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Posted 3/15/23

**COMMITTEE ON LOCAL GOVERNMENT FINANCE**

**Notice of Workshop and Public Hearing**

**Governor's Executive Order 2023-003**

<b><u>Notice of Workshop</u></b>	<b><u>Notice of Public Hearing</u></b>
<p><b><u>Date and Time of Meeting:</u></b> April 7, 2023, at 1:00pm</p>	<p><b><u>Date and Time of Meeting:</u></b> April 14, 2023, at 9:30am</p>
<p><b><u>Place of Meeting:</u></b> Nevada Department of Taxation Large Conference Room 1550 College Parkway, Suite 115 Carson City, NV 89706</p>	<p><b><u>Place of Meeting:</u></b> Nevada Department of Taxation Large Conference Room 1550 College Parkway, Suite 115 Carson City, NV 89703</p>
<p><b><u>Zoom Information:</u></b> Please click this URL to join from a PC, Mac, iPad, iPhone or Android device: <a href="https://us02web.zoom.us/j/85610523310">https://us02web.zoom.us/j/85610523310</a> <b>Or One tap mobile:</b> +13462487799, 85610523310# US +16694449171, 85610523310# US <b>Or join by phone:</b> Dial (for higher quality, dial a number based on your current location): US: +1 719 359 4580 or 1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 669 444 9171 or +1 669 900 9128 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 <b>Webinar ID: 856 1052 3310</b> International numbers available: <a href="https://us02web.zoom.us/j/85610523310">https://us02web.zoom.us/j/85610523310</a></p>	<p><b><u>Zoom Information:</u></b> Please click this URL to join from a PC, Mac, iPad, iPhone or Android device: <a href="https://us02web.zoom.us/j/85261348914">https://us02web.zoom.us/j/85261348914</a> <b>Or One tap mobile:</b> +12532050468, 85261348914# US +12532158782, 85261348914# US <b>Or join by phone:</b> Dial (for higher quality, dial a number based on your current location): US: +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 669 444 9171 or +1 669 900 9128 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 <b>Webinar ID: 852 6134 8914</b> International numbers available: <a href="https://us02web.zoom.us/j/85261348914">https://us02web.zoom.us/j/85261348914</a></p>

Pursuant to Governor Lombardo's Executive Order No. 2023-003, all Executive Branch agencies, boards, and commissions must conduct a comprehensive review of the regulations subject to their enforcement and provide a report to the Governor's office by May 1, 2023, detailing how the regulations may be streamlined, clarified, reduced, or otherwise improved to provide for the general welfare of the State without inhibiting economic growth. The Executive Order further requires these agencies, boards, and commissions to recommend at least ten (10) regulations for removal/repeal. Finally, the Executive Order requires each agency, board, and commission to hold a public hearing to obtain industry stakeholder feedback regarding recommended regulatory changes.

The Committee on Local Government Finance ("CLGF") is established under NRS 354.105, and the Department of Taxation provides administrative staff support to the Committee. The CLGF has statutory authority to adopt certain regulations set forth in NAC Chapters 350, 354, and 361. Accordingly, the Department staff will hold a public workshop and the CLGF will hold a public hearing in accordance with this Notice to consider stakeholder input to amend or repeal various provisions under NAC Chapter 350, 354, and 361 that are subject to the jurisdiction of the CLGF.

**Regulations for repeal/amendment: (See Attachment)**

A copy of all regulations can be found on the Nevada Legislature's website at <https://www.leg.state.nv.us/App/Notice/A/>.

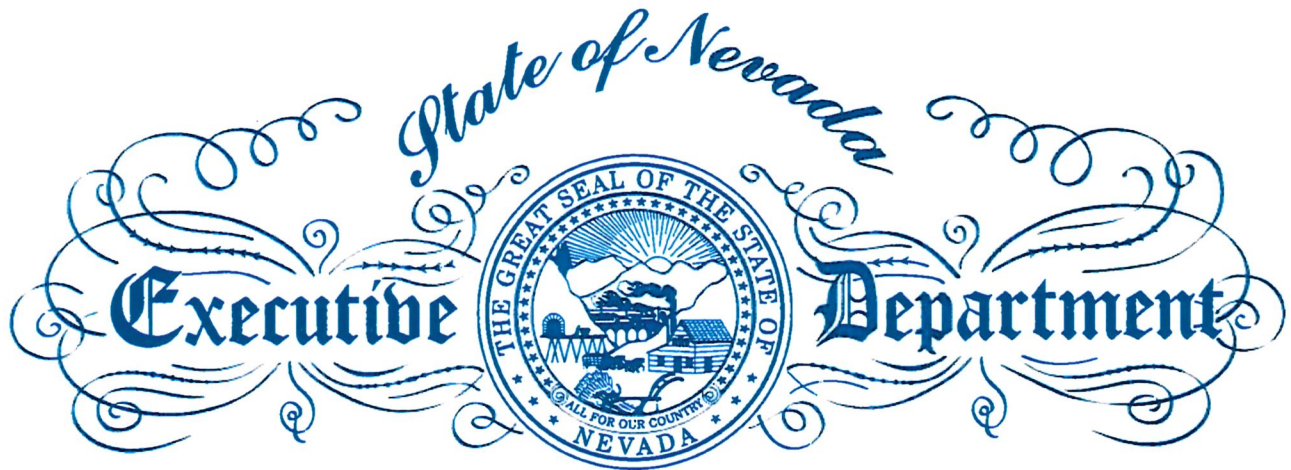
All interested parties will have the opportunity to present their ideas. Please submit all suggestions in writing at least one week prior to the Workshop and two weeks prior to the Hearing so the suggestions can be disseminated at the meeting. Written comments may be accepted at any time. Please email any comments to Sarah Glazner at [sglazner@tax.state.nv.us](mailto:sglazner@tax.state.nv.us) so they may be posted to the Departments website.

Members of the public who are disabled and require accommodations or assistance at the Workshop or Public Hearing are requested to notify the Department of Taxation in writing or by calling 775-684-2096 no later than five working days prior to the Workshop or Public Hearing.

**Notice has been posted at the following location:** The Department of Taxation - 1550 College Parkway, STE 115, Carson City.

**Notice has been EMAILED/MAILED for posting at the following locations:** Department of Taxation - 4600 Kietzke Lane, Building L, Ste 235, Reno; Department of Taxation - 700 E. Warm Springs Rd, Ste 200, Las Vegas; The Legislative Building - Capitol Complex, Carson City; The Nevada State Library -100 Stewart Street, Carson City; The County Public Library's, Interested Parties Group, and the Mailing List maintained by the Department. Notice of this meeting was posted on the Department of Taxation website at <https://tax.nv.gov/>, on the Legislative website at <https://www.leg.state.nv.us/>, and the Nevada Public Notice Website at <https://notice.nv.gov/>.

If you have any questions, please feel free to call Sarah Glazner at 775-684-2059.



## EXECUTIVE ORDER 2023-003

### **Order Freezing the Issuance of New Regulations and Requiring a Review of Existing Regulations by All Executive Branch Agencies, Departments, Boards and Commissions**

*WHEREAS*, state regulations should protect workers, consumers and the environment, while promoting entrepreneurship and economic growth; and

*WHEREAS*, state regulations can become outdated, result in unintended consequences, create conflicts or impose an unnecessary burden on citizens, businesses or government entities; and

*WHEREAS*, it is in the best interest of the state of Nevada that its regulatory environment be concise, transparent, stable, balanced, predictable and thoughtfully constructed; and

*WHEREAS*, Nevada's current regulatory structure is too often unfocused and inefficient, contains regulations that are obsolete and includes regulations that are unnecessarily onerous, thereby limiting the economic potential of the State; and

*WHEREAS*, Article 5, Section 1 of the Nevada Constitution provides that, "The Supreme Executive Power of this State shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada;

*NOW, THEREFORE*, by the authority vested in me as Governor by the Constitution and laws of the State of Nevada, it is hereby ordered as follows:

#### **SECTION 1**

Every executive branch department, agency, board and commission shall undertake a comprehensive review of the regulations subject to its enforcement. On or before, May 1, 2023 each department, agency, board and commission shall provide a report to the Governor's office detailing how the regulation subject to its enforcement can be streamlined, clarified, reduced or otherwise improved to ensure those regulations provide for the general welfare of the State without unnecessarily inhibiting economic growth.

#### **SECTION 2:**

As part of its report, every executive branch department, agency, board and commission shall provide a list of not less than ten (10) regulations recommended for removal, ranking them in descending order of priority.

#### **SECTION 3:**

Prior to submitting their respective reports, every executive branch department, agency, board and commission shall hold a public hearing, after having provided reasonable notice consistent with Chapter 233B of the Nevada Revised Statutes, to key industry stakeholders, to: (i) vet their recommended changes; (ii) solicit input as to the merits of those changes and (iii) identify other regulatory changes stakeholders feel are worthy of consideration. Stakeholder input shall be reflected in the summary of findings and recommendations included in each submitted report.

#### **SECTION 4:**

Unless specifically exempt from this Executive Order as set forth in Section 5, no new regulations shall be proposed, approved or acted on by any executive branch agency, department, board or commission until such time as this Executive Order is rescinded.

#### **SECTION 5:**

The following regulations are not subject to the suspension set forth in Section 4:

- (a) Regulations that affect public health;




- (b) Regulations that affect public safety and security;
- (c) Regulations that are necessary in the pursuit of federal funds and certifications;
- (d) Regulations that affect the application of powers, functions and duties essential to the operation of the executive branch agency, department, board or commission at issue;
- (e) Regulations that affect pending judicial deadlines; and
- (f) Regulations necessary to comply with federal law.

Until the suspension of this Executive Order, each executive branch department, agency, board and commission that intends to continue with the enactment of a proposed regulation under an exception to the freeze set forth in Section 4 shall submit a report to the Governor's office identifying which exemption the proposed regulation falls within and detailing the problem the regulation addresses or the value to the public of the regulation, how the regulation addresses the problem or the benefits provided by the regulation, why alternate forms of regulation are insufficient to address the problem and whether other regulations currently address the problem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 12th day of January, in the year two thousand twenty-three.



