

Amendment No. 877

Senate Amendment to Senate Bill No. 56

(BDR 18-378)

Proposed by: Senate Committee on Finance

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

| ASSEMBLY ACTION | | | | Initial and Date | SENATE ACTION | | | | Initial and Date |
|-----------------|--------------------------|------|--------------------------|------------------|---------------|--------------------------|------|--------------------------|------------------|
| Adopted | <input type="checkbox"/> | Lost | <input type="checkbox"/> | _____ | Adopted | <input type="checkbox"/> | Lost | <input type="checkbox"/> | _____ |
| Concurred In | <input type="checkbox"/> | Not | <input type="checkbox"/> | _____ | Concurred In | <input type="checkbox"/> | Not | <input type="checkbox"/> | _____ |
| Receded | <input type="checkbox"/> | Not | <input type="checkbox"/> | _____ | Receded | <input type="checkbox"/> | Not | <input type="checkbox"/> | _____ |

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.

JMM/MSN



Date: 5/27/2013

S.B. No. 56—Revises provisions governing state financial administration.

(BDR 18-378)



SENATE BILL NO. 56—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE STATE CONTROLLER)

PREFILED DECEMBER 20, 2012

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing state financial administration.
(BDR 18-378)

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

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

AN ACT relating to state financial administration; revising provisions governing certain data made available on the Internet by the State Controller; making various changes relating to ~~the designation of~~ certain funds and accounts; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Controller to make available to the public on the State Controller's Internet website certain financial data relating to expenditures and revenues of this State during the current biennium and the immediately preceding biennium. (NRS 227.295) **Section 1** of this bill instead requires that such information be made available for the current fiscal year and the immediately preceding fiscal year.

Sections 2-32 of this bill revise the designation of various funds and accounts ~~and clarify that any money remaining in certain funds and accounts at the end of a fiscal year does not revert to the State General Fund. Sections 3 and 5 redesignate the Catalyst Fund and the Knowledge Fund as the Catalyst Account and Knowledge Account, respectively, and require that certain interest and income earned on unexpended appropriations made from the State General Fund to the Catalyst Account and Knowledge Account remain in the respective Accounts. Sections 3 and 5 additionally clarify that, in addition to any other money remaining in the Accounts, any portion of such unexpended appropriations that remains in the Accounts at the end of a fiscal year does not revert to the State General Fund.~~

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

Section 1. NRS 227.295 is hereby amended to read as follows:
227.295 In addition to any record required to be open to inspection pursuant
to NRS 227.290 or 239.010, the State Controller shall, on an Internet website

established and maintained by him or her, make available for public inspection current data maintained in the records of the State Controller concerning the expenditures and revenues of this State, including, without limitation:

1. A table displaying all revenues received during each month from:

- (a) Fees;
- (b) Fines;
- (c) Interest;
- (d) Licensing revenue;
- (e) Taxes; and
- (f) Transfers from the Federal Government;

2. A table displaying all expenditures made each month for:

(a) Education;

(b) Government, including, without limitation, the operation of the courts of this State;

- (c) Health and social services;
- (d) Law enforcement;
- (e) Programs for housing, industrial insurance and unemployment insurance;
- (f) Public safety;
- (g) Recreation and resource development;
- (h) The regulation of businesses; and
- (i) Transportation;

3. For each category of expenditures specified in subsection 2, a graph displaying cumulative expenditures by month for the current ~~biennium~~ *fiscal year* and the immediately preceding ~~biennium~~ *fiscal year*; and

4. For each source of revenue totaling more than \$100,000,000 as set forth in the legislatively approved budget for a ~~biennium~~ *fiscal year*:

(a) The total amount projected in that budget to be received during that ~~biennium~~ *fiscal year*; and

(b) A graph displaying the cumulative revenue by month for that ~~biennium~~ *fiscal year* and the immediately preceding ~~biennium~~ *fiscal year*.

Sec. 2. NRS 231.005 is hereby amended to read as follows:

231.005 "Development resource" means any funding or other resource for economic development, including, without limitation, a structured lease of real property. The term does not include any funding for administrative or operating purposes or any grant, loan or allocation of money from the Catalyst ~~Fund~~ *Account* created by NRS 231.1573 or the Knowledge ~~Fund~~ *Account* created by NRS 231.1592.

Sec. 3. NRS 231.1573 is hereby amended to read as follows:

231.1573 1. The Catalyst ~~Fund~~ *Account* is hereby created ~~as a special revenue fund~~ in the State ~~Treasury~~ *General Fund*.

2. ~~The Catalyst Fund is a continuing fund without reversion.~~ The interest and income earned on ~~money~~ *:*

(a) Money in the Catalyst ~~Fund~~ *Account*, after deducting any applicable charges ~~it~~ *;* and

(b) Unexpended appropriations made to the Account from the State General Fund.

↪ must be credited to the Catalyst ~~Fund~~ *Account*.

3. All payments of principal and interest on any loan made with money from the Catalyst ~~Fund~~ *Account* must be deposited in the ~~State Treasury for credit to the Fund~~ *Account*.

4. Any money ~~remaining~~ in the Catalyst Account and any unexpended appropriations made to the Account from the State General Fund remaining at

1 *the end of a fiscal year ~~does~~ do not revert to the State General Fund, and the*
2 *balance in the Catalyst Account must be carried forward to the next fiscal year.*

3 5. The Executive Director shall administer the Catalyst ~~Fund~~ Account and
4 may apply for and accept any gift, grant, donation, bequest or other source of
5 money for deposit in the Catalyst ~~Fund~~ Account.

