; $0.55 to Local Government Tax Distribution Account; $0.10 to Low-Income Housing Trust Fund; $0.10 to respective county general fund pursuant to Local Government Tax Act of 1991)

All other counties: $1.95 per $500 of value ($1.30 to State General Fund; $0.55 to Local Government Tax Distribution Account; $0.10 to Low-Income Housing Trust Fund).

Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution
Agenda Item V(a) – Current Rates and Distribution

FY 2011
% of Total
First-Tier CTX Revenue

Cigarette Tax	1.1%

❖Summary: Excise tax levied on each cigarette sold at wholesale in the state. The tax is paid by wholesalers based on the stamp affixed to each package of cigarettes.
(NRS Chapter 370)

❖Rate: 40 mills per cigarette (80 cents per pack of 20) – 35 mills per cigarette (70 cents per pack of 20) to State General Fund; 5 mills per cigarette (10 cents per pack) to Local Government Tax Distribution Account

Each Revenue Source is Allocated Amongst the 17 Counties

Cigarette Tax

Proceeds are distributed to the counties in proportion to each county's population.

- Carson City
- Clark County
- Churchill County
- Douglas County
- Elko County
- Esmeralda County
- Eureka County
- Humboldt County
- Lander County
- Lincoln County
- Lyon County
- Mineral County
- Nye County
- Pershing County
- Storey County
- Washoe County
- White Pine County

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JA 754
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Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(a) – Current Rates and Distribution

FY 2011
% of Total
First-Tier CTX Revenue

Liquor Tax 0.3%

❖Summary: Excise tax imposed upon wholesalers of intoxicating beverages sold in the state.
(NRS Chapter 369)

❖Rates: Malt beverages (including beer): 16 cents per gallon (all to State General Fund)

Liquor containing 1/2 percent up to and including 14 percent alcohol by volume: 70 cents per gallon or proportionate part thereof (all to State General Fund)

Liquor containing more than 14 percent, up to and including 22 percent alcohol by volume: $1.30 per gallon or proportionate part thereof (all to State General Fund)

Each Revenue Source is Allocated Amongst the 17 Counties

Liquor Tax

Proceeds from the amount equivalent to 50 cents per gallon on the tax from liquor containing more than 22 percent of alcohol by volume are distributed to the counties in proportion to each county's population.

Liquor containing more than 22 percent alcohol by volume: $3.60 per gallon or proportionate part thereof ($2.95 to State General Fund; 50 cents to Local Government Tax Distribution Account; 15 cents to Tax on Liquor Program Account)

- Carson City
- Clark County
- Churchill County
- Douglas County
- Elko County
- Esmeralda County
- Eureka County
- Humboldt County
- Lander County
- Lincoln County
- Lyon County
- Mineral County
- Nye County
- Pershing County
- Storey County
- Washoe County
- White Pine County

Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(b) – Historical Overview of the Structure and Distribution of Each Revenue

- Supplemental City County Relief Tax (SCCRT)
- Basic City County Relief Tax (BCCRT)
- Governmental Services Tax (GST)
- Real Property Transfer Tax (RPTT)
- Cigarette Tax
- Liquor Tax

Major Legislation Affecting Local Government Tax Rates or Distributions of Revenue to Local Governments Before the CTX and Under the CTX

Case No. 66851
JA 756

Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(b) – Historical Overview of the Structure and Distribution of Each Revenue

Supplemental City County Relief Tax (SCCRT)

Major Legislation Affecting Local Government Tax Rates or Distributions of Revenue to Local Governments Before the CTX and Under the CTX

Major legislation affecting the SCCRT:

1981 – Assembly Bill 369
1983 – Assembly Bill 449
1989 – Assembly Bill 801
1991 – Assembly Bill 104
1993 – Senate Bill 506
1997 – Senate Bill 254

Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(b) – Historical Overview of the Structure and Distribution of Each Revenue

Basic City County Relief Tax (BCCRT)

Major Legislation Affecting Local Government Tax Rates or Distributions of Revenue to Local Governments Before the CTX and Under the CTX

Major legislation affecting the BCCRT:

1969 – Senate Bill 365
1971 – Assembly Bill 288
1981 – Assembly Bill 369
1997 – Senate Bill 254

Case No. 66851
JA 758
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Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(b) – Historical Overview of the Structure and Distribution of Each Revenue

Governmental Services Tax (GST)

Major Legislation Affecting Local Government Tax Rates or Distributions of Revenue to Local Governments Before the CTX and Under the CTX

Major legislation affecting the GST:

1960 – Assembly Joint Resolution 6
1963 – Senate Bill 256
1971 – Senate Bill 577
1975 – Assembly Bill 341
1977 – Assembly Bill 422
1979 – Senate Bill 204
1981 – Senate Bill 43
1985 – Assembly Bill 292
1987 – Senate Bill 56
1995 – Senate Bill 556
1997—Senate Bill 254

Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(b) – Historical Overview of the Structure and Distribution of Each Revenue

Real Property Transfer Tax (RPTT)

Major Legislation Affecting Local Government Tax Rates or Distributions of Revenue to Local Governments Before the CTX and Under the CTX

Major legislation affecting the RPTT:

1967 – Senate Bill 456
1971 – Assembly Bill 196
1979 – Assembly Bill 268
1997 – Senate Bill 254

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JA 760

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Overview of the Six Revenues Dedicated to the CTX and First-Tier Distribution

Agenda Item V(b) – Historical Overview of the Structure and Distribution of Each Revenue

Cigarette Tax

Major Legislation Affecting Local Government Tax Rates or Distributions of Revenue to Local Governments Before the CTX and Under the CTX

Major legislation affecting the Cigarette Tax:

1949 – Assembly Bill 309
1961 – Senate Bill 139
1965 – Assembly Bill 389
1967 – Senate Bill 379
1969 – Senate Bill 236
1981 – Assembly Bill 369
1997 – Senate Bill 254

Liquor Tax

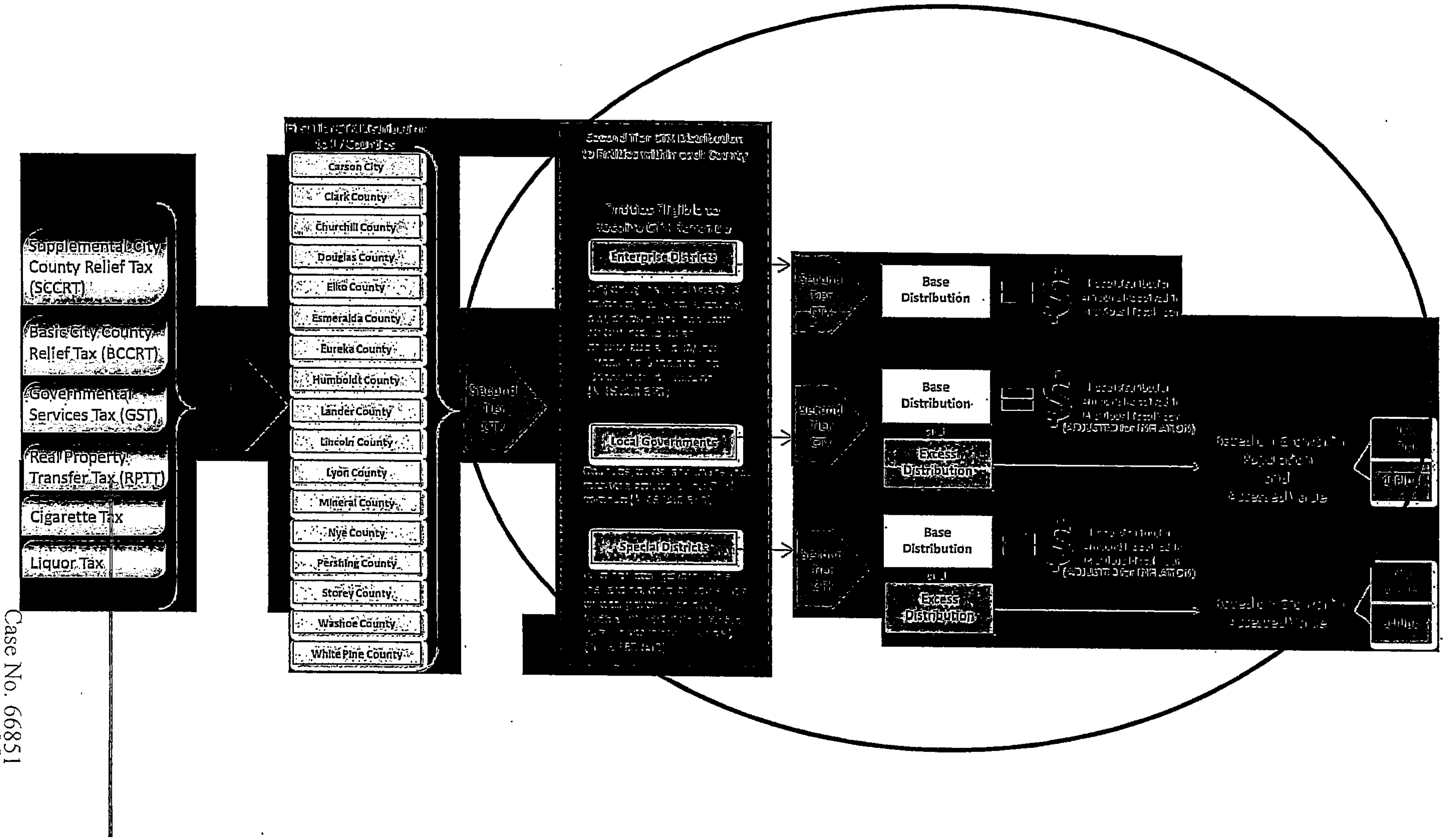
Major Legislation Affecting Local Government Tax Rates or Distributions of Revenue to Local Governments Before the CTX and Under the CTX

Major legislation affecting the Liquor Tax:

1933 – Senate Bill 199
1935 – Assembly Bill 40
1969 – Senate Bill 439
1981 – Assembly Bill 369
1997 – Senate Bill 254

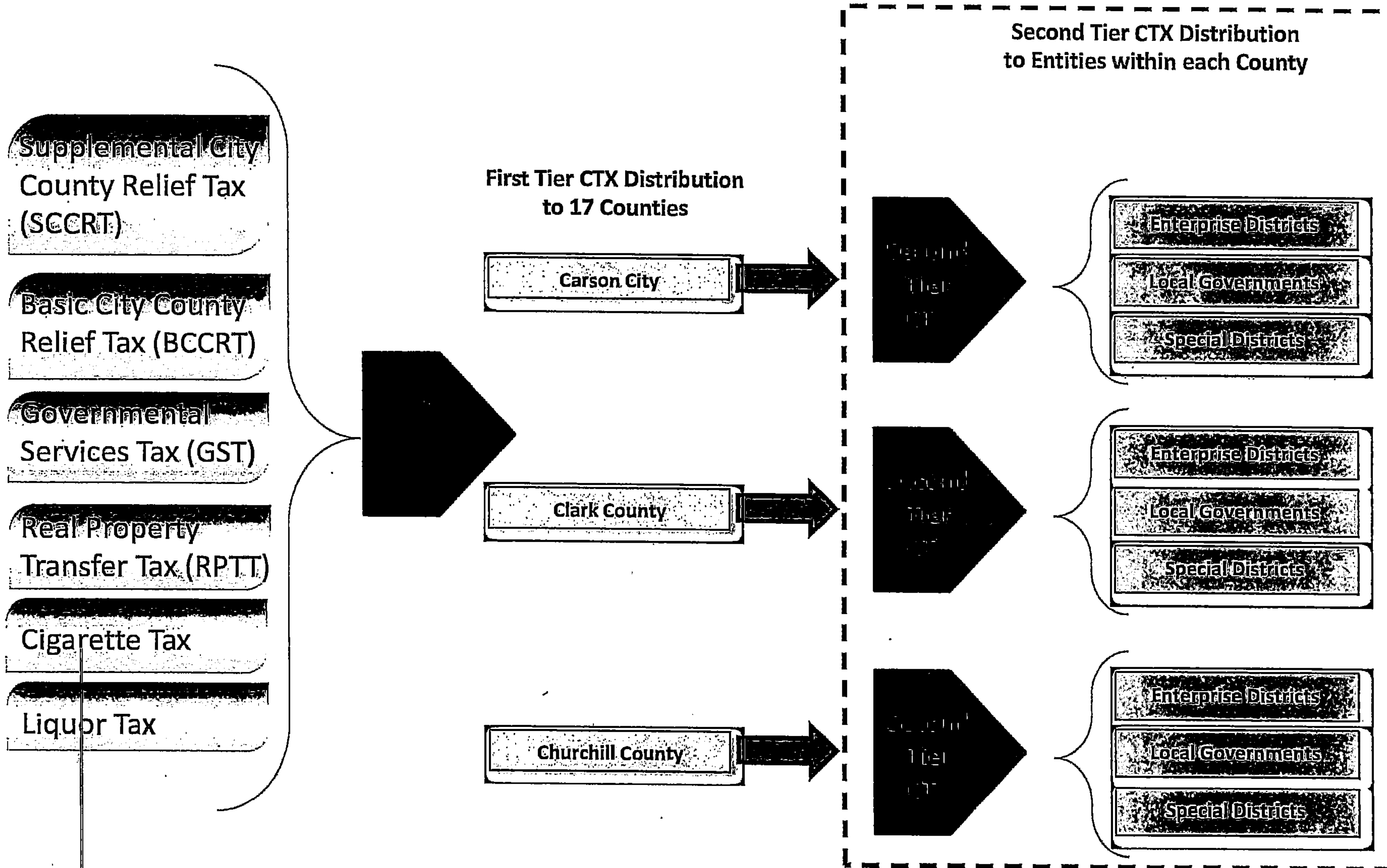
Distribution of Revenues to Entities Within a County at the Second Tier of the CTX
Agenda Item VI