  
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Governor

  
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Secretary of State

  
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Deputy

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No.	NAC Citation	Description of NAC	Language	Analysis/Recommendation ("Repeal" with explanation; "Amend" with explanation, or "Maintain" as written)
1		<b>GENERAL PROVISIONS</b>	<i>NAC 350.010 is Adopted by the Commission on Local Government Finance</i>	
2	350.010	Annual statement and report by municipalities	<p>1. The statement and report which is required by NRS 350.013 must include:</p> <p>(a) A brief narrative which describes each type of indebtedness used or contemplated for use by the governing body or board;</p> <p>(b) A schedule which sets forth:</p> <p>(1) The contemplated date of the sale and the amount of any bonds which have been approved by election but not yet sold;</p> <p>(2) The contemplated date of an election or other authorization and the amount of any bonds which are contemplated to be issued before the end of the fiscal year following the date of the schedule; and</p> <p>(3) The amount of any other debts, such as mortgages or capital leases, which the governing body or board contemplates incurring before the end of the fiscal year following the date of the schedule;</p> <p>(c) A schedule which sets forth, on a form provided by the Department of Taxation, the amount of general obligation debt of the political subdivision or general improvement district;</p> <p>(d) A schedule which sets forth, on a form provided by the Department of Taxation, the total amount of indebtedness of the political subdivision or general improvement district;</p> <p>(e) A schedule which sets forth, on a form provided by the Department of Taxation, the amount of money required to satisfy the indebtedness of the political subdivision or general improvement district for the 5 years immediately following the date of the statement or report; and</p> <p>(f) A schedule which sets forth, on a form provided by the Department of Taxation, the amount of money required to satisfy each debt of the political subdivision or general improvement district for each year until the debt is retired.</p> <p>2. The submission to the Department of Taxation before July 1 of a copy of the statement and report submitted for the same year to a debt management commission pursuant to NRS 350.013 fulfills the requirements set forth in subsection 1 of NRS 354.6025.</p> <p>3. For the purposes of this section, "indebtedness" includes a debt which is:</p> <p>(a) Legally payable from general revenues and is backed by the full faith and credit of a governmental unit;</p> <p>(b) Represented by securities of a local government issued pursuant to chapter 350 of NRS;</p> <p>(c) A medium-term obligation created pursuant to NRS 350.087 to 350.095, inclusive; or</p> <p>(d) Represented by revenue bonds of the governmental unit.</p>	
3		<b>MEDIUM-TERM OBLIGATIONS</b>	<i>NAC 350.100 - 350.170 are Adopted by the Commission on Local Government Finance</i>	
4	350.100	Medium-term obligation as appropriation or augmentation.	A medium-term obligation authorized pursuant to NRS 350.087 may constitute an appropriation or budget augmentation or may augment resources as permitted by statute and as specified in the resolution of the governing body of the local government.	
5	350.110	Notice of intent.	The notice of intent to act on a resolution which authorizes a medium-term obligation that is published by the governing body of a local government as required pursuant to NRS 350.087 must include: <ol style="list-style-type: none"> <li>The time and place at which the resolution will be voted on by the governing body.</li> <li>The proposed method of repayment of the medium-term obligation;</li> <li>The total amount of the debt of the medium-term obligation; and</li> <li>The manner in which the money received from the medium-term obligation will be used and the purpose thereof.</li> </ol>	
6	350.120	Forwarding of documents to Department of Taxation following authorization.	After the adoption of a resolution which authorizes a medium-term obligation, the governing body of the local government shall forward to the Department of Taxation: <ol style="list-style-type: none"> <li>A copy of the final resolution;</li> <li>Excerpts from the minutes of the meeting of the governing body during which the resolution was adopted, which include, without limitation, the vote on the resolution and any comments made by the governing body or a member of the public at the meeting;</li> <li>Proof of the publication of the notice to act on the resolution which authorizes a medium-term obligation as required pursuant to NRS 350.087;</li> <li>A written statement specifying: <ol style="list-style-type: none"> <li>The source of the money to be used to repay the debt incurred by the medium-term obligation; and</li> <li>All pertinent data supporting the ability of the local government to repay the debt without affecting its tax rate, including, without limitation, and only if applicable: <ol style="list-style-type: none"> <li>Anticipated increases in revenues available for repayment after determining anticipated reductions in revenues;</li> <li>Anticipated reductions in expenditures available for repayment after determining anticipated increases in expenditures; and</li> <li>Any amount of money which may be available for repayment from the balance of a fund, reserve or contingency account;</li> </ol> </li> </ol> </li> <li>The anticipated time required to enter into the medium-term obligation;</li> <li>The proposed amortization schedule for repayment of the debt incurred by the medium-term obligation; and</li> <li>Any other supporting data which the governing body of the local government deems pertinent.</li> </ol>	
7	350.130	Authorization void after 18 months.	The governing body of a local government which adopts a resolution authorizing a medium-term obligation must act on such authorization not later than 18 months following the approval of the Executive Director of the Department of Taxation, except when the obligation is issued to pay for a contract for long-term construction or for a program to acquire land. If the governing body does not act within the time required, the authorization is void and a new resolution authorizing a medium-term obligation must be adopted.	
8	350.140	Interest.	<ol style="list-style-type: none"> <li>If the money for a medium-term obligation is obtained from an existing fund of a local government, the resolution authorizing the medium-term obligation must specify whether interest will be charged and the rate thereof, if any. If the resolution specifies such a rate of interest, the Executive Director of the Department of Taxation may, in determining whether to approve the resolution pursuant to NRS 350.089, consider whether that rate of interest reasonably reflects current market conditions and the duration of the medium-term obligation.</li> <li>If the resolution does not specify whether interest will be charged on the medium-term obligation, no interest may be charged.</li> </ol>	
9	350.151	Conversion of temporary interfund loan into medium-term obligation.	<ol style="list-style-type: none"> <li>Unless otherwise prohibited by law, the terms of a temporary interfund loan may be revised in such a manner as to convert the temporary interfund loan into a medium-term obligation if: <ol style="list-style-type: none"> <li>The borrowing local government: <ol style="list-style-type: none"> <li>Requests the revision at least 61 days before the date upon which the term of that temporary interfund loan expires;</li> <li>Complies with the provisions of NRS 350.087 to 350.095, inclusive, and NAC 350.100 to 350.170, inclusive, regarding that medium-term obligation; and</li> <li>Provides for the repayment of that medium-term obligation without adopting a budget that includes a negative fund balance in violation of subsection 5 of NRS 354.598;</li> </ol> </li> <li>The accounting procedures of the borrowing local government comply with generally accepted accounting principles for government as prescribed by the Governmental Accounting Standards Board; and</li> <li>The lending local government agrees to the revision.</li> </ol> </li> <li>As used in this section: <ol style="list-style-type: none"> <li>"Borrowing local government" means a local government or component unit of a local government which has obtained a temporary interfund loan.</li> <li>"Component unit" means a separate legal entity from a local government whose financial statements must be included in the annual audit of that local government conducted pursuant to NRS 354.624.</li> <li>"Lending local government" means a local government or component unit of a local government which has made a temporary interfund loan.</li> <li>"Temporary interfund loan" has the meaning ascribed to it in NAC 354.290.</li> </ol> </li> </ol>	
10	350.160	Repayment.	The period for repayment of the debt incurred by a medium-term obligation begins on the date on which the debt is incurred. If the governing body of the local government enters into a medium-term obligation in a manner in which the debt will be incurred in installments, each installment must have a separate period of repayment effective from the date on which the debt is incurred.	
11	350.170	Calculation of weighted average useful life of certain assets.	<ol style="list-style-type: none"> <li>If a local government finances assets with a medium-term obligation or an installment-purchase agreement having a term of more than 5 years, the local government shall calculate the weighted average useful life of the assets for the purpose of complying with the provisions of subsection 4 of NRS 350.091. <ol style="list-style-type: none"> <li>To determine the useful life of the assets, the local government may use: <ol style="list-style-type: none"> <li>Publication 946 of the Internal Revenue Service entitled "How to Depreciate Property," which may be obtained free of charge on the Internet from the website of the Internal Revenue Service at <a href="http://www.irs.gov">http://www.irs.gov</a>; or</li> <li>Any other manual or source of information that provides useful life if the local government, in the resolution adopted pursuant to NRS 350.087 authorizing the medium-term obligation or installment-purchase agreement, makes a finding that the weighted average term of the medium-term obligation or installment-purchase agreement will not exceed the estimated weighted average useful life of the assets being financed with the medium-term obligation or installment-purchase agreement. If the Executive Director of the Department of Taxation determines that the finding by the local government is unreasonable or arbitrary, he or she may disapprove the resolution pursuant to NRS 350.089.</li> </ol> </li> </ol> </li> </ol>	
12		<b>DEBT MANAGEMENT COMMISSION</b>	<i>NAC 350.200 - 350.250 are Adopted by the Commission on Local Government Finance</i>	
13	350.200	"Commission" defined.	As used in NAC 350.200 to 350.250, inclusive, unless the context otherwise requires, "commission" means a debt management commission established pursuant to NRS 350.0115.	
14	350.210	Failure or refusal of governing body to adopt resolution approving or objecting to proposal resulting in increase of rate of property taxes.	If the governing body of an entity that receives a notification of a proposal that will result in an increase in the rate of property taxes pursuant to subsection 1 of NRS 350.0135 fails, neglects or refuses to adopt a resolution approving or objecting to the proposal described in the notice not later than 60 days after the date of the postmark on the notification, the governing body shall be deemed to have waived its right to object to the proposal.	
15	350.220	Approval of request of municipality to reserve percentage of remaining allowable increase of property taxes for future use.	If a commission approves the request of a municipality to reserve a percentage of the remaining allowable increase of property taxes for use in the future pursuant to subsection 7 of NRS 350.0135: <ol style="list-style-type: none"> <li>The commission may limit the amount of time that such a percentage may be reserved by the municipality.</li> <li>Before March 15 of the current fiscal year, the commission may express the amount of the reservation of the remaining allowable increase of property taxes as a percentage of: <ol style="list-style-type: none"> <li>The rate of property taxes allowable pursuant to NRS 354.598(1) for the current fiscal year; or</li> <li>The rate of property taxes for the current fiscal year as certified by the Nevada Tax Commission pursuant to NRS 361.4547.</li> </ol> </li> <li>After March 15 of the current fiscal year, the commission shall express the amount of the reservation of the remaining allowable increase of property taxes as a percentage of the rate of property taxes allowable pursuant to NRS 354.598(1) for the following fiscal year.</li> <li>Based on the percentage determined pursuant to subsection 2 or 3, as applicable, the commission shall express the amount of the reservation as a limitation on the number of cents which may be levied.</li> </ol>	
16	350.230	Establishment and notification of deadline for submission by municipality of certain proposals.	<ol style="list-style-type: none"> <li>A commission may establish a deadline for the submission by a municipality of a proposal that will result in an increase in the rate of property taxes or a request to reserve a percentage of the remaining allowable increase of property taxes for use in the future.</li> <li>If a commission establishes a deadline pursuant to subsection 1, the commission shall notify all municipalities with tax-levying powers within the county of the deadline within 30 days after establishing the deadline.</li> </ol>	
17	350.240	Denial of certain proposals if increase in rate of property taxes exceeds statutory limitation on total rate.	A commission shall not approve a proposal that will result in an increase in the rate of property taxes or a request to reserve a percentage of the remaining allowable increase of property taxes for use in the future if the increase in the rate of property taxes exceeds the limitation on the total rate of ad valorem taxes set forth in NRS 361.453.	
18	350.250	Notice of certain decisions of commission.	A commission shall provide notice, in writing, of the decision of the commission to the municipality requesting an increase in the rate of property taxes or a reservation of a percentage of the remaining allowable increase of property taxes for use in the future and to any other municipalities affected by the decision.	
		<b>End</b>		

