

Amendment No. 878

Senate Amendment to Assembly Bill No. 525 Second Reprint	(BDR 45-1213)
Proposed by: Senate Committee on Natural Resources	
Amends: Summary: No Title: Yes 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 underlining* is newly added transitory language.

CAF/JRS



Date: 6/2/2011

A.B. No. 525—Requires the establishment of the Wildlife Trust Fund.
(BDR 45-1213)



ASSEMBLY BILL NO. 525—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE DIVISION OF BUDGET AND PLANNING)

MARCH 28, 2011

Referred to Committee on Ways and Means

SUMMARY—Requires the establishment of the Wildlife Trust Fund.
(BDR 45-1213)

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

~

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

AN ACT relating to wildlife; requiring the Department of Wildlife to establish the Wildlife Trust Fund; authorizing the Department to accept any gift, donation, bequest or devise from any private source for the Wildlife Trust Fund; requiring the Director to report income and expenditures from the Wildlife Trust Fund to the Chief of the Budget Division of the Department of Administration, ~~and~~ the Interim Finance Committee ~~and~~ ***and the Board of Wildlife Commissioners***; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill requires the Department of Wildlife to establish the Wildlife Trust Fund for the
2 purposes of receiving any gift, donation, bequest or devise from any private source for the
3 Wildlife Trust Fund. The money in the Wildlife Trust Fund must be used either for the
4 specified purpose of the donor who donated the money or, if the donor specified no purpose,
5 then in the sound discretion of the Director of the Department. This bill further establishes that
6 the money in the Wildlife Trust Fund is private money and exempts the expenditure of money
7 in the Wildlife Trust Fund from the provisions of the State Purchasing Act. Finally, this bill
8 requires the Director to report the income and expenditures of the Wildlife Trust Fund to the
9 Chief of the Budget Division of the Department of Administration, ~~and to~~ the Interim
10 Finance Committee ~~and~~ ***and the Board of Wildlife Commissioners***.

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

1 **Section 1.** Chapter 501 of NRS is hereby amended by adding thereto a new
2 section to read as follows:

3 ***1. The Department shall establish the Wildlife Trust Fund. The Department***
4 ***may accept any gift, donation, bequest or devise from any private source for***

1 *deposit in the Wildlife Trust Fund. Any money received is private money and not*
2 *state money. All money must be accounted for in the Wildlife Trust Fund.*

3 2. *All of the money in the Wildlife Trust Fund must be deposited in a*
4 *financial institution to draw interest or to be expended, invested and reinvested*
5 *pursuant to the specific instructions of the donor, or if no such specific*
6 *instructions exist, in the sound discretion of the Director. The provisions of NRS*
7 *356.011 apply to any accounts in financial institutions maintained pursuant to*
8 *this section.*

9 3. *The money in the Wildlife Trust Fund must be budgeted and expended,*
10 *within any limitations which may have been specified by particular donors, at the*
11 *discretion of the Director. The Director may authorize independent contractors*
12 *that may be funded in whole or in part from the money in the Wildlife Trust*
13 *Fund.*

14 4. *The Director or the Director's designee shall submit semiannually to the*
15 *Interim Finance Committee and the Commission a report concerning the*
16 *investment and expenditure of the money in the Wildlife Trust Fund in such form*
17 *and detail as the Interim Finance Committee determines is necessary.*

18 5. *A separate statement concerning the anticipated amount and proposed*
19 *expenditures of the money in the Wildlife Trust Fund must be submitted to the*
20 *Chief of the Budget Division of the Department of Administration for his or her*
21 *information at the same time and for the same fiscal years as the requested*
22 *budget of the Department submitted pursuant to NRS 353.210. The statement*
23 *must be attached to the requested budget for the Department when the requested*
24 *budget is submitted to the Fiscal Analysis Division of the Legislative Counsel*
25 *Bureau pursuant to NRS 353.211.*

26 6. *The provisions of chapter 333 of NRS do not apply to the expenditure of*
27 *money in the Wildlife Trust Fund.*

28 **Sec. 2.** NRS 501.356 is hereby amended to read as follows:

29 501.356 1. Money received by the Department from:

30 (a) The sale of licenses;

31 (b) Fees pursuant to the provisions of NRS 488.075 and 488.1795;

32 (c) Remittances from the State Treasurer pursuant to the provisions of NRS
33 365.535;

34 (d) Appropriations made by the Legislature; and

35 (e) All other sources, except money derived from the forfeiture of any property
36 described in NRS 501.3857 or money deposited in the Wildlife Heritage Trust
37 Account pursuant to NRS 501.3575 , ~~for~~ in the Trout Management Account
38 pursuant to NRS 502.327 ~~H~~ *or in the Wildlife Trust Fund pursuant to section 1 of*
39 *this act,*

40 *must be deposited with the State Treasurer for credit to the Wildlife Account in*
41 *the State General Fund.*

42 2. The interest and income earned on the money in the Wildlife Account, after
43 deducting any applicable charges, must be credited to the Account.

44 3. Except as otherwise provided in subsection 4, the Department may use
45 money in the Wildlife Account only to carry out the provisions of this title and
46 chapter 488 of NRS and as provided in NRS 365.535, and the money must not be
47 diverted to any other use.

48 4. Except as otherwise provided in NRS 502.250 and 504.155, all fees for the
49 sale or issuance of stamps, tags, permits and licenses that are required to be
50 deposited in the Wildlife Account pursuant to the provisions of this title and any
51 matching money received by the Department from any source must be accounted
52 for separately and must be used:

53 (a) Only for the management of wildlife; and

1 (b) If the fee is for the sale or issuance of a license, permit or tag other than a
2 tag specified in subsection 5 or 6 of NRS 502.250, under the guidance of the
3 Commission pursuant to subsection 2 of NRS 501.181.

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