OVERVIEW OF THE DISTRIBUTION OF FIRST-TIER REVENUES TO ENTITIES WITHIN A COUNTY AT THE SECOND TIER OF THE CTX



Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(a)- Entities within a County Eligible to Receive CTX Revenue



....and so on for all 17 Counties

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Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(a)- Entities within a County Eligible to Receive CTX Revenue

Second Tier CTX Distribution to Entities within each County

Entities Eligible to Receive CTX Revenue within each County

Enterprise Districts

Any entity that receives CTX revenue; that is not a county, city, or town; and has been determined to be an enterprise district by the Executive Director of the Department of Taxation. (NRS 360.620)

In determining whether an entity is an enterprise district, the Executive Director may use the following:

(a) Whether the governmental entity should account for substantially all of its operations in an enterprise fund;
(b) The number and type of governmental services that the governmental entity provides;
(c) Whether the governmental entity provides a product or a service directly to a user of that product or service, including, without limitation, water, sewerage, television and sanitation; and
(d) Any other factors the Executive Director deems relevant. (NRS 360.710)

Local Governments

Counties, cities, and towns that receive a portion of the CTX revenue (NRS 360.640)

Special Districts

All other local governments that are not enterprise districts or local governments (e.g. special improvement districts, local improvement districts) (NRS 360.650)

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(b)- Base and Excess Distribution at the Second Tier

Second Tier CTX Distribution to Entities within each County

Determination of Fiscal Year Base Distribution Amount (NRS 360.680)

Entities Eligible to Receive CTX Revenue

Enterprise Districts

Any entity that receives CTX revenue; that is not a county, city, or town; and has been determined to be an enterprise district by the Executive Director of the Department of Taxation. (NRS 360.620)

Fiscal Year Base Distribution = $ **Base Distribution Amount Received in Previous Fiscal Year**

Local Governments

Counties, cities, and towns that receive a portion of the CTX revenue (NRS 360.640)

Fiscal Year Base Distribution = $ **Base Distribution Amount Received in Previous Fiscal Year (ADJUSTED for INFLATION)**

Special Districts

All other local governments that are not enterprise districts or local governments (e.g. special improvement districts, local improvement districts) (NRS 360.650)

Fiscal Year Base Distribution = $ **Base Distribution Amount Received in Previous Fiscal Year (ADJUSTED for INFLATION)**

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Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(b)- Base and Excess Distribution at the Second Tier

Second Tier CTX Distribution to Entities within each County

Determination of Monthly Base Distribution Amount (NRS 360.690)

CTX revenues are collected and distributed on a monthly basis.

The amount of the Fiscal Year Base Distribution is divided by 12 to determine the Monthly Base Distribution amount to be distributed to each entity as the actual CTX revenues are collected and distributed each month of the fiscal year.

Enterprise Districts

Fiscal Year Base Distribution = $ Base Distribution Amount Received in Previous Fiscal Year ÷ 12 = Monthly Base Distribution

Local Governments

Special Districts

Fiscal Year Base Distribution = $ Base Distribution Amount Received in Previous Fiscal Year (ADJUSTED for INFLATION) ÷ 12 = Monthly Base Distribution

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(b)- Base and Excess Distribution at the Second Tier

Second Tier CTX Distribution to Entities within each County

Determination of Monthly Base Distribution Amount (NRS 360.690)
Enterprise Districts

Each month the CTX revenue available for distribution within a county at the second-tier is first distributed to the enterprise districts in the county in an amount equal to 1/12 of the base amount established under NRS 360.680 for the fiscal year.

Enterprise Districts

Second Tier

Fiscal Year Base Distribution = $ Base Distribution Amount Received in Previous Fiscal Year ÷ 12 = Monthly Base Distribution

The Monthly Base Distributions to Enterprise Districts within each County are made **BEFORE** any Monthly Base Distributions are made to Local Governments and Special Districts.

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Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(b)- Base and Excess Distribution at the Second Tier

Second Tier CTX Distribution to Entities within each County

Determination of Monthly Base Distribution Amount (NRS 360.690)
Local Governments and Special Districts

The amount of revenue available for distribution remaining **after making the Monthly Base Distribution to Enterprise Districts** is distributed each month to local governments and special districts as follows:

1.) If the remaining amount is less than the amount necessary to distribute the full monthly base allocation amount to each local government and special district in the county for the month:

The remaining amount is distributed to the local governments and special districts in the proportion of each local government's or special district's fiscal year base amount to the total fiscal year base amount for all local governments and special districts in the county based on the base amounts established under NRS 360.680 for the fiscal year.

Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(b)- Base and Excess Distribution at the Second Tier

Second Tier CTX Distribution to Entities within each County

Determination of Monthly Base Distribution Amount (NRS 360.690)

Local Governments and Special Districts

2.) If the remaining amount is greater than or equal to the amount necessary to distribute the full base allocation amount to each local government and special district in the county for the month:

A.) Distribute an amount to each local government and special district equal to 1/12 its base amount established under NRS 360.680 for the fiscal year.

B.) If additional revenue remains after making base allocations to the local governments and specials districts for the month, the Department of Taxation must:

Determine whether any local governments or special districts in the county did not receive the full base allocation amount in any months of the fiscal year preceding the current distribution month.

If the answer is <u>yes</u>, then the revenue must first be allocated to local governments and special districts to true-up their monthly base allocation shortfalls from preceding months of the fiscal year.

Any revenue remaining after this true-up against base allocation shortfalls in preceding months, is deemed to be "excess" available for distribution to local governments and special districts.

If the answer is <u>no</u>, then additional revenue remaining after the base allocations to local governments and special districts is deemed to be "excess" available for distribution to local governments and special districts.

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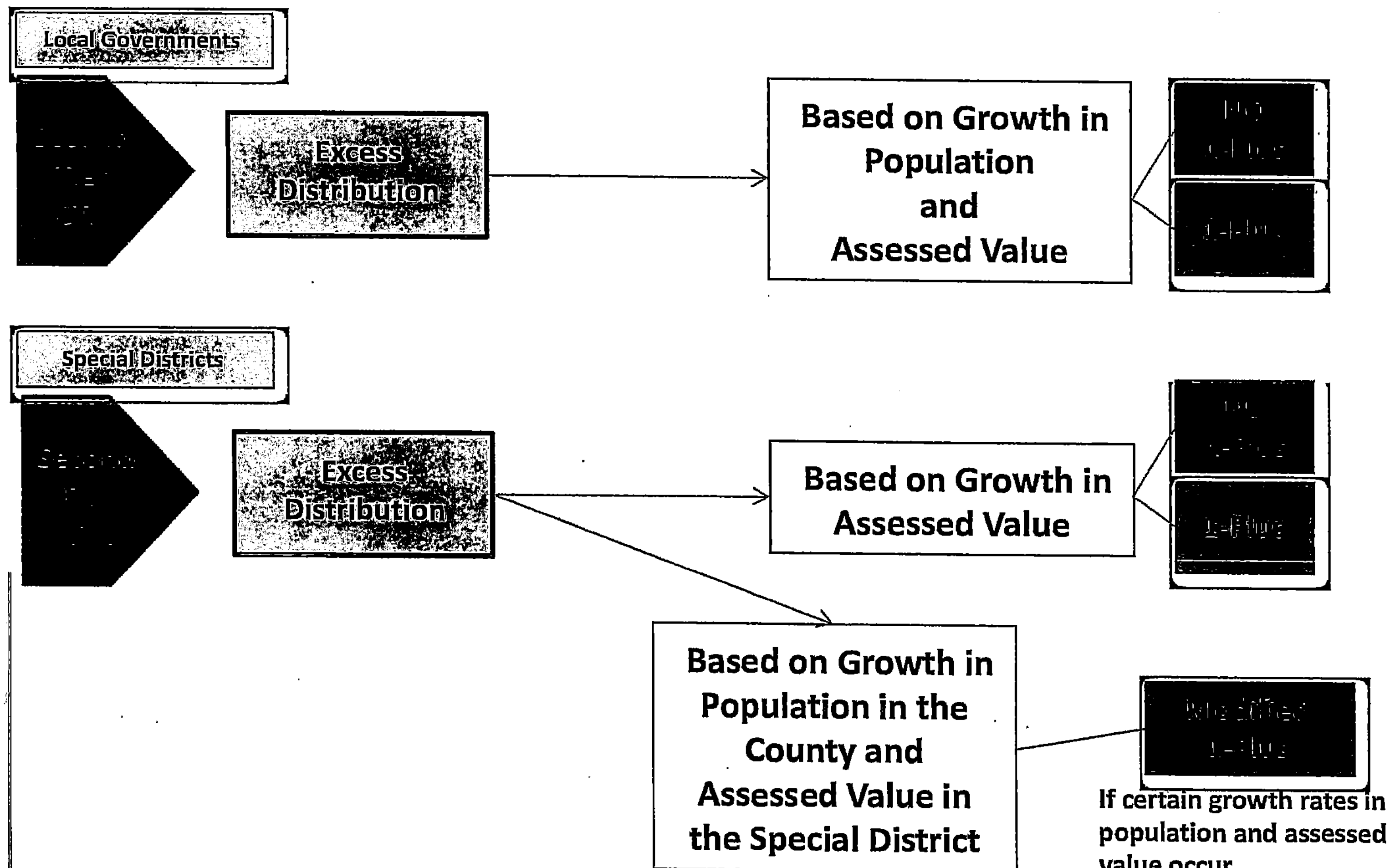
Distribution of Revenues to Entities Within a County at the Second Tier of the CTX

Agenda Item VI(c)- One-Plus and No One-Plus Factors Used to Determine Excess

Second Tier CTX Distribution to Entities within each County

Distribution of Excess Revenue to Local Governments and Special Districts (NRS 360.690)



IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF FERNLEY, NEVADA, a Nevada municipal corporation,

Appellant,

vs.

THE STATE OF NEVADA ex rel. DEPARTMENT OF TAXATION; THE HONORABLE DAN SCHWARTZ, in his official capacity as TREASURER OF THE STATE OF NEVADA; and THE LEGISLATURE OF THE STATE OF NEVADA,

Respondents.

Electronically Filed
May 20 2015 10:24 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

Supreme Court No.: 66851

District Court Case No.: 12 OC 00168 1B

JOINT APPENDIX

VOLUME 4 PART 1

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IN THE FIRST JUDICIAL DISTRICT COURT

OF THE STATE OF NEVADA IN AND FOR CARSON CITY

CITY OF FERNLEY, NEVADA, a Nevada municipal corporation, Plaintiff, v. STATE OF NEVADA ex rel. THE NEVADA DEPARTMENT OF TAXATION; THE HONORABLE KATE MARSHALL, in her official capacity as TREASURER OF THE STATE OF NEVADA; and DOES 1-20, inclusive, Defendants, NEVADA LEGISLATURE, Intervenor.	Case No.: 12 OC 00168 1B Dept. No.: I **CITY OF FERNLEY'S OPPOSITION TO NEVADA LEGISLATURE'S JOINDER IN MOTION TO DISMISS**

COMES NOW, Plaintiff, City of Fernley, Nevada ("Fernley"), a Nevada municipal corporation, by and through its attorneys of record, and hereby ~~submits its Opposition to the~~ Nevada Legislature's ("Legislature") Joinder in Motion to Dismiss filed by the Nevada

Department of Taxation and the Treasurer of the State of Nevada (collectively, the "State"). This Opposition is based upon the Memorandum of Points and Authorities included herein, the pleadings and papers on file in this matter, and such other argument or evidence as may be considered by the Court.

MEMORANDUM OF POINTS AND AUTHORITIES

I. BACKGROUND

A. Procedural Background

On June 6, 2012, Fernley filed its Complaint alleging a variety of legal defects in the construction and administration of the Consolidated Tax ("C-Tax") system utilized in Nevada to provide partial funding for local governments. The C-Tax system was implemented in 1997, and is a means by which revenues from six different taxes are distributed to local governments, including counties and municipalities, among others. (Complaint, ¶¶ 4-7).

On August 3, 2012, the State filed a Motion to Dismiss. On August 20, 2012, Fernley filed its Opposition to the Motion to Dismiss and Motion for a Continuance Pursuant to NRCP 56(f). There has been no opposition filed from either the State or the Legislature to Fernley's Motion for a Continuance.

On August 28, the State filed a Reply to Opposition to Motion to Dismiss, and contemporaneously filed a Request for Submission. On August 3, 2012, the Nevada Legislature filed a Motion to Intervene, which was ultimately granted by this Court via an entry of order on September 4, 2012.