No.	NAC Citation	Description of NAC	Language	Analysis/Recommendation ("Exempt" with explanation, "Amend" with explanation, or "Maintain" as written)
1		<b>GENERAL PROVISIONS</b>	<b>NAC 354.001 - 354.009 are Adopted by the Commission on Local Government Finance</b>	
2	354.001	Definitions.	As used in this chapter, unless the context otherwise requires, the words and terms defined as: 1. NAC 354.002, 354.003 and 354.004 have the meanings ascribed to them in those sections; and 2. The Local Government Budget and Finance Act, NRS 354.470 to 354.476, inclusive, have the meanings ascribed to them in that act.	
3	354.002	"Committee" defined.	"Committee" means the Commission on Local Government Finance created pursuant to NRS 354.105.	
4	354.003	"Department" defined.	"Department" means the Department of Taxation.	
5	354.004	"Local Government" defined.	"Local government" means any local government subject to the provisions of the Local Government Budget and Finance Act, NRS 354.470 to 354.476, inclusive.	
6		<b>EXEMPTION OF SPECIAL DISTRICTS FROM CERTAIN REQUIREMENTS</b>	<b>NAC 354.010 - 354.050 are Adopted by the Commission on Local Government Finance</b>	
7	354.010	Eligible districts, subsequent exceptions, petition for exemption.	1. Any special district with annual total expenditures of less than \$200,000 during a current fiscal year and annual total expenditures of less than \$200,000 budgeted for the succeeding fiscal year may petition the Department for exemption from all or any one of the following: (a) Filing of a budget; or (b) Filing of a budget; or (c) Publishing requirements of the Local Government Budget and Finance Act, NRS 354.470 to 354.476, inclusive, other than the annual publication of a notice of budget adoption and filing; (d) Maintaining accounting records on an accrual or modified accrual basis; (e) The petition must be in the form of an ordinance or resolution adopted by the governing body of the district. 3. No district will be granted an exemption if it is: (a) In noncompliance with any law or regulation at the time the petition is made; or (b) In default on payments due for the redemption of any bond or for any other outstanding indebtedness.	
8	354.020	Action on petition of district.	1. The Department shall find and advise in writing all parts of the petition of each special district. The Executive Director may act on behalf of the Department in granting or denying the petition of any special district (filed pursuant to NAC 354.010 to 354.040), inclusive. 2. The Department's determination must be made and the special district must be notified of that determination not later than 30 days after the special district files the petition with the Department.	
9	354.030	Petition to reconsider and/or exemption.	1. A board of county commissioners may petition the Department to reconsider an audit exemption on any exempt district. 2. The general or one exception does not preclude the Department from requiring that subsequent audits cover exempt fiscal periods.	
10	354.040	Information to be filed by exempt district.	In addition to the filings required by NRS 354.471, a district which has been granted an exemption shall file a: 1. Statement of revenues, expenditures and changes in fund balance; 2. Balance sheet.	
11	354.050	Public hearing by exempt district concerning budget.	1. A special district that has been exempted from the requirement of filing its tentative budget and audit reports pursuant to the provisions of NRS 354.471 and NAC 354.010 to 354.040, inclusive, shall hold a public hearing concerning its final budget before submitting the final budget to the Department. An alternative method of publication may be used with the prior approval of the Department. The notice must contain the following information: (a) The time and place of the public hearing; (b) The location at which the final budget documents are available for public inspection; and (c) That the budget document has been prepared with the detail and in the form prescribed by the Department.	
12		<b>TRANSFER OF GOVERNMENTAL FUNCTIONS BETWEEN LOCAL GOVERNMENTS AND STATE AGENCIES</b>	<b>NAC 354.060 - 354.090 are Adopted by the Commission on Local Government Finance</b>	
13	354.060	Definitions.	As used in NAC 354.060 to 354.090, inclusive, unless the context otherwise requires, the words and terms defined in NAC 354.062 to 354.074, inclusive, have the meanings ascribed to them in those sections.	
14	354.062	"Affected entity" defined.	"Affected entity" means a state agency or local government from which a function is proposed to be transferred and a state agency or local government to which a function is proposed to be transferred.	
15	354.064	"Function" defined.	"Function" has the meaning ascribed to it in NRS 354.929 includes, without limitation, any administrative activities and responsibilities associated with a function, including, without limitation, functions, including budgeting, contracting, finances, personnel, office facilities, information technology and communications.	
16	354.066	"Intergovernmental agreement" defined.	"Intergovernmental agreement" means a written agreement between the affected entities for the implementation of the transfer of a function from a state agency to a local government, from a local government to a state agency or from a local government to another local government.	
17	354.070	"Lead entity" defined.	"Lead entity" means the affected entity who is designated to act as the lead entity pursuant to subsection 2 of NAC 354.060.	
18	354.072	"State agency" defined.	"State agency" means an agency, bureau, board, commission, a department, a division or any other unit of the Executive Branch of the State Government, other than such an entity which is administered by an elected officer of the State.	
19	354.074	"Transfer plan" defined.	"Transfer plan" means a written plan for the implementation of the transfer of a function from a state agency to a local government, from a local government to a state agency or from a local government to another local government.	
20	354.076	Applicability.	1. Except as otherwise provided in NAC 354.060 to 354.090, inclusive, this chapter applies to the transfer of a function from a state agency to a local government, from a local government to a state agency or from a local government to another local government. 2. The provisions of NAC 354.060 to 354.090, inclusive, do not apply to the transfer of a function as described in: (a) The creation of a new governmental entity; (b) The abandonment of any territory from a taxing district and its annexation to another taxing district.	
21	354.078	Notice of intent to transfer function, preparation and approval of transfer plan or intergovernmental agreement.	Before transferring a function from a state agency to a local government, from a local government to a state agency or from a local government to another local government: 1. Except as otherwise provided in this subsection, notice of the intent to transfer the function must be provided to the affected entities. (a) If the transfer is from a state agency to a local government or from a local government to a state agency, not less than 30 days before September 1 of an even-numbered year, unless a different period of notification is required by statute or by contract agreement; or (b) If the transfer is from a local government to another local government, not less than 180 days before the effective date of the transfer, unless a different period of notification is required by statute or by contract agreement. 2. The affected entities may, by mutual agreement, waive the notice otherwise required by this subsection. 3. If the affected entities: (a) Agree to waive the notice required by subsection 1, the affected entities must jointly prepare a transfer plan in accordance with the provisions of NAC 354.060 to 354.088, inclusive; or (b) Agree to waive the notice required by subsection 1, the affected entities must jointly prepare an intergovernmental agreement for the transfer in accordance with the provisions of NAC 354.084, 354.086 and 354.088. 4. Each of the affected entities must approve the transfer plan or intergovernmental agreement at a public hearing held in accordance with the provisions of NAC 354.088.	
22	354.080	Lead entity Responsibilities, designation by affected entities, requests for information.	1. If the affected entities are required to prepare a transfer plan for the transfer of a function, one of the affected entities must act as the lead entity to be responsible for: (a) Collecting data pertaining to the function proposed to be transferred; (b) Identifying any other district providing the lead agency by NAC 354.060 to 354.090, inclusive; (c) Preparing a tentative draft of the transfer plan; and (d) Carrying out any other duties prescribed for the lead agency by NAC 354.060 to 354.090, inclusive. 2. If the proposed transfer is from: (a) A state agency to a local government or from a local government to a state agency, the affected entities may, by mutual agreement, designate one of the affected entities to act as the lead entity; (b) A local government to another local government, the affected entities may, by mutual agreement, designate one of the affected entities to act as the lead entity. In the absence of such a designation, the affected entity who initially proposed the transfer shall be deemed to be designated to act as the lead entity. 3. The lead entity may request from the other affected entity and any interested person such information relating to the function proposed to be transferred as may be necessary for the lead entity to prepare a tentative draft of the transfer plan, including, without limitation, a description of the function and information concerning the property and other assets used in the performance of the function, the operating costs for the function, contracts relating to the performance of the function, liabilities and pending claims relating to the function, and documents for funding the function. An affected entity or interested person shall, not later than 30 days after receiving a written request for such information from the lead entity, provide the requested information to the lead entity.	
23	354.082	Action on tentative draft of transfer plan, proposed transfer plan.	1. Upon completing a tentative draft of a transfer plan, the lead entity shall: (a) Provide a copy of the draft to the other affected entities and any interested persons identified by the lead entity; (b) Provide a copy of the draft to the other affected entities to whom a copy of the tentative draft is provided pursuant to subsection 1, not later than 45 days after the affected entity or interested person receives the copy of the draft, subject to any of the provisions contained in the draft by providing to the lead entity a written statement of objections. The statement may include any alternative provisions which the affected entity or interested person desires to be included in the proposed transfer plan. The failure of an affected entity or interested person to object to any of the provisions of a tentative draft of a transfer plan provided in this subsection does not affect the right of the affected entity or interested person to object to any of the provisions of the transfer plan at any time before the approval of the transfer plan by both of the affected entities in accordance with subsection 1 of NAC 354.078. 3. If the lead entity: (a) Does not receive any objections pursuant to subsection 2, the tentative draft constitutes a proposed transfer plan for the purposes of NAC 354.088. (b) Receives any objections pursuant to subsection 2, (1) The affected entities shall review the objections and may consider any alternative provisions contained in each written statement of objections and any other alternative provisions proposed by the affected entities. If the affected entities are unable to agree on the provisions of a proposed transfer plan within 30 days after the date the last written statement of objections is provided to the lead entity pursuant to subsection 2, the affected entities may submit to the Commission, jointly or individually, a written request for assistance from the Commission in resolving any disagreements concerning those provisions. Upon the receipt of such a request, the Chair of the Commission shall refer the matter to the Commission to provide the requested assistance. Not later than 15 days after the receipt of the request, the subcommittee shall meet with representatives of the affected entities and provide any recommendations regarding those provisions as the subcommittee determines to be appropriate. The affected entities are not required to follow any recommendations of the subcommittee. (2) In the agreement of the affected entities to the provisions of a proposed transfer plan, the lead entity shall: (i) Prepare the proposed transfer plan in accordance with that agreement; and (ii) Provide a copy of the proposed transfer plan to the other affected entity and to any interested persons identified by the lead entity.	