6 Sec. 4. NRS 231.1577 is hereby amended to read as follows:

7 231.1577 1. The Executive Director shall, after considering the advice and
8 recommendations of the Board, establish procedures for applying to the Office for a
9 development resource or a grant or loan of money from the Catalyst ~~Fund~~
10 Account created by NRS 231.1573. The procedures must:

11 (a) Include, without limitation, a requirement that applications for development
12 resources, grants or loans must set forth:

13 (1) The proposed use of the development resource, grant or loan;

14 (2) The plans, projects and programs for which the development resource,
15 grant or loan will be used;

16 (3) The expected benefits of the development resource, grant or loan; and

17 (4) A statement of the short-term and long-term impacts of the use of the
18 development resource, grant or loan; and

19 (b) Allow an applicant to revise his or her application upon the
20 recommendation of the Executive Director.

21 2. In accordance with the procedures established pursuant to subsection 1 and
22 subject to the requirements of this subsection:

23 (a) A regional development authority which is a local government or composed
24 solely of two or more local governmental entities; or

25 (b) A private nonprofit regional development authority acting in partnership
26 with a regional development authority which is a local government or composed
27 solely of two or more local governments,

28 may apply for a grant or loan of money from the Catalyst ~~Fund~~ Account. If a
29 private nonprofit regional development authority acting in partnership with a
30 regional development authority which is a local government or composed solely of
31 two or more local governments applies for a grant or loan of money from the
32 Catalyst ~~Fund~~ Account, the regional development authority which is a local
33 government or composed solely of two or more local governments must be the
34 entity which submits the application and receives and distributes the grant or loan.

35 3. In accordance with the procedures established pursuant to subsection 1 and
36 subject to the requirements of this subsection, a regional development authority
37 may apply for a development resource. A private nonprofit regional development
38 authority applying for a development resource which is a grant or loan of money
39 must apply in partnership with a regional development authority which is a local
40 government or composed solely of two or more local governments. Any
41 development resource which is a grant or loan of money must be received and
42 distributed by the regional development authority which is a local government or
43 composed solely of two or more local governments.

44 4. Upon receipt of an application pursuant to subsection 2 or 3, the Executive
45 Director shall review the application and determine whether the approval of the
46 application would promote the economic development of this State and aid the
47 implementation of the State Plan for Economic Development developed by the
48 Executive Director pursuant to subsection 2 of NRS 231.053. If the Executive
49 Director determines that approving the application will promote the economic
50 development of this State and aid the implementation of the State Plan for
51 Economic Development, the Executive Director may approve the application and
52 provide a development resource or make a grant or loan of money from the Catalyst
53 ~~Fund~~ Account to the applicant.

5. Except as otherwise provided in this subsection or another specific statute, each development resource or grant or loan of money from the Catalyst ~~Fund~~ **Account** which the Office provides to a regional development authority must be used to provide development resources, grants or loans to or to make investments in, businesses seeking to create or expand in this State or relocate to this State. The Executive Director may provide a development resource or a grant or loan of money to a regional development authority to be used for administrative or operating purposes, but no money from the Catalyst ~~Fund~~ **Account** may be used by any organization for economic development for such purposes.

6. After considering the advice and recommendations of the Board, the Executive Director shall:

(a) Require each regional development authority to which the Executive Director proposes to provide a development resource or a grant or loan of money from the Catalyst ~~Fund~~ **Account** to enter into an agreement with the Executive Director that sets forth terms and conditions of the development resource, grant or loan, which must include, without limitation, a provision requiring the regional development authority to enter into a separate agreement with each business to which the regional development authority provides any portion of the development resource, grant or loan which requires the business to return the development resource, grant or loan to the Office if it is not used in accordance with the agreement between the regional development authority and the Executive Director.

(b) Establish the requirements for reports from regional development authorities concerning the use of development resources and grants and loans of money from the Catalyst ~~Fund~~ **Account**. The requirements must include, without limitation, a requirement that the recipient of a grant or loan of money include in such a report:

(1) A description of each activity undertaken with money from the grant or loan and the amount of money used for each such activity;

(2) The return on the money provided by the grant or loan;

(3) A statement of the benefit to the public from the grant or loan; and

(4) Such documentation as the Executive Director deems appropriate to support the information provided in the report.

7. On or before November 1, 2012, and on or before November 1 of every year thereafter, the Executive Director shall submit a report to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Interim Finance Committee, if the report is received during an odd-numbered year, or to the next session of the Legislature, if the report is received during an even-numbered year. The report must include, without limitation:

(a) The amount of grants and loans awarded from the Catalyst ~~Fund~~ **Account**;

(b) The amount of all grants, gifts and donations to the Catalyst ~~Fund~~ **Account** from public and private sources;

(c) The number of businesses which have been created or expanded in this State, or which have relocated to this State, because of grants and loans from the Catalyst ~~Fund~~ **Account**; and

(d) The number of jobs which have been created or saved because of grants and loans from the Catalyst ~~Fund~~ **Account**.

Sec. 5. NRS 231.1592 is hereby amended to read as follows:

231.1592 1. The Knowledge ~~Fund~~ **Account** is hereby created in the State ~~Treasury~~ **General Fund**.

2. ~~The Knowledge Fund is a continuing fund without reversion.~~ The interest and income earned on ~~money~~ **;**

1 (a) Money in the Knowledge ~~Fund~~ Account, after deducting any applicable
2 charges ~~;~~ and

3 (b) Unexpended appropriations made to the Account from the State General
4 Fund.

