

ASSEMBLY BILL NO. 580—COMMITTEE ON WAYS AND MEANS

JUNE 4, 2011

Referred to Committee on Ways and Means

SUMMARY—Makes various changes regarding state financial administration and makes appropriations for the support of the civil government of the State. (BDR S-1318)

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 state financial administration; making appropriations from the State General Fund and the State Highway Fund for the support of the civil government of the State of Nevada for the fiscal years beginning July 1, 2011, and ending June 30, 2012, and beginning July 1, 2012, and ending June 30, 2013; providing for the use of the money so appropriated; authorizing the State Treasurer to establish a line of credit under certain circumstances; making various other changes relating to the financial administration of the State; 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.** The sums set forth in sections 2 to 29, inclusive, of
- 2 this act are hereby appropriated from the State General Fund for the
- 3 purposes expressed in those sections, and for the support of the
- 4 government of the State of Nevada for the fiscal years beginning
- 5 July 1, 2011, and ending June 30, 2012, and beginning July 1, 2012,
- 6 and ending June 30, 2013.



| | <u>2011-2012</u> | <u>2012-2013</u> |
|--------------------------------------------------------|------------------|------------------|
| Sec. 2. The Office and Mansion of the Governor. | | |
| For the support of the: | | |
| Office of the Governor..... | \$1,976,476 | \$2,000,617 |
| Governor's Mansion | 266,037 | 328,331 |
| High Level Nuclear Waste..... | 643,058 | 643,332 |
| Energy Conservation..... | 100 | 100 |
| Sec. 3. The Office of Lieutenant Governor. | | |
| For the support of the Office of | | |
| the Lieutenant Governor | \$461,975 | \$494,892 |
| Sec. 4. The Office of Attorney General. | | |
| For the support of the: | | |
| Attorney General | | |
| Administration Account..... | \$11,758,987 | \$11,375,088 |
| Special Litigation Account | 230,868 | 230,868 |
| Medicaid Fraud Control Unit.... | 100 | 100 |
| Crime Prevention Program | 211,016 | 214,973 |
| Office of the Extradition | | |
| Coordinator..... | 593,478 | 595,350 |
| Bureau of Consumer | | |
| Protection..... | 1,118,477 | 1,132,373 |
| Advisory Council for | | |
| Prosecuting Attorneys..... | 100 | 100 |
| Sec. 5. The Office of Secretary of State. | | |
| For the support of the: | | |
| Office of the Secretary of | | |
| State | \$8,948,124 | \$9,455,794 |
| HAVA Election Reform | 100 | 100 |
| State Business Portal..... | 2,222,676 | 2,212,687 |
| Sec. 6. The Office of State Treasurer. | | |
| For the support of the Office of | | |
| the State Treasurer | \$662,012 | \$668,781 |
| Sec. 7. The Office of State Controller. | | |
| For the support of the Office of | | |
| the State Controller | \$4,048,521 | \$4,055,027 |
| Sec. 8. Department of Administration. | | |
| For the support of the: | | |
| Budget and Planning | | |
| Division..... | \$3,435,145 | \$3,799,602 |
| Division of Internal Audits | 1,243,065 | 1,238,966 |
| Merit Award Board | 1,100 | 1,100 |
| National Judicial College and | | |
| National College of Juvenile | | |
| and Family Justice | 130,430 | 130,430 |
| Special Appropriations..... | 105,000 | 105,000 |



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| | | | |
|----|-----------------------------------------------------|------------------|------------------|
| 1 | | <u>2011-2012</u> | <u>2012-2013</u> |
| 2 | Nevada State Library | \$3,168,397 | \$2,722,220 |
| 3 | Archives and Records | 1,082,779 | 1,100,363 |
| 4 | Public Works Division - | | |
| 5 | Facility Condition and | | |
| 6 | Analysis | 234,303 | 240,470 |
| 7 | Sec. 9. Department of Taxation. | | |
| 8 | For the support of the Department | | |
| 9 | of Taxation | \$25,682,810 | \$25,620,966 |
| 10 | Sec. 10. Legislative Fund. | | |
| 11 | For the support of the: | | |
| 12 | Legislative Commission..... | \$285,820 | \$141,150 |
| 13 | Audit Division..... | 3,087,383 | 3,127,823 |
| 14 | Administrative Division..... | 8,907,716 | 8,859,232 |
| 15 | Legal Division..... | 7,954,340 | 7,871,244 |
| 16 | Research Division | 4,509,947 | 4,496,507 |
| 17 | Fiscal Analysis Division | 3,175,941 | 3,199,123 |
| 18 | Interim Legislative | | |
| 19 | Operations..... | 612,401 | 613,477 |
| 20 | Sec. 11. Supreme Court of Nevada. | | |
| 21 | For the support of the: | | |
| 22 | Supreme Court of Nevada..... | \$3,253,723 | \$3,382,946 |
| 23 | Supreme Court Law Library | 1,621,509 | 1,636,312 |
| 24 | Judicial Programs and Services | | |
| 25 | Division..... | 618,421 | 629,561 |
| 26 | Judicial Retirement System | | |
| 27 | State Share | 2,243,200 | 2,243,200 |
| 28 | Senior Justice and Senior Judge | | |
| 29 | Program..... | 912,724 | 911,893 |
| 30 | Judicial Selection | 16,180 | 16,180 |
| 31 | State Judicial Elected | | |
| 32 | Officials | 20,772,925 | 21,230,151 |
| 33 | Sec. 12. Commission on Judicial Discipline. | | |
| 34 | For the support of the | | |
| 35 | Commission on Judicial | | |
| 36 | Discipline | \$595,738 | \$589,050 |
| 37 | Sec. 13. Commission on Economic Development. | | |
| 38 | For the support of the: | | |
| 39 | Commission on Economic | | |
| 40 | Development..... | \$2,918,570 | \$1,375,167 |
| 41 | Rural Community | | |
| 42 | Development..... | 234,966 | 242,146 |
| 43 | Procurement Outreach | | |
| 44 | Program..... | 92,752 | 96,242 |
| 45 | Nevada Catalyst Fund..... | 10,000,000 | 0 |



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Sec. 14. Department of Tourism and Cultural Affairs.

For the support of the:

| | <u>2011-2012</u> | <u>2012-2013</u> |
|-------------------------------|------------------|------------------|
| Cultural Affairs | | |
| Administration | \$207,150 | \$0 |
| Division of Museums and | | |
| History | 228,589 | 184,613 |
| Nevada Historical Society, | | |
| Reno | 256,947 | 207,859 |
| Nevada State Museum, Carson | | |
| City | 652,139 | 528,059 |
| Nevada State Museum, Las | | |
| Vegas | 753,652 | 618,271 |
| Lost City Museum..... | 196,249 | 159,531 |
| Nevada State Railroad | | |
| Museums..... | 505,142 | 410,422 |
| Nevada Arts Council..... | 610,552 | 497,870 |
| Nevada Humanities | 40,000 | 40,000 |
| Nevada Indian Commission..... | 137,215 | 137,160 |

Sec. 15. Department of Education.

For the support of the:

| | | |
|---------------------------------|-------------|-------------|
| Education State Programs | \$2,817,767 | \$2,792,605 |
| Career and Technical | | |
| Education | 488,233 | 488,233 |
| Teacher Education and | | |
| Licensing..... | 100 | 100 |
| Nutrition Education Programs .. | 106,934 | 107,582 |
| Continuing Education | 661,861 | 661,861 |
| Individuals with Disabilities | | |
| Education Act | 100 | 100 |
| Proficiency Testing | 5,689,277 | 5,893,010 |
| Discretionary Grants – | | |
| Restricted | 1,875 | 1,875 |

Sec. 16. Nevada System of Higher Education.

For the support of the:

| | | |
|----------------------------------|-------------|-------------|
| System Administration..... | \$4,980,100 | \$4,980,100 |
| UNLV Dental School..... | 6,404,551 | 6,404,551 |
| System Computing Center | 16,669,848 | 16,669,848 |
| UNLV Law School | 6,570,754 | 6,570,754 |
| Desert Research Institute | 7,421,572 | 7,421,572 |
| State-Funded Perkins Loan | 35,793 | 35,793 |
| University of Nevada, | | |
| Reno | 119,188,549 | 119,188,549 |
| School of Medical Sciences | 26,886,018 | 26,886,018 |



