

Amendment No. 1010

Senate Amendment to Senate Bill No. 85

(BDR 5-407)

Proposed by: Senate Committee on Finance**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) **blue bold italics** is new language in the original bill; (2) **green bold italic underlining** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) ~~orange double underlining~~ is deleted language in the original bill that is proposed to be retained in this amendment; and (6) **green bold dashed underlining** is newly added transitory language.

AMI/RRY



Date: 6/1/2009

S.B. No. 85—Revises provisions relating to the financial support of regional facilities for the detention of children. (BDR 5-407)



SENATE BILL NO. 85—COMMITTEE ON JUDICIARY

(ON BEHALF OF THE NEVADA SUPREME COURT)

PREFILED DECEMBER 15, 2008

Referred to Committee on Finance

SUMMARY—Revises provisions relating to the financial support of regional facilities for the detention of children. (BDR 5-407)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 juvenile justice; revising provisions relating to the financial support of regional facilities for the detention of children; requiring the inclusion of a certain amount of money for the support of such facilities in the proposed budget for the Executive Branch of State Government; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, each county whose population is less than 400,000 (currently all counties other than Clark County) is required to pay an assessment for the operation of each regional facility for the detention of children that is partially supported by the State and operated by such a county. (NRS 62B.150) **Section 1** of this bill excludes a county whose population is 400,000 or more (currently Clark County) from the payment of such an assessment and provides that such a county will qualify for money appropriated by the Legislature for support of a regional facility for the detention of children operated by that county if the county first pays the total amount budgeted for the regional facility. **Section 1** also exempts from the limitations on revenue imposed pursuant to chapter 354 of NRS governing local financial administration, the revenues raised by a county whose population is 400,000 or more to pay for its regional facility.

Existing law requires the Governor to submit, not later than 14 calendar days before the commencement of a regular session of the Legislature, a proposed budget for the Executive Branch of State Government to the Director of the Legislative Counsel Bureau for transmittal to the Legislature. (NRS 353.230) **Section 2** of this bill requires the Governor to include in the proposed budget a base amount of ~~(\$50.03)~~ ***\$56.90*** per day of the biennium for each bed in a regional facility for the detention of children that is partially supported by the State and operated by a county, which base amount must be increased cumulatively each biennium by the average percentage of increase in the Consumer Price Index (All Items) for the 2 preceding calendar years.

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

Section 1. NRS 62B.150 is hereby amended to read as follows:

62B.150 1. Except as otherwise provided in subsection 6, each county shall pay an assessment for the operation of each regional facility for the detention of children that is partially supported by the State of Nevada and is operated by a county whose population is less than 400,000.

2. The assessment owed by each county equals the total amount budgeted ~~by the Legislature~~ for the operation of the regional facility, minus ~~any~~ the money appropriated by the Legislature for the support of the regional facility, divided by the total number of pupils in this State in the preceding school year, excluding pupils in counties whose population is 400,000 or more, and multiplied by the number of pupils in the assessed county. The ~~Administrator of the Division of Child and Family Services~~ *county operating the regional facility* shall calculate the assessment owed by each county in June of each year for the ensuing fiscal year.

3. Each county ~~must~~ *shall* pay the assessed amount to the ~~Division of Child and Family Services~~ *county operating the regional facility* in quarterly installments that are due the first day of the first month of each calendar quarter.

4. ~~The Administrator of the Division of Child and Family Services shall deposit the money received pursuant to subsection 3 in a separate account in the State General Fund.~~ The money ~~in the account~~ *paid to the county operating the regional facility* may be ~~withdrawn~~ *used* only ~~by the Administrator~~ for the operation of ~~the regional facilities for the detention of children~~ *facility*.

5. Revenue raised by a county to pay the assessment required pursuant to subsection 1 *or to pay the total amount budgeted for a regional facility pursuant to subsection 7* is not subject to the limitations on revenue imposed pursuant to chapter 354 of NRS and must not be included in the calculation of those limitations.

6. The provisions of ~~this section~~ *subsections 1 to 4, inclusive*, do not apply to a county whose population is 400,000 or more.

7. *Each county whose population is 400,000 or more and who operates a regional facility for the detention of children shall pay the total amount budgeted for the regional facility to qualify for funding appropriated by the Legislature for the support of the regional facility.*

8. As used in this section, "regional facility for the detention of children" or "regional facility" does not include the institution in Lyon County known as Western Nevada Regional Youth Center.

Sec. 2. Chapter 353 of NRS is hereby amended by adding thereto a new section to read as follows:

The Governor shall include in the proposed budget submitted to the Director of the Legislative Counsel Bureau for transmittal to the Legislature pursuant to NRS 353.230 a base amount of ~~\$50.00~~ \$56.90 per day of the biennium for each bed in a regional facility described in NRS 62B.150. The Governor shall increase the base amount cumulatively each biennium by at least the average percentage of increase in the Consumer Price Index (All Items) for the 2 preceding calendar years.

Sec. 3. NRS 353.150 is hereby amended to read as follows:

353.150 NRS 353.150 to 353.246, inclusive, *and section 2 of this act* may be cited as the State Budget Act.

Sec. 4. ~~This act becomes effective on July 1, 2009.~~ *(Deleted by amendment.)*