5 must be credited to the Knowledge ~~Fund~~ Account.

6 3. Any money ~~remaining~~ in the Knowledge Account and any unexpended
7 appropriations made to the Account from the State General Fund remaining at
8 the end of a fiscal year ~~does~~ do not revert to the State General Fund, and the
9 balance in the Knowledge Account must be carried forward to the next fiscal
10 year.

11 4. The Executive Director:

12 (a) Shall administer the Knowledge ~~Fund~~ Account in a manner that is
13 consistent with the State Plan for Economic Development developed by the
14 Executive Director pursuant to subsection 2 of NRS 231.053;

15 (b) May apply for and accept any gift, grant, donation, bequest or other source
16 of money for deposit in the Knowledge ~~Fund~~ Account; and

17 (c) Subject to any restrictions imposed by such a grant, gift, donation or
18 appropriation, may allocate money in the Knowledge ~~Fund~~ Account among the
19 research universities, the Desert Research Institute, the technology outreach
20 program established pursuant to NRS 231.1596 and the technology transfer offices
21 of the research universities and the Desert Research Institute to support
22 commercialization and technology transfer to the private sector.

23 **Sec. 6.** NRS 231.1593 is hereby amended to read as follows:

24 231.1593 1. The Executive Director may enter into agreements, when the
25 Executive Director deems such an agreement to be appropriate, with the research
26 universities and the Desert Research Institute for the allocation of
27 commercialization revenue between the Office, the research universities and the
28 Desert Research Institute. Any commercialization revenue received by the Office
29 pursuant to such an agreement must be deposited in the Knowledge ~~Fund~~ Account
30 created by NRS 231.1592.

31 2. In consideration of the money and services provided or agreed to be
32 provided by the Office, the research universities and the Desert Research Institute
33 shall agree to allocate commercialization revenue in accordance with any
34 agreement entered into pursuant to subsection 1.

35 3. As used in this section, "commercialization revenue" means dividends,
36 realized capital gains, license fees, royalty fees and other revenues received by a
37 research university or the Desert Research Institute as a result of commercial
38 applications developed as a result of the programs established pursuant to NRS
39 231.1591 to 231.1597, inclusive, less:

40 (a) The portion of those revenues allocated to the inventor; and

41 (b) Expenditures incurred by the research university or the Desert Research
42 Institute to legally protect the intellectual property.

43 **Sec. 7.** NRS 231.1594 is hereby amended to read as follows:

44 231.1594 1. After considering the advice and recommendations of the
45 Board, the Executive Director shall establish procedures for applying for an
46 allocation of money from the Knowledge ~~Fund~~ Account created by NRS
47 231.1592. The procedures must include, without limitation, a requirement that
48 applications for allocations of money set forth:

49 (a) The proposed use of the money;

50 (b) The plans, projects and programs for which the money will be used;

51 (c) The expected benefits of the money; and

52 (d) A statement of the short-term and long-term impacts of the use of the
53 money.

2. In accordance with the procedures established pursuant to subsection 1, a research university or the Desert Research Institute may apply for an allocation of money from the Knowledge ~~Fund~~ **Account**. Upon receipt of an application for an allocation from the Knowledge ~~Fund~~ **Account**, the Executive Director shall review the application and determine whether the approval of the application would promote the economic development of this State and aid the implementation of the State Plan for Economic Development developed by the Executive Director pursuant to subsection 2 of NRS 231.053. If the Executive Director determines that approving the application will promote the economic development of this State and aid the implementation of the State Plan for Economic Development, the Executive Director may approve the application and make an allocation of money from the Knowledge ~~Fund~~ **Account** to the applicant.

3. If a research university or the Desert Research Institute receives an allocation of money from the Knowledge ~~Fund~~ **Account**, the money must be used for the purposes set forth in NRS 231.1597.

4. In making allocations of money from the Knowledge ~~Fund~~ **Account** created pursuant to NRS 231.1592, the Executive Director must consider:

(a) The extent to which an allocation will promote the economic development of this State and aid the implementation of the State Plan for Economic Development developed by the Executive Director pursuant to subsection 2 of NRS 231.053; and

(b) Whether the research universities and the Desert Research Institute have received an equitable share of the allocations of money from the Knowledge ~~Fund~~ **Account**.

Sec. 8. NRS 231.1595 is hereby amended to read as follows:

231.1595 1. In consultation with the Board and the Chancellor, the Executive Director shall:

(a) Establish, for the programs established pursuant to NRS 231.1591 to 231.1597, inclusive, economic development goals which are consistent with the State Plan for Economic Development developed by the Executive Director pursuant to subsection 2 of NRS 231.053 and the strategic plans of the research universities and the Desert Research Institute.

(b) In cooperation with the administration of the research universities and the Desert Research Institute, expand science and technology research at the research universities and the Desert Research Institute.

(c) Enhance technology transfer and commercialization of research and technologies developed at the research universities and the Desert Research Institute to create high-quality jobs and new industries in this State.

(d) Establish economic development objectives for the programs established pursuant to NRS 231.1591 to 231.1597, inclusive.

(e) Verify that the programs established pursuant to NRS 231.1591 to 231.1597, inclusive, are being enhanced by research grants and that such programs are meeting the Board's economic development objectives.

(f) Monitor all research plans that are part of the programs established pursuant to NRS 231.1591 to 231.1597, inclusive, at the research universities and the Desert Research Institute to determine that allocations from the Knowledge ~~Fund~~ **Account** created by NRS 231.1592 are being spent in accordance with legislative intent and to maximize the benefit and return to this State.