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| | <u>2011-2012</u> | <u>2012-2013</u> |
|-------------------------------------------------------------|------------------|------------------|
| 1 University of Nevada, Las | | |
| 2 Vegas | \$135,911,945 | \$135,911,945 |
| 3 College of Southern Nevada | 77,587,864 | 77,587,864 |
| 4 Western Nevada College..... | 15,029,964 | 15,029,964 |
| 5 Truckee Meadows Community | | |
| 6 College | 30,603,292 | 30,603,292 |
| 7 Great Basin College | 14,031,554 | 14,031,554 |
| 8 Nevada State College | 9,111,439 | 9,111,439 |
| 9 Special Projects | 1,946,486 | 1,946,486 |
| 10 Western Interstate Commission | | |
| 11 for Higher Education | | |
| 12 Administration | 317,565 | 320,116 |
| 13 Western Interstate Commission | | |
| 14 for Higher Education Loan | | |
| 15 and Stipend | 558,554 | 558,125 |
| 16 Sec. 17. Commission on Postsecondary Education. | | |
| 17 For the support of the Commission | | |
| 18 on Postsecondary Education | \$302,827 | \$301,135 |
| 19 Sec. 18. Department of Health and Human Services. | | |
| 20 For the support of the: | | |
| 21 Health and Human Services | | |
| 22 Administration | \$1,300,361 | \$1,292,319 |
| 23 Grants Management Unit | 2,749,545 | 337,003 |
| 24 Office of the State Public | | |
| 25 Defender | 1,150,156 | 1,158,235 |
| 26 Consumer Health Assistance | 304,771 | 309,687 |
| 27 State Council on | | |
| 28 Developmental Disabilities.. | 162,660 | 162,660 |
| 29 Division of Health Care | | |
| 30 Financing and Policy: | | |
| 31 Nevada Medicaid | 506,794,541 | 489,621,665 |
| 32 Health Care Financing and | | |
| 33 Policy Administration..... | 19,264,369 | 20,074,689 |
| 34 Nevada Check-Up | | |
| 35 Program | 9,762,817 | 9,032,030 |
| 36 HIFA Holding Account | 96,246 | 0 |
| 37 Division for Aging and Disability Services: | | |
| 38 Aging Federal Programs | | |
| 39 and Administration | 3,999,650 | 4,045,513 |
| 40 Community-Based | | |
| 41 Services..... | 12,053,662 | 9,664,778 |
| 42 Senior Rx and Disability | | |
| 43 Rx | 43,603 | 43,396 |
| 44 | | |



| | <u>2011-2012</u> | <u>2012-2013</u> |
|-------------------------------------------------------|------------------|------------------|
| Division of Child and Family Services: | | |
| Community Juvenile | | |
| Justice Programs..... | \$2,349,807 | \$2,349,615 |
| UNITY/SACWIS..... | 3,113,990 | 4,204,177 |
| Child and Family | | |
| Administration..... | 4,935,433 | 5,016,962 |
| Nevada Youth Training | | |
| Center | 8,758,397 | 8,885,654 |
| Caliente Youth Center | 7,777,466 | 7,856,110 |
| Rural Child Welfare..... | 5,752,173 | 6,002,881 |
| Youth Alternative | | |
| Placement | 1,534,481 | 1,534,481 |
| Youth Parole Services..... | 2,714,118 | 2,729,054 |
| Northern Nevada Child and | | |
| Adolescent Services..... | 3,200,061 | 3,159,650 |
| Clark County Integration | 42,750,000 | 42,750,000 |
| Washoe County | | |
| Integration..... | 14,250,000 | 14,250,000 |
| Southern Nevada Child and | | |
| Adolescent Services..... | 11,244,555 | 10,678,194 |
| Summit View Youth | | |
| Correctional Center | 1,472,661 | 1,472,940 |
| Health Division: | | |
| Office of Health | | |
| Administration..... | 714,509 | 828,373 |
| Maternal Child Health | | |
| Services..... | 881,541 | 879,181 |
| Early Intervention | | |
| Services..... | 19,710,338 | 22,067,436 |
| Community Health | | |
| Services..... | 1,083,651 | 1,064,232 |
| Communicable Diseases..... | 2,081,040 | 2,080,001 |
| Emergency Medical | | |
| Services..... | 726,861 | 728,487 |
| Immunization Program | 579,740 | 524,567 |
| Child Care Services | 15,441 | 51,088 |
| Biostatistics and | | |
| Epidemiology | 340,782 | 342,240 |
| Division of Mental Health and Developmental Services: | | |
| Mental Health and | | |
| Developmental Services | | |
| Administration..... | 1,949,613 | 1,978,700 |
| Mental Health Information | | |
| System | 1,289,084 | 1,318,440 |



| | <u>2011-2012</u> | <u>2012-2013</u> |
|----|-----------------------------------------------|---------------------------|
| 1 | | |
| 2 | Southern Nevada Adult | |
| 3 | Mental Health Services... | \$74,353,953 \$74,956,332 |
| 4 | Northern Nevada Adult | |
| 5 | Mental Health Services... | 26,418,705 26,605,748 |
| 6 | Lake's Crossing Center..... | 8,337,884 8,432,011 |
| 7 | Rural Clinics | 10,727,274 10,832,793 |
| 8 | Desert Regional Center | 47,516,854 46,332,630 |
| 9 | Sierra Regional Center..... | 19,120,518 18,629,896 |
| 10 | Rural Regional Center | 8,296,726 7,958,242 |
| 11 | Family Preservation | |
| 12 | Program | 2,638,570 1,596,310 |
| 13 | Substance Abuse | |
| 14 | Prevention and | |
| 15 | Treatment Agency | 9,509,326 9,532,651 |
| 16 | Division of Welfare and | |
| 17 | Supportive Services: | |
| 18 | Welfare Administration | 8,247,937 8,758,699 |
| 19 | Welfare Field Services | |
| 20 | Account..... | 26,986,019 27,186,569 |
| 21 | Assistance to Aged and | |
| 22 | Blind | 7,887,442 8,189,643 |
| 23 | Temporary Assistance for | |
| 24 | Needy Families..... | 25,721,787 24,705,242 |
| 25 | Child Assistance and | |
| 26 | Development..... | 2,580,421 2,580,421 |
| 27 | Sec. 19. Office of the Military: | |
| 28 | For the support of the: | |
| 29 | Office of the Military | \$2,052,385 \$2,466,085 |
| 30 | National Guard Benefits | 67,438 73,618 |
| 31 | Sec. 20. Office of Veterans' Services: | |
| 32 | For the support of the: | |
| 33 | Commissioner for Veterans' | |
| 34 | Affairs | \$1,581,224 \$1,505,181 |
| 35 | Sec. 21. Department of Corrections. | |
| 36 | For the support of the: | |
| 37 | Office of the Director..... | \$17,513,651 \$17,344,531 |
| 38 | Medical Care | 41,500,109 42,493,089 |
| 39 | Correctional Programs | 6,954,357 6,918,813 |
| 40 | Southern Nevada Correctional | |
| 41 | Center..... | 291,652 293,017 |
| 42 | Southern Desert Correctional | |
| 43 | Center..... | 20,781,312 21,439,071 |
| 44 | Nevada State Prison | 4,275,487 41,537 |



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| | <u>2011-2012</u> | <u>2012-2013</u> |
|------------------------------------------------------|------------------|------------------|
| Northern Nevada Correctional | | |
| Center..... | \$25,049,020 | \$25,268,718 |
| Warm Springs Correctional | | |
| Center..... | 9,391,187 | 9,486,348 |
| Ely State Prison..... | 25,063,368 | 24,922,519 |
| Lovelock Correctional Center... | 22,455,040 | 22,640,343 |
| Florence McClure Women's | | |
| Correctional Center..... | 14,000,631 | 13,526,005 |
| Stewart Conservation Camp | 1,580,156 | 1,594,940 |
| Ely Conservation Camp | 1,266,011 | 1,244,915 |
| Humboldt Conservation Camp . | 1,326,964 | 1,287,482 |
| Three Lakes Valley | | |
| Conservation Camp | 2,178,684 | 2,201,190 |
| Jean Conservation Camp..... | 1,420,885 | 1,437,253 |
| Pioche Conservation Camp..... | 1,538,304 | 1,542,848 |
| Carlin Conservation Camp..... | 1,227,140 | 1,230,057 |
| Wells Conservation Camp | 1,227,390 | 1,213,800 |
| Silver Springs Conservation | | |
| Camp..... | 9,966 | 9,966 |
| Tonopah Conservation Camp ... | 1,227,892 | 1,160,541 |
| Northern Nevada Restitution | | |
| Center..... | 667,907 | 674,767 |
| High Desert State Prison..... | 45,120,016 | 45,562,021 |
| Casa Grande Transitional | | |
| Housing..... | 3,310,551 | 3,362,191 |
| Sec. 22. Department of Business and Industry. | | |
| For the support of the: | | |
| Business and Industry | | |
| Administration | \$136,401 | \$147,286 |
| Division of Financial | | |
| Institutions | 100 | 100 |
| Real Estate Administration | 801,809 | 692,781 |
| Office of Labor | | |
| Commissioner..... | 1,405,501 | 1,428,869 |
| Nevada Athletic Commission ... | 527,768 | 533,448 |
| Sec. 23. Department of Agriculture. | | |
| For the support of the: | | |
| Agriculture Administration..... | \$328,312 | \$318,687 |
| Plant Health and Quarantine | | |
| Services..... | 273,323 | 277,275 |
| Veterinary Medical Services..... | 456,193 | 465,398 |
| Predatory Animal and Rodent | | |
| Control | 488,593 | 495,929 |