On August 16, 2012, the Legislature filed a forty-one page Joinder in the State's Motion to Dismiss. The Joinder included an exhibit of over 200 pages. The Joinder duplicated arguments raised by the State in its Motion to Dismiss, and also included new arguments not raised by the State. Once the Legislature's Motion to Intervene was granted, the parties stipulated to treat the Joinder as the Legislature's Motion to Dismiss and further stipulated to a briefing schedule.

It is important to note that there has been no discovery whatsoever in this case at this point.

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B. Substantive Background

Fernley incorporates by reference the background set forth in its Opposition to the State's Motion to Dismiss. (Exhibit 1). The Legislature provides its own background, and while much of the mechanical description of the C-Tax system is accurate, some aspects deserve comment as set forth below.

The Legislature's Joinder sets forth a history of the C-Tax system, beginning with a study of local government financing in 1997. (Joinder, 4-9). As an initial matter, it is interesting to observe that the Legislature comments that the C-Tax system was enacted "to rectify problems with the prior formula of revenue distribution to local governments which did not follow the growth of population and the resulting greater demand for services." (Joinder, 4). When the C-Tax system was implemented in 1997, Fernley had a population of 8,000. (Complaint, ¶4) Today, Fernley has a population of approximately 19,000. (Complaint, ¶10). Fernley is the only municipality to incorporate since the inception of the C-Tax System. (Complaint, ¶9). Yet Fernley's C-Tax distributions from 1997 to today are effectively unchanged. (Complaint, ¶9). Ironically, despite experiencing a "growth of population and the resulting greater demand for services," or exactly what the Legislature claims the C-Tax system was designed to address, Fernley's C-Tax distributions have not increased in any meaningful fashion.

The Legislature also relies on quotes from testimony taken during the 1997 study in an apparent attempt to show that the C-Tax system is set up in a fair and equitable fashion. (Joinder, 5). However, much of the quoted testimony comes not from a Legislator but a contract lobbyist for Carson City. That same individual today is a contract lobbyist for Lyon County and Carson City and, as discovery is expected to show, has been vocal in her opposition to Fernley's efforts to obtain a greater C-Tax distribution from either the State or Lyon County. See *Lobbyist Information for Mary Walker*: http://www.leg.state.nv.us/AppCF/Lobbyist/reports/LobbyistDetail.cfm?lobbyist=540&Session=76). As such, the objectivity of that testimony is at issue and Fernley should have the opportunity to explore further in discovery.

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The Legislature also claims that the C-Tax system "was intended to decrease the competition among local governments for tax revenue." (Joinder, 5). In reality, the system has gone so far to decrease competition that it has effectively frozen the status quo from 1997 in place, which has inordinately impacted Fernley as the only municipality in Nevada to incorporate since 1997. As noted in Fernley's Opposition to the Department and Treasurer's Motion to Dismiss, and as unrefuted by the State in its Reply brief, there has been only one non-minor adjustment to the C-Tax system since its implementation when the City of Henderson, who was represented by the Speaker of the Assembly at the time, received a $4,000,000 base adjustment. (Fernley's Opposition to Motion to Dismiss, 11).

The Legislature also claims that Fernley's police services "are provided by Lyon County, and fire-protection services are provided by the North Lyon County Fire Protection District." However, as discovery is expected to show, Fernley and its residents still pay for police and fire protection in other ways, and moreover, police protection in the City of Fernley is woefully inadequate. (Exhibit 2) (noting that Fernley's law enforcement per capita is well below national averages). Furthermore, and as discovery is expected to further develop, Fernley has other financial pressures that require a redistribution of C-Tax revenues, including significant and growing needs to refurbish and maintain its roads. (Exhibit 2) (noting that Fernley has significant outstanding road projects, and has only addressed a fraction of the road projects identified as necessary in 2007).

Finally, only by going through discovery will the Court be able to ascertain whether other local governments truly utilize C-Tax revenues to support public safety or any other specific services. Although the Legislature makes repeated claims that the provision of public safety is paramount to the distribution of C-Tax revenues (without any citation to authority or evidence), even a cursory review of comparably sized local governments raises serious questions about the accuracy of that claim. For example, several municipalities and local governments receiving significantly more in C-Tax revenues than Fernley have no public safety expenses, such as the town of Gardnerville (Population 5,000, C-Tax Revenues $233,000, no listed public safety costs), the town of Minden (Population 3,000, C-Tax Revenues $308,000, no listed public safety costs),

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and the town of Battle Mountain (Population 3,000, C-Tax Revenues $182,000, no listed public safety costs). (Exhibits 3 – 5) (Numbers for Fiscal year 2010-2011 and all numbers approximated).

Other local governments receive more in C-Tax revenues than they list in public safety costs, so even assuming that 100% of C-Tax revenues were allocated to public safety as the Legislature seems to suggest is somehow required, these local governments still receive significantly more than Fernley, particularly on a per capita basis. These local governments include the City of Carlin (Population 2,300, C-Tax Revenues $1,300,000, public safety costs of $800,000), the town of Tonopah (Population 2,500, C-Tax Revenues $210,000, public safety costs (fire only) of $87,000), the City of Elko (Population 19,000, C-Tax Revenues $9,000,000, public safety costs of $8,700,000), the town of Jackpot (Population 1,200, C-Tax Revenues $1,000,000, public safety costs of $800,000), the City of Caliente (Population 1,100, C-Tax Revenues $135,000, public safety costs of (excluding fire) $100,000). (Exhibits 6 - 10) (Numbers for Fiscal year 2010-2011 and all numbers approximated, public safety numbers are projections).

Yet other local governments may have greater public safety costs than they have in C-Tax distributions, but there are supplemental sources of funding for their public safety costs that are outside of the C-Tax scheme. For example, the City of Mesquite received $6,450,000 in C-Tax revenues for fiscal year 2011-2012. (Exhibit 11). While Mesquite spends almost half of its $18,660,000 budget on public safety, part of its law enforcement costs are paid for by a 2005 sales tax initiative that created a special revenue fund. (Exhibit 11, pg. 4). It does not appear that the Legislature has ever decreased Mesquite's C-Tax distribution based upon its decision to add law enforcement personnel, which would seem logical if the Legislature's argument that public safety services are paramount to the distribution of C-Tax revenues were accurate.

Ultimately, what this means is that there is no requirement that C-Tax distributions be linked to public safety, or to any particular category or type of expense at all. Despite the Legislature's repeated suggestions that the level of C-Tax distributions is tied to the provision of certain services and particularly public safety, nowhere has the Legislature cited to any statute, nor any other authority, to suggest that the use of C-Tax revenues is tied to the provision of

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particular services or that local government service levels were examined in 1997 or at any time thereafter to ensure that C-Tax revenues were adequate for services provided or needed. Exhibit 1 to the Legislature's Joinder, while a comprehensive study of what would become the C-Tax system, glaringly omits any indication that service levels of existing participants were examined in setting up the C-Tax system. The argument that C-Tax distributions are tied to services and appropriated in a careful and considered fashion is a red herring and is designed to do nothing more than ensure the preservation of the status quo put into place in 1997. At the very least, discovery is necessary to determine whether C-Tax distributions are truly tied to the provision of specific services.

II. DISCUSSION

A. Standard of Review

The Legislature seeks dismissal of all claims pursuant to NRCP 12(b). Under that rule, Fernley's complaint "should be dismissed only if it appears beyond a doubt that it could prove no set of facts, which, if true, would entitle it to relief." *Buzz Stew LLC v. City of North Las Vegas*, 124 Nev. 224, 228, 181 P.3d 670 (2008) (citation omitted). It is important to note that the appropriate standard for dismissal is "beyond a doubt" and not "beyond a reasonable doubt." *Id.*, at fn. 6 ("The appropriate standard requires a showing beyond a doubt. To the extent that these cases required a showing of proof beyond a reasonable doubt, they are disavowed.").

In reviewing a motion to dismiss brought pursuant to NRCP 12(b), a court must accept the allegations of the complaint as true, and draw all inferences in favor of the non-moving party. *Id.*, 124 Nev. at 228 (citations omitted).

The Legislature attached to its Joinder an exhibit called "Laws Relating to the Distribution Among Local Governments of Revenue from State and Local Taxes." (Joinder, Exhibit 1). A Rule 12(b) motion to dismiss "shall be treated as one for summary judgment and disposed of as provided in Rule 56" if "matters outside the pleading are presented to and not excluded by the court." *Schneider v. Continental Assurance Company*, 110 Nev. 1270, 1271, 885 P2d 572 (1994); NRCP 12(b). Accordingly, and although the Legislature couches its brief as a Motion to Dismiss, it is more appropriately considered as a Motion for Summary Judgment.

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A motion for summary judgment is appropriate "if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law." NRCP 56(c); *Wood v. Safeway, Inc.*, 121 Nev. 724, 731, 121 P.3d 1026 (2005) (citation omitted). In determining whether a genuine issue of material fact exists, the court must accept as true all evidence favorable to the non-moving party and grant the non-moving party all favorable inferences that may reasonably be drawn from such evidence. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 255 (1986). "A factual dispute is genuine when the evidence is such that a rational trier of fact could return a verdict for the nonmoving party." *Id.* (citation omitted). The pleadings and proof "must be construed in a light most favorable to the nonmoving party," but the nonmoving party must "'do more than show that there is some metaphysical doubt' as to the operative facts in order to avoid summary judgment . . ." *Wood*, 121 Nev. at 732 (citation omitted).

As demonstrated below, the State's request should be denied under either a Rule 12(b) or Rule 56 standard. Additionally, and because discovery has not even begun in this case, the Legislature's motion should be continued until the conclusion of discovery.

B. The Motion to Dismiss Should be Denied or Continued Pursuant to NRCP 56(f).

In its Opposition to the State's Motion to Dismiss, Fernley made a motion pursuant to NRCP Rule 56(f) that the State's Motion to Dismiss should be denied or continued as premature until such time as discovery could occur. (Exhibit 1, 5-7). That motion has been served on the State and the Legislature. There has been no opposition filed by any party to Fernley's Motion and it has therefore been submitted to the Court contemporaneously with this Opposition to the Legislature's Joinder.

C. Sovereign Immunity Does Not Bar Fernley's Monetary Remedies.

As an initial matter, the Legislature argues that the State is immune from monetary damages on both the federal and state constitutional claims. The Legislature does not argue that the State is immune from injunctive and declaratory relief on either federal or state constitutional

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claims. Accordingly, only the monetary remedies aspect of Fernley's claims is challenged on a sovereign immunity theory. The State has not joined in the Legislature's sovereign immunity argument.

The Legislature also argues that sovereign immunity bars Fernley's state constitutional claims pursuant to NRS 41.032. For such immunity to apply, the government's actions must "(1) 'involve an element of individual judgment or choice,' and (2) be 'based on considerations of social, economic, or political policy.'" *Ransdell v. Clark County*, 124 Nev. 847, 855, 192 P.3d 756, 762 (2008) (citation omitted). The Legislature argues, without citation to authority, that the "administration of the C-Tax system involves an element of official discretion or judgment and is grounded in the creation or execution of social, economic or political policy." (Joinder, 13). Yet, 20 pages later in its brief the Legislature switches course and states that "there are no grounds to support the assertion that the Department of Taxation and State Treasurer are clothed with anything other than ministerial or administrative powers in carrying out their duties under the C-Tax system. All distributions under the C-Tax system are done in accordance with specific statutory formulas." (Joinder, 33). Although the Legislature wants it both ways, the Legislature's admission undercuts its own argument and demonstrates that the act of administering the C-Tax system does not involve judgment or discretion, nor does it require the exercise of social, economic or political policy. As the Legislature admits, the State is simply administering a mechanical formula put into place by the Legislature in 1997. As such, NRS 41.032 does not apply and Fernley's claim for monetary damages based on state constitutional claims is not barred by sovereign immunity.

Regardless, issues of sovereign immunity under NRS 41.032 are mixed questions of law and fact. See *Ransdell*, 124 Nev. at 854. Accordingly, and taking the allegations of the Complaint as true and construing inferences in Fernley's favor, dismissal at this phase of the case is inappropriate. Id.; See also *Rush v. Nevada Industrial Commission*, 94 Nev. 403, 407, 580 P.2d 952 (1978) (noting that issues of sovereign immunity should not be "summarily adjudicated" at a motion to dismiss phase).

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Finally, with respect to both Fernley's federal and state claims, it must be remembered that dismissal under NRCP 12(b) is appropriate "only if it appears beyond a doubt that it could prove no set of facts, which, if true, would entitle it to relief." *Buzz Stew LLC*, 124 Nev. at 228 (citation omitted). Importantly, the Legislature does not argue that sovereign immunity precludes declaratory or injunctive relief on Fernley's federal or state constitutional claims. Thus, even if sovereign immunity were to ultimately bar monetary damages on federal or state constitutional claims, that does not mean that Fernley is not entitled to relief on those claims. Because Fernley may be entitled to some type of relief on those claims, dismissal at this phase of the proceedings is inappropriate. *Id.*

D. Fernley's Claims are not Time-Barred by any Statute of Limitations.

As an initial matter, the Legislature argues that 42 U.S.C. § 1983 imposes a two year period of limitations. The Legislature also acknowledges that that the Nevada Supreme Court has not identified a period of limitations for state constitutional claims. The State has not joined in the Legislature's statute of limitations argument.