(g) Develop methods and incentives to encourage investment in and contributions to the programs established pursuant to NRS 231.1591 to 231.1597, inclusive, from the private sector.

(h) Establish requirements for periodic reports from the research universities and the Desert Research Institute concerning the use of allocations from the

1 Knowledge ~~Fund~~ **Account** pursuant to NRS 231.1597. The requirements must
2 include, without limitation, a requirement that the recipient of the allocation include
3 in such a report:

4 (1) A description of each activity undertaken with money from the
5 allocation and the amount of money used for each such activity; and

6 (2) Such documentation as the Executive Director deems appropriate to
7 support the information provided in the report.

8 (i) On or before November 1, 2012, and on or before November 1 of every
9 year thereafter, submit a report to the Governor and to the Director of the
10 Legislative Counsel Bureau for transmittal to the Interim Finance Committee, if the
11 report is received during an odd-numbered year, or to the next session of the
12 Legislature, if the report is received during an even-numbered year. The report must
13 include, without limitation:

14 (1) The number of research teams and faculty recruited, hired and retained
15 pursuant to NRS 231.1597 and the amount of funding provided to those research
16 teams;

17 (2) A description of the research being conducted by the research teams
18 and faculty for which the Executive Director has provided funding pursuant to NRS
19 231.1597;

20 (3) The number of patents which have been filed as a result of the
21 programs established pursuant to NRS 231.1591 to 231.1597, inclusive;

22 (4) The amount of research grants awarded to the research teams and
23 faculty recruited, hired and retained pursuant to NRS 231.1597;

24 (5) The amount of all grants, gifts and donations to the Knowledge ~~Fund~~
25 **Account** from public and private sources;

26 (6) The number of businesses which have been created or expanded in this
27 State, or relocated to this State, because of the programs established pursuant to
28 NRS 231.1591 to 231.1597, inclusive; and

29 (7) The number of jobs which have been created or saved as a result of the
30 activities of the Office.

31 2. The Executive Director may enter into any agreements necessary to obtain
32 private equity investment in the programs established pursuant to NRS 231.1591 to
33 231.1597, inclusive.

34 **Sec. 9.** NRS 231.1596 is hereby amended to read as follows:

35 231.1596 1. The Executive Director shall use money in the Knowledge
36 ~~Fund~~ **Account** created by NRS 231.1592 to establish a technology outreach
37 program at locations distributed strategically throughout this State.

38 2. The Executive Director shall ensure that the technology outreach program
39 acts as a resource to:

40 (a) Broker ideas, new technologies and services to entrepreneurs and
41 businesses throughout a defined service area;

42 (b) Engage local entrepreneurs and faculty and staff at state colleges and
43 community colleges by connecting them to the research universities and the Desert
44 Research Institute;

45 (c) Assist professors and researchers in finding entrepreneurs and investors for
46 the commercialization of their ideas and technologies;

47 (d) Connect market ideas and technologies in new or existing businesses or
48 industries or in state colleges and community colleges with the expertise of the
49 research universities and the Desert Research Institute;

50 (e) Assist businesses, the research universities, state colleges, community
51 colleges and the Desert Research Institute in developing commercial applications
52 for their research; and

(f) Disseminate and share discoveries and technologies emanating from the research universities and the Desert Research Institute to local entrepreneurs, businesses, state colleges and community colleges.

3. In designing and operating the technology outreach program, the Board shall work cooperatively with the technology transfer offices at the research universities and the Desert Research Institute.

Sec. 10. NRS 231.1597 is hereby amended to read as follows:

231.1597 In consultation with the Board and the Chancellor, the Executive Director shall allocate money in the Knowledge ~~Fund~~ Account created by NRS 231.1592 to the research universities and the Desert Research Institute to provide funding for:

1. The recruitment, hiring and retention of research teams and faculty to conduct research in science and technology which has the potential to contribute to economic development in this State;

2. Research laboratories and related equipment located or to be located in this State;

3. The construction of research clinics, institutes and facilities and related buildings located or to be located in this State; and

4. Matching funds for federal and private sector grants and contract opportunities that support economic development consistent with the State Plan for Economic Development developed by the Executive Director pursuant to subsection 2 of NRS 231.053.

Sec. 11. NRS 388.1325 is hereby amended to read as follows:

388.1325 1. The Bullying Prevention ~~Fund~~ Account is hereby created in the State General Fund, to be administered by the Superintendent of Public Instruction. The Superintendent of Public Instruction may accept gifts and grants from any source for deposit into the ~~Fund~~ Account. The interest and income earned on the money in the ~~Fund~~ Account must be credited to the ~~Fund~~ Account.

2. In accordance with the regulations adopted by the State Board pursuant to NRS 388.1327, a school district that applies for and receives a grant of money from the Bullying Prevention ~~Fund~~ Account shall use the money for one or more of the following purposes:

(a) The establishment of programs to create a school environment that is free from bullying, cyber-bullying, harassment and intimidation;

(b) The provision of training on the policies adopted by the school district pursuant to NRS 388.134 and the provisions of NRS 388.121 to 388.139, inclusive; or

(c) The development and implementation of procedures by which the public schools of the school district and the pupils enrolled in those schools can discuss the policies adopted pursuant to NRS 388.134 and the provisions of NRS 388.121 to 388.139, inclusive.

Sec. 12. NRS 388.1327 is hereby amended to read as follows:

388.1327 The State Board shall adopt regulations:

1. Establishing the process whereby school districts may apply to the State Board for a grant of money from the Bullying Prevention ~~Fund~~ Account pursuant to NRS 388.1325.