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| | <u>2011-2012</u> | <u>2012-2013</u> |
|-------------------------------------------------------------------|------------------|------------------|
| Sec. 24. Department of Conservation and Natural Resources. | | |
| For the support of the: | | |
| Conservation and Natural | | |
| Resources Administration.... | \$400,915 | \$400,075 |
| Division of State Parks..... | 3,123,142 | 3,297,937 |
| Nevada Tahoe Regional | | |
| Planning Agency..... | 1,371 | 1,371 |
| Division of Forestry | 3,749,108 | 3,670,116 |
| Forest Fire Suppression..... | 2,500,000 | 2,500,000 |
| Forestry Conservation Camps... | 5,004,755 | 5,034,114 |
| Tahoe Regional Planning | | |
| Agency | 868,978 | 868,978 |
| Division of Water Resources | 4,893,192 | 4,881,032 |
| Division of State Lands..... | 1,034,000 | 1,058,516 |
| Division of Conservation | | |
| Districts..... | 145,131 | 145,970 |
| State Historic Preservation | | |
| Office | 312,057 | 297,193 |
| Comstock Historic District | 150,107 | 152,087 |
| Sec. 25. Department of Wildlife. | | |
| For the support of the: | | |
| Division of Fisheries | | |
| Management..... | \$149,892 | \$149,892 |
| Division of Diversity..... | 344,873 | 344,878 |
| Sec. 26. Department of Employment, Training and | | |
| Rehabilitation. | | |
| For the support of the: | | |
| Nevada Equal Rights | | |
| Commission | \$996,409 | \$930,078 |
| Bureau of Vocational | | |
| Rehabilitation..... | 2,153,669 | 2,137,179 |
| Bureau of Services to the Blind | | |
| and Visually Impaired..... | 595,255 | 589,186 |
| Sec. 27. Department of Motor Vehicles. | | |
| For the support of the Division of | | |
| Field Services..... | \$12,275 | \$12,274 |
| Sec. 28. Department of Public Safety. | | |
| For the support of the: | | |
| Training Division | \$191,248 | \$194,303 |
| Justice Grant..... | 66,353 | 66,723 |
| Nevada Highway Patrol | 3,031 | 3,031 |
| Dignitary Protection..... | 1,024,543 | 1,040,989 |
| Division of Investigations | 5,531,298 | 5,460,418 |



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| | <u>2011-2012</u> | <u>2012-2013</u> |
|----|---------------------------------------------------------------------|------------------------------|
| 1 | | |
| 2 | Division of Emergency | |
| 3 | Management | \$328,417 \$323,124 |
| 4 | State Board of Parole | |
| 5 | Commissioners | 2,309,119 2,320,627 |
| 6 | Division of Parole and | |
| 7 | Probation..... | 31,441,961 33,659,340 |
| 8 | Central Repository for Nevada | |
| 9 | Records of Criminal History | 100 100 |
| 10 | Child Volunteer Background | |
| 11 | Checks..... | 15,087 15,087 |
| 12 | State Fire Marshal | 689,602 675,897 |
| 13 | Office of Homeland Security | 170,280 174,530 |
| 14 | Sec. 29. Commission on Ethics. | |
| 15 | For the support of the | |
| 16 | Commission on Ethics | \$152,309 \$152,238 |
| 17 | Sec. 30. The following sums are hereby appropriated from the | |
| 18 | State Highway Fund for the purposes expressed in this section for | |
| 19 | the fiscal years beginning July 1, 2011, and ending June 30, 2012, | |
| 20 | and beginning July 1, 2012, and ending June 30, 2013: | |
| 21 | Department of Motor Vehicles: | |
| 22 | Office of the Director..... | \$4,627,486 \$2,691,964 |
| 23 | Division of Administrative | |
| 24 | Services..... | 5,526,275 5,958,303 |
| 25 | Hearings Office | 1,158,597 1,173,332 |
| 26 | Automation | 4,476,855 5,321,095 |
| 27 | Division of Field Services..... | 40,682,990 41,676,140 |
| 28 | Division of Compliance | |
| 29 | Enforcement..... | 4,320,675 4,379,966 |
| 30 | Division of Central Services | |
| 31 | and Records | 7,788,926 8,339,013 |
| 32 | Division of Management | |
| 33 | Services..... | 1,307,000 1,323,940 |
| 34 | Motor Carrier Division | 3,133,760 3,176,965 |
| 35 | Department of Public Safety: | |
| 36 | Training Division | 786,270 798,723 |
| 37 | Nevada Highway Patrol | 62,893,055 63,890,452 |
| 38 | Highway Safety Plan and | |
| 39 | Administration | 224,619 224,262 |
| 40 | Division of Investigations | 360,652 364,708 |
| 41 | State Emergency Response | |
| 42 | Commission | 236,495 245,296 |
| 43 | Department of Business and Industry: | |
| 44 | Transportation Authority | 2,539,332 2,454,070 |



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| | <u>2011-2012</u> | <u>2012-2013</u> |
|-----------------------------|------------------|------------------|
| Legislative Fund: | | |
| Legislative Commission..... | \$5,000 | \$5,000 |

Sec. 31. 1. Except as otherwise provided in subsection 3, the sums appropriated in this act must be:

(a) Expended in accordance with the allotment, transfer, work program and budget provisions of NRS 353.150 to 353.245, inclusive; and

(b) Work-programmed for the 2 separate Fiscal Years, 2011-2012 and 2012-2013, as required by NRS 353.215. Work programs may be revised with the approval of the Governor upon the recommendation of the Director of the Department of Administration and in accordance with the provisions of the State Budget Act.

2. Transfers to and from salary allotments, travel allotments, operating expense allotments, equipment allotments and other allotments must be allowed and made in accordance with the provisions of NRS 353.215 to 353.225, inclusive, and after separate consideration of the merits of each request.

3. Pursuant to law, sums appropriated for the support of the Supreme Court of Nevada and the Legislative Fund are excluded from the allotment, transfer, work program and budget provisions of NRS 353.150 to 353.245, inclusive.

Sec. 32. The sums appropriated to:

1. Individuals with Disabilities Education Act;
2. Forest Fire Suppression;
3. National Guard Benefits;
4. Maternal Child Health Services;
5. Immunization Program;
6. Welfare Administration;
7. Welfare Field Services Account;
8. Temporary Assistance for Needy Families (TANF);
9. Assistance to Aged and Blind;
10. Child Assistance and Development;
11. Nevada Medicaid;
12. Health Care Financing and Policy Administration;
13. Nevada Check-Up Program;
14. Rural Child Welfare;
15. Attorney General's Special Litigation Account;
16. Attorney General's Office of the Extradition Coordinator;
17. Commission on Ethics;
18. Clark County Integration;
19. Washoe County Integration;
20. Child Volunteer Background Checks;
21. High Level Nuclear Waste; and



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22. State Library & Archives Library Database Program, are available for both Fiscal Years 2011-2012 and 2012-2013, and may be transferred from one fiscal year to the other with the approval of the Interim Finance Committee upon the recommendation of the Governor.

Sec. 33. Amounts appropriated pursuant to sections 15 and 18 of this act to finance specific programs as outlined in this section are available for both Fiscal Years 2011-2012 and 2012-2013 and may be transferred from one fiscal year to the other with the approval of the Interim Finance Committee upon the recommendation of the Governor as follows:

1. Of the amounts appropriated to the Department of Education, Proficiency Testing, pursuant to section 15 of this act:

(a) A total of \$3,516,809 in Fiscal Year 2011-2012 and \$3,698,279 in Fiscal Year 2012-2013 for the high school proficiency examination and the criterion-referenced examination.

(b) A total of \$684,914 in Fiscal Year 2011-2012 and \$642,974 in Fiscal Year 2012-2013 for the state writing proficiency examinations.

2. Of the amounts appropriated to the Division of Child and Family Services of the Department of Health and Human Services pursuant to section 18 of this act, a total of \$2,816,991 in Fiscal Year 2011-2012 and \$2,816,799 in Fiscal Year 2012-2013 to support the costs for mental health placements.

3. Of the amounts appropriated to the Health Division of the Department of Health and Human Services pursuant to section 18 of this act, a total of \$1,840,198 in Fiscal Year 2011-2012 and \$1,844,797 in Fiscal Year 2012-2013 to support medication costs within the AIDS Drug Assistance Program.

Sec. 34. The sums appropriated to Nevada Medicaid and Health Care Financing and Policy Administration pursuant to section 18 of this act may be transferred between each account for the purpose of implementing a care management program with the approval of the Interim Finance Committee upon the recommendation of the Governor. The care management program must be designed for fee-for-service Medicaid recipients with high cost health care needs, including, without limitation, recipients who are aged, blind or disabled.

Sec. 35. 1. The Department of Health and Human Services shall, to the extent approved by the Centers for Medicare and Medicaid Services and authorized by the State Plan for Medicaid, expand the upper payment limit program to include payments to hospitals not owned by local governments.

2. The Division of Health Care Financing and Policy of the Department shall allocate money for the administrative and related



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costs to carry out the requirements of this section. The amount allocated for administrative and related costs must be approved by the Interim Finance Committee upon the recommendation of the Governor.

Sec. 36. Of the amounts appropriated by sections 2 to 30, inclusive, of this act, the amounts appropriated in both Fiscal Year 2011-2012 and Fiscal Year 2012-2013 to finance deferred maintenance projects approved as maintenance decision units within agency budgets are available for both Fiscal Year 2011-2012 and 2012-2013 and may be transferred within the same budget account from one year to the other with the approval of the Interim Finance Committee upon the recommendation of the Governor. Any amount so transferred must be used to complete the deferred maintenance as approved by the Legislature.