Nevada courts have utilized the "continuing violations doctrine" for purposes of determining a statute of limitations for constitutional claims. See *Chachas v. City of Ely*, 615 F.Supp.2d 1193, 1203 (D.Nev. 2009). In that case, the Court held that "a systematic policy of discrimination is actionable even if some or all of the events evidencing its inception occurred prior to the limitations period." *Id.* The doctrine does not apply when there is "a mere continuing impact from past violations . . .". *Id.* However, that exception does not occur in this case because there was not simply one violation in 1997 when the C-Tax system was incorporated, but there are repeated violations every time there is a collection and distribution under the C-Tax formula. *Id.*, at 1204 (Applying the continuing violations doctrine to allow a challenge to utility fees that began outside the period of limitations because the charges continued to a period of time inside the period of limitations). Accordingly, and because the system itself results in a systematic and repeated policy of constitutional violations with every dollar collected and distributed under the C-Tax formula, the inception of the C-Tax system is irrelevant for purposes of a statute of

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limitations analysis and Fernley may bring its claims back to the effective date of the C-Tax system in 1997.

Assuming that the "continuing violations doctrine" does not apply and that Fernley's claims are subject to the four year period of limitations set forth in NRS 11.220, the statute of limitations does not begin to run until a wrong occurs and a party sustains injuries for which relief might be sought. See *Petersen v. Bruen*, 106, Nev. 271, 274, 792 P.2d 18, 20 (1990). Here, and as noted above, every time a dollar is collected and distributed under the C-Tax formula, Fernley's constitutional rights are violated. Accordingly, and again assuming the inapplicability of the "continuing violations doctrine," Fernley's claims would relate back to four years before it filed its Complaint in this case. *Id.*

Finally, the Legislature's position, that a local government must have challenged the C-Tax system within two to four years after its implementation in 1997, would result in an absurd result and would permanently preclude *any* local government or citizen from seeking judicial redress with respect to the C-Tax system, or indeed, to taking issue with any state law impacting their residents at all. Such a permanent bar to judicial recourse by a local government should not be endorsed by the Court. *We the People Nevada v. Miller*, 124 Nev. 874, 881, 192 P.3d 1166 (2008) ("[W]hen possible, the interpretation of a statute or constitutional provision will be harmonized with other statutes or provisions to avoid unreasonable or absurd results.") (citation omitted).

E. Laches Does Not Operate to Bar Fernley's Claims.

While the doctrine of laches may apply to constitutional claims, especially strong circumstances must exist to sustain the defense when the statute of limitations has not run. See *Bldg. and Const. Trades Council of N. Nev. v. State ex. rel. Public Works Bd.*, 108 Nev. 605, 611, 836 P.2d 633, 637 (1992). The defense requires more than just a delay in bringing a legal challenge, but rather must be a delay that disadvantages another. *Carson City v. Price*, 113 Nev. 409, 412, 934 P.2d 1042, 1043 (1997).

To determine whether a claim is barred, a court must consider (1) whether the party inexcusably delayed bringing the challenge, (2) whether the party's inexcusable delay constitutes acquiescence to the condition the party is challenging, and (3) whether the inexcusable delay was prejudicial to others. *Miller v. Burk*, 124 Nev. 579, 598, 188 P.3d. 1112, 1125 (2008). The applicability of laches turns on the specific facts of each case. *Price*, 113 Nev. at 412, 934 P.2d at 1043.

None of these factors exist in this case. Fernley has endeavored to find a solution to its C-Tax inequities. Fernley has sought legislative relief, and has sought adjustments from Lyon County. (Complaint, ¶16; Exhibit 1, pg. 3; Exhibit 2). All such efforts have been unsuccessful. Fernley has not delayed its efforts to seek relief. Moreover, and as discovery is expected to show, Fernley has not acquiesced in its condition. Fernley has actively, albeit unsuccessfully, sought a C-Tax adjustment before both the executive and legislative branches of state government. Finally, it can in no way be said that any delay prejudiced other participants in the C-Tax system. Taking the allegations of the Complaint as true, Fernley has received a disproportionately small share of C-Tax distributions. By definition, that means that other participants in the C-Tax system have received a disproportionately large share. If anything, any delay in bringing this action was *beneficial*, not prejudicial, to other C-Tax participants as it allowed them excess operating revenues that otherwise should not have been available.

For all of these reasons, the doctrine of laches does not bar any of Fernley's claims.

F. Fernley Has Standing to Bring 14th Amendment Claims Against the State.

The Legislature's arguments with respect to standing to bring 14th Amendment Claims are duplicative of the arguments raised by the Department and the Treasurer. As such, Fernley incorporates by reference herein its arguments as set forth on pages 7-9 of Fernley's Opposition to the Department and Treasurer's Motion to Dismiss, filed on August 20, 2012. (Exhibit 1).

The Legislature also engages in a lengthy argument as to whether the C-Tax system satisfies the rational basis test. (Joinder, 22-30). Again, there are no facts in evidence at this point as discovery has not even begun.

The Legislature makes the curious argument that because Fernley did not allege a lack of a rational basis for the C-Tax system in its Complaint, its claims fail. No citation of authority is provided for this bald assertion. Nonetheless, Fernley plainly and simply alleged a violation of

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the Due Process and Equal Protection clauses of the United States Constitution, which is clearly sufficient for purposes of stating a claim. See *Langevin v. York*, 111 Nev. 1481, 907 P.2d 981 (1985) (noting that because Nevada is a notice pleading state, pleadings are construed liberally to place into issue matters which are fairly noticed to the adverse party).

Assuming for the sake of argument that the rational basis test is the correct test, such an analysis simply cannot be conducted until the facts of the case are developed. For example, in *Dane v. Jackson*, 256 U.S. 589 (1921), relied upon by the Legislature, the Court noted that a Fourteenth Amendment violation required a "flagrant and palpable inequality between the burden imposed and the benefit received . . ." *Dane*, at 598-599. At this point in the case, facts need to be developed before the Court can make a determination of whether such inequality exists. At the very least, and taking Fernley's allegations as true, Fernley received dramatically inequitable distributions of C-Tax revenues as compared to similarly sized jurisdictions. As alleged, Fernley received $143,000 in C-Tax revenues in 2011. (Complaint, ¶ 9). That same year, Fallon received $1,409,664, Boulder City received $7,935,323, Elko received $11,015,989, West Wendover received $2,275,011, Winnemucca received $3,552,393, Mesquite received $7,046,690 and Ely received $1,142,528. (Complaint, ¶ 12). On its face, this is a "flagrant and palpable inequality" that survives a motion to dismiss, or alternatively, a motion for summary judgment prior to the close of discovery.

G. Fernley Has Standing to Bring a Separation of Powers Claim Against the State.

The Legislature argues that Article 3, Section 1 of the Nevada Constitution "exists for the protection of state government by prohibiting one branch of state government from impinging on the functions of another branch of state government." (Joinder, 31). The Legislature's argument thereafter is difficult to discern, but it seems that the Legislature argues that only a branch of state government has standing to assert a separation of powers claim.

As an initial matter, none of the cases cited by the Legislature stand for that proposition. Moreover, to the extent the case law cited by the Legislature stands for the proposition that the separation of powers clause does not apply to the powers of local government, that is irrelevant as Fernley's separation of powers claim is grounded on the premise that the legislative branch of

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state government unconstitutionally delegated its authority to appropriate funds to the executive branch of state government. (Exhibit 1, pgs. 9-11).

Regardless, cases cited by the Legislature seem more appropriately to stand for a proposition that a local government lacks standing to challenge certain decisions in which the State itself takes or gives rights or powers to a local government. See *State ex. rel. List v. County of Douglas*, 90 Nev. 272, 524 P.2d 1271 (1974) (Holding that a local government could not bring a state due process claim based on a taking of property by the state). However, that does not mean that a local government cannot allege that the state government is acting outside the confines of its constitutionally defined scope of authority. That is precisely why a local government can allege a constitutional violation by the State based on Article 4, Section 20 and 21 of the Nevada Constitution. See *City of Reno v. County of Washoe*, 94 Nev. 327, 580 P.2d 460 (1978). The rationale for allowing an Article 3, Section 1 challenge is the same. Fernley is not alleging that the State unconstitutionally gave or took away a power of a local government, Fernley is alleging that the legislative branch of state government unconstitutionally delegated authority to appropriate funds to the executive branch. Accordingly, Fernley has standing to bring a claim based on Article 3, Section 1 of the Nevada Constitution.

H. Fernley Has Adequately Stated a Claim Based on Article 3, Section 1 of the Nevada Constitution.

The Legislature's arguments with respect to the merits of Fernley's Article 3, Section 1 claim are duplicative of the arguments raised by the State in its Motion to Dismiss. As such, Fernley incorporates by reference herein its arguments as set forth on pages 9-11 of Fernley's Opposition to the Department and Treasurer's Motion to Dismiss, filed on August 20, 2012. (Exhibit 1).

I. Fernley Has Adequately Stated a Claim Based on Article 4, Section 20 of the Nevada Constitution.

The Legislature's arguments with respect to the merits of Fernley's Article 4, Section 20 claim are duplicative of the arguments raised by the State in its Motion to Dismiss. As such, Fernley incorporates by reference herein its arguments as set forth on pages 12-16 of Fernley's

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Opposition to the Department and Treasurer's Motion to Dismiss, filed on August 20, 2012. (Exhibit 1).

J. Fernley has Adequately Stated a Claim Based on Article 4, Section 21 of the Nevada Constitution.

The Legislature's arguments with respect to the merits of Fernley's Article 4, Section 21 claim are duplicative of the arguments raised by the State in its Motion to Dismiss. As such, Fernley incorporates by reference herein its arguments as set forth on pages 16-18 of Fernley's Opposition to the Department and Treasurer's Motion to Dismiss, filed on August 20, 2012. (Exhibit 1).

III. CONCLUSION

The Legislature's motion to dismiss is in reality a motion for summary judgment. As discovery has not commenced, the motion is premature as the facts of the case have yet to be developed.

Regardless, Fernley has adequately stated claims for damages, injunctive and declaratory relief based on the United States and Nevada Constitutions. In reviewing those claims under a Rule 12(b) standard, Fernley can prove a set of facts that would entitle it to relief. In reviewing those claims under a Rule 56 standard, and because discovery has not even started, questions of material fact remain which preclude entry of summary judgment.

For all of these reasons, the Legislature's Joinder in the State's motion to dismiss should be denied in its entirety.

DATED this 28th day of September, 2012.

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By:________________________

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and that on this 28th of September, 2012, I caused to be served via electronic mail and hand delivery, a true and correct copy of the above foregoing **CITY OF FERNLEY'S OPPOSITION TO NEVADA LEGISLATURE'S JOINDER IN MOTION TO DISMISS** properly addressed to the following:

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CITY OF FERNLEY, NEVADA, a Nevada municipal corporation,
Plaintiff,

v.

STATE OF NEVADA ex rel. THE NEVADA DEPARTMENT OF TAXATION; THE HONORABLE KATE MARSHALL, in her official capacity as TREASURER OF THE STATE OF NEVADA; and DOES 1-20, inclusive,
Defendants,

NEVADA LEGISLATURE,
Intervenor.

Case No.: 12 OC 00168 1B
Dept. No.: I

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EXHIBIT 1

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Attorneys for the City of Fernley, Nevada

IN THE FIRST JUDICIAL DISTRICT COURT

OF THE STATE OF NEVADA IN AND FOR CARSON CITY

CITY OF FERNLEY, NEVADA, a Nevada municipal corporation, Plaintiff, v. STATE OF NEVADA ex rel. THE NEVADA DEPARTMENT OF TAXATION; THE HONORABLE KATE MARSHALL, in her official capacity as TREASURER OF THE STATE OF NEVADA; and DOES 1-20, inclusive, Defendants.	Case No.: 12OC001681B Dept. No.: I **CITY OF FERNLEY'S OPPOSITION TO MOTION TO DISMISS AND MOTION FOR CONTINUANCE PURSUANT TO NRCP 56(f)**

COMES NOW, Plaintiff, City of Fernley, Nevada ("Fernley"), a Nevada municipal corporation, by and through its attorneys of record, and hereby submits its Opposition to the Motion to Dismiss filed by the Nevada Department of Taxation ("Department) and the Treasurer of the State of Nevada (collectively, the "State"). This Opposition is based upon the Memorandum of Points and Authorities included herein, the pleadings and papers on file in this matter, and such other argument or evidence as may be considered by the Court.

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MEMORANDUM OF POINTS AND AUTHORITIES

I. BACKGROUND

On June 6, 2012, Fernley filed its Complaint alleging a variety of legal defects in the construction and administration of the Consolidated Tax ("C-Tax") system utilized in Nevada to provide partial funding for local governments. The C-Tax system was implemented in 1997, and is a means by which revenues from six different taxes are distributed to local governments, including counties and municipalities, among others. (Complaint, ¶¶ 4-7).