24	354.084	Transfer plans and intergovernmental agreements: Contents.	1. Must include: (a) Such information as is necessary to complete the transfer of the function, including, without limitation, a complete description of: (1) The function being transferred; and (2) The mechanism to be used to pay for the performance of the function; and (c) The effective date of the transfer of the function. If the transfer is from a state agency to a local government or from a local government to a state agency, and the affected entities have not agreed to waive the notice required by subsection 1 of NAC 354.078, the effective date of the transfer must not be any earlier than July 1 of the year after the year in which that notice is given, except that the affected entities, by mutual agreement, may specify an earlier effective date. 2. May include, without limitation, one or more of the following: (a) The statutory authority for the performance of the function being transferred; (b) A description of the reasons for the transfer of the function, such as, without limitation, any improvements in the management or delivery of governmental services, in the implementation of the laws of this State or in the efficiency of governmental operations which are expected to result from the transfer; (c) A description of any potential financial effect of the transfer of the function on the affected entities, such as, without limitation, any potential effect of the transfer on the amount an affected entity will receive from the Local Government Tax Distribution Account or will be allowed to receive from taxes ad valorem; (d) A detailed description of the transfer or other disposition, including the timing thereof, of any records, property or personnel affected by the transfer of the function; (e) An analysis of the effect of the transfer of the function on the employees who were administering the function before the transfer and the status of those employees upon the completion of the transfer; (f) Information concerning the payment of any outstanding obligations relating to the function being transferred, such as, without limitation, the amount and timing of the payment of the outstanding obligations, and methods to ensure the sufficiency of monies to pay the outstanding obligations; (g) Information concerning the affected entity responsible for processing, defending or conducting any proceedings relating to the function being transferred which are pending on the effective date of the transfer of the function; (h) A description of any potential financial effect of the transfer of the function on the employees who were administering the function before the transfer and the status of those employees upon the completion of the transfer; (i) Any procedure for resolving any disputes between the affected entities regarding the transfer of the function.	
25	354.086	Transfer plans and intergovernmental agreements: Limitations, scope.	1. No transfer plan or intergovernmental agreement may authorize: (a) A local government or state agency to perform a function that it is not expressly authorized by law to perform on the effective date of the transfer of the function; or (b) The continuation of a function beyond that period authorized by law for the performance of the function or beyond the date on which the performance of the function would be terminated if the function had not been transferred. 2. Except as otherwise specifically provided in a transfer plan or an intergovernmental agreement, the provisions of this section shall apply to the transfer of a function on the effective date of the transfer of the function; or (b) Limit or alter the effect of any regulation or ordinance adopted by an affected entity on any other action taken by an affected entity before the effective date of the transfer of the function; or (c) Alter any proceedings; (d) Commenced by an affected entity before the effective date of the transfer of the function; or (e) Pending before an affected entity on the effective date of the transfer of the function.	
26	354.088	Transfer plans and intergovernmental agreements: Workshops and public hearings.	1. Before approving a transfer plan or an intergovernmental agreement, the affected entities: (a) Shall, jointly or individually, hold a public hearing in accordance with the provisions of subsection 1 to approve or disapprove a proposed transfer plan or intergovernmental agreement; and (b) Shall, jointly or individually, hold a public hearing in accordance with the provisions of subsection 1 to approve or disapprove a proposed transfer plan or intergovernmental agreement; (c) Each such workshop must be held: (1) At a location within an area where the function proposed to be transferred is provided; and (2) Not later than 90 days before the effective date of the transfer of the function pursuant to the transfer plan or intergovernmental agreement; and (d) Not later than 15 days before each such workshop, the affected entities shall provide notice of the time and place for the workshop; (e) In writing to each person who has requested to be absent on a mailing list for the provision of such notice; (f) In any other manner reasonably calculated to provide such notice to the general public and any interested persons; (g) Except as otherwise provided in this subsection, each public hearing required by paragraph (b) of subsection 1 must be conducted in accordance with the provisions of chapter 241 of NRS. If the affected entity: (1) Holds one or more workshops pursuant to paragraph (b) of subsection 1 regarding the proposed transfer plan or intergovernmental agreement or to not agree to waive the notice required by subsection 1 of NAC 354.078, the public hearing must be held not less than 30 days after the date on which: (i) The law such workshop is held; or (ii) The notice is provided pursuant to subsection 1 of NAC 354.078; (2) Waives notice pursuant to paragraph (a) of subsection 1 regarding the proposed transfer plan or intergovernmental agreement and to agree to waive the notice required by subsection 1 of NAC 354.078, the public hearing must be held not less than 30 days after public notice of the hearing has been given.	
27	354.090	Transfer plans and intergovernmental agreements: Expiration or approval, disapproval.	1. The approval of a transfer plan or an intergovernmental agreement by an affected entity shall be deemed to expire 1 year after the date of that approval unless: (a) The transfer of the applicable function has been completed within that period; (b) The transfer plan or intergovernmental agreement specifies a different period for the expiration of that approval; or (c) The affected entities, by mutual agreement, agree to extend the applicable period for the expiration of that approval. 2. If a local government or state agency disapproves a transfer plan or an intergovernmental agreement, the governing body of that local government or the chief administrative officer of that state agency shall notify the affected entities and interested persons of the disapproval and the reasons for the disapproval.	
28		<b>CONSOLIDATION OR SHARING OF SERVICES, FUNCTIONS OR PERSONNEL AMONG SCHOOL DISTRICTS</b>	<b>NAC 354.091 - 354.094 are Adopted by the Commission on Local Government Finance</b>	
29	354.091	Definitions.	As used in NAC 354.091 to 354.094, inclusive, unless the context otherwise requires, the words and terms defined in NAC 354.092 to 354.094, inclusive, have the meanings ascribed to them in those sections.	
30	354.092	"Affected district" defined.	"Affected district" defined (NRS 380.353) "Affected district" means a school district for which the consolidation or sharing of one or more services or functions or of personnel has been proposed.	
31	354.093	"Function" defined.	"Function" has the meaning ascribed to it in NRS 354.929 includes, without limitation, any administrative activities and responsibilities associated with a function, including, without limitation, functions, including budgeting, contracting, finances, personnel, office facilities, information technology and communications.	
32	354.094	"Intergovernmental agreement" defined.	"Intergovernmental agreement" means a written agreement between two or more affected districts which provides for the consolidation or sharing of one or more services or functions or of personnel.	
33	354.095	"Intergovernmental agreement" defined.	"Intergovernmental agreement" means a written plan which provides for the implementation of an interdistrict service agreement.	
34	354.096	"Intergovernmental agreement" defined.	"Intergovernmental agreement" means a written agreement between two or more affected districts which provides for the consolidation or sharing of one or more services or functions or of personnel.	
35	354.097	"Lead district" defined.	"Lead district" means the affected district which is designated to act as the lead district pursuant to subsection 1 of NAC 354.094.	
36	354.098	Lead district: Designation, duties, requests for information.	1. If two or more school districts wish to enter into an interdistrict service agreement, each affected district must, by mutual agreement, designate one of the affected districts to act as the lead district. In the absence of such a designation, the affected district which initially proposed the consolidation or sharing of a service or function or of personnel shall act as the lead district. (a) A lead district shall: (1) Collect data pertaining to each service or function or the personnel for which the consolidation or sharing is proposed; (2) Identify any interested persons; (3) Prepare a tentative draft of an interdistrict service plan; and (4) Carry out any other duties prescribed for the lead district pursuant to NAC 354.091 to 354.094, inclusive. (b) A lead district may request in writing from any affected district or interested person such information relating to the service or function or the personnel for which consolidation or sharing is proposed as may be necessary for the lead district to prepare a tentative draft of an interdistrict service plan, including, without limitation, a description of each service or function or the personnel for which consolidation or sharing is proposed and information concerning: (1) Any property or other assets used to provide any service, function or personnel for which consolidation or sharing is proposed; (2) The operating costs for each service or function or the personnel for which consolidation or sharing is proposed; (3) Any contracts relating to the provision of any service, function or personnel for which consolidation or sharing is proposed; (4) Any liabilities or pending claims relating to any service, function or personnel for which consolidation or sharing is proposed; and (5) The mechanism for funding each service or function or the personnel for which consolidation or sharing is proposed. 4. An affected district or interested person shall, not later than 30 days after receiving a written request for information from a lead district pursuant to subsection 3, provide the requested information to the lead district.	