Sec. 37. The sums appropriated to the Secretary of State, HAVA Election Reform account, in Fiscal Year 2011-2012 and Fiscal Year 2012-2013 pursuant to section 5 of this act do not lapse to the State General Fund at the end of any fiscal year.

Sec. 38. 1. There is hereby appropriated from the State General Fund the sum of \$3,882,973 in Fiscal Year 2011-2012 and \$5,429,068 in Fiscal Year 2012-2013 to the Interim Finance Committee for allocation to the Commission on Economic Development to encourage the creation and expansion of businesses in Nevada and the relocation of businesses to Nevada. Money appropriated pursuant to this section shall be allocated by the Interim Finance Committee upon submittal by the Commission on Economic Development, or its successor organization, of a plan for the utilization of the funding, including an analysis of the effectiveness of the economic development programs in the state and the state's economic strengths and weaknesses and a state plan for economic development.

2. Any remaining balance of the appropriations made by subsection 1 must not be committed for expenditure after June 30, of each fiscal year, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner. Any portion of the appropriated money remaining for each fiscal year must not be spent for any purpose after September 21, 2012, for Fiscal Year 2011-2012 and September 20, 2013, for Fiscal Year 2012-2013, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 21, 2012, for Fiscal Year 2011-2012 and September 20, 2013, for Fiscal Year 2012 -2013.



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1 **Sec. 39.** There is hereby appropriated from the State General
2 Fund to the Legislative Fund created by NRS 218A.150 the sum of
3 \$3,500,000 for the costs of the 76th Legislative Session.

4 **Sec. 40.** 1. The sums appropriated to the Legislative Fund by
5 section 10 of this act for the support of the Legislative Commission,
6 the various divisions of the Legislative Counsel Bureau and Interim
7 Legislative Operations are available for both Fiscal Years 2011-
8 2012 and 2012-2013, and may be transferred among the Legislative
9 Commission, the various divisions of the Legislative Counsel
10 Bureau and the Interim Legislative Operations and from one fiscal
11 year to another with the approval of the Legislative Commission
12 upon the recommendation of the Director of the Legislative Counsel
13 Bureau.

14 2. The sums appropriated for the support of salaries and payroll
15 costs must be applied pursuant to the budget approved by the
16 Legislature notwithstanding the provisions of NRS 281.123.

17 **Sec. 41.** The Administrator of the Public Works Division of
18 the Department of Administration shall on, or as soon as practicable
19 after, July 1, 2011, pursuant to NRS 331.010 to 331.145, inclusive:

20 1. Relocate the Nevada Equal Rights Commission from its
21 office space in suite 4000 of the Grant Sawyer State Office Building
22 to appropriate space in a state-owned building maintained by the
23 Division in accordance with NRS 331.102 or in office rooms leased
24 and equipped by the Division outside of state buildings pursuant to
25 NRS 331.110; and

26 2. Allocate suite 4000 of the Grant Sawyer State Office
27 Building to the Legislative Counsel Bureau and charge the
28 Legislative Counsel Bureau the appropriate amount for the rental
29 costs of that space pursuant to NRS 331.102.

30 **Sec. 42.** Except as otherwise provided in this section, the total
31 amounts appropriated in section 18 of this act to each of the
32 accounts of the Division of Health Care Financing and Policy and
33 the Division of Welfare and Supportive Services of the Department
34 of Health and Human Services enumerated in section 32 of this act,
35 except for the amounts appropriated for the Health Care Financing
36 and Policy Administration Account, the Assistance to the Aged and
37 Blind Program, the Welfare Administration Account and the
38 Welfare Field Services Account, are limits. The Divisions shall not
39 request additional money for these programs, except for:

40 1. Increased state costs in Fiscal Year 2012-2013 in the event
41 that federal financial participation rates are less than legislatively
42 approved effective on October 1, 2012;

43 2. Costs related to additional services mandated by the Federal
44 Government on or after October 1, 2011, and not specifically funded



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1 in the Nevada Medicaid account in Fiscal Years 2011-2012 and
2 2012-2013;

3 3. Costs related to an increase in the cost-per-eligible for the
4 Temporary Assistance for Needy Families (TANF) population that
5 is higher than the cost-per-eligible used to project Medicaid
6 expenditures for this population in the legislatively approved budget
7 for Fiscal Year 2011-2012 and Fiscal Year 2012-2013; and

8 4. Increased state costs in Fiscal Year 2011-2012 and Fiscal
9 Year 2012-2013 in the event that the annual allocation of federal
10 Temporary Assistance for Needy Families (TANF) block grant
11 funds is lower than the amounts approved by the Legislature for
12 either fiscal year.

13 **Sec. 43.** The amounts appropriated to the Division of Child
14 and Family Services of the Department of Health and Human
15 Services, Clark County Integration and Washoe County Integration
16 accounts, pursuant to section 18 of this act for the purpose of
17 providing block grant allocations to agencies which provides child
18 welfare services in a county whose population is 100,000 or more,
19 are limits. The Division shall not request additional sums for these
20 programs.

21 **Sec. 44.** The sums appropriated to the Division of Welfare and
22 Supportive Services of the Department of Health and Human
23 Services by section 18 of this act may be transferred among the
24 various budget accounts of the Division of Welfare and Supportive
25 Services with the approval of the Interim Finance Committee upon
26 the recommendation of the Governor.

27 **Sec. 45.** The sums appropriated to Nevada Medicaid and the
28 Nevada Check-Up Program by section 18 of this act may be
29 transferred between each budget with the approval of the Interim
30 Finance Committee upon the recommendation of the Governor.

31 **Sec. 46.** The Department of Health and Human Services may,
32 during the 2011-13 biennium, implement a pilot project to provide
33 therapeutic foster care for youths with serious emotional disturbance
34 through nonprofit providers. The sums appropriated to the Division
35 of Child and Family Services and the Division of Health Care
36 Financing and Policy of the Department by section 18 of this act
37 may be transferred between the various budget accounts of each
38 Division for the purpose of implementing a pilot project with the
39 approval of the Interim Finance Committee upon the
40 recommendation of the Governor.

41 **Sec. 47.** 1. The Department of Health and Human Services
42 may, with the approval of the Interim Finance Committee upon the
43 recommendation of the Governor, transfer from the various
44 divisions of the Department to an account which is hereby created
45 within the State General Fund any excess money available to the



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divisions as a result of savings from not providing health and related services, including, without limitation, savings recognized by using a different source of funding to pay the providers of services if the persons previously served by a division no longer require the provision of services from the division of the Department.

2. Any money transferred to the account created by subsection 1, to the extent approved by the Centers for Medicare and Medicaid Services and authorized by the State Plan for Medicaid, must:

(a) Be used to pay administrative and related costs and the State's share of the cost for the expansion of the upper payment limit program as required by section 1 of this act.

(b) After being used to satisfy the requirements of paragraph (a), be reverted as follows:

(1) In Fiscal Year 2011-2012, \$2,500,000 of any excess money transferred to the account created by subsection 1 and remaining after the expansion of the upper payment limit program must be reserved for reversion to the State General Fund and must be reverted to that Fund not later than September 21, 2012.

(2) In Fiscal Year 2012-2013, \$7,500,000 of any excess money transferred to the account created by subsection 1 and remaining after the expansion of the upper payment limit program must be reserved for reversion to the State General Fund and must be reverted to that Fund not later than September 20, 2013.

(c) After being used to satisfy the requirements of paragraphs (a) and (b), be used, with the approval of the Interim Finance Committee upon approval of the Governor, to restore funding for:

(1) Rates paid to providers of Medicaid services; and

(2) Restore funding for residential support services for persons suffering from mental illness who are on a waiting list for such services.

3. The Director of the Department of Health and Human Services shall administer the account created by subsection 1.

Sec. 48. The sums appropriated to the Department of Corrections by section 21 of this act may be transferred among the various budget accounts of the Department of Corrections in the same manner and within the same limits as allowed for revisions of work programs in NRS 353.220.

Sec. 49. The sums appropriated to any division, agency or section of any department of State Government for the support of salaries and payroll costs may be transferred to any other division, bureau, agency or section of the same department for the support of salaries and payroll costs with the approval of the Interim Finance Committee upon the recommendation of the Governor. The amount transferred into a budget account is limited to the amount budgeted for vacancy savings. Such transfers are also limited only to those



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activities which are supported by State General Fund or State Highway Fund appropriations.

Sec. 50. The sums appropriated to the Nevada System of Higher Education by section 16 of this act may be transferred among the various budgets of the Nevada System of Higher Education with the approval of the Interim Finance Committee upon the recommendation of the Governor.

Sec. 51. Upon notification by the federal National Guard Bureau of congressional approval for the relocation of the Nevada Armory-Readiness Center in Elko (State Public Works Board Project 09-C15) to the Nevada Fire Science Academy in Carlin, the Nevada System of Higher Education shall, upon the recommendation of the Governor and with the approval of the Interim Finance Committee, transfer to the Office of the Military funding appropriated in section 16 of this act for the operation and maintenance of the Fire Science Academy for both Fiscal Year 2011-2012 and Fiscal Year 2012-2013, on a pro rata basis in the fiscal year for which the transfer occurs.