2. As are necessary to carry out the provisions of NRS 388.121 to 388.139, inclusive.

Sec. 13. NRS 407.065 is hereby amended to read as follows:

407.065 1. The Administrator, subject to the approval of the Director:

(a) Except as otherwise provided in this paragraph, may establish, name, plan, operate, control, protect, develop and maintain state parks, monuments and

1 recreational areas for the use of the general public. The name of an existing state
2 park, monument or recreational area may not be changed unless the Legislature
3 approves the change by statute.

4 (b) Shall protect state parks and property controlled or administered by the
5 Division from misuse or damage and preserve the peace within those areas. The
6 Administrator may appoint or designate certain employees of the Division to have
7 the general authority of peace officers.

8 (c) May allow multiple use of state parks and real property controlled or
9 administered by the Division for any lawful purpose, including, but not limited to,
10 grazing, mining, development of natural resources, hunting and fishing, in
11 accordance with such regulations as may be adopted in furtherance of the purposes
12 of the Division.

13 (d) Shall impose and collect reasonable fees for entering, camping and boating
14 in state parks and recreational areas. The Division shall issue, upon application
15 therefor and proof of residency and age, an annual permit for entering, camping and
16 boating in all state parks and recreational areas in this State to any person who is 65
17 years of age or older and has resided in this State for at least 5 years immediately
18 preceding the date on which the application is submitted. The permit must be issued
19 without charge, except that the Division shall charge and collect an administrative
20 fee for the issuance of the permit in an amount sufficient to cover the costs of
21 issuing the permit.

22 (e) May conduct and operate such special services as may be necessary for the
23 comfort and convenience of the general public, and impose and collect reasonable
24 fees for such special services.

25 (f) May rent or lease concessions located within the boundaries of state parks
26 or of real property controlled or administered by the Division to public or private
27 corporations, to groups of natural persons, or to natural persons for a valuable
28 consideration upon such terms and conditions as the Division deems fit and proper,
29 but no concessionaire may dominate any state park operation.

30 (g) May establish such capital projects construction funds as are necessary to
31 account for the parks improvements program approved by the Legislature. The
32 money in these funds must be used for the construction and improvement of those
33 parks which are under the supervision of the Administrator.

34 (h) In addition to any concession specified in paragraph (f), may establish
35 concessions within the boundaries of any state park to provide for the sale of food,
36 drinks, ice, publications, sundries, gifts and souvenirs, and other such related items
37 as the Administrator determines are appropriately made available to visitors. Any
38 money received by the Administrator for a concession established pursuant to this
39 paragraph must be deposited in the ~~Fund~~ **Account** for State Park Interpretative
40 and Educational Programs and Operation of Concessions ~~H~~ **created by NRS**
41 **407.0755.**

42 2. The Administrator:

43 (a) Shall issue an annual permit to a person who pays a reasonable fee as
44 prescribed by regulation which authorizes the holder of the permit to enter each
45 state park and each recreational area in this State and, except as otherwise provided
46 in subsection 3, use the facilities of the state park or recreational area without
47 paying the entrance fee; and

48 (b) May issue an annual permit to a person who pays a reasonable fee as
49 prescribed by regulation which authorizes the holder of the permit to enter a
50 specific state park or specific recreational area in this State and, except as otherwise
51 provided in subsection 3, use the facilities of the state park or recreational area
52 without paying the entrance fee.

3. An annual permit issued pursuant to subsection 2 does not authorize the holder of the permit to engage in camping or boating, or to attend special events. The holder of such a permit who wishes to engage in camping or boating, or to attend special events, must pay any fee established for the respective activity.

4. Except as otherwise provided in subsection 1 of NRS 407.0762 and subsection 1 of NRS 407.0765, the fees collected pursuant to paragraphs (d), (e) and (f) of subsection 1 or subsection 2 must be deposited in the State General Fund.

Sec. 14. NRS 407.0755 is hereby amended to read as follows:

407.0755 1. The ~~Fund~~ **Account** for State Park Interpretative and Educational Programs and Operation of Concessions is hereby created ~~as an enterprise fund~~ **in the State General Fund** for the use of the Division to receive all revenues derived from sales of concessions and vending machines operated within state parks and other special revenue generating activities.

2. ~~Money in the Fund must be invested as the money in other state funds is invested.~~ The interest and income earned on the money in the ~~Fund~~ **Account**, after deducting any applicable charges, must be credited to the ~~Fund~~ **Account**. Claims against the ~~Fund~~ **Account** must be paid as other claims against the State are paid.

3. In addition to any expenditure required by subsection 4, the cost of any goods and services used for the sale of concessions and the coordination of special revenue generating activities must be expended from the ~~Fund~~ **Account**.

4. Money deposited in the ~~Fund~~ **Account** must be expended:

(a) By the Administrator, upon approval by the Director, for special interpretative or educational programs and special park projects that enhance the interpretative and educational mission of the Division; or

(b) For any other purpose authorized by the Legislature or by the Interim Finance Committee if the Legislature is not in session.

5. Any ~~balance~~ **money** remaining in the ~~Fund does not revert to the State General Fund~~ **Account** at the end of ~~any~~ **a** fiscal year ~~it does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.~~

Sec. 15. NRS 422.3785 is hereby amended to read as follows:

422.3785 1. There is hereby created in the State ~~Treasury the~~ **General Fund the Account** to Increase the Quality of Nursing Care, to be administered by the Division.