38	354.0960 Action on tentative draft of interdistrict service plan proposal/interdistrict service plan.	<p>1. Upon completing a tentative draft of an interdistrict service plan, a local district shall provide to each affected district and interested person identified by the local district a copy of the draft.</p> <p>(a) Upon receiving a tentative draft of an interdistrict service plan, a local district shall provide to each affected district and interested person a copy of the draft, object to any of the provisions contained in the draft by providing the local district with a written statement of its objection. The statement may include any alternative provisions which the affected district or interested person desires to be included in the proposed interdistrict service plan.</p> <p>2. If a local district:</p> <ol style="list-style-type: none"> <li>Does not receive an objection pursuant to subsection 2, the tentative draft constitutes a proposed interdistrict service plan.</li> <li>Receives an objection pursuant to subsection 2,</li> </ol> <p>(1) Each affected district shall review the objection and may consider any alternative provisions contained in the written statement of objection and any other alternative provisions proposed by an affected district or interested person. If the affected districts are unable to agree on the provisions of a proposed interdistrict service plan within 30 days after receiving the last written statement of objection submitted pursuant to subsection 2, the affected districts may, either jointly or individually, submit to the Department of Education a written request for assistance in resolving any disagreements concerning the proposed interdistrict service plan. An affected district is not required to follow any recommendations of the Department of Education made pursuant to this subparagraph.</p> <p>(2) The local district shall, upon the mutual agreement of each affected district in the provisions of a proposed interdistrict service plan:</p> <ol style="list-style-type: none"> <li>Prepare the proposed interdistrict service plan in accordance with that agreement; and</li> <li>Provide a copy of the proposed interdistrict service plan to each affected district and interested person identified by the local district.</li> </ol>	
39	354.0961 Interdistrict service plan. Contents.	<p>An interdistrict service plan:</p> <p>Must include:</p> <ol style="list-style-type: none"> <li>Such information as is necessary to complete the consolidation or sharing of each service or function or of personnel as prescribed by the interdistrict service agreement, including, without limitation, a complete description of: <ol style="list-style-type: none"> <li>Each service or function or the personnel being consolidated or shared;</li> <li>The inclusion to fund each service or function or the personnel; and</li> <li>The effective date of the consolidation or sharing of each service or function or the personnel.</li> </ol> </li> <li>May include, without limitation, one or more of the following: <ol style="list-style-type: none"> <li>The authority for the provision of each service, the performance of each function and the employment of the personnel being consolidated or shared pursuant to the interdistrict service agreement;</li> <li>The reasons for the consolidation or sharing of each service or function or the personnel, which may include, without limitation, any improvement in the management or delivery of a service or function or the management of personnel; any improvement in the efficiency which are expected to result from the consolidation or sharing of any service, function or personnel;</li> <li>For each service or function or for personnel being consolidated or shared, a description of any potential financial effect on any affected district, which may include, without limitation, any potential financial effect on the amount an affected district will receive from the Local Government Tax Distribution Account or will be allowed to receive from taxes ad valorem;</li> <li>A description of the transfer or other disposition, including the timing thereof, of any records, property or personnel as a result of the consolidation or sharing of a service or function or of personnel;</li> <li>An analysis of the effect of the consolidation or sharing of each service or function or of personnel on the employees of each affected district;</li> <li>Information concerning the process of any outstanding obligations relating to the consolidation or sharing of a service or function or of personnel, which may include, without limitation, the amount and timing of the payment of the outstanding obligation, and methods to ensure the sufficiency of assets to satisfy the outstanding obligation;</li> <li>Information concerning the affected district responsible for providing, defending or conducting any proceeding relating to the consolidation or sharing of a service or function or of personnel which is pending when the consolidation or sharing of the service, function or personnel goes into effect.</li> <li>A description of any conditions under which the consolidation or sharing of a service or function or of personnel may be terminated or any procedure for terminating or rescinding the consolidation or sharing of a service or function or of personnel;</li> <li>Any procedure for resolving a dispute between two or more affected districts regarding the consolidation or sharing of a service or function or of personnel.</li> </ol> </li> </ol>	
40	354.097 Interdistrict service plan and interdistrict service agreement. Limitations, except.	<ol style="list-style-type: none"> <li>An interdistrict service plan may not authorize an affected district: <ol style="list-style-type: none"> <li>Provide a service, perform a function or employ personnel which the affected district is not expressly authorized by law to provide, perform or employ on the effective date of the consolidation or sharing of the respective service, function or personnel;</li> <li>Continue to provide a service, perform a function or employ personnel beyond the period prescribed by law for such provision, performance or employment or beyond the date on which the authority for such provision, performance or employment would expire if the respective service, function or personnel had not been consolidated or shared;</li> </ol> </li> <li>Except as otherwise specifically provided in an interdistrict service plan or an interdistrict service agreement, the provisions of an interdistrict service plan or interdistrict service agreement do not: <ol style="list-style-type: none"> <li>Limit or alter the effect of any ordinance or resolution adopted by an affected district or any other action taken by an affected district before the effective date of the consolidation or sharing of a service or function or of personnel; or</li> <li>Prejudice any other proceeding.</li> </ol> </li> <li>Nothing in an affected district on the effective date of the consolidation or sharing of a service or function or of personnel: <ol style="list-style-type: none"> <li>Constitutes a bar to the consolidation or sharing of a service or function or of personnel;</li> <li>Prejudges any other proceeding.</li> </ol> </li> </ol>	
41	354.0972 Interdistrict service plan and interdistrict service agreement. Workplaces and public hearings.	<p>Before approving an interdistrict service plan or interdistrict service agreement, the affected districts:</p> <ol style="list-style-type: none"> <li>Must jointly hold one or more workshops in each affected district to solicit comments regarding one or more general topics to be addressed in a proposed interdistrict service plan or interdistrict service agreement; and</li> <li>Shall either jointly or individually hold a public hearing or hearings on the proposed interdistrict service plan or interdistrict service agreement in accordance with the provisions of chapter 241, NRS.</li> </ol>	
42	354.0973 Interdistrict service plan and interdistrict service agreement. Expiration of approval.	<p>The approval of an interdistrict service plan or an interdistrict service agreement by an affected district expires 1 year after the date of that approval unless:</p> <ol style="list-style-type: none"> <li>The consolidation or sharing of each service or function or of personnel as prescribed by the plan has been completed within the period;</li> <li>The affected district or districts give notice of its or their agreement to extend the approval; or</li> <li>Each affected district, by mutual agreement, agrees to extend the applicable period for the expiration of that approval.</li> </ol>	
43	354.100 PREPARATION OF BUDGETS	<p><b>354.100-354.105 are Adopted by the Commission on Local Government Finance</b></p> <p>354.100 Budget forms.</p> <p>A local government shall use the budget forms provided by the Department and complete the forms as prescribed in:</p> <ol style="list-style-type: none"> <li>NAC 354.100 to 354.105, inclusive; and</li> <li>The instructions provided by the Department.</li> </ol>	
44	354.101 Tentative budget. Submission of letter of certification.	<ol style="list-style-type: none"> <li>Except as otherwise provided in subsection 2, a tentative budget submitted to the Department may be accompanied by a letter of certification signed by the governing body or the officer charged by law with preparing the budget.</li> <li>If the tentative budget is submitted electronically, the letter of certification must be submitted separately on paper to the Department.</li> </ol>	
45	354.150 Adoption of tentative budget or final budget. Submission of additional documents.	<ol style="list-style-type: none"> <li>If a tentative budget is filed in adoption as a final budget, a local government shall submit to the Department: <ol style="list-style-type: none"> <li>A letter of certification signed by the governing body;</li> <li>A copy of a financial statement prepared pursuant to NRS 237.090 or other evidence of compliance with NRS 237.090, if applicable;</li> <li>The tentative budget or substantial electronically or part of a final report pursuant to NAC 354.559, the documents set forth in subsection 1 must be submitted separately on paper to the Department.</li> </ol> </li> <li>A copy of a financial statement prepared pursuant to NRS 237.090 or other evidence of compliance with NRS 237.090, if applicable;</li> <li>The tentative budget or substantial electronically or part of a final report pursuant to NAC 354.559, the documents set forth in subsection 1 must be submitted separately on paper to the Department.</li> </ol>	
46	354.155 Substantial change in budget. Submission of notice of information.	<p>The officer charged by law with preparing the budget for his or her respective county shall submit to the Department a copy of the notice of information prepared and cannot be published by the officer until he or she has received a response from NRS 361.4545.</p>	
47	354.160 Substantial change in budget. Submission of final budget schedule.	<p>As a result of negotiations or a fact-finder's report, a substantial change to the budget of a local government becomes necessary, the local government shall submit to the Department, within 30 days after receiving the report, this final budget schedule consistent with the budgetary requirements of the report.</p>	
48	354.185 APPLICATIONS TO INCREASE REVENUE	<p><b>354.185-354.195 are Adopted by the Commission on Local Government Finance</b></p> <p>354.185 Applications to increase revenue. Increase in revenue from fees for business licenses or allowable increase in building permit fees.</p> <p>If a local government has an application in the Nevada Tax Commission to increase the revenue of the local government from fees for business licenses or increase the amount allowable pursuant to NRS 354.5989 or to increase the building permit fees of the local government by an amount greater than otherwise allowable pursuant to subsection 2 of NRS 354.5991, the application must be accompanied by:</p> <ol style="list-style-type: none"> <li>A copy of the proposed ordinance or resolution of the local government that would increase the fee for a business license or building permit fee;</li> <li>A copy of a business impact statement prepared pursuant to NRS 237.090 or other evidence of compliance with NRS 237.090, if applicable;</li> <li>A copy of the minutes of a public hearing at which the proposed ordinance or resolution was discussed, which must include, without limitation, an indication of the intent of the governing body of the local government to limit the increase in the fee for a business license or building permit fee to a specified maximum amount and any comments made at the hearing by a member of the governing body of the public;</li> <li>A study or survey which sets forth the fee for business licenses or the building permit fees in the local government in this State; and</li> <li>Any other supporting data which the governing body of the local government believes is pertinent to the consideration of the application.</li> </ol>	
51	354.211 TAXES AD VALOREM	<p><b>354.211-354.221 are Adopted by the Commission on Local Government Finance</b></p> <p>354.211 Submission to Department of revenue levying common use or common services in incorporated towns.</p> <p>The board of county commissioners shall submit to the Department a copy of any resolution which levies a common rate of taxes ad valorem for common services provided in incorporated towns.</p>	
52	354.221 Submission of annual final budget which changes combined rate.	<p>In addition to the requirements set forth in subsection 1 of NRS 354.598, a local government shall submit an amended final budget to:</p> <ol style="list-style-type: none"> <li>The county auditor within 15 days after making any change in its final budget which decreases the combined ad valorem tax rate; and</li> <li>The county clerk within 15 days after making any change in its final budget which increases or decreases the combined ad valorem tax rate.</li> </ol>	