Sec. 52. In addition to the requirements of NRS 353.225, for Fiscal Years 2011-2012 and 2012-2013, the Board of Regents of the University of Nevada shall comply with any request by the Governor to set aside money from the appropriations made by this act in any specified amount.

Sec. 53. 1. Of the sums appropriated by section 16 of this act, any amounts used to match documented research grants in the Nevada System of Higher Education which are not committed for expenditure by June 30 of each fiscal year may be carried forward for a maximum of 2 fiscal years after which time any unexpended amounts revert to the State General Fund.

2. All money appropriated by section 16 of this act other than the sums designated in subsection 1 to match documented research grants is subject to the provisions of section 56 of this act.

Sec. 54. Of the sums appropriated by section 16 of this act, commencing with the last payroll for the fiscal year ending on June 30, 2012, and thereafter, the Nevada System of Higher Education may:

1. Pay the salaries of the professional employees of the System on the first business day of the month immediately following the month in which the salary was earned.

2. Pay the salaries of the professional and classified employees of the System from money appropriated or otherwise available to the System for the fiscal year in which such payments are made.

Sec. 55. There is hereby appropriated from the State General Fund the sum of \$364,186 to the Public Employees' Retirement Board to be expended for the administration of the Legislators'



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1 Retirement System for the period from July 1, 2011, through
2 June 30, 2013.

3 **Sec. 56.** 1. Except as otherwise provided in sections 37, 53
4 and 55 of this act, any balances of the appropriations made in this
5 act for the Fiscal Years 2011-2012 and 2012-2013 must not be
6 committed for expenditure after June 30 of each fiscal year by the
7 entity to which the appropriation is made or any entity to which
8 money from the appropriation is granted or otherwise transferred in
9 any manner, and any portion of the appropriated money remaining
10 cannot be spent for any purpose after September 21, 2012, and
11 September 20, 2013, for each fiscal year respectively, by either the
12 entity to which the money was appropriated or the entity to which
13 the money was subsequently granted or transferred and, except as
14 otherwise provided in subsection 2, must revert to the fund from
15 which appropriated on or before September 21, 2012, and
16 September 20, 2013, of each fiscal year respectively.

17 2. Any balance of the appropriations made to the Legislative
18 Fund by sections 10 and 39 of this act does not revert to the State
19 General Fund but constitutes a balance carried forward.

20 **Sec. 57.** The State Controller shall provide for the payment of
21 claims legally obligated in each fiscal year on behalf of state
22 agencies until the last business day of the August immediately
23 following the end of each fiscal year. The State Controller shall
24 process any transactions requested by the Director of the
25 Department of Administration from the prior fiscal period until
26 the third Friday in September immediately following the end of the
27 fiscal year.

28 **Sec. 58.** The State Controller shall transfer among the
29 appropriate accounts and funds the amounts necessary to carry out
30 the budget approved by the Legislature, and the amounts so
31 transferred shall be deemed appropriated.

32 **Sec. 59.** The State Controller shall pay the annual salaries of
33 Supreme Court Justices, District Court Judges, the Governor, the
34 Lieutenant Governor, the Secretary of State, the State Treasurer, the
35 State Controller and the Attorney General in biweekly installments
36 for each day worked up to and including the date of payment. The
37 payment of a portion of the annual salaries of these officers at the
38 end of a calendar year for the purpose of reconciling the amount of
39 the salary paid during that calendar year with the amount of the
40 salary set forth in statute for that office must not be made if it will
41 result in the issuance of a separate check.

42 **Sec. 60.** 1. If the Director of the State Department of
43 Conservation and Natural Resources determines that, because of
44 delays in the receipt of revenue for services billed to the Federal
45 Government, local governments and other state governments, the



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1 amount of current claims for expenses incurred in the suppression of
2 fire or response to emergencies exceeds the amount of money
3 available to pay such claims within 30 days, he may request from
4 the Director of the Department of Administration a temporary
5 advance from the State General Fund to pay authorized expenses.

6 2. The Director of the Department of Administration shall
7 provide written notification to the State Controller and to the Senate
8 and Assembly Fiscal Analysts of the Fiscal Analysis Division of the
9 Legislative Counsel Bureau if he or she approves a request made
10 pursuant to subsection 1. The State Controller shall draw his or her
11 warrant upon receipt of such a notification.

12 3. An advance from the State General Fund:

13 (a) May be approved by the Director of the Department of
14 Administration only for expenses incurred in the suppression of fires
15 or response to emergencies charged to the budget account for forest
16 fire suppression of the Division of Forestry of the State Department
17 of Conservation and Natural Resources. Before approving the
18 advance, the Director shall verify that billings for reimbursement
19 have been sent to the agencies of the Federal Government, local
20 governments or other state governments responsible for reimbursing
21 the Division of Forestry for costs incurred in fire suppression or
22 emergency response activities.

23 (b) Is limited to the total due from outstanding billings for
24 reimbursable expenses incurred in the suppression of fires or
25 response to emergencies as approved for payment to the State by
26 agencies of the Federal Government, local governments and other
27 state governments.

28 4. Any money which is temporarily advanced from the State
29 General Fund to the budget account for forest fire suppression
30 pursuant to this section must be repaid on or before the last business
31 day in August immediately following the end of the fiscal year.

32 **Sec. 61.** 1. If the Governor orders the Nevada National
33 Guard into active duty as described in NRS 412.122 for an
34 emergency as described in NRS 353.263 and the Adjutant General
35 of the Nevada National Guard determines expenditures will be
36 required, the Adjutant General may request from the Director of the
37 Department of Administration a temporary advance from the State
38 General Fund for the payment of authorized expenses.

39 2. The Director of the Department of Administration shall
40 provide written notification to the State Controller and to the Senate
41 and Assembly Fiscal Analysts of the Fiscal Analysis Division of the
42 Legislative Counsel Bureau of the approval of a request made
43 pursuant to subsection 1. The State Controller shall draw his or her
44 warrant upon receipt of the approval by the Director of the
45 Department of Administration.



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3. An advance from the State General Fund:

(a) Must be approved by the Director of the Department of Administration for expenses incurred as a result of activation of the Nevada National Guard.

(b) Is limited to \$25,000 per activation as described in subsection 1.

4. Any money which is temporarily advanced from the State General Fund to an account pursuant to subsection 3 must be repaid as soon as possible, and must come from the Emergency Account established by NRS 353.263.

Sec. 62. 1. If projections of the ending balance of the State General Fund fall below the amount estimated by the 2011 Legislature for Fiscal Year 2011-2012 or Fiscal Year 2012-2013, the Director of the Department of Administration shall report this information to the State Board of Examiners.

2. If the State Board of Examiners determines that the ending balance of the State General Fund is projected to be less than \$80,000,000 for Fiscal Year 2011-2012 or 2012-2013, the Governor, pursuant to NRS 353.225, may direct the Director of the Department of Administration to require the State Controller or the head of each department, institution or agency to set aside a reserve of not more than 15 percent of the total amount of operating expenses or other appropriations and money otherwise available to the department, institution or agency.

3. A reserve must not be set aside pursuant to this section unless:

(a) The Governor, on behalf of the State Board of Examiners, submits a report to the Legislature or, if the Legislature is not in session, to the Interim Finance Committee, stating the reasons why a reserve is needed and indicating each department, institution or agency that will be required to set aside a reserve; and

(b) The Legislature or Interim Finance Committee approves the setting aside of the reserve.

Sec. 63. If the State of Nevada is required to make payment to the United States Treasury under the provisions of Public Law 101-453, the Cash Management Improvement Act of 1990, the State Controller, upon approval of the State Board of Examiners, may make such payments from the interest earnings of the State General Fund or interest earnings in other funds when interest on federal money has been deposited in those funds.

Sec. 64. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of \$138,000 in Fiscal Year 2011-2012 and \$6,804,000 in Fiscal Year 2012-2013 to pay any principal and interest that is payable pursuant to NRS 349.074 as amended by section 66 of this act.



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Sec. 65. NRS 3.030 is hereby amended to read as follows:

3.030 1. Until the first Monday in January 2009, the annual base salary of each district judge is \$130,000. From and after the first Monday in January 2009, the annual base salary of each district judge is \$160,000.

2. If a district judge has served in his or her office for at least 4 years, the district judge is entitled to an additional salary of 2 percent of his or her annual base salary for each year of service. The additional salary must not exceed 22 percent of his or her annual base salary.

3. The annual base salaries and the additional salary for longevity must be paid in biweekly installments out of the ~~[District Judges' Salary]~~ *State Judicial Elected Officials* Account of the Supreme Court.

4. No salary of any district judge may be paid in advance.

Sec. 66. Chapter 349 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The State Treasurer may, on or before August 31, 2013, in the name and on behalf of the State of Nevada, borrow money and evidence such borrowing by the issuance of one or more notes in an aggregate principal amount that does not exceed \$160 million. Each such note:

(a) Must be issued upon the order of the State Treasurer and pursuant to the provisions of the State Securities Law, except to the extent that those provisions are inconsistent with the provisions of this section; and

(b) May be issued without the approval of the State Board of Finance or any other board, commission or agency of this State.