2. ~~The Fund to Increase the Quality of Nursing Care must be a separate and continuing fund, and no money in the Fund reverts to the State General Fund at any time.~~ The interest and income on the money in the ~~Fund~~ **Account to Increase the Quality of Nursing Care**, after deducting any applicable charges, must be credited to the ~~Fund~~ **Account**.

3. Any money received by the Division pursuant to NRS 422.3755 to 422.379, inclusive, must be deposited in the ~~State Treasury for credit to the Fund~~ **Account** to Increase the Quality of Nursing Care, and must be expended, to the extent authorized by federal law, to obtain federal financial participation in the Medicaid Program, and in the manner set forth in subsection 4.

4. Expenditures from the ~~Fund~~ **Account** to Increase the Quality of Nursing Care must be used only:

(a) To increase the rates paid to nursing facilities for providing services pursuant to the Medicaid Program; and

(b) To administer the provisions of NRS 422.3755 to 422.379, inclusive. The amount expended pursuant to this paragraph must not exceed 1 percent of the money received from the fees assessed pursuant to NRS 422.3755 to 422.379,

1 inclusive, and must not exceed the amount authorized for expenditure by the
2 Legislature for administrative expenses in a fiscal year.

3 5. *Any money remaining in the Account to Increase the Quality of Nursing*
4 *Care at the end of a fiscal year does not revert to the State General Fund, and the*
5 *balance in the Account must be carried forward to the next fiscal year.*

6 6. If federal law or regulation prohibits the money in the ~~Fund~~ Account to
7 Increase the Quality of Nursing Care from being used in the manner set forth in this
8 section, the rates paid to nursing facilities for providing services pursuant to the
9 Medicaid Program must be changed to the rates provided for by the Division.

10 Sec. 16. NRS 432.017 is hereby amended to read as follows:

11 432.017 1. The Account to Assist Persons Formerly in Foster Care is hereby
12 ~~established~~ *created* in the ~~Department of Health and Human Services' Gift~~ *State*
13 *General Fund.*

14 2. The Account must be administered by the Administrator.

15 3. The money in the Account must be used to assist persons who attained the
16 age of 18 years while children in foster care in this State to make the transition from
17 foster care to economic self-sufficiency, and may, consistent with that purpose, be:

18 (a) Disbursed on behalf of such persons, on the basis of need, to obtain goods
19 and services, including, without limitation:

- 20 (1) Job training;
21 (2) Housing assistance; and
22 (3) Medical insurance;

23 (b) Granted to nonprofit community organizations; or

24 (c) Expended to provide matching money required as a condition of any federal
25 grant.

26 4. A request for the disbursement of money from the Account pursuant to
27 paragraph (a) of subsection 3 must be made to the Division in writing. The request
28 must include information to demonstrate that all other resources for money to pay
29 for the goods and services have been exhausted.

30 5. The Division shall adopt such regulations as necessary for the
31 administration of this section.

32 6. ~~Money~~ *Any money remaining* in the Account at the end of ~~any~~ a fiscal
33 year ~~remains in the Account and~~ does not revert to ~~any other fund.~~ *the State*
34 *General Fund, and the balance in the Account must be carried forward to the*
35 *next fiscal year.*

36 Sec. 17. NRS 482.480 is hereby amended to read as follows:

37 482.480 There must be paid to the Department for the registration or the
38 transfer or reinstatement of the registration of motor vehicles, trailers and
39 semitrailers, fees according to the following schedule:

40 1. Except as otherwise provided in this section, for each stock passenger car
41 and each reconstructed or specially constructed passenger car registered to a person,
42 regardless of weight or number of passenger capacity, a fee for registration of \$33.

43 2. Except as otherwise provided in subsection 3:

44 (a) For each of the fifth and sixth such cars registered to a person, a fee for
45 registration of \$16.50.

46 (b) For each of the seventh and eighth such cars registered to a person, a fee for
47 registration of \$12.

48 (c) For each of the ninth or more such cars registered to a person, a fee for
49 registration of \$8.

50 3. The fees specified in subsection 2 do not apply:

51 (a) Unless the person registering the cars presents to the Department at the time
52 of registration the registrations of all the cars registered to the person.

53 (b) To cars that are part of a fleet.

4. For every motorcycle, a fee for registration of \$33 and for each motorcycle other than a trimobile, an additional fee of \$6 for motorcycle safety. The additional fee must be deposited in the State ~~Highway~~ *General* Fund for credit to the Account for the Program for the Education of Motorcycle Riders ~~+~~ *created by NRS 486.372.*

5. For each transfer of registration, a fee of \$6 in addition to any other fees.

6. Except as otherwise provided in subsection 7 of NRS 485.317, to reinstate the registration of a motor vehicle that is suspended pursuant to that section:

(a) A fee as specified in NRS 482.557 for a registered owner who failed to have insurance on the date specified by the Department, which fee is in addition to any fine or penalty imposed pursuant to NRS 482.557; or

(b) A fee of \$50 for a registered owner of a dormant vehicle who cancelled the insurance coverage for that vehicle or allowed the insurance coverage for that vehicle to expire without first cancelling the registration for the vehicle in accordance with subsection 3 of NRS 485.320,

➤ both of which must be deposited in the Account for Verification of Insurance which is hereby created in the State Highway Fund. The money in the Account must be used to carry out the provisions of NRS 485.313 to 485.318, inclusive.