54	354.241 CREATION OF FUNDS	<p><b>354.241-354.251 are Adopted by the Commission on Local Government Finance</b></p> <p>354.241 Contents and filing of resolution adopted to create certain funds.</p> <p>A resolution adopted by a local government to create a fund as defined in paragraph (c) of subsection 5 of NRS 354.624, may be filed with the Department immediately upon adoption and must contain:</p> <ol style="list-style-type: none"> <li>A statement of the purpose of the fund;</li> <li>The sources of the money which is expected to be deposited in the fund;</li> <li>A short-term and long-term plan for the expenditure from the fund;</li> <li>A plan for the retention or disposition of the balance, reserves and retained earnings of the fund;</li> <li>A mechanism for curing deficiencies in the balance, reserves and retained earnings of the fund;</li> <li>The method by which a determination will be made as to whether the balance, reserves and retained earnings of the fund are reasonable and necessary to carry out the purpose of the fund;</li> <li>A list of all statutory and regulatory provisions that apply to the fund.</li> </ol>	
56	354.270 LETTER OF CREDIT: ADVANCE APPORTIONMENT OF TAX	<p><b>354.270-354.280 are Adopted by the Commission on Local Government Finance</b></p> <p>354.270 Letter of credit issued to local government.</p> <p>As used in this section, "letter of credit" means an authorization from a county treasurer to a county auditor to borrow warrants of a local government prior to the distribution of tax receipts to the account of the local government.</p> <p>A letter of credit may be issued on behalf of an entity at the option of the county treasurer if the following conditions are met:</p> <ol style="list-style-type: none"> <li>The letter of credit must be requested of the county treasurer by the governing body;</li> <li>A letter of credit cannot be issued to cover more than 75 percent of the undistributed tax receipts on hand in the county treasury to be distributed to the entity;</li> <li>The county treasurer shall make an appropriation of taxes to cover any outstanding letter of credit prior to the end of each fiscal year.</li> </ol>	
58	354.280 Advance of taxes appropriated to local government.	<p>Any entity entitled to an appropriation of taxes may request of the county treasurer an advance appropriation if the following conditions are met:</p> <ol style="list-style-type: none"> <li>An advance appropriation must be requested of the county treasurer by the governing body;</li> <li>An advance appropriation cannot be made in excess of 75 percent of the undistributed tax receipts on hand in the county treasury to be distributed to the entity;</li> <li>The county treasurer shall make an appropriation of taxes to cover any outstanding advance appropriation prior to the end of each fiscal year;</li> <li>Such an appropriation may be made at the option of the county treasurer.</li> </ol>	
59	354.290 INTERFUND LOANS	<p><b>354.290-354.305 are Adopted by the Commission on Local Government Finance</b></p> <p>354.290 Temporary interfund loans. Conditions, interest.</p> <p>Unless otherwise provided by law, the governing body of a local government may make a temporary interfund loan if:</p> <ol style="list-style-type: none"> <li>The governing body complies with the provisions of NRS 354.6116;</li> <li>Any money for the loan which is obtained from the proceeds from the sale of a bond is used only for the purposes set forth in the bond indenture;</li> <li>The loan is not made from any debt service fund or from any fund established or maintained as a fund dedicated to the payment of bonded debt and interest;</li> <li>The resolution authorizing the loan specifies whether interest will be charged and the rate thereof, if any;</li> <li>It is agreed in writing that the loan must be repaid within 1 year after the date on which the loan was made;</li> <li>A copy of the resolution authorizing the loan is filed with the Department; and</li> <li>The governing body agrees to notify the Department when the loan has been repaid.</li> </ol> <p>If the resolution authorizing the making of a temporary interfund loan does not specify whether interest will be charged as required pursuant to paragraph (d) of subsection 1, no interest may be charged.</p> <p>As used in this section:</p> <ol style="list-style-type: none"> <li>"Temporary interfund loan" means a separate legal entity from a local government whose financial statements must be included in the annual audit of the local government conducted pursuant to NRS 354.624;</li> <li>"Component unit" means a unit of money for a term of one fiscal year from a fund to meet an immediate obligation of another fund or a sub-account of a fund from regular revenues, including such a loan from a fund of: <ol style="list-style-type: none"> <li>A local government;</li> <li>Another fund of that local government;</li> <li>A fund of a component unit of that local government;</li> <li>A fund of another local government; or</li> <li>A fund of a component unit of another local government; and</li> </ol> </li> <li>"Component unit of a local government" means: <ol style="list-style-type: none"> <li>Another fund of that component unit;</li> <li>A fund of another component unit of that local government;</li> <li>A fund of that local government or of another local government; or</li> <li>A fund of a component unit of another local government.</li> </ol> </li> </ol>	
61	354.330 TRANSFER OF MONEY BETWEEN ACCOUNTS	<p><b>354.330-354.340 are Adopted by the Commission on Local Government Finance</b></p> <p>354.330 Transfer of certain tax levied money.</p> <p>1. Entities that have encumbered money held for a period of 1 year in accordance with NRS 126A.200 may transfer the money from the debt service fund to any other fund including, if not prohibited by statute, the general fund. The transfer must be in accordance with subparagraph (1) of paragraph (c) of subsection 5 of NRS 354.90805. Counties shall comply with chapter 150 of NRS for the transfer of debt service funds.</p> <p>2. This action does not require consolidation of a claim filed pursuant to chapter 11 of NRS.</p>	
63	354.360 Transfer of budget appropriations between accounts; transfer of money from certain funds.	<ol style="list-style-type: none"> <li>All the procedures authorized by NRS 354.59005 for the transfer of budget appropriations between accounts must be completed before June 30 of the affected fiscal year.</li> <li>Any transfer of money from a fund established pursuant to NRS 354.6115 must be completed within 60 days after June 30 of the affected fiscal year.</li> </ol>	
64	354.400 BUDGET AUGMENTATION	<p><b>354.400-354.405 are Adopted by the Commission on Local Government Finance</b></p> <p>354.400 Purpose.</p> <p>The purpose of NAC 354.400 to 354.405, inclusive, is to define available resources and to specify filing requirements for budget augmentation for governmental funds.</p>	
65	354.410 Available resources.	<p>Available resources are:</p> <ol style="list-style-type: none"> <li>An unexpended ending balance of any governmental fund, except a fund for capital projects, to not an available resource. Available resources are: <ol style="list-style-type: none"> <li>An existing balance which is larger than anticipated;</li> <li>Revenues in excess of those budgeted;</li> <li>Revenues generated from previously unbudgeted sources; or</li> <li>An unexpended ending balance of a fund for capital projects.</li> </ol> </li> <li>The difference between the total of the original budgeted resources and the total of the revised resources is the amount available for budget augmentation.</li> </ol>	
67	354.420 Revised revenue schedule.	<p>When augmenting a budget, local governments must prepare a revised revenue schedule for each affected fund and submit it, with the appropriate resolution, to the Department.</p>	
68	354.430 Notice of hearing.	<p>The published notice required by NRS 354.59005 must include the time and place of the hearing, the appropriations to be augmented and the nature of the unexpended resources.</p>	
69	354.440 Vote of proxy.	<ol style="list-style-type: none"> <li>A member of the governing body, anticipating his or her absence on a date of formal action on a resolution authorizing augmentation, may vote by written proxy if the proxy: <ol style="list-style-type: none"> <li>Indicates the subject matter of the resolution to which the vote applies; and</li> <li>Is filed with the governing body before the resolution is considered.</li> </ol> </li> <li>A copy of the proxy must be forwarded to the Department with the record of the vote on the resolution.</li> </ol>	
70	354.450 Deadline.	<p>The procedure for augmentation must be completed before June 30 of the affected fiscal year.</p>	
71	354.481 Expenses in excess of budget appropriations.	<p>Expenses charged to an enterprise or internal service fund in excess of the original budget appropriation therefor are allowable in accordance with NRS 354.612 and are not a violation of NRS 354.626 if:</p> <ol style="list-style-type: none"> <li>The expenses do not cause a deficit in the equity balance of the fund; and</li> <li>The budget is adjusted in a manner provided by law.</li> </ol>	
72	354.490 Report of augmented budget.	<p>A local government is not required to file an augmented budget for an enterprise or internal service fund with the Department but shall report the budget augmentation in the next response submitted to the Department to the quarterly survey prescribed by the Committee concerning the economic conditions affecting the local government.</p>	
73	354.555 FISCAL REPORTS	<p><b>354.555-354.561 are Adopted by the Commission on Local Government Finance</b></p> <p>354.555 Fulfills requirements of submitting tentative budget to Department pursuant to NRS 354.100, and.</p> <p>If the governing body of a local government submits a final report of the local government to the Department pursuant to NRS 354.6015 and 354.557 and 354.559, the local government shall be deemed to have fulfilled the requirement of:</p> <ol style="list-style-type: none"> <li>Submitting a tentative budget to the Department pursuant to NRS 354.100; and</li> <li>Transmitting a final budget to the Nevada Tax Commission pursuant to NRS 354.598.</li> </ol>	
74	354.557 Submission in electronic format, petition for exemption, submission of alternative form.	<ol style="list-style-type: none"> <li>Except as otherwise provided in subsections 7 and 8, the governing body of each local government required to submit electronically a final report of the local government to the Department pursuant to NRS 354.6015 shall complete and submit each portion of the final report: <ol style="list-style-type: none"> <li>On the form prescribed by the Department;</li> <li>In accordance with the instructions provided by the Department; and</li> <li>Before the applicable date set forth in NRS 354.559.</li> </ol> </li> <li>A local government that does not have the current ability to submit a final report of the local government to the Department in an electronic format may petition the Committee for an exemption from the requirement of submitting the final report in that format. The petition must: <ol style="list-style-type: none"> <li>Be filed with the Department on or before January 1 of the fiscal year for which the exemption is requested; and</li> <li>Include: <ol style="list-style-type: none"> <li>A statement of the reasons that the local government is unable to submit the final report to the Department in an electronic format;</li> <li>An estimate of the cost that the local government would incur to comply with the requirement of electronically submitting the final report to the Department;</li> <li>The annual revenue of the local government; and</li> <li>Any other evidence of the financial ability of the local government to comply with the requirement of electronically submitting the final report to the Department.</li> </ol> </li> </ol> </li> <li>The Department shall forward each petition filed with the Department pursuant to subsection 2 to the governing body of the local government. The Committee will consider each petition at the next regularly scheduled meeting of the Committee after receipt of the petition.</li> <li>In determining whether to grant a petition, the Committee will consider: <ol style="list-style-type: none"> <li>Whether the annual revenue of the local government is not more than \$50,000;</li> <li>Any other evidence set forth in the petition of the financial ability of the local government to comply with the requirement of electronically submitting the final report to the Department; and</li> <li>Whether the local government has complied with the requirement of electronically submitting the final report to the Department.</li> </ol> </li> <li>The Committee will provide notice of its decision concerning the petition within 30 days after the meeting at which the petition was considered.</li> <li>The local government and: <ol style="list-style-type: none"> <li>If the Committee grants the petition, the Department;</li> <li>If the Committee grants the petition, the Department;</li> <li>If the Committee grants a petition filed with the Department pursuant to subsection 2, the governing body of the local government. The final petition shall submit the final report of the local government to the Department in a format determined by the Department.</li> </ol> </li> <li>If the governing body of the local government is unable to submit electronically the final report of the local government to the Department because of a technological problem with the website of the Department, the local government shall: <ol style="list-style-type: none"> <li>Notify the Department of the problem; and</li> <li>Submit the final report to the Department in a format determined by the Department.</li> </ol> </li> </ol>	