↪ For the purposes of this section and the State Securities Law, the State Treasurer shall be deemed to constitute an agency of the State and any order of the State Treasurer authorizing the issuance of a note pursuant to this section shall be deemed to constitute a resolution authorizing the issuance of the note.

2. Each note authorized pursuant to this section must be:

(a) Issued pursuant to a written contract between the State and the Local Government Pooled Investment Fund, under which the Local Government Pooled Investment Fund agrees to invest in the note or notes issued pursuant to this section. The contract must be executed by the Governor on behalf of the State and by the State Treasurer on behalf of the Local Government Pooled Investment Fund.

(b) Sold to the Local Government Pooled Investment Fund at a price equal to the principal amount borrowed under the note. The total amount invested by the Local Government Pooled Investment Fund in notes issued pursuant to this section must not exceed:



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1 (1) Twenty-five percent of the book value of the total
2 investments of the Local Government Pooled Investment Fund on
3 the date of the investment by the Local Government Pooled
4 Investment Fund; or

5 (2) One hundred sixty million dollars,
6 ↪ whichever is less. The determination as to whether the
7 requirements of this paragraph are satisfied must be made by the
8 State Treasurer on the date of each investment by the Local
9 Government Pooled Investment Fund in a note issued pursuant to
10 this section. Each such determination shall be deemed to be
11 conclusive and is not affected by any subsequent changes in the
12 book value of the total investments of the Local Government
13 Pooled Investment Fund.

14 3. Except as otherwise provided in subsection 6, the principal
15 amount outstanding on any notes issued pursuant to this section
16 must bear interest, payable monthly on the first business day of
17 each calendar month, at a rate equal to 50 basis points above the
18 average monthly rate of earnings of all the investments, other than
19 any investments in notes issued pursuant to this section, of money
20 in the Local Government Pooled Investment Fund during the
21 immediately preceding calendar month.

22 4. The total principal amount borrowed on or before
23 August 31, 2013, pursuant to this section must be repaid in
24 installments in such a manner that:

25 (a) At least 25 percent of each principal amount borrowed
26 pursuant to this section must be repaid by the first day of the
27 calendar month that is 13 months after the month in which that
28 borrowing occurred;

29 (b) At least 50 percent of each principal amount borrowed
30 pursuant to this section must be repaid by the first day of the
31 calendar month that is 25 months after the month in which that
32 borrowing occurred;

33 (c) At least 75 percent of each principal amount borrowed
34 pursuant to this section must be repaid by the first day of the
35 calendar month that is 37 months after the month in which that
36 borrowing occurred; and

37 (d) The entire total principal amount borrowed pursuant to
38 this section must be repaid by the first day of the calendar month
39 that is 49 months after the month in which that borrowing
40 occurred.

41 ↪ The provisions of this subsection do not prohibit the repayment
42 of the principal amount of any note issued pursuant to this section
43 earlier than the periods specified in this subsection.

44 5. Each note issued pursuant to this section constitutes a
45 general obligation of the State, and the full faith and credit of the



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1 *State is hereby pledged for the payment of the principal of and*
2 *interest on the note.*

3 *6. If necessary to provide money to any local governments*
4 *that have invested in the Local Government Pooled Investment*
5 *Fund, any note issued pursuant to this section, or any portion*
6 *thereof, may be sold by the Local Government Pooled Investment*
7 *Fund upon the direction of the State Treasurer. Each note so sold*
8 *must:*

9 *(a) Be payable as to principal on or before the periods*
10 *specified in subsection 4, except that the note may have a fixed*
11 *maturity date, without option of redemption, so long as the*
12 *principal amount of all the notes issued pursuant to this section*
13 *are retired in accordance with subsection 4.*

14 *(b) Bear interest, payable monthly on the first business day of*
15 *each calendar month, at such a rate or rates as the State*
16 *Treasurer determines to be sufficient to enable the sale of the note*
17 *at a price that is not less than the principal amount thereof.*

18 *7. Notwithstanding any other provision of law to the contrary,*
19 *any statutory limitation on the rate of interest that would otherwise*
20 *apply to securities issued by or on behalf of this State shall be*
21 *deemed not to apply to any rate of interest payable on any notes*
22 *issued pursuant to this section.*

23 *8. The proceeds from the sale of any notes pursuant to this*
24 *section to the Local Government Pooled Investment Fund, net of*
25 *costs of issuance, must be deposited into the State General Fund*
26 *and used for the general operation of this State.*

27 *9. As used in this section, "Local Government Pooled*
28 *Investment Fund" means the Local Government Pooled*
29 *Investment Fund created by NRS 355.167.*

30 **Sec. 67.** NRS 353.185 is hereby amended to read as follows:

31 353.185 The powers and duties of the Chief are:

32 1. To appraise the quantity and quality of services rendered by
33 each agency in the Executive Department of the State Government,
34 and the needs for such services and for any new services.

35 2. To develop plans for improvements and economies in
36 organization and operation of the Executive Department, and to
37 install such plans as are approved by the respective heads of the
38 various agencies of the Executive Department, or as are directed to
39 be installed by the Governor or the Legislature.

40 3. To cooperate with the State Public Works Board in
41 developing comprehensive, long-range plans for capital
42 improvements and the means for financing them.

43 4. To devise and prescribe the forms for reports on the
44 operations of the agencies in the Executive Department to be
45 required periodically from the several agencies in the Executive



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1 Department, and to require the several agencies to make such
2 reports.

3 5. To prepare the executive budget report for the Governor's
4 approval and submission to the Legislature.

5 6. To prepare a proposed budget for the Executive Department
6 of the State Government for the next 2 fiscal years, which must:

7 (a) Present a complete financial plan for the next 2 fiscal years;

8 (b) Set forth all proposed expenditures for the administration,
9 operation and maintenance of the departments, institutions and
10 agencies of the Executive Department of the State Government,
11 including those operating on funds designated for specific purposes
12 by the Constitution or otherwise, which must include a separate
13 statement of:

14 (1) The anticipated expense, including personnel, for the
15 operation and maintenance of each capital improvement to be
16 constructed during the next 2 fiscal years and of each capital
17 improvement constructed on or after July 1, 1999, which is to be
18 used during those fiscal years or a future fiscal year; and

19 (2) The proposed source of funding for the operation and
20 maintenance of each capital improvement, including personnel, to
21 be constructed during the next 2 fiscal years;

22 (c) Set forth all charges for interest and debt redemption during
23 the next 2 fiscal years ~~§~~, *including, without limitation, the debt*
24 *service on the note or notes authorized by section 66 of this act as*
25 *if the note or notes were issued in the amount necessary to comply*
26 *with the minimum reserve requirements in NRS 353.213.*

27 (d) Set forth all expenditures for capital projects to be
28 undertaken and executed during the next 2 fiscal years, and which
29 must, to the extent practicable, provide that each capital project
30 which exceeds a cost of \$10,000,000 be scheduled to receive
31 funding for design and planning during one biennium and funding
32 for construction in the subsequent biennium; and

33 (e) Set forth the anticipated revenues of the State Government,
34 and any other additional means of financing the expenditures
35 proposed for the next 2 fiscal years.

36 7. To examine and approve work programs and allotments to
37 the several agencies in the Executive Department, and changes
38 therein.

39 8. To examine and approve statements and reports on the
40 estimated future financial condition and the operations of the
41 agencies in the Executive Department of the State Government and
42 the several budgetary units that have been prepared by those
43 agencies and budgetary units, before the reports are released to the
44 Governor, to the Legislature or for publication.



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9. To receive and deal with requests for information as to the budgetary status and operations of the executive agencies of the State Government.

10. To prepare such statements of unit costs and other statistics relating to cost as may be required from time to time, or requested by the Governor or the Legislature.

11. To do and perform such other and further duties relative to the development and submission of an adequate proposed budget for the Executive Department of the State Government of the State of Nevada as the Governor may require.

Sec. 68. NRS 355.167 is hereby amended to read as follows:

355.167 1. The Local Government Pooled Investment Fund is hereby created as an agency fund to be administered by the State Treasurer.

2. Any local government, as defined in NRS 354.474, may deposit its money with the State Treasurer for credit to the Fund for purposes of investment.

3. The State Treasurer may invest the money of the Fund:

(a) In securities which have been authorized as investments for a local government by any provision of NRS or any special law.

(b) In time certificates of deposit in the manner provided by NRS 356.015.

(c) In notes authorized by section 66 of this act.

4. The State Treasurer may lend securities in which he or she invests pursuant to subsection 3 or NRS 355.165 if the State Treasurer receives collateral from the borrower in the form of cash or marketable securities that are:

(a) Acceptable to the State Treasurer; and

(b) At least 102 percent of the value of the securities borrowed.

➔ The State Treasurer may enter into such contracts as are necessary to extend and manage loans pursuant to this subsection.

5. Each local government that elects to deposit money with the State Treasurer for such an investment must:

(a) Upon the deposit, inform the State Treasurer in writing how long a period the money is expected to be available for investment.

(b) At the end of the period, notify the State Treasurer in writing whether it wishes to extend the period.