7. For every travel trailer, a fee for registration of \$27.

8. For every permit for the operation of a golf cart, an annual fee of \$10.

9. For every low-speed vehicle, as that term is defined in NRS 484B.637, a fee for registration of \$33.

10. To reinstate the registration of a motor vehicle that is suspended pursuant to NRS 482.451, a fee of \$33.

Sec. 18. NRS 486.372 is hereby amended to read as follows:

486.372 1. The Director shall:

(a) Establish the Program ~~+~~ *for the Education of Motorcycle Riders.*

(b) Appoint an Administrator to carry out the Program.

(c) Consult regularly with the Advisory ~~Committee for~~ *Board on* Motorcycle Safety concerning the content and implementation of the Program.

(d) Approve courses of instruction provided by public or private organizations which comply with the requirements established for the Program.

(e) Adopt rules and regulations which are necessary to carry out the Program.

2. The Director may contract for the provision of services necessary for the Program.

3. *The Account for the Program for the Education of Motorcycle Riders is hereby created in the State General Fund. The Director shall administer the Account.*

4. The money in the Account for the Program for the Education of Motorcycle Riders may be used:

(a) To pay the expenses of the Program, including reimbursement to instructors licensed pursuant to NRS 486.375 for services provided for the Program; or

(b) For any other purpose authorized by the Legislature.

~~++~~ 5. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account.

6. *Any money remaining in the Account for the Program for the Education of Motorcycle Riders at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.*

Sec. 19. NRS 490.067 is hereby amended to read as follows:

490.067 1. The Commission on Off-Highway Vehicles is hereby created.

2. The Commission consists of 11 members as follows:

(a) One member who is an authorized dealer, appointed by the Governor;

1 (b) One member who is a sportsman, appointed by the Governor from a list of
2 persons submitted by the Director of the Department of Wildlife;

3 (c) One member who is a rancher, appointed by the Governor from a list of
4 persons submitted by the Director of the State Department of Agriculture;

5 (d) One member who is a representative of the Nevada Association of
6 Counties, appointed by the Governor from a list of persons submitted by the
7 Executive Director of the Association;

8 (e) One member who is a representative of law enforcement, appointed by the
9 Governor from a list of persons submitted by the Nevada Sheriffs' and Chiefs'
10 Association;

11 (f) One member, appointed by the Governor from a list of persons submitted
12 by the Director of the State Department of Conservation and Natural Resources,
13 who:

14 (1) Possesses a degree in soil science, rangeland ecosystems science or a
15 related field;

16 (2) Has at least 5 years of experience working in one of the fields described
17 in subparagraph (1); and

18 (3) Is knowledgeable about the ecosystems of the Great Basin Region of
19 central Nevada or the Mojave Desert;

20 (g) One member, appointed by the Governor, who is a representative of an
21 organization that represents persons who use off-highway vehicles to access areas
22 to participate in recreational activities that do not primarily involve off-highway
23 vehicles; and

24 (h) Four members, appointed by the Governor, who reside in the State of
25 Nevada and have participated in recreational activities for off-highway vehicles for
26 at least 5 years using the type of off-highway vehicle owned or operated by the
27 persons they will represent, as follows:

28 (1) One member who represents persons who own or operate all-terrain
29 vehicles;

30 (2) One member who represents persons who own or operate all-terrain
31 motorcycles;

32 (3) One member who represents persons who own or operate snowmobiles;
33 and

34 (4) One member who represents persons who own or operate, and
35 participate in the racing of, off-highway motorcycles.

36 3. The Governor shall not appoint to the Commission any member described
37 in paragraph (h) of subsection 2 unless the member has been recommended to the
38 Governor by an off-highway vehicle organization. As used in this subsection, "off-
39 highway vehicle organization" means a profit or nonprofit corporation, association
40 or organization formed pursuant to the laws of this State and which promotes off-
41 highway vehicle recreation or racing.

42 4. After the initial terms, each member of the Commission serves for a term
43 of 3 years. A vacancy on the Commission must be filled in the same manner as the
44 original appointment.

45 5. Except as otherwise provided in this subsection, a member of the
46 Commission may not serve more than two consecutive terms on the Commission. A
47 member who has served two consecutive terms on the Commission may be
48 reappointed if the Governor does not receive any applications for that member's
49 seat or if the Governor determines that no qualified applicants are available to fill
50 that member's seat.

51 6. The Governor shall ensure that, insofar as practicable, the members
52 appointed to the Commission reflect the geographical diversity of this State.

53 7. Each member of the Commission:

(a) Is entitled to receive, if money is available for that purpose from the fees collected pursuant to NRS 490.084, the per diem allowance and travel expenses provided for state officers and employees generally.

(b) Shall swear or affirm that he or she will work to create and promote responsible off-highway vehicle recreation in the State. The Governor may remove a member from the Commission if the member violates the oath described in this paragraph.

8. The Commission may employ an Executive Secretary, who must not be a member of the Commission, to assist in its daily operations and in administering the ~~Fund~~ **Account for Off-Highway Vehicles created by NRS 490.069.**

9. The Commission may adopt regulations for the operation of the Commission. Upon request by the Commission, the nonvoting advisers solicited by the Commission pursuant to NRS 490.068 may provide assistance to the Commission in adopting those regulations.

Sec. 20. NRS 490.068 is hereby amended to read as follows:

490.068 1. The Commission shall:

(a) Elect a Chair, Vice Chair, Secretary and Treasurer from among its members.

(b) Meet at the call of the Chair.

(c) Meet at least four times each year.

(d) Solicit nine nonvoting advisers to the Commission to serve for terms of 2 years as follows:

(1) One adviser from the Bureau of Land Management.

(2) One adviser from the United States Forest Service.