99	354.710	Contents of audit report. Discussion and analysis of financial condition, compliance with requirements to submit plan of corrective action.	1. Except as otherwise provided in this section, in providing for an annual audit of all financial statements as required pursuant to NRS 354.624, a local government shall include a discussion and analysis of: (a) The financial activities and performance, including, without limitation, the reasons for any variations in the financial activities and financial position of the local government during the immediately preceding fiscal year; (b) The condition of the capital assets of the local government; and (c) Any currently known facts, decisions or conditions that are expected to affect the financial condition of the local government. 2. The Department may allow a local government to omit the discussion and analysis described in subsection 1 from the annual audit of all financial statements as required pursuant to NRS 354.624 if the local government: (a) Reasonably anticipates that its actual annual expenditures for the immediately succeeding fiscal year will be less than \$1,000,000; (b) Is not a component of another local government; and (c) Shows to the satisfaction of the Department that the completion of the discussion and analysis described in subsection 1 would impose a hardship on the local government. 3. The Department shall not require a local government which receives approval pursuant to subsection 2, to omit the discussion and analysis described in subsection 1 to submit a plan of corrective action if the local government receives a qualified opinion from the person who conducts the annual audit and the qualified opinion is only a result of a local government omitting the discussion and analysis described in subsection 1. 4. A local government may appeal a decision of the Department made pursuant to this section to the Commission.
100	354.721	Proposed plan of correction.	1. Each proposed plan of correction submitted pursuant to NRS 354.624 must: (a) Identify the nature or violation involved; (b) Describe the violation, including when it occurred, how it occurred and the frequency of its occurrence; (c) If the violation was reported to the local government, but not fully corrected, then describe the corrective action taken in the preceding year; (d) Identify the administrative and procedural means of control used to prevent a recurrence of the violation; and (e) Describe planned changes in the procedures for control and review to prevent future violations and identify the public officers responsible for carrying out those changes. 2. Each governing body shall submit with its proposed plan of correction a statement of the date on which it corrected and approved the plan for submission to the Department.
101	354.725	Filing in duplicate, notification of Department.	1. The audit report which NRS 354.624 requires to be filed with the Department must be provided in duplicate at the time of filing. 2. At the time of filing, the local government shall inform the Department of the date on which the auditor submitted his or her report to the local government.
102	354.735	Request for extension of time to file report.	1. Except as otherwise provided in subsection 2, a local government which desires an extension of time to file an audit report required by NRS 354.624 must, on or before November 30, submit to the Department the following information in support of its application: (a) The name of the local government; (b) The name of the auditor and firm, if any; (c) The date the report will be filed with the governing body; (d) The date the report will be filed with the Department; (e) The reason the application is being made, including an explanation of why the statutory date for submission could not be met if that date and adequate planning were exercised by the local government and the auditor; (f) The name of the person making the application; and (g) The date of the application. 2. If the local government making the application for an extension of time is a school district, the school district must submit the information set forth in subsection 1 to the Department on or before October 31. 3. The person making the application for an extension of time must sign it.
103		<b>INVENTORY</b>	<b>NAC 354.730 is Adopted by the Commission on Local Government Finance</b>
104	354.730	Inventory of capital assets. Requirement, guidelines, identifying number.	1. The governing body of every local government shall take an inventory at least once every two years of all equipment and other personal property which constitute capital assets. The governing body may adopt by resolution guidelines for the conduct of such an inventory. For the purposes of such an inventory, unless the governing body of the local government establishes a different procedure concerning the method for required capitalization by resolution: (a) An asset of the local government that has a value of \$1,000 or more must be capitalized; (b) An asset of the local government that has a value of less than \$1,000 may be capitalized or categorized as an expenditure; and (c) The useful life of the equipment and personal property of the local government is 1 year or more. 2. Each item of property subject to the inventory must be assigned an identifying number and be labeled as belonging to the local government.
105		<b>GENERAL IMPROVEMENT DISTRICTS</b>	<b>NAC 354.760 - 354.770 are Adopted by the Commission on Local Government Finance</b>
106	354.760	Ordinance of board of county commissioners after creation of district.	After adopting an ordinance creating a general improvement district, the board of county commissioners, as an officer of the district, shall: 1. Transmit a certified copy of the ordinance and the survey plan required by chapter 308 of NRS to the Department; 2. Comply with the requirements of subsection 2 of NRS 318.080 in a manner consistent with the provisions of this chapter and the Local Government Budget and Finance Act, NRS 354.470 to 354.626, inclusive.
107	354.770	Hearing regarding corrective action. Date, submission of certified copy of ordinance or resolution.	1. Whenever a board of county commissioners is required to hold a public hearing pursuant to the provisions of NRS 318.515, the hearing date must be set by that board not later than 10 days from the date of receipt of notification by the Department or the date of receipt of the petition. 2. A certified copy of any ordinance or resolution adopted by a board of county commissioners following the hearing required by the provisions of NRS 318.515, must be transmitted immediately following its adoption by the clerk of the board of county commissioners to the Department.
108		<b>SPECIAL DISTRICTS</b>	<b>NAC 354.780 - 354.790 are Adopted by the Commission on Local Government Finance</b>
109	354.780	Transfer of property, money, taxes and special assessments upon merger or consolidation of districts.	1. Upon the merger of any special district to which the Local Government Budget and Finance Act, NRS 354.470 to 354.626, inclusive, is applicable, all property and money remaining in the treasury of that district must be surrendered and transferred to the governmental unit which assumes its obligations. 2. Upon the consolidation of any special district to which the Local Government Budget and Finance Act is applicable, all property and money remaining in the treasury of that district must be surrendered and transferred to the consolidated governmental unit. 3. Taxes, including delinquent taxes, and special assessments paid after the merger or consolidation of special districts must be paid to the governmental unit assuming the district's obligations in case of merger or to the consolidated governmental unit in case of consolidation.
110	354.790	Transfer of property, money, taxes and special assessments upon dissolution of district.	1. Upon the dissolution of any special district to which the Local Government Budget and Finance Act, NRS 354.470 to 354.626, inclusive, is applicable, all property and money remaining in the treasury of that district must be surrendered and transferred to the county general fund. 2. Taxes, including delinquent taxes, and special assessments paid after the dissolution of a special district must be paid to the general fund of the county in which the property was assessed. 3. If any area comprising the district is partitioned: (a) As to an area comprising the district or portion thereof: (i) As to an area comprising the district or portion thereof, a pro rata share of the property and money may be transferred to the municipality. (ii) As to an area which is not a city or town within 6 months from the effective date of the dissolution ordinance, the county commissioners shall pay to the owners of property located within the former district pro rata shares of the money remaining in the district treasury, and an amount of money equal to the value of any property which is not paid for the benefit of the area formerly comprising the district. The county commissioners may, before paying such money, apply a proportionate amount of the payment to any special assessments which are due.
111		<b>BUDGETS OF LOCAL GOVERNMENTS - Enterprise Fund for Building Permit Fees</b>	<b>NAC 354.805 - 354.855 are Adopted by the Commission on Local Government Finance</b>
112	354.805	Definitions.	As used in NAC 354.805 to 354.855, inclusive, unless the context otherwise requires, the words and terms defined in NAC 354.815, 354.825 and 354.835 have the meanings ascribed to them in those sections.
113	354.815	"Cost center" defined.	"Cost center" means an account used by a local government to track specific assets, liabilities, capital, expenses or income of the local government.
114	354.825	"Direct cost" defined.	"Direct cost" means a cost that is readily identifiable with a specific cost center.
115	354.835	"Indirect cost" defined.	"Indirect cost" means a cost that is not readily identifiable with a specific cost center, including, without limitation, indirect labor expenses and general expenses for the maintenance of an office and support services.
116	354.845	Application for exemption from limitation on increase of building permit fees.	The Nevada Tax Commission will exempt a local government from the limitation on the increase of its building permit fees as provided pursuant to the provisions of NRS 354.5991 if the local government files with the Department: 1. A resolution approved by the governing body of the local government which: (a) Authorizes the creation of an enterprise fund exclusively for fees for building permits; and (b) Reallocates the use of the money in the enterprise fund as provided by the provisions of subsection 4 of NRS 354.5991; 2. A statement of the method used to calculate the general overhead and the costs of administering the program for the issuance of building permits; 3. A completed form prescribed by the Department which relates to the enterprise fund.
117	354.855	Permissible expenditures, collection of fees, building permit fees.	1. In accordance with paragraph (b) of subsection 4 of NRS 354.5991 and except as otherwise limited by NAC 354.865 to 354.867, inclusive, the following direct and indirect costs of a program for the issuance of building permits are permissible expenditures from the enterprise fund created exclusively for building permit fees: (a) Issuance of building permits; (b) Expenses for the development of the site, including, without limitation, grading of the property; (c) Review of the plans for conformance with zoning ordinances and regulations; (d) Review of the plans for conformance with: (1) A building or structure, including, without limitation, the mechanical, electrical and plumbing systems and the structural components of the building or structure; (2) A permanent building or structure, which may require a final or restricted permit generally for the assessment of pavements; (3) A system designed primarily for the transportation of passengers over a mechanical system, including, without limitation, a tunnel; (4) The installation of manufactured homes and manufactured buildings; and (5) Outdoor advertising signs, displays and devices; (e) Administration of and support activities for the program; and (f) Inspection of a building or structure after its issuance. 2. A local government that has created an enterprise fund for building permit fees: (a) Shall not collect a portion of building permit fees for fee for any inspection services that are provided by another local government entity for which an inspection fee has been collected. (b) May collect fees and taxes for other governmental entities at the time a building permit is issued. The local government shall remit any fees and taxes collected for another local government entity to that entity by the local government on a date agreed to by the local government and the entity, and unless otherwise authorized by statute or ordinance, may not retain any part of the fees or taxes as a collection administrative fee. 3. As used in this section: (a) "Building permit" has the meaning ascribed to it in paragraph (b) of subsection 1 of NRS 354.5991. (b) "Building permit fee" has the meaning ascribed to it in paragraph (d) of subsection 1 of NRS 354.5991. (c) "Inspector" means an examination of a building or structure, or the components of a building or structure, to determine compliance with local building and fire codes and regulations.
118		<b>Allocation of Costs to Enterprise Fund</b>	<b>NAC 354.865 - 354.867 are Adopted by the Commission on Local Government Finance</b>
119	354.865	Definitions.	As used in NAC 354.865 to 354.867, inclusive, unless the context otherwise requires, the words and terms defined in NAC 354.865 to 354.867, inclusive, have the meanings ascribed to them in those sections.
120	354.865	"Applicable credits" defined.	"Applicable credits" means those receipts or other credits which apply to offset or reduce any money or expense that are allocable to an enterprise fund, such as, without limitation, the return of a product.
121	354.865	"Control service cost allocation plan" defined.	"Control service cost allocation plan" means the documentation of a local government that identifies, allocates, allocates or develops billing rates for the allocation of the cost of services and property provided by the local government on a controlled basis to its departments, agencies and enterprise funds.
122	354.866	"Cost" defined.	"Cost" means the amount of cost as determined on a cash basis, an accrual basis or any other basis in accordance with generally accepted accounting principles.
123	354.865	"Direct cost" defined.	"Direct cost" means a cost incurred by a department, an agency or an enterprise fund of a local government for services or property specifically associated with and used by that department, agency or enterprise fund, such as the rental charged to a specific department, agency or enterprise fund for its particular use of a building.
124	354.866	"Indirect cost" defined.	"Indirect cost" means costs incurred for a common or joint purpose that benefits more than one cost objective, such as, without limitation, general overhead costs that are not directly linked to a specific program.
125	354.866	"Payments in lieu of taxes" defined.	"Payments in lieu of taxes" means payments that: 1. Are made to a local government to help offset losses in property taxes; 2. Can be independently determined and verified; and 3. Relate to specific property taxes.
126	354.866	"Reasonable cost" defined.	"Reasonable cost" means a cost which, in its nature and amount, does not exceed the cost that would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.
127	354.866	Applicability.	NAC 354.865 and 354.867 do not apply to a local government: 1. That does not have any enterprise funds; or 2. To which subsection 1 of NRS 354.613 does not apply.
128	354.866	Control service cost allocation plan. Requirements.	Except as otherwise limited by the provisions of this section and NAC 354.867, the control service cost allocation plan of a local government: 1. May include costs for services and property that are payable from the general fund or any internal service funds or other funds of the local government; 2. Must be limited to indirect costs for services and property provided by the local government on a controlled basis, which may include, without limitation, general administrative costs, planning costs, budgeting costs, payroll costs, legal costs, legislative costs, and costs for general ledger accounting, internal audits, the administration of accounts payable, human resources, general services, emergency services, public relations, public works, property management, building and grounds maintenance, equipment contracts, grants management, risk management, a motor pool, road maintenance, water and sewer services, information systems, automatic data processing services, printing, maintaining a library, records maintenance, storage and warehousing, and animal control; 3. Must not include any transfer of franchise fees, payments in lieu of taxes made for the use of any right-of-way, payments for debt service or any direct costs which are billable directly to a specific department, agency or enterprise fund of the local government. Must be based upon either market-based rates or budget data. The determination of which to use must anticipate any expected program changes for the coming year that would not be reflected in historical data. 4. Must allocate costs in a manner that: (a) Provides for an equitable distribution of general, overhead, administrative and similar costs of the local government; and (b) Allocates to an enterprise fund only costs for services and property that are allocable or chargeable to the cost objective of the enterprise fund. 5. Must include a description of the methods used to determine the allocation of costs and a schedule of the current billing rates for those costs. 6. Must be updated annually before: (a) The date on which the local government submits its initial budget to the Department; or (b) If the local government is exempt from the requirement to submit a tentative budget to the Department, the date on which the local government submits its final budget to the Department. 8. Must include an attestation, signed by the chief financial officer of the local government or his or her designee, that the control service cost allocation plan complies with the provisions of NAC 354.865 to 354.867, inclusive.
129	354.867	Costs which may be allocated to enterprise fund.	1. The costs which may be allocated to an enterprise fund of a local government pursuant to paragraph (b) of subsection 1 of NRS 354.613 must be reasonable costs and include only the amounts remaining after the deduction of any applicable credits. The costs must also be: (a) Necessary and reasonable for the proper and efficient administration and performance of the enterprise fund; (b) Consistent with public policy, regulations and procedures that apply uniformly to the enterprise fund and other activities of the local government; (c) Determined in accordance with generally accepted accounting principles; and (d) Documented adequately for independent verification. 2. In determining whether a cost is a reasonable cost for the purposes of subsection 1, consideration must be given to: (a) Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the enterprise fund; (b) Whether the cost is consistent with sound business practices, the nature of an item's length, transaction, and the requirements and constraints imposed by state laws and regulations; (c) The market prices for comparable services or property; (d) Whether the person incurring the cost would practice under the circumstances, considering that responsibility to each political governmental unit and its employees, and to the general public; and (e) Any significant deviations from the established practices of the local government that may have justifiably increased the cost.
130		<b>DELINQUENT DOCUMENTS AND PAYMENTS, TECHNICAL FINANCIAL ASSISTANCE, SEVERE FINANCIAL EMERGENCY - Determination of Severe Financial Emergency</b>	<b>NAC 354.875 is Adopted by the Commission on Local Government Finance</b>
131	354.875	Identification of certain conditions. Interpretation of certain statutory terms.	As used in NRS 354.875, the Commission interprets: 1. The term "decline" to mean a decline of 20 percent or more in the balance of the general fund of the local government. 2. "Past 2 years" to mean the past 2 fiscal years.
132		<b>Proceedings Before the Committee on Local Government Finance</b>	<b>NAC 354.880 - 354.892 are Adopted by the Commission on Local Government Finance</b>
133	354.880	Definitions.	As used in NAC 354.880 to 354.892, inclusive, the words and terms defined in NAC 354.882 to 354.892, inclusive, have the meanings ascribed to them in those sections.
134	354.882	"Day" defined.	"Day" means a calendar day.
135	354.884	"Director" defined.	"Director" means the Executive Director of the Department.
136	354.886	"Hearing officer" defined.	"Hearing officer" means any person the Committee may designate to hear a matter on behalf of the Committee.
137	354.888	"Intervenor" defined.	"Intervenor" means a person or local government, other than an original party to a proceeding, who has been an order from the Committee, Director or hearing officer granting leave to intervene in the proceeding.
138	354.890	"Party" defined.	"Party" means a person or local government entitled or required to appear in a proceeding before the Committee. The term includes an intervenor.
139	354.892	"Staff" defined.	"Staff" means the staff of the Department. The term includes the Attorney General and his or her duly appointed deputies when acting as legal advisors to the Committee pursuant to NRS 228.110.
140	354.894	Scope and construction of provisions. Deviation from provisions.	1. The provisions of NAC 354.880 to 354.892, inclusive: (a) Govern the practice and procedure for proceedings before the Committee to carry out the provisions of NRS 354.855 to 354.725, inclusive; (b) Must be liberally construed to effect the just, speedy and economical administration of all issues presented to the Committee to carry out the provisions of NRS 354.655 to 354.725, inclusive. 2. In special cases, where good cause appears, not contrary to statute, deviation from the provisions of NAC 354.880 to 354.892, inclusive, if stipulated to by all parties to a proceeding, will be permitted.
141	354.896	Hearings conducted by Committee or hearing officer. Applicability of provisions.	1. The Committee may hold a hearing on any issue presented to the Committee to carry out the provisions of NRS 354.855 to 354.725, inclusive, or assign a hearing officer to hear the matter on behalf of the Committee and prepare a decision for its consideration. Except as otherwise provided in subsection 2, the provisions of NAC 354.880 to 354.892, inclusive, apply to all such proceedings: (a) If the Committee; (b) If the hearing officer hears a matter and proposes a decision, the provisions of NAC 354.828 to 354.834, inclusive, do not apply to the proceedings; (c) Assigning a hearing officer to hear a matter and propose a decision, the provisions of NAC 354.930 and 354.938 do not apply to the proceedings.