6. If a local government wishes to withdraw any of its money before the end of the period of investment, it must make a written request to the State Treasurer. Whenever the State Treasurer is required to sell or liquidate invested securities because of a request for early withdrawal, any penalties or loss of interest incurred must be charged against the deposit of the local government which requested the early withdrawal.



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7. All interest received on money of the Fund must be deposited for credit to the Fund.

8. The State Treasurer may assess reasonable charges against the Fund for reimbursement of the expenses which he or she incurs in administering the Fund. The amount of the assessments must be transferred to an account within the State General Fund for use of the State Treasurer in carrying out the provisions of this section.

9. At the end of each quarter of each fiscal year, the State Treasurer shall:

(a) Compute the proportion of the total deposits in the Fund which were attributable during the quarter to each local government;

(b) Apply that proportion to the total amount of interest received during the quarter on invested money of the Fund; and

(c) Pay to each participating local government or reinvest upon its instructions its proportionate share of the interest, as computed pursuant to paragraphs (a) and (b), less the proportionate amounts of the assessments for the expenses of administration.

10. The State Treasurer may adopt reasonable regulations to carry out the provisions of this section.

Sec. 69. Section 10 of chapter 1, Statutes of Nevada 2008, 25th Special Session, as amended by chapter 388, Statutes of Nevada 2009, at page 2125, is hereby amended to read as follows:

Sec. 10. 1. This act becomes effective upon passage and approval.

~~2. Section 2 of this act expires by limitation on June 30, 2013.~~

~~3. Sections 1 and 3 of this act expire by limitation on August 31, 2015.~~

Sec. 70. Section 45.5 of chapter 381 Statutes of Nevada 2009, at page 2054 is hereby amended to read as follows:

Sec. 45.5 1. There is hereby appropriated from the State General Fund to the Interim Finance Committee the sum of \$6,520,349 for allocation to the Secretary of State to design and implement the state business portal established pursuant to sections 2, 3 and 4 of this act. Money appropriated pursuant to this section may only be allocated by the Interim Finance Committee upon submittal of a detailed plan and budget developed by the Secretary of State.

2. Any remaining balance of the appropriation made by subsection 1 to the Interim Finance Committee must not be committed for expenditure after June 30, ~~2011,~~ **2012**, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any



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1 purpose after September ~~[16, 2011]~~ **21, 2012** by either the
2 entity to which the money was appropriated or the entity to
3 which the money was subsequently granted or transferred,
4 and must be reverted to the State General Fund on or before
5 September ~~[16, 2011]~~ **21, 2012**.

6 **Sec. 71.** Sections 1, 2 and 3 of chapter 1, Statutes of Nevada
7 2008, 25th Special Session, and section 68 of chapter 388, Statutes
8 of Nevada 2009, are hereby repealed.

9 **Sec. 72.** 1. This section and sections 39, 56, 69, 70 and 71 of
10 this act become effective upon passage and approval.

11 2. Sections 1 to 38, inclusive, 40 to 55, inclusive, and 57 to 68,
12 inclusive, of this act become effective on July 1, 2011.

13 3. Section 67 of this act expires by limitation on June 30, 2017.

14 4. Sections 66 and 68 of this act expire by limitation on
15 September 30, 2017.

TEXT OF REPEALED SECTIONS

Section 1 of chapter 1, Statutes of Nevada 2008, 25th Special Session:

Section 1. Chapter 349 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The State Treasurer may, on or before August 31, 2009, in the name and on behalf of the State of Nevada, borrow money and evidence such borrowing by the issuance of one or more notes in an aggregate principal amount that does not exceed \$160 million. Each such note:

(a) Must be issued upon the order of the State Treasurer and pursuant to the provisions of the State Securities Law, except to the extent that those provisions are inconsistent with the provisions of this section; and

(b) May be issued without the approval of the State Board of Finance or any other board, commission or agency of this State.

↪ For the purposes of this section and the State Securities Law, the State Treasurer shall be deemed to constitute an agency of the State and any order of the State Treasurer authorizing the issuance of a note pursuant to this section shall be deemed to constitute a resolution authorizing the issuance of the note.

2. Each note authorized pursuant to this section must be:



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(a) Issued pursuant to a written contract between the State and the Local Government Pooled Investment Fund, under which the Local Government Pooled Investment Fund agrees to invest in the note or notes issued pursuant to this section. The contract must be executed by the Governor on behalf of the State and by the State Treasurer on behalf of the Local Government Pooled Investment Fund.

(b) Sold to the Local Government Pooled Investment Fund at a price equal to the principal amount borrowed under the note. The total amount invested by the Local Government Pooled Investment Fund in notes issued pursuant to this section must not exceed:

(1) Twenty-five percent of the book value of the total investments of the Local Government Pooled Investment Fund on the date of the investment by the Local Government Pooled Investment Fund; or

*(2) One hundred sixty million dollars,
↪ whichever is less. The determination as to whether the requirements of this paragraph are satisfied must be made by the State Treasurer on the date of each investment by the Local Government Pooled Investment Fund in a note issued pursuant to this section. Each such determination shall be deemed to be conclusive and is not affected by any subsequent changes in the book value of the total investments of the Local Government Pooled Investment Fund.*

3. Except as otherwise provided in subsection 6, the principal amount outstanding on any notes issued pursuant to this section must bear interest, payable monthly on the first business day of each calendar month, at a rate equal to 25 basis points above the average monthly rate of earnings of all the investments, other than any investments in notes issued pursuant to this section, of money in the Local Government Pooled Investment Fund during the immediately preceding calendar month.

4. The total principal amount borrowed on or before August 31, 2009, pursuant to this section must be repaid in installments in such a manner that:

(a) At least 25 percent of the total principal amount borrowed on or before August 31, 2009, pursuant to this section must be repaid, for Fiscal Year 2009-2010, on or before August 31, 2010;

(b) At least 50 percent of the total principal amount borrowed on or before August 31, 2009, pursuant to this



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section must be repaid, for Fiscal Year 2010-2011, on or before August 31, 2011;

(c) At least 75 percent of the total principal amount borrowed on or before August 31, 2009, pursuant to this section must be repaid, for Fiscal Year 2011-2012, on or before August 31, 2012; and

(d) The entire total principal amount borrowed on or before August 31, 2009, pursuant to this section must be repaid, for Fiscal Year 2012-2013, on or before August 31, 2013.

↳ The provisions of this subsection do not prohibit the repayment of the principal amount of any note issued pursuant to this section earlier than the dates specified in this subsection.

5. Each note issued pursuant to this section constitutes a general obligation of the State, and the full faith and credit of the State is hereby pledged for the payment of the principal of and interest on the note.

6. If necessary to provide money to any local governments that have invested in the Local Government Pooled Investment Fund, any note issued pursuant to this section, or any portion thereof, may be sold by the Local Government Pooled Investment Fund upon the direction of the State Treasurer. Each note so sold must:

(a) Be payable as to principal on or before the dates specified in subsection 4, except that the note may have a fixed maturity date, without option of redemption, so long as the principal amount of all the notes issued pursuant to this section are retired in accordance with subsection 4.

(b) Bear interest, payable monthly on the first business day of each calendar month, at such a rate or rates as the State Treasurer determines to be sufficient to enable the sale of the note at a price that is not less than the principal amount thereof.

7. Notwithstanding any other provision of law to the contrary, any statutory limitation on the rate of interest that would otherwise apply to securities issued by or on behalf of this State shall be deemed not to apply to any rate of interest payable on any notes issued pursuant to this section.

8. The proceeds from the sale of any notes pursuant to this section to the Local Government Pooled Investment Fund, net of costs of issuance, must be deposited into the State General Fund and used for the general operation of this State.



9. As used in this section, "Local Government Pooled Investment Fund" means the Local Government Pooled Investment Fund created by NRS 355.167.

Section 2 of chapter 1, Statutes of Nevada 2008, 25th Special Session:

Sec. 2. NRS 353.185 is hereby amended to read as follows:

353.185 The powers and duties of the Chief are:

1. To appraise the quantity and quality of services rendered by each agency in the Executive Department of the State Government, and the needs for such services and for any new services.

2. To develop plans for improvements and economies in organization and operation of the Executive Department, and to install such plans as are approved by the respective heads of the various agencies of the Executive Department, or as are directed to be installed by the Governor or the Legislature.

3. To cooperate with the State Public Works Board in developing comprehensive, long-range plans for capital improvements and the means for financing them.

4. To devise and prescribe the forms for reports on the operations of the agencies in the Executive Department to be required periodically from the several agencies in the Executive Department, and to require the several agencies to make such reports.

