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SECOND REPRINT

EXEMPT

S.B. 518

SENATE BILL NO. 518—COMMITTEE ON FINANCE

(ON BEHALF OF DEPARTMENT OF ADMINISTRATION—BUDGET DIVISION)

MARCH 26, 2001

Referred to Committee on Finance

SUMMARY—Revises provisions relating to state financial administration. (BDR 23-1514)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Contains Appropriation included in Executive Budget.

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

AN ACT relating to financial administration; revising the amounts paid to certain public officers and employees as allowances for certain expenses; making appropriations to the contingency fund to restore and increase the balance in the fund; making appropriations to the Interim Finance Committee to assist state agencies and school districts in paying for certain energy needs; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 281.160 is hereby amended to read as follows:
2 281.160 1. Except as otherwise provided in subsection 2 or 5, or by
3 specific statute, any district judge, state officer, state employee or member
4 of an advisory board supported in whole or in part by any public money,
5 whether the public money is received from the Federal Government or any
6 branch or agency thereof, or from private or any other sources, is entitled
7 to receive his expenses in the transaction of public business outside of the
8 municipality or other area in which his principal office is located, to be
9 paid at the rate of ~~1\$691~~ *1\$76* for each 24-hour period during which he is
10 away from the office and within the state, and ~~1\$271~~ *1\$26* in addition to a
11 reasonable room rate for each 24-hour period during which he is outside of
12 the state.
13 2. Any person enumerated in subsection 1 is entitled to receive
14 expenses for a period of less than 24 hours in accordance with regulations
15 of the state board of examiners conforming generally to those rates.
16 3. Any person enumerated in subsection 1 is entitled to receive an
17 allowance for transportation in the transaction of public business, whether
18 within or outside of the municipality or other area in which his principal
19 office is located. Transportation must be by the most economical means,



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1 considering total cost, time spent in transit and the availability of state-
2 owned automobiles and special use vehicles. The state board of examiners,
3 on or before July 1 of each year, shall establish the rate of the allowance
4 for travel by private conveyance. The rate must equal the standard mileage
5 reimbursement rate for which a deduction is allowed for the purposes of
6 federal income tax that is in effect at the time the annual rate is established.
7 If a private conveyance is used for reasons of personal convenience in
8 transaction of state business, the allowance for travel is one-half the
9 established rate.

10 4. The state board of examiners may establish a transportation
11 allowance for the use of private, special use vehicles on public business by
12 any person enumerated in subsection 1, whether within or outside of the
13 municipality or other area in which his principal office is located. The
14 allowance must be established at rates higher than the rates established in
15 subsection 3.

16 5. The state board of examiners may establish:

17 (a) A room rate in excess of the normal allowance for reimbursement of
18 employees who are required to travel on weekends to serve the needs of the
19 public. The board may require the submission of receipts as a condition of
20 reimbursement at the special rate.

21 (b) Reasonable rates for expenses outside of the United States that will
22 allow a person to purchase the same quality of food as the domestic rate
23 allows.

24 6. The state board of examiners shall adopt regulations, and shall
25 require other state agencies to adopt regulations, in accordance with the
26 purpose of this section, and a state agency may, with the approval of the
27 state board of examiners, adopt a rate of reimbursement less than the
28 amounts specified in subsection 1 where unusual circumstances make that
29 rate desirable.

30 **Sec. 2.** NRS 281.160 is hereby amended to read as follows:

31 281.160 1. Except as otherwise provided in subsection 2 or 5, or by
32 specific statute, any district judge, state officer, state employee or member
33 of an advisory board supported in whole or in part by any public money,
34 whether the public money is received from the Federal Government or any
35 branch or agency thereof, or from private or any other sources, is entitled
36 to receive his expenses in the transaction of public business outside of the
37 municipality or other area in which his principal office is located, to be
38 paid at the rate of ~~\$76~~ **\$84** for each 24-hour period during which he is
39 away from the office and within the state, and \$26 in addition to a
40 reasonable room rate for each 24-hour period during which he is outside of
41 the state.

42 2. Any person enumerated in subsection 1 is entitled to receive
43 expenses for a period of less than 24 hours in accordance with regulations
44 of the state board of examiners conforming generally to those rates.

45 3. Any person enumerated in subsection 1 is entitled to receive an
46 allowance for transportation in the transaction of public business, whether
47 within or outside of the municipality or other area in which his principal
48 office is located. Transportation must be by the most economical means,
49 considering total cost, time spent in transit and the availability of state-



1 owned automobiles and special use vehicles. The state board of examiners,
2 on or before July 1 of each year, shall establish the rate of the allowance
3 for travel by private conveyance. The rate must equal the standard mileage
4 reimbursement rate for which a deduction is allowed for the purposes of
5 federal income tax that is in effect at the time the annual rate is established.
6 If a private conveyance is used for reasons of personal convenience in
7 transaction of state business, the allowance for travel is one-half the
8 established rate.

9 4. The state board of examiners may establish a transportation
10 allowance for the use of private, special use vehicles on public business by
11 any person enumerated in subsection 1, whether within or outside of the
12 municipality or other area in which his principal office is located. The
13 allowance must be established at rates higher than the rates established in
14 subsection 3.