142	354.898	Plaudits, communications.	<p>All plaudits, including, without limitation, any complaints, petitions, answers, briefs, motions, affidavits and applications, must be addressed to the Department and not to individual members of the Committee or staff. All plaudits shall be deemed to be officially received by the Department when a true copy of the paper is received, properly addressed and stamped, in the United States mail.</p> <p>Informal communications may be made with individual members of the staff, and those communications and documents shall be deemed to be officially received by the Department when they are properly addressed and stamped and deposited in the United States mail.</p> <p>Informal communications from the Department or Committee must be signed by the responsible staff member or the Chair of the Committee.</p> <p>Each communication must be limited to one subject and contain the name and address of the person originating the communication.</p>	
143	354.900	Transcripts.	<p>If a party desires a transcript of any hearing held by the Committee or a hearing officer, the party must furnish the reporter, pay for the transcript and deliver a copy of the transcript to the Director within 20 days after filing an appeal or petition for reconsideration of the matter.</p> <p>If a party prepares a transcript from a tape recording provided by the Department and desires to use the transcript as any subsequent hearing or appeal of the matter, the party must deliver a copy of the transcript to the Department within the time required by subsection 1.</p>	
144	354.902	Intervenor.	<p>A person or local government, other than an original party to a proceeding, who is directly and substantially affected by the proceeding and who wishes to participate in the proceeding must receive an order from the Committee, Director or hearing officer granting leave to intervene before being allowed to participate. The granting of leave to intervene in any proceeding is not a finding or determination of the Committee, Director or hearing officer that the party will not be a party aggrieved by any ruling or decision of the Committee or the hearing officer for the purposes of any review or appeal.</p> <p>A petition for leave to intervene must:</p> <ol style="list-style-type: none"> <li>Be in writing;</li> <li>Clearly identify the proceeding in which intervention is sought;</li> <li>Set forth the name and address of the petitioner;</li> <li>Contain a clear and concise statement of the direct and substantial interest of the petitioner in the proceeding, stating the manner in which the petitioner will be affected by the proceeding and the matters relied upon by the petitioner as a basis for the request to intervene; and</li> <li>State a substantial reason for the delay.</li> </ol> <p>A petition for leave to intervene must not be considered unless the petitioner:</p> <ol style="list-style-type: none"> <li>Files the petition and proof of service of copies of the petition on all other parties of record not less than 15 days before the commencement of the hearing; or</li> <li>States a substantial reason for the delay.</li> </ol> <p>If a petition for leave to intervene shows a direct and substantial interest in the subject matter of the proceeding or any part thereof and does not unduly burden the issues, the Committee, Director or hearing officer may grant leave to intervene or otherwise appear in the proceeding with respect to the matters set out in the petition, subject to such reasonable conditions as may be prescribed.</p> <p>If it appears during the course of a proceeding that an intervenor has no direct or substantial interest in the proceeding and that the public interest does not require the intervenor's participation in the proceeding, the Committee may dismiss the intervenor from the proceeding.</p>	
145	354.904	Rights of parties and staff at evidentiary hearings.	<p>At any evidentiary hearing, the parties and staff may:</p> <ol style="list-style-type: none"> <li>Call and examine witnesses;</li> <li>Introduce exhibits relevant to the issues of the proceeding, even though that matter was not covered in the direct examination;</li> <li>Impugn any witness, regardless of which party first called the witness to testify;</li> <li>Offer rebuttal evidence;</li> <li>Call any person who may be an adverse witness because of his or her relationship to any party, and examine the person as an adverse witness.</li> </ol>	
146	354.906	Representation of parties, qualifications of attorneys.	<p>A party may appear in person or as provided in subsection 2, or may be represented by an attorney, accountant or authorized representative.</p> <p>A party, if other than a natural person, may appear:</p> <ol style="list-style-type: none"> <li>As a partnership, by a partner;</li> <li>As a corporation, by an officer or other authorized representative or regular employee;</li> <li>As a local government, by an authorized officer, agent or employee;</li> <li>As an individual association, by an authorized officer or employee;</li> <li>If a party chooses to be represented by an attorney, the attorney must be admitted to practice and in good standing before the highest court of any state of the United States. If the attorney is not admitted to practice and in good standing before the Supreme Court of Nevada, an attorney so admitted and in good standing must be associated with the attorney appearing before the Committee or hearing officer.</li> </ol>	
147	354.908	Hearings. Notice. Location, telephone conference, dates of representative conduct required.	<p>Except as otherwise provided in subsection 5, not less than 30 days before the date set for a hearing, the staff shall serve notice of the place, date and time of the hearing on each party or the authorized agent of a party at the address of the party or authorized agent as it appears in the records of the Department.</p> <p>The staff shall notify the appropriate representative of a party regarding a hearing which may have a direct effect upon a matter within the representative's scope of authority. The representative shall:</p> <ol style="list-style-type: none"> <li>Attend any hearing specified in this subsection, unless otherwise directed by the Committee; and</li> <li>Make any representation prescribed by the Committee, Director or hearing officer.</li> </ol> <p>Hearings will be held at the office of the Department in Carson City, Nevada, or at such other place as the State may be designated in the notice of hearing.</p> <p>The Committee may conduct a hearing or may hold a hearing by means of a telephone conference as long as it complies with the applicable provisions of chapter 241 of NRS.</p> <p>In all hearings held by the Committee or hearing officer, the hearing date may be set with less than 10 days' notice of the parties and staff agree in writing.</p> <p>A person appearing in a proceeding shall conform to the recognized standards of ethical and courteous conduct.</p>	
148	354.910	Prehearing conferences.	<p>Upon the request of the Committee, the hearing officer or a party, the Committee or hearing officer may hold a prehearing conference for the purpose of formulating or simplifying the issues, obtaining admissions of fact or documents which will avoid unnecessary proof, arranging for the exchange of proposed evidence, identifying the issues, establishing any hearing procedure or determining any other matters which may expedite the orderly conduct and disposition of the proceeding or settlement of the proceeding.</p> <p>The action taken at a prehearing conference and the agreements, admissions or stipulations made by the parties concerned must be made a part of the record and must be approved by the parties. When approved, the action will control the course of subsequent proceedings, unless otherwise stipulated to by all the parties of record with the consent of the Committee or hearing officer.</p> <p>In any proceeding, the Committee or hearing officer may, at the discretion of the Committee or hearing officer, call all of the parties together for a conference before the taking of testimony. The Committee or hearing officer shall state on the record the results of the conference.</p>	
149	354.912	Continuances; reasons.	The Committee or hearing officer may, at the discretion of the Committee or hearing officer, either before or during a hearing, grant continuances or recesses.	
150	354.914	Time of trial.	In the time and place set for a hearing, if a party fails to appear, the Committee or hearing officer may, at the discretion of the Committee or hearing officer, dismiss the proceeding with or without prejudice or may reconvene the hearing for a period of time to be set by the Committee or hearing officer to enable the party to attend.	
151	354.916	Failure of party to appear.	Any party required to appear before the Committee pursuant to: <ol style="list-style-type: none"> <li>NRS 354.665 to explain the reasons that a document has not been filed has the burden of proving that the document was filed as required or providing an explanation satisfactory to the Committee of the reasons that the document was not filed as required;</li> <li>NRS 354.671 to explain the reasons that a payment has not been made has the burden of proving that the payment was made as required or providing an explanation satisfactory to the Committee of the reasons that the payment was not made as required.</li> </ol>	
152	354.918	Burden of proof at evidentiary proceedings of evidence.	Evidence may be received in any manner unless the Committee or hearing officer, but will ordinarily be received from the parties in the following order: <ol style="list-style-type: none"> <li>Brief examination by the staff;</li> <li>Each party;</li> <li>The staff;</li> <li>Intervenor; and</li> <li>Rebuttal by each party.</li> </ol>	
153	354.920	Admission of evidence; depositions; affidavits.	<p>In conducting a hearing, the Committee or hearing officer is not bound by technical rules of evidence. Any relevant evidence may be admitted, except where precluded by law, if it is of a type commonly relied upon by reasonable and prudent persons in the conduct of their affairs, even though the evidence might be subject to objection in civil actions.</p> <p>2nd and evidence may be taken only upon oath or affirmation administered by the hearing officer, the Committee, a deputy attorney general or a member of the Committee. Before taking the witness stand, each person must swear or affirm that the testimony the person is about to give will be the truth, the whole truth and nothing but the truth.</p> <p>Hearsay evidence, as that term is used in civil actions, may be admitted for the purpose of supplementing or explaining other evidence, but it is not sufficient to support findings of fact unless it would be admissible over objection in civil actions.</p> <p>The rules of privilege shall be applied in civil actions, but it is not sufficient to support findings of fact unless it would be admissible over objection in civil actions.</p> <p>Irrelevant, cumulative and unduly repetitious evidence is not admissible, nor is incompetent evidence, with the exception of hearsay evidence as provided in subsection 1.</p> <p>The parties or their counsel may file written stipulations upon which certain specified evidence may be admitted, even though the evidence would otherwise be subject to objection.</p> <p>The Committee, the hearing officer or any party in a proceeding may cause the depositions of witnesses to be taken in or out of the State as if the Committee or hearing officer were presiding, which is consistent with the rules of the court for depositions in civil actions in the district courts.</p> <p>The affidavits of all persons may be admitted in evidence if all the parties stipulate and consent to its admission.</p>	
154	354.922	Official notice.	The Committee or hearing officer may take official notice of the following matters: <ol style="list-style-type: none"> <li>Rules, regulations, official reports, decisions and orders of the Committee and any regulatory agency of the State;</li> <li>Matters of common knowledge and technical or scientific facts established therewith;</li> <li>Official documents, of parties, when properly introduced into the record of formal proceedings by reference, if proper and definite reference to the document is made by the party offering it and it is published and generally circulated so that all of the parties of interest at the hearing have an opportunity to examine it and present rebuttal evidence;</li> <li>Matters which may be judicially noticed by the courts of the State.</li> </ol>	
155	354.924	Briefs.	In any proceeding, the Committee, Director or hearing officer may under briefs filed within such time as the Committee, Director or hearing officer allows.	
156	354.926	Order for information.	Briefs must be filed with the Director or hearing officer and be accompanied by an acknowledgment of or an affidavit showing service on all other parties of record.	
157	354.928	Hearing officer. Proposed decisions, findings and conclusions.	The Committee may order any information it deems necessary to determine the matters before it.	
158	354.930	Proposed decisions of hearing officers. Written objections; reply to objection; action by Committee.	<p>Not later than 60 days after the close of a hearing conducted by a hearing officer, the hearing officer shall file with the Committee a proposed decision that sets forth the findings and conclusions of the hearing officer and the reasons and bases for these findings and conclusions. The proposed decision must be served on each party.</p> <p>The findings and conclusions of a hearing officer are not required to be included in a stipulated agreement.</p> <p>Except as otherwise provided in this subsection, a party may file with the Committee a written objection to the proposed decision of a hearing officer not later than 20 days after receipt of the proposed decision. The written objection must state with particularity the issues presented, the points of law or fact on which the party relies and the relief requested by the party. The Committee may, upon good cause shown, allow a party to file a written objection with the Committee more than 20 days after receipt of a proposed decision.</p> <p>A party who files a written objection shall serve a copy of the written objection on the parties.</p> <p>Except as otherwise provided in this subsection, a party may reply to a written objection not later than 15 days after receipt of the written objection. A party replying to a written objection must serve the reply on all parties. The Director may, upon good cause shown, grant an extension of time for a party to file a reply to a written objection.</p> <p>If a party files a written objection pursuant to subsection 1, the Committee will place the proposed decision on the agenda for its next scheduled meeting for action by the Committee.</p> <p>If a party files a written objection pursuant to subsection 1 within 20 days after receipt of the proposed decision or if the Committee chooses to take any action concerning the review of the proposed decision, other than to return the proposed decision to the hearing officer for clarification of the decision, the Committee will hold a hearing on the proposed decision. The Committee will provide notice of the hearing to the parties not later than 15 days before the hearing, unless the parties waive the notice in writing or in the record before the Committee.</p>	
159	354.932	Hearing before Committee. Basis for record before hearing officer; determination that record is inadequate.	The hearing held before the Committee pursuant to NAC 354.930 must be based on the record made before the hearing officer. If the Committee determines the record is inadequate, the Committee may remand the matter to the hearing officer for further proceedings or upon the record and hear new evidence.	
160	354.934	Hearing before Committee. Action by Committee; issuance of written orders.	<p>After the close of oral argument, the Committee will:</p> <ol style="list-style-type: none"> <li>Make a final decision that adopts, reverses or modifies, in whole or in part, the proposed decision of the hearing officer;</li> <li>Remand the matter to the hearing officer for further proceedings;</li> <li>Dismiss the matter if the record is inadequate, in whole or in part, the proposed decision of the hearing officer is not supported by the evidence, or the matter is unrelated pursuant to subsection 1.</li> </ol>	
161	354.936	Final decision of Committee.	<p>The staff shall prepare the final decision and with the approval of the Committee, prepare the Committee's final decision on the issues presented in a hearing conducted by the Committee. The draft of each decision must be approved by the Chair of the Committee before being issued.</p> <p>The Committee's final decision will be written and will include separate findings and conclusions based upon substantial evidence or matters officially noticed. After the hearing is completed, the Committee may request a party to prepare proposed findings and conclusions.</p> <p>The staff shall serve a copy of the Committee's final decision on each party of record.</p>	
162	354.938	Petition for reconsideration. Grounds; filing and contents; answer; grant or denial.	<p>A party who believes that a decision of the Committee, on any portion thereof, is:</p> <ol style="list-style-type: none"> <li>Unlawful;</li> <li>Unreasonable; or</li> <li>Based on findings or conclusions that are erroneous,</li> </ol> <p>may file a petition for reconsideration. The petition must be filed with the Committee and served on all parties within 15 days after the date of service of the decision.</p> <p>A petition for reconsideration must:</p> <ol style="list-style-type: none"> <li>Identify with precision each portion of the decision that the party alleges is unlawful, unreasonable or erroneous;</li> <li>Cite with specificity those portions of the record, the statute or the regulations that support the allegations in the petition. The petition must not include additional evidence or request the submission or taking of new evidence;</li> <li>Specify why the party believes the decision is unlawful, unreasonable or erroneous;</li> <li>State a substantial reason for the delay.</li> </ol> <p>The Committee may grant or deny, in whole or in part, a timely filed petition for reconsideration within 60 days after the date of service of the final decision. If the Committee takes no action within that period, the petition shall be deemed to be denied.</p> <p>Unless otherwise provided by the Committee, the filing of a petition for reconsideration or the granting of such a petition by the Committee does not excuse compliance with or suspend the effectiveness of the challenged decision.</p> <p>If the Committee grants a petition for reconsideration, it will reexamine the decision and the record with regard to the issues on which it granted reconsideration. After the reexamination, the Committee will issue a modified final decision or reaffirm its original decision.</p> <p>A modified final decision incorporates all portions of the original decision not modified. A modified final decision, or the original decision if reaffirmed, is the final decision of the Committee.</p>	
163	354.940	Advisory opinions. Petition.	<p>Any person may petition for an advisory opinion concerning matters within the jurisdiction of the Committee.</p> <p>All petitions must be in writing, be addressed to the Director and set forth at least the following:</p> <ol style="list-style-type: none"> <li>A statement that an advisory opinion is requested;</li> <li>A concise statement of all the facts and circumstances necessary to dispose of the petition;</li> <li>A clear, single statement of the issue or question to be resolved;</li> <li>A statement of all statutes, agency decisions or other authorities which the petitioner believes may be relevant in disposing of the petition; and</li> <li>A statement with supporting arguments authorizing the petitioner's opinion of a proper disposition of the petition.</li> </ol>	
164	354.942	Advisory opinions. Fees; costs; issuance; delivery; appeals.	<p>Advisory opinions must:</p> <ol style="list-style-type: none"> <li>Be in writing;</li> <li>Include a statement of facts, questions, analysis and opinion;</li> <li>Be issued by the Director within 45 days after the filing of the petition unless the Director in writing orders an extension of time up to a maximum of 60 days after filing; and</li> <li>Be delivered to the petitioner in person or by certified mail.</li> </ol> <p>Advisory opinions issued by the Director are appealable to the Committee. An appeal of an advisory opinion issued by the Director must be filed not later than 20 days after receipt of the advisory opinion and state with particularity the issues presented, the points of law or fact on which the party relies and the relief requested.</p> <p>If a person files an appeal of an advisory opinion pursuant to subsection 2, the Committee will hold a hearing on the advisory opinion. The Committee will provide notice of the hearing to the person who filed the appeal not later than 15 days before the hearing.</p> <p>After the close of a hearing held pursuant to subsection 3, the Committee will issue an order that adopts, reverses or modifies, in whole or in part, the advisory opinion issued by the Director. The Director shall issue the written order and an advisory opinion that reflects the order not later than 60 days after the order is made.</p>	
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