

ASSEMBLY BILL NO. 476—COMMITTEE ON WAYS AND MEANS

MARCH 28, 2011

Referred to Committee on Ways and Means

SUMMARY—Revises provisions relating to the Trust Fund for the Education of Dependent Children. (BDR 34-888)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: Contains Appropriation not 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 education; authorizing the Board of Regents of the University of Nevada to request an allocation from the Contingency Fund to cover a projected shortfall in the Trust Fund for the Education of Dependent Children; providing that money in the Trust Fund does not revert to the State General Fund; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the Board of Regents of the University of Nevada is
 2 required, to the extent of legislative appropriation, to pay certain fees and expenses
 3 associated with undergraduate classes taken at a school within the Nevada System
 4 of Higher Education by dependent children of a police officer, firefighter or officer
 5 of the Nevada Highway Patrol killed in the line of duty or of a volunteer ambulance
 6 driver or attendant while engaged as such. These fees and expenses are paid from
 7 the Trust Fund for the Education of Dependent Children, which also receives
 8 money from gifts and grants. (NRS 396.545) **Section 1** of this bill requires the
 9 Board of Regents to estimate each fiscal year the amount of money in the Trust
 10 Fund that is available in that fiscal year for payment of such fees and expenses and
 11 the anticipated amount of such payments for that fiscal year. If, as a result of this
 12 estimation, there is a projected shortfall in the Trust Fund for the fiscal year, the
 13 Board of Regents is authorized to request an allocation from the Contingency Fund
 14 to cover the shortfall. The Interim Finance Committee is authorized under existing
 15 law to make allocations from the Contingency Fund: (1) for emergency use to
 16 supplement regular legislative appropriations which fail to cover unforeseen
 17 expenses; (2) to meet expenses pursuant to the requirements of a law; or (3) as
 18 provided by specific statute. (NRS 353.266)

19 **Section 1** also provides that money in the Trust Fund does not revert to the
 20 State General Fund at the end of a fiscal year, but instead remains in the Trust



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21 Fund. **Section 2** of this bill makes an appropriation from the State General Fund to
22 the Trust Fund of \$50,000.

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

1 **Section 1.** NRS 396.545 is hereby amended to read as follows:
2 396.545 1. To the extent of ~~legislative appropriation,~~
3 *money available for this purpose*, the Board of Regents shall pay all
4 registration fees, laboratory fees and expenses for required
5 textbooks and course materials assessed against or incurred by a
6 dependent child of:

7 (a) A police officer, firefighter or officer of the Nevada
8 Highway Patrol who was killed in the line of duty; or

9 (b) A volunteer ambulance driver or attendant who was killed
10 while engaged as a volunteer ambulance driver or attendant,
11 ➔ for classes taken towards satisfying the requirements of an
12 undergraduate degree at a school within the System. No such
13 payment may be made for any fee assessed after the child reaches
14 the age of 23 years.

15 2. There is hereby created in the State Treasury a Trust Fund
16 for the Education of Dependent Children. The Board of Regents
17 shall administer the Trust Fund. The Board of Regents may accept
18 gifts and grants for deposit in the Trust Fund. All money held by the
19 State Treasurer or received by the Board of Regents for that purpose
20 must be deposited in the Trust Fund. The money in the Trust Fund
21 must be invested as the money in other state funds is invested. After
22 deducting all applicable charges, all interest and income earned on
23 the money in the Trust Fund must be credited to the Trust Fund.
24 *Any money remaining in the Trust Fund at the end of a fiscal year*
25 *does not revert to the State General Fund, and the balance in the*
26 *Trust Fund must be carried forward to the next fiscal year.*

27 3. *For each fiscal year, the Board of Regents shall estimate:*

28 (a) *The amount of money in the Trust Fund that is available to*
29 *make payments pursuant to subsection 1 for that fiscal year; and*

30 (b) *The anticipated amount of such payments for that fiscal*
31 *year.*

32 ➔ *If the anticipated amount of payments estimated for the fiscal*
33 *year exceeds the estimated amount of money available in the Trust*
34 *Fund in the fiscal year for such payments, the Board of Regents*
35 *may request an allocation from the Contingency Fund created*
36 *pursuant to NRS 353.266 to cover the projected shortfall.*

37 4. As used in this section:

38 (a) "Firefighter" means a person who is a salaried employee or
39 volunteer member of a fire prevention or suppression unit organized



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1 by a local government and whose principal duty is to control and
2 extinguish fires.

3 (b) "Local government" means a county, city, unincorporated
4 town or metropolitan police department.

5 (c) "Police officer" means a person who is a salaried employee
6 of a police department or other law enforcement agency organized
7 or operated by a local government and whose principal duty is to
8 enforce the law.

9 (d) "Volunteer ambulance driver or attendant" means a person
10 who is a driver of or attendant on an ambulance owned or operated
11 by:

12 (1) A nonprofit organization that provides volunteer
13 ambulance service in any county, city or town in this State; or

14 (2) A political subdivision of this State.

15 **Sec. 2.** There is hereby appropriated from the State General
16 Fund to the Trust Fund for the Education of Dependent Children
17 created by NRS 396.545 the sum of \$50,000 to pay for expenses
18 pursuant to that section.

19 **Sec. 3.** This act becomes effective on July 1, 2011.

