

ASSEMBLY JOINT RESOLUTION NO. 8—ASSEMBLYMAN
SETTELMEYER

MARCH 15, 2007

Referred to Committee on Elections, Procedures, Ethics,
and Constitutional Amendments

SUMMARY—Proposes to amend the Nevada Constitution to provide for the use of the state budgetary surplus to fund the Public Employees' Retirement Fund and the Fund for the Public Employees' Benefits Program. (BDR C-1123)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

ASSEMBLY JOINT RESOLUTION—Proposing to amend the Nevada Constitution to provide for the biennial transfer under certain circumstances of the surplus in the State General Fund to the Public Employees' Retirement Fund and the Fund for the Public Employees' Benefits Program.

Legislative Counsel's Digest:

1 This joint resolution proposes an amendment to the Nevada Constitution to
2 require the State Treasurer in each odd-numbered year to deposit an amount equal
3 to 25 percent of the surplus in the State General Fund to the credit of the Public
4 Employees' Retirement Fund and to deposit any remaining surplus in the State
5 General Fund to the credit of the Fund for the Public Employees' Benefits Program.
6 The deposits of the surplus are required only to the extent that the funds into which
7 the deposits are made are not at least 85 percent funded.

1 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF
2 NEVADA, JOINTLY, That a new section, designated Section 6, be
3 added to Article 9 of the Nevada Constitution to read as follows:

4 ***Sec. 6. 1. Except as otherwise provided in***
5 ***subsections 2 and 3, in each odd-numbered year after the***



close of the fiscal year and before the issuance of the State Controller's annual report, the State Controller shall:

(a) Deposit an amount equal to 25 percent of the surplus in the State General Fund to the credit of the Public Employees' Retirement Fund; and

(b) Deposit any remaining surplus in the State General Fund to the credit of the Fund for the Public Employees' Benefits Program.

2. The State Controller shall only make deposits to the Public Employees' Retirement Fund pursuant to paragraph (a) of subsection 1 to the extent that the Public Employees' Retirement Fund is not at least 85 percent funded.

3. The State Controller shall only make deposits to the Fund for the Public Employees' Benefits Program pursuant to paragraph (b) of subsection 1 to the extent that the Fund for the Public Employees' Benefits Program is not at least 85 percent funded.

4. For the purposes of this section, a fund shall be deemed to be at least 85 percent funded if the actuarial value of the assets of the fund is equal to or greater than 85 percent of the actuarial accrued liabilities of the fund, as determined in accordance with generally accepted accounting principles for government as prescribed by the Governmental Accounting Standards Board.

5. The Nevada Legislature shall prescribe a method for determining the surplus in the State General Fund for the purposes of this section.