At the time the C-Tax system was implemented in 1997, Fernley was an unincorporated town with a population of approximately 8,000. (Id., ¶4). In 2001, Fernley incorporated and in fact, is the only municipality in Nevada to incorporate since the implementation of the C-Tax system in 1997. (Id., ¶9).

Today, Fernley has a population of approximately 19,000, making it the seventh most populous city in Nevada. (Id., ¶10). Fernley is located in Nevada's fourth largest county, Lyon County, and has around a third of the population of Lyon County. (Id.).

Despite the dramatic increase in Fernley's population, its share of C-Tax distributions has remained stagnant. For example, in 1997, Fernley (as an unincorporated town) received approximately $86,000 in C-Tax distributions. (Id., ¶9). In 2001, when Fernley incorporated, it received just over $110,000 in C-Tax distributions. (Id.). In 2011, Fernley received just over $143,000 in C-Tax distributions. (Id.).

Comparisons to municipalities of comparable size demonstrate the disparity in the system. For example, in 2010-2011 Fallon received $1,409,664 in C-Tax distributions, Boulder City received $7,935,323, Elko received $11,015,989, West Wendover received $2,275,011, Winnemucca received $3,552,393, Mesquite received $7,046,690 and Ely received $1,142,528. (Id., ¶12). Fernley received $143,000. (Id.).

Viewed on a per capita basis, Fernley residents received approximately $7 in C-Tax. Meanwhile, residents of Boulder City and Mesquite (with smaller populations than Fernley)

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received between $450-$550 per resident, and Elko residents received almost 100 times more in C-Tax per resident than Fernley. (Id., ¶13).

C-Tax revenues are usable by a local government for any purpose – there are no restrictions on where revenues can be used and in fact, C-Tax revenues are commonly used for general operating purposes. (Id., ¶8). It is important to remember this point as the State suggests in its Motion to Dismiss that C-Tax revenues are tied to the provision of specific services.

The C-Tax system is a complex formula designed to re-distribute taxes collected throughout Nevada. What it is not designed to do, however, is provide any flexibility for meaningful adjustments. The ability to seek adjustments is extremely limited. For example, adjustments can be sought within 12 months of incorporation. (Id., ¶14). Adjustments can also be made if there is an agreement between local government entities to share services. (Id.). Of course, asking one local government entity to give up any significant share of revenues is simply not a realistic expectation.

Regardless, even with adjustments within 12 months of incorporation or with a service-sharing agreement, the C-Tax system is not designed to make significant adjustments. And as demonstrated in more detail below and as will be further developed during discovery, there have been very few significant adjustments to any local government's C-Tax share since 1997. Simply put, the system is designed to preserve the status quo established in 1997. An entity like Fernley, which started with a significantly low allocation in 1997, therefore has no realistic hope of obtaining a meaningful adjustment within the confines of the existing C-Tax system.

Fernley has sought relief from the Nevada Legislature, but has found no support from that body. (Id., ¶16). Fernley also continues to participate in good faith with the Legislative Commission's Subcommittee to Study the Allocation of Money Distributed From the Local Government Tax Distribution Account, which has conducted several meetings since February of 2012. Although the work of that Subcommittee is not yet done, and as discovery is expected to show, the Subcommittee will recommend continuing the practice of preserving the status quo of the C-Tax system.

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Having exhausted its options to find relief elsewhere, Fernley filed its Complaint.

II. DISCUSSION

A. Standard of Review

The State seeks dismissal of all claims pursuant to NRCP 12(b). Under that rule, Fernley's Complaint "should be dismissed only if it appears beyond a doubt that it could prove no set of facts, which, if true, would entitle it to relief." *Buzz Stew LLC v. City of North Las Vegas*, 124 Nev. 224, 228, 181 P.3d 670 (2008) (citation omitted). It is important to note that the appropriate standard for dismissal is "beyond a doubt" and not "beyond a reasonable doubt." *Id.*, at fn. 6 ("The appropriate standard requires a showing beyond a doubt. To the extent that these cases required a showing of proof beyond a reasonable doubt, they are disavowed.").

In reviewing a motion to dismiss brought pursuant to NRCP 12(b), a court must accept the allegations of the complaint as true, and draw all inferences in favor of the non-moving party. *Id.*, 124 Nev. at 228 (citations omitted).

The State attached to its Motion to Dismiss an exhibit called "CTX Distributions for Nevada Cities Public Safety Costs for Nevada Cities." (Motion to Dismiss, Exhibit 1). A Rule 12(b) motion to dismiss "shall be treated as one for summary judgment and disposed of as provided in Rule 56" if "matters outside the pleading are presented to and not excluded by the court." *Schneider v. Continental Assurance Company*, 110 Nev. 1270, 1271, 885 P2d 572 (1994); NRCP 12(b). Accordingly, and although the State couches its brief as a Motion to Dismiss, it is more appropriately considered as a Motion for Summary Judgment.

A motion for summary judgment is appropriate "if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law." NRCP 56(c); *Wood v. Safeway, Inc.*, 121 Nev. 724, 731, 121 P.3d 1026 (2005) (citation omitted). In determining whether a genuine issue of material fact exists, the court must accept as true all evidence favorable to the non-moving party and grant the non-moving party all favorable inferences that may reasonably be drawn from such evidence. *Anderson v. Liberty Lobby, Inc.*,

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477 U.S. 242, 255 (1986). "A factual dispute is genuine when the evidence is such that a rational trier of fact could return a verdict for the nonmoving party." *Id.* (citation omitted). The pleadings and proof "must be construed in a light most favorable to the nonmoving party," but the nonmoving party must "'do more than show that there is some metaphysical doubt' as to the operative facts in order to avoid summary judgment . . ." *Wood*, 121 Nev. at 732 (citation omitted).

As demonstrated below, the State's request should be denied under either a Rule 12(b) or Rule 56 standard. Additionally, and because discovery has not even begun in this case, the State's motion should be continued until the conclusion of discovery.

B. The Motion to Dismiss Should be Denied or Continued Pursuant to NRCP 56(f).

A summary judgment motion is considered premature when it is filed before discovery has even commenced. *Aviation Ventures Inc. v. Joan Morris, Inc.*, 121 Nev. 113, 118-119, 110 P.3d 59, 63 (2005). Moreover, summary judgment is premature when made at an early stage of the case where the record has not been sufficient developed to allow the Court to make a fully informed decision on complex and far-reaching issues. *Dennison v. Allen Group Leasing Corp.*, 110 Nev. 181, 184, 871 P.2d 288 (1994). A party defending against a motion for summary judgment should be given a reasonable opportunity to complete discovery and therefore have a chance to demonstrate a genuine issue of material fact. NRCP 56(d); NRCP 56(f); *Aviation Ventures Inc.*, 121 Nev. at 118-119.

Here, Fernley's Complaint was filed with this Court on June 6, 2012 and the State was duly served thereafter. Discovery has not yet begun in this case. Yet the very first document filed by the State in this case is the present motion to dismiss the entire case. Moreover, this case raises significant constitutional questions about the validity of a complex tax collection and distribution scheme used to fund a portion of the budgets of local governments in Nevada. For example, the State suggests that the utilization of certain services is relevant to the C-Tax distributions to a local government. (Motion to Dismiss, 8). The State even goes so far as to attach an Exhibit to its

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Motion clearly designed to imply that the provision of C-Tax revenues is somehow tied to the costs a local government incurs in providing public safety. (Motion to Dismiss, Exhibit 1).

Whether the State's suggestion is accurate is, of course, a factual question that will require discovery to determine the facts and circumstances of how various local governments utilize their C-Tax revenues, and whether there truly is some kind of service-based requirement to receive C-Tax revenues. For example, the first city listed in Exhibit 1 is Fallon and the exhibit shows $4,740,982 in public safety costs. What is included in "public safety?" How much of these costs are funded by C-Tax and how much by other revenue sources? These are important factual questions that need to be developed rather than just taking the State's claims at face value before there has been any discovery whatsoever. The issues are complex and will require discovery.

A premature motion for summary judgment may be denied or continued pursuant to NRCP 56(f). That rule provides as follows:

> Should it appear from the affidavits of a party opposing the motion that the party cannot for reasons stated present by affidavit facts essential to justify the party's opposition, the court may refuse the application for judgment or may order a continuance to permit affidavits to be obtained or depositions to be taken or discovery to be had or may make such other order as is just.

As noted earlier, there are significant facts that need to be developed in this case. At a very high level, why do some local governments receive more than others? Are C-Tax revenues really tied to the provision of certain services? How much authority does the Executive Branch have over appropriating money to local governments, traditionally a function of the Legislative Branch? How often is that authority exercised? All of these are important fundamental fact-based questions that must be resolved before this case can be fully and finally adjudicated. Certainly the persons most knowledgeable at the State, as well as persons most knowledgeable at various local governments will be able to testify to such matters. Moreover, local governments must file copies of their budgets with the Department on an annual basis. See NRS 354.598 (Local government budgets must be submitted to the Nevada Tax Commission). These avenues must be explored during discovery to determine if there truly are no disputes of material fact. As such, it is appropriate for this Court to deny the State's motion or alternatively, to grant a continuance

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pursuant to NRCP 56(f) in order to allow discovery to proceed. (Exhibit 1, Affidavit of Joshua J. Hicks).

Moreover, the State's Motion for Summary Judgment is legally deficient under Rule 56(c). A summary judgment motion must "include a concise statement setting forth each fact material to the disposition of the motion which the party claims is or is not genuinely in issue, citing the particular portions of any pleading, affidavit, deposition, interrogatory, answer, admission, or other evidence upon which the party relies." NRCP 56(c). Such a statement is absent from the State's motion. This is an important procedural rule that conserves judicial time and resources and assists the Court in ruling on a summary judgment motion. See *Simmons v. Navajo County, Arizona*, 609 F.3d 1011 (9th Cir. 2010). The failure to include the concise statement is additional grounds to deny the State's Motion.

C. Fernley Has Standing to Bring 14th Amendment Claims Against the State.

The State accurately sets forth the general rule that a municipality lacks standing to bring a 14th Amendment claim against the State. However, that general rule is not absolute and there are limited exceptions.

In *City of New York v. New York*, 86 N.Y.2d 286, 291-92, 655 N.E.2d 649 (1995), the Court noted that although a municipality is a "mere political subdivision of the State, created by the State Legislature and possessing no more power save that deputed to them by that body," there are nonetheless exceptions to the general lack of standing to bring federal constitutional claims in four circumstances, including where "State legislation adversely affects a municipality's proprietary interest in a specific fund of moneys . . ." *Id.* (citations omitted); See also *Rogers v. Brockette*, 588 F.2d 1057, 1068 (5th Cir. 1979) (rejecting the notion that a municipality never has standing to sue the state for violations of the federal constitution); *Fulton Foundation v. Wisconsin Department of Taxation*, 13 Wis.2d 1, 11, 108 N.W.2d 312, 317 (1961) (holding that public officers may challenge the constitutionality of a statute if it is their official duty to do so or they will be personally affected if they fail to do so); *Sanchez v. City of Modesto*, 145 Cal.App.4th 660, 676 (Cal.Ct.App. 2006) (recognizing an exception to the rule in situations where usual standards for third-party standing are satisfied).

Other courts have identified an exception to the general rule when the issue presented is of great public concern. See *Associated Hospital Service, Inc. v. City of Milwaukee*, 13 Wis.2d 447, 469-70, 109 N.W.2d 271, 282 (1961); *Thompson v. South Carolina Commission on Alcohol and Drug Abuse*, 267 S.C. 463, 466, 229 S.E.2d 718,719 (1976); *Minnesota* State *Bd. of Health v. City of Brainerd*, 308 Minn. 24, 29, 241 N.W.2d 624,628 (1976) (quoting *State ex. r. Clinton Falls Nursery Co. v. County of Steele*, 181 Minn. 427, 430, 232 N.W. 737, 738 (1930).

In particular, issues related to taxation are of great public interest and municipalities have been permitted to raise 14th Amendment challenges to them. *Associated Hospital Service*, 13 Wis.2d at 469-70, 109 N.W.2d at 282; *Fulton Foundation v. Wisconsin Dept. of Taxation*, 13 Wis.2d 1, 14A-14B, 109 N.W.2d 285,285-86 (1961). On a motion for consideration, the *Fulton Foundation* court acknowledged that the disparate treatment of taxpayers affected more than just a few taxpayers, but affected the public at large. *Fulton Foundation*, 13 W.2d at 14A-14B, 109 N.W.2d at 286. The court found that "extending special privileges by way of discriminating tax exemptions, which deny the equal-protection-of-the-laws requirement of the Fourteenth Amendment have a tendency to undermine the faith of citizens in the integrity of their state government." *Id.*

Fernley brought this suit on behalf of its approximately 19,000 residents. As alleged by Fernley, those residents are not receiving the benefit of a legally appropriate share of C-Tax revenues. In fact, Fernley has alleged and believes that discovery will show that its residents are paying significantly more into the C-Tax system than they are receiving from it. (Complaint, ¶39). Moreover, other local governments, and the numerous residents served by such local governments, may similarly be receiving either too much or not enough in terms of C-Tax distributions, and therefore are deprived of guarantees of equal protection and due process. Such allegations justify an exception to the general rule on municipal standing to bring 14th Amendment claims, as a matter of taxation that is of great public interest.