15 5. The state board of examiners may establish:

16 (a) A room rate in excess of the normal allowance for reimbursement of
17 employees who are required to travel on weekends to serve the needs of the
18 public. The board may require the submission of receipts as a condition of
19 reimbursement at the special rate.

20 (b) Reasonable rates for expenses outside of the United States that will
21 allow a person to purchase the same quality of food as the domestic rate
22 allows.

23 6. The state board of examiners shall adopt regulations, and shall
24 require other state agencies to adopt regulations, in accordance with the
25 purpose of this section, and a state agency may, with the approval of the
26 state board of examiners, adopt a rate of reimbursement less than the
27 amounts specified in subsection 1 where unusual circumstances make that
28 rate desirable.

29 **Sec. 3.** 1. There is hereby appropriated from the state general fund
30 to the contingency fund, created by NRS 353.266, the sum of \$11,000,000
31 to restore and increase the balance in the fund to \$11,000,000.

32 2. There is hereby appropriated from the state highway fund to the
33 contingency fund, created by NRS 353.266, the sum of \$2,000,000. The
34 money appropriated in this subsection must be accounted for separately
35 and may only be used for expenditures that may be properly made from the
36 state highway fund.

37 **Sec. 4.** 1. There is hereby appropriated from the state general fund
38 to the Interim Finance Committee:

39 (a) The sum of \$3,750,000 on the effective date of this act; and

40 (b) The sum of \$13,250,000 on July 1, 2001,
41 to assist state agencies, including the University and Community College
42 System of Nevada, in paying for energy (utilities) needs that exceed the
43 amount that has otherwise been appropriated by the Legislature for that
44 purpose.

45 2. Money allocated pursuant to subsection 1 may only be used if all
46 other sources of funding for energy (utilities) needs that have been
47 appropriated by the Legislature have been exhausted by the requesting
48 state agency, including the University and Community College System
49 of Nevada.



1 3. If a state agency, including the University and Community College
2 System of Nevada, desires to request funding pursuant to subsection 1,
3 such a request must be approved by the State Board of Examiners before it
4 may be submitted to the Interim Finance Committee. The Interim Finance
5 Committee is not required to approve the entire funding in any request or
6 to allocate the entire amount appropriated.

7 4. The Interim Finance Committee shall require such documentation
8 and reporting by a requesting state agency, including the University and
9 Community College System of Nevada, as it deems necessary to ensure the
10 productive use of the money appropriated in subsection 1.

11 5. The sums appropriated by subsection 1 are available for either fiscal
12 year. Any remaining balance of the sum appropriated by subsection 1 must
13 not be allocated by the Interim Finance Committee after June 30, 2003, and
14 reverts to the state general fund as soon as all payments of money
15 committed have been made.

16 **Sec. 5.** 1. There is hereby appropriated from the state general fund
17 to the Interim Finance Committee the sum of \$6,500,000. This
18 appropriation is provided as a one-time energy (utilities) pool available to
19 school districts in meeting energy (utilities) costs which are greater than
20 the amounts budgeted for the 2001-2003 biennium. No additional
21 appropriation will be made for this purpose.

22 2. The State Board of Examiners shall establish policies, procedures
23 and criteria for the review of requests for funding pursuant to subsection 1.
24 Upon the adoption of such policies, procedures and criteria, the State
25 Board of Examiners shall transmit a copy of the policies, procedures and
26 criteria to the Interim Finance Committee for approval. Upon approval of
27 the policies, procedures and criteria, the Interim Finance Committee shall
28 transmit a copy of the policies, procedures and criteria to the Department
29 of Education.

30 3. If a school district finds that its energy (utilities) costs are greater
31 than the amounts budgeted for the 2001-2003 biennium, the school district
32 may submit a request to the Department of Education for an allocation
33 from the energy (utilities) pool created by subsection 1.

34 4. The Department of Education, the Budget Division of the
35 Department of Administration and the Fiscal Analysis Division of the
36 Legislative Counsel Bureau shall jointly review a request submitted
37 pursuant to subsection 3, using the policies, procedures and criteria
38 approved by the Interim Finance Committee pursuant to subsection 2.
39 Upon completion of the review, a recommendation for or against an
40 allocation to the requesting school district must be submitted to the State
41 Board of Examiners.

42 5. The State Board of Examiners shall consider each request and
43 recommend the amount of the allocation, if any, to the Interim Finance
44 Committee.

45 6. The Interim Finance Committee is not required to approve the entire
46 recommendation of the allocation pursuant to subsection 5 or to allocate
47 the entire amount appropriated pursuant to subsection 1.

48 7. The sum appropriated by subsection 1 is available for either fiscal
49 year. Any remaining balance of the sum appropriated by subsection 1 must



1 not be allocated by the Interim Finance Committee after June 30, 2003, and
2 reverts to the state general fund as soon as all payments of money
3 committed have been made.

4 **Sec. 6.** 1. This section and sections 3, 4 and 5 of this act become
5 effective upon passage and approval.

6 2. Section 1 of this act becomes effective on July 1, 2001.

7 3. Section 2 of this act becomes effective on July 1, 2002.