5. To prepare the executive budget report for the Governor's approval and submission to the Legislature.

6. To prepare a proposed budget for the Executive Department of the State Government for the next 2 fiscal years, which must:

(a) Present a complete financial plan for the next 2 fiscal years;

(b) Set forth all proposed expenditures for the administration, operation and maintenance of the departments, institutions and agencies of the Executive Department of the State Government, including those operating on funds designated for specific purposes by the Constitution or otherwise, which must include a separate statement of:

(1) The anticipated expense, including personnel, for the operation and maintenance of each capital improvement to be constructed during the next 2 fiscal years and of each capital improvement constructed on or after July 1, 1999,



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which is to be used during those fiscal years or a future fiscal year; and

(2) The proposed source of funding for the operation and maintenance of each capital improvement, including personnel, to be constructed during the next 2 fiscal years;

(c) Set forth all charges for interest and debt redemption during the next 2 fiscal years ~~and~~ , *including, without limitation, the debt service on the note or notes authorized by section 1 of this act as if the note or notes were issued in the amount necessary to comply with the minimum reserve requirements in NRS 353.213.*

(d) Set forth all expenditures for capital projects to be undertaken and executed during the next 2 fiscal years, and which must, to the extent practicable, provide that each capital project which exceeds a cost of \$10,000,000 be scheduled to receive funding for design and planning during one biennium and funding for construction in the subsequent biennium; and

(e) Set forth the anticipated revenues of the State Government, and any other additional means of financing the expenditures proposed for the next 2 fiscal years.

7. To examine and approve work programs and allotments to the several agencies in the Executive Department, and changes therein.

8. To examine and approve statements and reports on the estimated future financial condition and the operations of the agencies in the Executive Department of the State Government and the several budgetary units that have been prepared by those agencies and budgetary units, before the reports are released to the Governor, to the Legislature or for publication.

9. To receive and deal with requests for information as to the budgetary status and operations of the executive agencies of the State Government.

10. To prepare such statements of unit costs and other statistics relating to cost as may be required from time to time, or requested by the Governor or the Legislature.

11. To do and perform such other and further duties relative to the development and submission of an adequate proposed budget for the Executive Department of the State Government of the State of Nevada as the Governor may require.



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Section 3 of chapter 1, Statutes of Nevada 2008, 25th Special Session:

Sec. 3. NRS 355.167 is hereby amended to read as follows:

355.167 1. The Local Government Pooled Investment Fund is hereby created as an agency fund to be administered by the State Treasurer.

2. Any local government, as defined in NRS 354.474, may deposit its money with the State Treasurer for credit to the Fund for purposes of investment.

3. The State Treasurer may invest the money of the Fund:

(a) In securities which have been authorized as investments for a local government by any provision of NRS or any special law.

(b) In time certificates of deposit in the manner provided by NRS 356.015.

(c) In notes authorized by section 1 of this act.

4. The State Treasurer may lend securities in which he invests pursuant to subsection 3 or NRS 355.165 if he receives collateral from the borrower in the form of cash or marketable securities that are:

(a) Acceptable to the State Treasurer; and

(b) At least 102 percent of the value of the securities borrowed.

↳ The State Treasurer may enter into such contracts as are necessary to extend and manage loans pursuant to this subsection.

5. Each local government that elects to deposit money with the State Treasurer for such an investment must:

(a) Upon the deposit, inform him in writing how long a period the money is expected to be available for investment.

(b) At the end of the period, notify him in writing whether it wishes to extend the period.

6. If a local government wishes to withdraw any of its money before the end of the period of investment, it must make a written request to the State Treasurer. Whenever he is required to sell or liquidate invested securities because of a request for early withdrawal, any penalties or loss of interest incurred must be charged against the deposit of the local government which requested the early withdrawal.

7. All interest received on money of the Fund must be deposited for credit to the Fund.

8. The State Treasurer may assess reasonable charges against the Fund for reimbursement of the expenses which he



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incurs in administering the Fund. The amount of the assessments must be transferred to an account within the State General Fund for use of the State Treasurer in carrying out the provisions of this section.

9. At the end of each quarter of each fiscal year, the State Treasurer shall:

(a) Compute the proportion of the total deposits in the Fund which were attributable during the quarter to each local government;

(b) Apply that proportion to the total amount of interest received during the quarter on invested money of the Fund; and

(c) Pay to each participating local government or reinvest upon its instructions its proportionate share of the interest, as computed pursuant to paragraphs (a) and (b), less the proportionate amounts of the assessments for the expenses of administration.

10. The State Treasurer may adopt reasonable regulations to carry out the provisions of this section.

Section 68 of chapter 388, Statutes of Nevada 2009:

Sec. 68. Section 1 of chapter 1, Statutes of Nevada 2008, 25th Special Session, at page 2, is hereby amended to read as follows:

Section 1. Chapter 349 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The State Treasurer may, on or before August 31, ~~2009,~~ **2011**, in the name and on behalf of the State of Nevada, borrow money and evidence such borrowing by the issuance of one or more notes in an aggregate principal amount that does not exceed \$160 million. Each such note:

(a) Must be issued upon the order of the State Treasurer and pursuant to the provisions of the State Securities Law, except to the extent that those provisions are inconsistent with the provisions of this section; and

(b) May be issued without the approval of the State Board of Finance or any other board, commission or agency of this State.

↪ For the purposes of this section and the State Securities Law, the State Treasurer shall be deemed to constitute an agency of the State and any order of the State Treasurer authorizing the issuance of a note pursuant to this section shall be deemed to constitute a resolution authorizing the issuance of the note.



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2. Each note authorized pursuant to this section must be:

(a) Issued pursuant to a written contract between the State and the Local Government Pooled Investment Fund, under which the Local Government Pooled Investment Fund agrees to invest in the note or notes issued pursuant to this section. The contract must be executed by the Governor on behalf of the State and by the State Treasurer on behalf of the Local Government Pooled Investment Fund.

(b) Sold to the Local Government Pooled Investment Fund at a price equal to the principal amount borrowed under the note. The total amount invested by the Local Government Pooled Investment Fund in notes issued pursuant to this section must not exceed:

(1) Twenty-five percent of the book value of the total investments of the Local Government Pooled Investment Fund on the date of the investment by the Local Government Pooled Investment Fund; or

(2) One hundred sixty million dollars,
➔ whichever is less. The determination as to whether the requirements of this paragraph are satisfied must be made by the State Treasurer on the date of each investment by the Local Government Pooled Investment Fund in a note issued pursuant to this section. Each such determination shall be deemed to be conclusive and is not affected by any subsequent changes in the book value of the total investments of the Local Government Pooled Investment Fund.

3. Except as otherwise provided in subsection 6, the principal amount outstanding on any notes issued pursuant to this section must bear interest, payable monthly on the first business day of each calendar month, at a rate equal to ~~25~~ 50 basis points above the average monthly rate of earnings of all the investments, other than any investments in notes issued pursuant to this section, of money in the Local Government Pooled Investment Fund during the immediately preceding calendar month.

4. The total principal amount borrowed on or before August 31, ~~2009,~~ 2011, pursuant to this section must be repaid in installments in such a manner that:

(a) At least 25 percent of ~~the total~~ each principal amount borrowed ~~on or before August 31, 2009,~~ pursuant to this section must be repaid ~~for Fiscal Year 2009-2010, on or before August 31, 2010;~~ by the first day



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of the calendar month that is 13 months after the month in which that borrowing occurred;

(b) At least 50 percent of ~~[the total]~~ *each* principal amount borrowed ~~[on or before August 31, 2009,]~~ pursuant to this section must be repaid ~~[, for Fiscal Year 2010-2011, on or before August 31, 2011,]~~ *by the first day of the calendar month that is 25 months after the month in which that borrowing occurred;*

(c) At least 75 percent of ~~[the total]~~ *each* principal amount borrowed ~~[on or before August 31, 2009,]~~ pursuant to this section must be repaid ~~[, for Fiscal Year 2011-2012, on or before August 31, 2012,]~~ *by the first day of the calendar month that is 37 months after the month in which that borrowing occurred;* and

(d) The entire total principal amount borrowed ~~[on or before August 31, 2009,]~~ pursuant to this section must be repaid ~~[, for Fiscal Year 2012-2013, on or before August 31, 2013,]~~ *by the first day of the calendar month that is 49 months after the month in which that borrowing occurred.*

➔ The provisions of this subsection do not prohibit the repayment of the principal amount of any note issued pursuant to this section earlier than the ~~[dates]~~ *periods* specified in this subsection.

5. Each note issued pursuant to this section constitutes a general obligation of the State, and the full faith and credit of the State is hereby pledged for the payment of the principal of and interest on the note.

6. If necessary to provide money to any local governments that have invested in the Local Government Pooled Investment Fund, any note issued pursuant to this section, or any portion thereof, may be sold by the Local Government Pooled Investment Fund upon the direction of the State Treasurer. Each note so sold must:

(a) Be payable as to principal on or before the ~~[dates]~~ *periods* specified in subsection 4, except that the note may have a fixed maturity date, without option of redemption, so long as the principal amount of all the notes issued pursuant to this section are retired in accordance with subsection 4.

(b) Bear interest, payable monthly on the first business day of each calendar month, at such a rate or rates as the State Treasurer determines to be sufficient to enable the sale of the note at a price that is not less than the principal amount thereof.



7. Notwithstanding any other provision of law to the contrary, any statutory limitation on the rate of interest that would otherwise apply to securities issued by or on behalf of this State shall be deemed not to apply to any rate of interest payable on any notes issued pursuant to this section.

8. The proceeds from the sale of any notes pursuant to this section to the Local Government Pooled Investment Fund, net of costs of issuance, must be deposited into the State General Fund and used for the general operation of this State.

9. As used in this section, “Local Government Pooled Investment Fund” means the Local Government Pooled Investment Fund created by NRS 355.167.