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The State bases its standing argument primarily on *Nevada v. County of Douglas*, 90 Nev. 272, 524 P.2d 1271 (1974). In that case, Douglas County sought to bring a 14th Amendment claim against the State with respect to the State's efforts to require Douglas County to pay a portion of the expenses of the Tahoe Regional Planning Agency. Without much discussion, and in reliance on century-old precedent, the Nevada Supreme Court held that Douglas County lacked standing to bring a 14th Amendment challenge against the State. *Id.*, 90 Nev. at 279-280. The Nevada Supreme Court did not consider whether there should be limited exceptions for issues of taxation and great public interest. Moreover, *County of Douglas* did not address a 14th Amendment challenge to a tax collection and distribution scheme. Accordingly, *County of Douglas* is nothing more than the general rule, and does not mean that this Court cannot utilize an exception.[1]

Fernley has standing to allege 14th Amendment claims against the State in this case, as a matter of taxation and great public interest. Accordingly, the State's Motion to Dismiss, or alternatively its motion for summary judgment, with respect to Fernley's standing to bring these claims should be denied.

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C. Fernley Has Adequately Stated a Claim Based on Article 3, Section 1 of the Nevada Constitution.

The State argues that dismissal is appropriate because the C-Tax system is nothing more than a "tax law" and that the State is "simply performing their duties to execute the law as required by the Nevada Constitution." (Motion to Dismiss, 6). This is a gross oversimplification of the C-Tax System, and misunderstands Fernley's separation of powers argument.

As an initial matter, the C-Tax system is much more than a simple tax law. It is a complex system whereby revenues are collected from a variety of sources by the Department of Taxation, and then appropriated to local governments by the State based on a complex mathematical formula. See Exhibit 2 (*Consolidated Tax Distribution*, Department of Taxation, 1/21/11); see also NRS 370.260 (cigarette tax distribution); NRS 369.173 (liquor tax distribution); NRS

[1] The State also argues in a footnote that Fernley's 14th Amendment claims are "precluded by the principles articulated in *Madera v. SIIS*, 114 Nev. 253, 956 P.2d 117 (Nev. 1998)." (Motion to Dismiss, 6 fn.2). With no pinpoint citation or any further explanation, it cannot be determined exactly what the State is arguing here. Nonetheless, *Madera* addressed the retroactivity of bad faith worker's compensation claims as well as the sufficiency of civil rights claims brought pursuant to 42 U.S.C. §1983. Neither of those issues is germane to this case.

482.180 & 482.181 (government services tax distribution); NRS 375.070 (real property tax distribution); NRS 377.055 (basic city-county relief tax distribution); NRS 377.057 (supplemental city-county relief tax distribution); NRS 360.680 (base allocations); NRS 360.690 (excess allocations); NRS 360.600-360.740 (formula for distribution of C-Tax revenues); NRS 354.598747 (limited adjustments to C-Tax revenues).

It is the appropriation aspect of the C-Tax system that gives rise to the fundamental separation of powers violation. It is true that the legislative branch can delegate rule and regulation making duties to other branches or administrative agencies. *Banegas v. State Indus. Ins. Sys.*, 117 Nev. 222, 227, 19 P.3d 245, 248 (2001). It cannot, on the other hand, delegate its primary functions. *See Carmel Valley Fire Protection Dist. v State*, 25 Cal.4th, 287, 299, 20 P.3d 533, 540-41 (2001). Delegation of quasi-legislative functions is constitutional, but a delegation calls for an administrative branch to make a fundamental policy decision is not. *Id.* (*citing Loving v. U.S.*, 517 U.S. 748 (1996));*Plastic Pipe and Fitting Ass'n v. Cal.Bldg. Standards Com'n*, 124 Cal.App.4th 1390, 1410, 22 Cal.Rptr.3d 393, 405 (2004).

One of the primary functions of the legislative branch is the power to appropriate funds, the "power of the purse" *State of Nev. Employees Ass'n, Inc. v. Daines*, 108 Nev. 15, 21, 824 P.2d 276, 279 (1992) ("Further, it is well established that the power of controlling the public purse lies within legislative, not executive authority."); Nevada Constitution, Article 4 Sec. 19 ("No money shall be drawn from the treasury but in consequence of appropriations made by law."); NRS 353.230 et. seq. (Appropriations made via bills passed by the Legislature); *Carmel Valley Fire Protection Dist.*, 25 Cal.4th at 299, 20 P.3d at 539 (stating that the core functions of the legislative branch include passing laws, levying taxes, and making appropriations).

As such, the Legislature may not constitutionally delegate the "power of the purse" to an administrative branch. *Folsom v. Wynn*, 631 So.2d 890, 894 (Alabama 1993). Appropriation determinations involve fundamental, wide policy and discretionary judgments, and cannot be delegated even with clear enough standards. *Id.* at 892-3.

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The C-Tax system is set up to collect and appropriate funds without legislative participation or oversight. A review of the history of legislation passed that impacted the C-Tax system since 1997 demonstrates that with one exception, only minor legislative adjustments have been made to the C-Tax system. (Exhibit 3, *Legislative Commission's Subcommittee to Study the Allocation of Money Distributed From the Local Government Tax Distribution Account* (Assembly Bill 71, 2011 Legislature), Legislative Counsel Bureau, 109-118 (February 1, 2012)).[2] That one exception occurred in 2002, when Assembly Bill 10 of the 17th Special Session of the Legislature resulted in a $4,000,000 adjustment to the City of Henderson's annual base allocation.[3] (Id., at 115).

As alleged by Fernley and as discovery will further develop, the C-Tax system is set up to allow the executive branch to appropriate funds to local governments free of legislative oversight or intervention. When there is legislative involvement, and with only the aforementioned exception, it is only to tinker with minor adjustments to the formula. (Id., 109-118). Otherwise, the revenues are collected and appropriated via a complex mathematical formula by the executive branch without Legislative participation. The C-Tax system is appropriation by auto-pilot. The Legislature has abdicated its power of the public purse with respect to the C-Tax system and accordingly, Fernley has stated a claim that Article 3, Section 1 of the Nevada Constitution has been violated.

Taking the allegations of the Complaint as true, Fernley can present a set of facts to this Court to demonstrate how the C-Tax system results in an abdication of legislative authority and effectively appropriates funds without legislative approval. Even under a summary judgment standard, there are questions of material fact as to how the Legislature has overseen and approved the C-Tax system since 1997. Again viewing the allegations in a light most favorable to Fernley, these questions of material fact preclude the entry of summary judgment.

[2] This voluminous exhibit was prepared by the Legislative Counsel Bureau and disseminated to the public and to members of the Legislative Commission's Subcommittee to Study the Allocation of Money Distributed from the Local Government Tax Distribution Account at its first meeting on February 1, 2012. The length of this volume, which was intended to give a preliminary background into the C-Tax system, is indicative of just how complicated the C-Tax system is, and how many factual questions must be developed prior to an adjudication of this case on the merits.

[3] During that special session, the Speaker of the Assembly's district included the City of Henderson.

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D. Fernley Has Adequately Stated a Claim Based on Article 4, Section 20 of the Nevada Constitution.

Article 4, Section 20 of the Nevada Constitution provides that the Legislature shall not pass local or special laws pertaining to the assessment and collection of taxes for state, county and township purposes. The State argues that Fernley fails to state a claim for relief because: (1) Fernley does not provide certain undefined services that would allow for an adjustment; (2) because Article 4, Section 20 does not apply to the distribution of tax revenues; and (3) because the C-Tax system itself is not a local or special law. These arguments are either based on facts that are not yet developed or are otherwise insufficient at this stage of the proceedings to justify dismissal.

As an initial matter, and as noted earlier in this memorandum, the type of services provided by Fernley as compared to other local governments is a fact-based question that must be developed during discovery. As noted earlier, there is no requirement that C-Tax revenues be used for any particular purpose and in fact, C-Tax revenues are commonly used by local governments for general operating purposes. (Complaint ¶8). Trying to tie C-Tax revenues to services reads requirements into the law that do not exist.

As Fernley should have a chance to develop during discovery, the C-Tax system is a mechanical formula designed to preserve the status quo since 1997 and is not tied to the provision of any services. Fernley expects discovery to show that any review by the State (or the Legislature) of how C-Tax funding levels related to services provided by local governments is effectively non-existent. Regardless, discovery is necessary to establish whether, as the State suggests, there is in fact some correlation between C-Tax revenues and services.

Moreover, because the State's suggestion about the funding of services is a fact-based inquiry, the issue requires a close examination of all local government budgets, which requires the parties to go through discovery.

It is also important to recognize that Article 4, Section 20 was enacted to "remedy an evil into which it was supposed the territorial legislature had fallen in the practice of passing local and

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special laws for the benefit of individuals instead of enacting laws of a general nature for the benefit of the public welfare." *Clean Water Coalition v. The M Resort LLC*, 127 Nev. Advance Opinion 24, 13 (2011) (citing to *Evans v. Job*, 8 Nev. 322, 333 (1873)). The Nevada Supreme Court went on to note that "[t]he problem with such lawmaking is that when 'a law affects only one small area of the state, voters in most areas will be ignorant of and indifferent to it.'" *Id.*, (citing to *Municipal City of South Bend v. Kimsey*, 781 N.E.2d 683, 686 (Ind. 2003)). The ultimate purpose of this constitutional provision is "that when a statute affects the entire state, it is more likely to have been adequately considered by all members of the Legislature, whereas a localized statute is not apt to be considered seriously by those who are not affected by it." *Id.* (citations omitted).

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Fernley's situation is precisely squared with the purposes of Article 4, Section 20. Fernley is a relatively small, rural city and is the only municipality to incorporate since the implementation of the C-Tax system in 1997. Fernley's C-Tax distributions are undeniably significantly lower than comparably sized municipalities. (Complaint, ¶¶ 9-14). And has been demonstrated by way of Fernley's efforts to obtain a C-Tax adjustment, there is very little concern over Fernley's situation by anyone outside of Fernley. While Fernley has attempted to seek redress in the Legislature, and submitted a bill to the Legislature in 2011, that bill did not even get a committee vote and can hardly be said to have been "considered seriously" by the Legislature as a whole. (Complaint, ¶16). Further, the Legislature's pending efforts to intervene in and dismiss this case is certainly indicative of how that body feels about Fernley's concerns.

The State argues that the C-Tax system is not special or local "because it is applied to Fernley in the same manner as any other city incorporated after its passage." (Motion to Dismiss, 10). This ignores the fact that Fernley is the only municipality to incorporate since the implementation of the C-Tax system and that the root of the problem is that Fernley's base allocation is so low that there is no opportunity for a meaningful adjustment. The State's position ignores that Fernley, as a late arrival to the C-Tax system, started ~~from a handicap that other~~ participants did not experience. Fernley is simply not on equal footing with other participants in the C-Tax system and therefore, as applied to Fernley, the C-Tax system is a special or local law. See *Clean Water Coalition*, at 16 (holding that "the determination of whether a law is local or special is based on how it is applied, not on how it actually operates.") (citation omitted).

For example, Fernley formally asked the Department to articulate the manner in which it could seek an adjustment of its C-Tax revenues. (Exhibit 4). The Department responded in writing. (Exhibit 5). In summary, the Department noted that adjustments are appropriate in two circumstances. First, an adjustment is appropriate pursuant to NRS 360.740, which allows a local government created after July 1, 1998 to petition the Nevada Tax Commission for additional revenues if that local government provides certain services. NRS 360.740(1); (Exhibit 5). It should be noted that this is no guarantee of an adjustment, as the request must be considered not only by the Department, but also by the Committee on Local Government Finance and the Nevada Tax Commission. NRS 360.740(1) & (4). Regardless, any requests for an adjustment made pursuant to NRS 360.740 must be made within a year of the creation of the local government or the local government. NRS 360.740(2). Since Fernley incorporated in 2001, that option is not available.

The only other option for an adjustment is set forth in NRS 354.598747.[4] (Exhibit 5). That statute allows for an adjustment if one local government "assumes the functions" of another local government. NRS 354.596747(1). However, this section does not address the situation that Fernley is in – when a local government has a base allocation that is so low that only a significant adjustment will provide relief, it is simply unrealistic to expect another local government to give up a significant share of its revenues, even if there is an agreement to assume some services. As alleged by Fernley, and as discovery is expected to show, Lyon County has been unwilling to agree to any meaningful adjustments and in fact, has taken no action on even relatively small requests for adjustments. (Complaint, ¶16); (Exhibit 6, Lyon County Commission Agenda, March 3, 2011 Agenda Item #22) (Showing the Lyon County Commission tabling Fernley's request for

[4] Typically a statute has 3 numbers after the decimal point. The fact that the statutes governing the C-Tax system include up to 6 numbers after the decimal point is a good indicator of how complicated the system has become.

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additional C-Tax money to be used for road construction). In other words, the supposed relief available to Fernley is nothing more than a mirage.

Regardless, and as noted earlier, C-Tax revenues do not need to be used for the provision of any particular service and can be used for general operating purposes. (Complaint, ¶8). Accordingly, NRS 354.598747, in addition to being an unrealistic option for meaningful adjustment, arbitrarily precludes a local government from seeking greater revenues when they may have needs that are unique to their situation and are not based on delineated services.

Ultimately, a system that "on its face advances statewide objectives" but burdens one particular entity is a local or special law for purposes of Article 4, Section 20. *Clean Water Coalition*, 127 Nev. Advance Op. 24, at 18 (citations omitted). The C-Tax system, on its face, appears to advance statewide objectives of providing collection and distribution of certain taxes to local governments. But the system heavily burdens the only municipality to incorporate since its implementation in 1997 by providing no avenues for meaningful adjustment.

Finally, with respect to the State's argument that Article 4, Section 20 does not apply to the distribution of tax revenues, it should be noted at the outset that the C-Tax system is both a collection and distribution scheme. Collection and distribution are inextricably intertwined. This is not a system where taxes are collected and thereafter appropriated by the Legislature for various purposes. This is, instead, a system where taxes are collected and distributions of those same taxes are directed to specific locations without deviation or legislative participation. Moreover, Fernley has alleged that the collection of revenues from its residents vastly exceeds the amounts distributed is a violation in and of itself. (Complaint, ¶39).

Treating the C-Tax system as exclusively a "distribution" system free from the constitutional limitations set forth in Article 4, Section 20 of the Nevada Constitution would effectively allow the circumvention of constitutional protections. For example, taken to a logical conclusion this would mean the Legislature could pass a law that all sales tax revenue collected throughout the state should go, by statute and without further legislative approval, to the City of Las Vegas. According to the State's interpretation, this would pass constitutional muster under

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Article 4, Section 20 because it pertains only to the distribution of tax revenue. However, such legislation would clearly burden all local governments except the City of Las Vegas, and runs contrary to Article 4, Section 20's purpose to "remedy an evil into which it was supposed the territorial legislature had fallen in the practice of passing local and special laws for the benefit of individuals instead of enacting laws of a general nature for the benefit of the public welfare." *Id.*, 127 Nev. Advance Opinion at 13 (2011) (citing to *Evans v. Job*, 8 Nev. 322, 333 (1873)).

For all of these reasons, and taking Fernley's allegations as true and reviewing the pleadings in a light most favorable to Fernley, Fernley has stated a claim for relief pursuant to Article 4, Section 20 of the Nevada Constitution.

E. Fernley has Adequately Stated a Claim Based on Article 4, Section 21 of the Nevada Constitution.

Article 4, Section 21 of the Nevada Constitution provides as follows:

> In all cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the State.

As noted in the prior section of this memorandum, the C-Tax system is a local or special law. Even if it is not, it still must be analyzed for constitutional compliance with Article 4, Section 21. See *Clean Water Coalition*, 127 Nev. Advance Op. at 25 ("Even if this court were to credit the State's argument that A.B. 6, section 18 involves only fees, not a tax, taking it outside Article 4, Section 20, the measure still fails because it violates Article 4, Section 21, which mandates general laws in all cases where they 'can be made applicable.'").

To determine whether a general law could be applicable for purposes of Article 4, Section 21, the Court must evaluate "whether the challenged law 'best subserve[s] the interests of the people of the state, or such class or portion as the particular legislation is intended to affect." *Id.*, at 26 (citing to *Nevada v. Irwin*, 5 Nev. 111, 122 (1869)). Relevant to the inquiry is whether "the general legislation existing was insufficient to meet the peculiar needs of a particular situation." Id., (quoting from *Cauble v. Beemer*, 64 Nev. 77, 96, 177 P.2d 677 (1947)). Local or special laws are typically upheld where "an emergency situation existed within a certain county or locality and

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a general law could not apply to address the situation because only that county or locality was affected." Id. (citations omitted). Importantly, "political differences that might make it difficult to agree on a generally applicable law" are insufficient to withstand constitutional scrutiny. *Id.*, at 28.

The State argues that a general law cannot be made applicable because "the clear purpose of the C-Tax is to distribute State revenue to government entities that provide needed services such as law enforcement and fire protection." (Motion to Dismiss, 12). No citation of authority or any evidence whatsoever is cited for the State's claim, and it must fail on that ground alone.

Regardless, and if services are so germane to the provision of C-Tax revenues, then why are local governments not precluded from using C-Tax revenues for anything but these "needed services?" And if funding these services is so critical, why would the Legislature set up the C-Tax system in the first place and take no active role in reviewing the budgets of local governments and appropriating funds as necessary to fund such needed services? See NRS 354.598 (Providing that local government budgets are submitted to the Nevada Tax Commission, but making no requirement that such budgets be approved by the State or the Legislature).

Ultimately, a general law can easily be made applicable with respect to the collection and appropriation of the six taxes that make up the C-Tax system. Instead of an automatic appropriation based on a complex mathematical formula that preserves the status quo in place in 1997, the taxes could simply be collected, deposited into a fund segregated for local governments, and appropriated biennially by the Legislature after a careful review of local government budgets. While this might result in challenges from "political differences," that has been found by the Nevada Supreme Court to be an insufficient reason to satisfy constitutional requirements. *Id.*, at 28.

The Nevada Supreme Court has also struck down similar legislation in *Anthony v. State*. 94 Nev. 338, 580 P.2d 939 (1978). In *Anthony*, the challenged law provided that in a county with more than 200,000 people, 68.5% of certain tax revenues "shall be apportioned to the largest city and the remainder among the other cities in proportion to their respective populations." *Id.*, 94 Nev. at 340. In rejecting that law pursuant to Article 4, Section 20, the Nevada Supreme Court

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found that the "Legislature's intent, though commendable, was to protect the fiscal policy of Clark County and not the financial ability of smaller cities to provided needed services." *Id.*, 94 Nev. at 341. Moreover, in finding that a general law could be made applicable to the situation, the Court stated that "[i]t is clear to us that the only purpose of the amendments is to perpetuate the existing state of affairs in Clark County." *Id.*

The situation here is the same. The C-Tax system perpetuates the state of affairs in place in 1997, and to protect the fiscal policy of participants in the system in 1997 to the exclusion of new local governments.

Again taking the allegations of the Complaint as true as is appropriate when reviewing a motion pursuant to Rule 12(b), Fernley can present a set of facts to this Court to demonstrate how the C-Tax system is not of general and uniform operation, although it could be in different circumstances. Even under a summary judgment standard, there are questions of material fact as to whether the C-Tax system is not general and uniform, and whether there is a more general and uniform way to administer the C-Tax system. Again viewing the allegations in a light most favorable to Fernley, these questions of material fact preclude the entry of summary judgment. For all of these reasons, Fernley has adequately stated a claim for relief based on Article 4, Section 21 of the Nevada Constitution.

III. CONCLUSION

The State's Motion to Dismiss is in reality a motion for summary judgment. As discovery has not commenced, the Motion should be denied or alternatively continued so there is an opportunity to develop the record prior to an adjudication on the merits.

Regardless, Fernley has stated a claim with respect to its 14th Amendment claims as they claims raise questions of taxation and public interest, justifying an exception to the general rule of standing for municipal actions against a state. Fernley has similarly adequately stated claims for relief under Article3, Section 1, Article 4, Section 20 and Article 4, Section 21 of the Nevada Constitution. In reviewing those claims under a Rule 12(b) standard, Fernley can prove a set of

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facts that would entitle it to relief. In reviewing those claims under a Rule 56 standard, questions of material fact remain which preclude entry of summary judgment.

For all of these reasons, the State's Motion to Dismiss should be denied in its entirety.

DATED this 20th day of August, 2012.

BROWNSTEIN HYATT FARBER SCHRECK, LLP

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CERTIFICATE OF SERVICE

I certify that I am an employee of Brownstein Hyatt Farber Schreck, LLP, and that on this 20th day of August, 2012, I caused to be hand delivered, a true and correct copy of the above and foregoing **CITY OF FERNLEY'S OPPOSITION TO MOTION TO DISMISS AND MOTION FOR CONTINUANCE PURSUANT TO NRCP 56(f)** properly addressed to the following:

Catherine Cortez Masto, Esq.
Gina C. Session, Esq.
Andrea Nichols, Esq.
Office of the Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717

Courtesy copy to:

Kevin Powers, Esq.
Legislative Counsel Bureau
401 South Carson Street
Carson City, Nevada 89701

Kelly J. Chouinard
An Employee of Brownstein Hyatt Farber Schreck, LLP

CITY OF FERNLEY, NEVADA, a Nevada municipal corporation,

Plaintiff,

v.

STATE OF NEVADA ex rel. THE NEVADA DEPARTMENT OF TAXATION; THE HONORABLE KATE MARSHALL, in her official capacity as TREASURER OF THE STATE OF NEVADA; and DOES 1-20, inclusive,

Defendants.

Case No.: 12 OC 00168 1B

Dept. No.: I

INDEX OF EXHIBITS TO OPPOSITION TO MOTION TO DISMISS AND MOTION FOR CONTINUANCE PURSUANT TO NRCP RULE 56(f)

EXHIBIT #	TITLE	# OF PAGES
1	Affidavit of Joshua J. Hicks in Support of Opposition to Motion to Dismiss and Motion for Continuance Pursuant to NRCP Rule 56(f)	2
2	"Consolidated Tax Distribution" Power Point – Prepared by the Nevada Department of Taxation 1/21/2011	17
3	"Legislative Commission's Subcommittee to Study the Allocation of Money Distributed from the Local Government Tax Distribution Account (Assembly Bill 71, 2011 Legislature)	238
4	Letter from Joshua Hicks to William Chisel, November 1, 2011	2
5	Letter from William Chisel to Joshua Hicks, December 20, 2011	3
6	Minutes of the Lyon County Commission Meeting of March 3, 2011	7

EXHIBIT 1

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Attorneys for the City of Fernley, Nevada

IN THE FIRST JUDICIAL DISTRICT COURT

OF THE STATE OF NEVADA IN AND FOR CARSON CITY

CITY OF FERNLEY, NEVADA, a Nevada municipal corporation, Plaintiff, v. STATE OF NEVADA ex rel. THE NEVADA DEPARTMENT OF TAXATION; THE HONORABLE KATE MARSHALL, in her official capacity as TREASURER OF THE STATE OF NEVADA; and DOES 1-20, inclusive, Defendants.	Case No.: 12 OC 00168 1B Dept. No.: I **AFFIDAVIT OF JOSHUA J. HICKS IN SUPPORT OF OPPOSITION TO MOTION TO DISMISS AND MOTION FOR CONTINUANCE PURSUANT TO NRCP RULE 56(f)**

STATE OF NEVADA)
) ss:
COUNTY OF WASHOE)

I, Joshua J. Hicks, Esq., being first duly sworn, depose and state:

1. I am an attorney duly licensed to practice law in the State of Nevada.

2. I am an attorney with the law firm Brownstein Hyatt Farber Schreck, LLP and am counsel for Plaintiff City of Fernley ("Fernley"), in the above-captioned matter.

3. I make this affidavit in support of Fernley's Opposition to Defendants' Motion to Dismiss and Fernley's contemporaneous Motion for Continuance Pursuant to NRCP 56(f).

4. Fernley's Complaint in the above captioned matter was filed with this Court on June 6, 2012.

5. The only response to date from Defendants is their Motion to Dismiss the entire case. Defendant's Motion includes an exhibit entitled "CTX Distributions for Nevada Cities Public Safety Costs for Nevada Cities."

6. Discovery has not commenced in this case, and accordingly Fernley has not had an opportunity to develop the record in order to adequately rebut the facts alleged in the exhibit presented by the Defendants.

7. I declare under penalty of perjury that the foregoing is true and correct.

DATED this 19th day of August, 2012.

JOSHUA J. HICKS, ESQ.

SUBSCRIBED AND SWORN TO before me this 19th day of August, 2012.

Kelly J Chouinard
Notary Public

KELLY J. CHOUINARD
Notary Public - State of Nevada
Appointment Recorded in Carson City
No: 98-35370-3 - Expires October 1, 2015

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Consolidated Tax Distribution

Or, "Can anyone explain the CTX?"

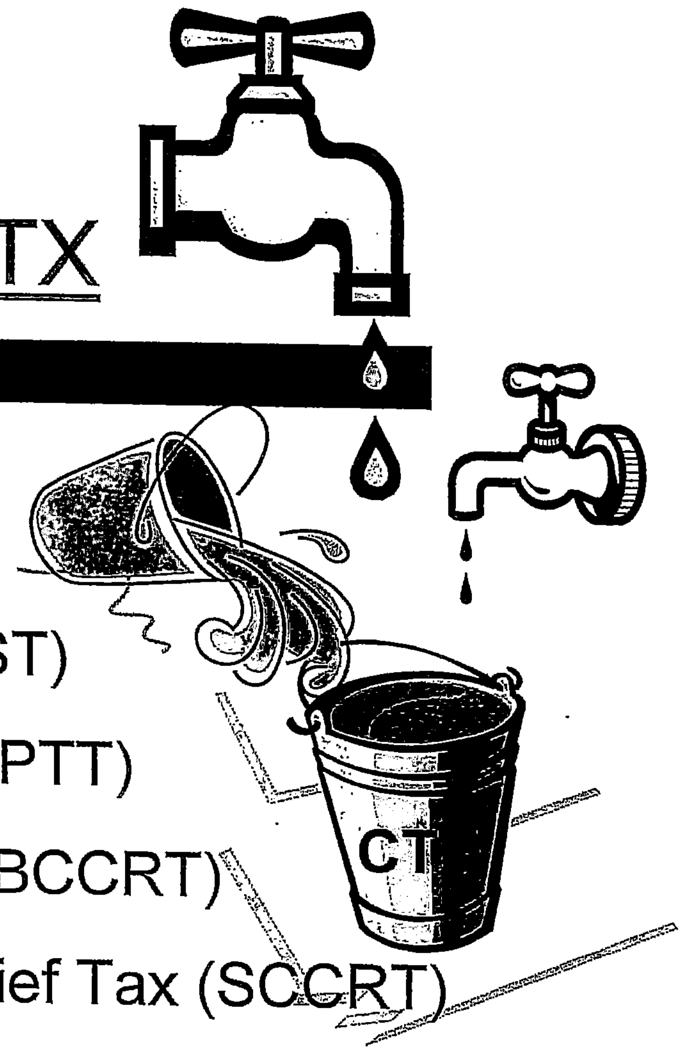
Prepared by the Nevada Department of Taxation 1/21/2011

Committee: Assembly Taxation
Exhibit: C ; P 1 of 17 ; Date: 2/22/11
Submitted by: Marian Henderson

Introduction to the Consolidated Tax Distribution (CTX)

- CTX was implemented in 1997 as a way to combine the distribution of six different tax types into one monthly distribution.
- Each tax type may have various distribution formulas which are applied.
- Additional details may be found in the Nevada Revised Statutes, or by contacting the Department of Taxation.

The Components of CTX



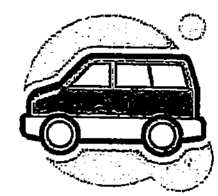
1) Cigarette Tax
2) Liquor Tax
3) Government Services Tax (GST)
4) Real Property Transfer Tax (RPTT)
5) Basic City County Relief Tax (BCCRT)
6) Supplemental City County Relief Tax (SCCRT)

The CTX components explained

- **Cigarette Tax** -- 5 mills (1/2 cent) per cigarette/10 cents per pack of 20. The total amount of tax collected statewide is distributed amongst the counties on the basis of their population. NRS 370.260
- **Liquor Tax** -- 50 cents per gallon of liquor containing over 22% alcohol. The total amount of tax collected statewide is distributed amongst the counties on the basis of their population. NRS 369.173

The CTX components explained

- **Government Services Tax (GST)** – formerly called Motor Vehicle Privilege Tax (MVPT) is collected by the Department of Motor Vehicles. It is based on the value of a motor vehicle at the time of registration. The GST is distributed back to the county of origin. NRS 482.180 and 482.181



- **Real Property Transfer Tax (RPTT)** – 55 cents per $500 of value on real property transfers within each county. The RPTT is distributed back to the county of origin. NRS 375

The CTX components explained

- **Basic City County Relief Tax (BCCRT)** - ½% of the 6.85% statewide sales/use tax rate. The BCCRT is distributed to the county where the company is located. For out-of-state companies, the BCCRT is distributed amongst all counties on the basis of population. NRS 377.055
- **Supplemental City-County Relief Tax (SCCRT)** -- 1.75% of the 6.85% statewide sales/use tax rate. SCCRT is distributed back to the counties based on a statutory distribution formula. NRS 377.057

The CTX components explained

- **Supplemental City-County Relief Tax (SCCRT)** continued –
  - Nine of Nevada's counties ("Guaranteed Counties") receive a guaranteed monthly allocation of SCCRT regardless of their SCCRT receipts per NRS 377.057
  - The remaining counties' ("Point of Origin Counties") SCCRT distribution is in proportion to the amount of their in-state collections to the state as a whole after the Guaranteed Counties have first received their allocation

Sample Calculation for SCCRT

1) The Guaranteed counties' distribution is subtracted from the total in-state collections. *($49,259,677.14 - $3,035,034.16 = $46,224,642.98)*
2) The percentage of each Point of Origin county's in-state collections to the whole of the remaining in-state collections is determined. *(Clark is $36,690,800.22 ÷ $47,349,827.60 = 77.4888%)*
3) The above percentage is applied to the total amount remaining after the Guaranteed counties' distribution. *(Clark is 77.4888% X $50,165,027.06 = $38,872,26.274)*

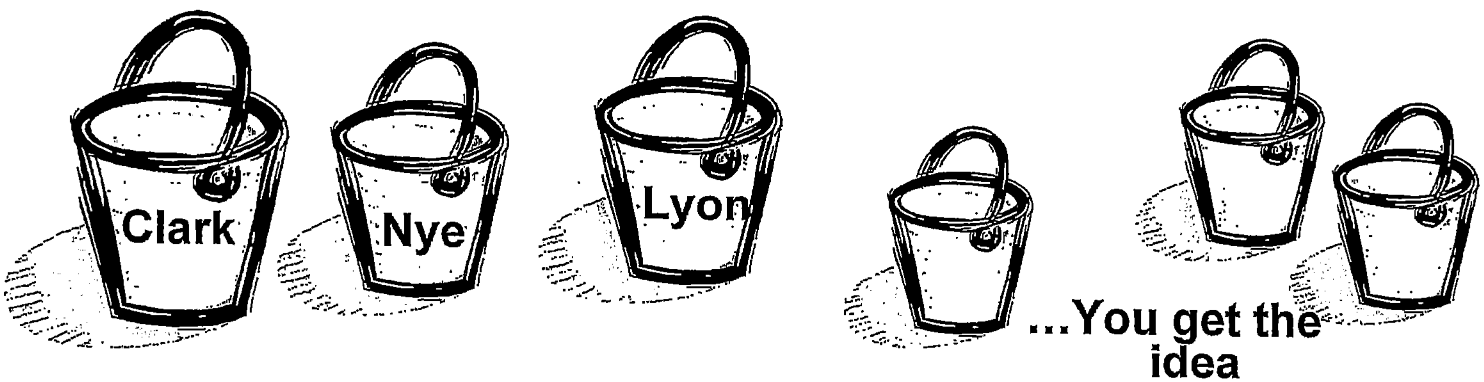
FY 10-11
CONSOLIDATED TAX DISTRIBUTION
CALCULATION OF TAX TO COUNTIES

COUNTY	SCCRT IN-STATE COLLECTIONS	GUARANTEED COUNTIES	POINT OF ORIGIN			SCCRT CO ALLOCATION
			COLLECTIONS	% OF TOTAL	DISTRIBUTION	
CARSON CITY	943,842.47		943,842.47	1.9933%	999,958.93	999,958.93
CHURCHILL	279,467.63		279,467.63	0.5902%	296,083.47	296,083.47
CLARK	36,690,800.22		36,690,800.22	77.4888%	38,872,263.73	38,872,263.74
DOUGLAS	672,073.74	1,158,779.79				1,158,779.79
ELKO	1,471,591.14		1,471,591.14	3.1079%	1,559,085.07	1,559,085.07
ESMERALDA	15,693.32	80,858.35				80,858.35
EUREKA	345,454.85		345,454.85	0.7296%	365,993.98	365,993.98
HUMBOLDT	732,106.66		732,106.66	1.5462%	775,634.30	775,634.30
LANDER	260,879.23	202,595.46				202,595.46
LINCOLN	37,652.70	97,674.90				97,674.90
LYON	352,415.79	861,255.23				861,255.23
MINERAL	45,102.43	129,566.69				129,566.69
NYE	530,694.20		530,694.20	1.1208%	562,246.80	562,246.80
PERSHING	49,773.63	153,564.91				153,564.91
STOREY	74,447.66	127,729.68				127,729.68
WASHOE	6,355,870.43		6,355,870.43	13.4232%	6,733,760.78	6,733,760.78
WHITE PINE	401,811.04	223,009.15				223,009.15
TOTAL	49,259,677.14	3,035,034.16	47,349,827.60	100.0000%	50,165,027.06	53,200,061.23

TOTAL SCCRT IN-STATE COLLECTIONS	49,259,677.14
TOTAL SCCRT OUT-OF-STATE RECEIPTS	4,891,239.56
OTHER ADDITIONS	-
LESS SCCRT GENERAL FUND COMMISSION	950,855.47
SCCRT AVAILABLE FOR DISTRIBUTION	53,200,061.23

First Tier vs. Second Tier distribution

- **First Tier** – Total amount of CTX available for distribution from all of the components is allocated among the 17 counties. (Think of 17 buckets, each containing one county's total distribution.)



First Tier Distribution amounts

This spreadsheet is a sample of one month's distribution. The CTX Components are highlighted in green. The "Total" amount for Churchill (highlighted in orange) is the first tier distribution to that county.

COUNTY	BCCRT	SCCRT	CIGARETTE	LIQUOR	RPTT	GST	TOTAL
CARSON CITY	378,617.62	1,281,040.97	25,037.52	7,850.08	-	218,951.24	1,911,497.43
CHURCHILL	126,002.13	401,669.77	11,656.32	3,654.64	-	100,327.04	643,309.90
CLARK	14,352,887.88	49,775,656.81	787,631.47	246,948.18	-	8,766,218.67	73,929,343.01
DOUGLAS	293,459.99	1,297,776.06	21,970.09	6,888.34	-	230,668.53	1,850,763.01
ELKO	457,749.07	1,619,127.58	20,864.31	6,541.64	20,209.20	255,263.10	2,379,754.90
ESMERALDA	32,942.09	94,476.78	559.47	175.41	-	8,400.69	136,554.44
EUREKA	116,962.58	448,518.63	651.11	204.14	854.15	12,157.86	579,348.47
HUMBOLDT	186,310.44	665,744.07	7,582.20	2,377.27	-	105,983.71	967,997.69
LANDER	120,818.01	228,320.93	2,415.45	757.32	2,595.45	36,474.91	391,382.07
LINCOLN	12,385.40	110,150.94	1,703.84	534.21	-	30,196.07	154,970.46
LYON	163,365.53	931,466.37	21,422.90	6,716.78	39,896.45	239,807.78	1,402,675.81
MINERAL	17,628.11	153,553.59	2,029.61	636.35	-	23,624.31	197,471.97
NYE	255,279.01	854,688.94	18,109.06	5,677.78	-	243,619.07	1,377,373.86
PERSHING	30,631.70	172,098.95	2,953.43	926.00	-	26,943.21	233,553.29
STOREY	24,402.11	144,250.52	1,759.08	551.53	-	24,659.54	195,622.78
WASHOE	2,801,183.43	9,563,000.38	173,998.16	54,554.10	457,631.35	2,023,238.32	15,073,605.74
WHITE PINE	60,383.38	250,802.06	4,066.67	1,275.03	-	51,731.75	368,258.89
TOTAL	19,431,008.48	67,992,343.34	1,104,410.69	346,268.80	521,186.60	12,398,265.80	101,793,483.71

First Tier vs. Second Tier distribution

- **Second Tier** – Each county's Second Tier distribution is a further breakdown of the First Tier distribution. The revenue is now allocated among the Local Governments and Special Districts in each county according to *Base* and *Excess* Distribution formulas.

The Second Tier distribution

The Base Distribution--

- Each entity (local government) has a base allocation that was determined when CTX was established in 1997.
- Base allocations are recalculated annually. The lesser of the prior year's base or actual allocation multiplied by the Consumer Price Index determines the next year's base allocation. NRS 360.680

Sample Base Distribution

Note that the "Revenue Available to Distribute" is the same as the First Tier distribution amount. It is allocated among the local governments according to the Base Distribution percentage. In the case where revenue is less than the base distribution amount, a modified distribution is made prorating the amount of revenue available among the local governments in the same proportion as the base distribution.

FY 06-07 THE COUNTY OF CHURCHILL	BASE MONTHLY ALLOCATION	% OF BASE	MODIFIED DISTRIBUTION	EXCESS DISTRIBUTION OR SHORTFALL	BASE DISTRIBUTION
REVENUE AVAILABLE TO DISTRIBUTE	643,309.90				
LOCAL GOVERNMENTS					
CHURCHILL COUNTY	423,136.25	0.7474	-	-	423,136.25
FALLON	121,237.70	0.2141	-	-	121,237.70
SPECIAL DISTRICTS					
CARSON-TRUCKEE WATER CONSERVANCY	636.39	0.0011	-	-	636.39
CHURCHILL MOSQUITO ABATEMENT GID	21,164.79	0.0374	-	-	21,164.79
TOTAL CHURCHILL COUNTY	566,175.14	1.0000	-	77,134.76	566,175.14

The Second Tier distribution

Excess Distribution--

- The Excess Distribution is the amount of revenue available to distribute after the Base Distribution has been made.
- Excess is distributed based on a formula combining the 5 year moving average of the changes in population and assessed valuation for each local government. Special Districts have no associated population, so only the change in assessed valuation is used in calculating their excess distribution. NRS 360.690