(3) One adviser who is:

(I) From the Natural Resources Conservation Service of the United States Department of Agriculture; or

(II) A teacher, instructor or professor at an institution of the Nevada System of Higher Education and who provides instruction in environmental science or a related field.

(4) One adviser from the State Department of Conservation and Natural Resources.

(5) One adviser from the Department of Wildlife.

(6) One adviser from the Department of Motor Vehicles.

(7) One adviser from the Commission on Tourism.

(8) One adviser from the Nevada Indian Commission.

(9) One adviser from the United States Fish and Wildlife Service.

2. The Commission may award a grant of money from the ~~Fund~~ **Account for Off-Highway Vehicles created by NRS 490.069.** Any such grant must comply with the requirements set forth in NRS 490.069. The Commission shall:

(a) Adopt regulations setting forth who may apply for a grant of money from the ~~Fund~~ **Account for Off-Highway Vehicles** and the manner in which such a person may submit the application to the Commission. The regulations adopted pursuant to this paragraph must include, without limitation, requirements that:

(1) Any person requesting a grant provide proof satisfactory to the Commission that the appropriate federal, state or local governmental agency has been consulted regarding the nature of the project to be funded by the grant and regarding the area affected by the project;

(2) The application for the grant address all applicable laws and regulations, including, without limitation, those concerning:

(I) Threatened and endangered species in the area affected by the project;

(II) Ecological, cultural and archaeological sites in the area affected by the project; and

(III) Existing land use authorizations and prohibitions, land use plans, special designations and local ordinances for the area affected by the project; and

(3) Any compliance information provided by an appropriate federal, state or local governmental agency, and any information or advice provided by any agency, group or individual be submitted with the application for the grant.

(b) Adopt regulations for awarding grants from the ~~Fund~~ Account.

(c) Adopt regulations for determining the acceptable performance of work on a project for which a grant is awarded.

(d) Approve the completion of, and payment of money for, work performed on a project for which a grant is awarded, if the Commission determines the work is acceptable.

(e) Monitor the accounting activities of the ~~Fund~~ Account.

3. The nonvoting advisers solicited by the Commission pursuant to paragraph (d) of subsection 1 shall assist the Commission in carrying out the duties set forth in this section and shall review for completeness and for compliance with the requirements of paragraph (a) of subsection 2 all applications for grants.

4. For each regular session of the Legislature, the Commission shall prepare a comprehensive report, including, without limitation, a summary of any grants that the Commission awarded and of the accounting activities of the ~~Fund~~ Account, and any recommendations of the Commission for proposed legislation. The report must be submitted to the Director of the Legislative Counsel Bureau for distribution to the Legislature not later than September 1 of each even-numbered year.

Sec. 21. NRS 490.069 is hereby amended to read as follows:

490.069 1. The ~~Fund~~ Account for Off-Highway Vehicles is hereby created in the State ~~Treasury~~ General Fund as a revolving ~~Fund~~ account. The Commission shall administer the ~~Fund~~ Account. Any money remaining in the ~~Fund~~ Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the ~~Fund~~ Account must be carried forward ~~to~~ to the next fiscal year.

2. During the period beginning on July 1, 2012, and ending on June 30, 2013, money in the ~~Fund~~ Account may only be used by the Commission for the reasonable administrative costs of the Commission and to inform the public of the requirements of this chapter.

3. On or after July 1, 2013, money in the ~~Fund~~ Account may only be used by the Commission as follows:

(a) Not more than 5 percent of the money that is in the ~~Fund~~ Account as of January 1 of each year may be used for the reasonable administrative costs of the ~~Fund~~ Account.

(b) Except as otherwise provided in subsection 4, 20 percent of any money in the ~~Fund~~ Account as of January 1 of each year that is not used pursuant to paragraph (a) must be used for law enforcement, as recommended by the Office of Criminal Justice Assistance of the Department of Public Safety, or its successor, and any remaining portion of that money may be used as follows:

(1) Sixty percent of the money may be used for projects relating to:

(I) Studies or planning for trails and facilities for use by owners and operators of off-highway vehicles. Money received pursuant to this subparagraph may be used to prepare environmental assessments and environmental impact studies that are required pursuant to 42 U.S.C. §§ 4321 et seq.

(II) The mapping and signing of those trails and facilities.

(III) The acquisition of land for those trails and facilities.

(IV) The enhancement and maintenance of those trails and facilities.
(V) The construction of those trails and facilities.
(VI) The restoration of areas that have been damaged by the use of off-highway vehicles.

(2) Fifteen percent of the money may be used for safety training and education relating to off-highway vehicles.

4. If money is used for the projects described in paragraph (b) of subsection 3, not more than 30 percent of such money may be allocated to any one category of projects described in subparagraph (1) of that paragraph.

Sec. 22. NRS 490.070 is hereby amended to read as follows:

490.070 1. Upon the request of an off-highway vehicle dealer, the Department may authorize the off-highway vehicle dealer to receive and submit to the Department applications for the:

(a) Issuance of certificates of title and registration for off-highway vehicles; and

(b) Renewal of registration for off-highway vehicles.

2. An authorized dealer shall:

(a) Except as otherwise provided in paragraph (b) and subsection 4, submit to the State Treasurer for allocation to the Department or to the ~~Fund~~ *Account for Off-Highway Vehicles created by NRS 490.069* all fees collected by the authorized dealer from each applicant and properly account for those fees each month;

(b) Submit to the State Treasurer for deposit into the ~~Fund~~ *Account for Off-Highway Vehicles* all fees charged and collected and required to be deposited in the ~~Fund~~ *Account* pursuant to NRS 490.084;

(c) Comply with the regulations adopted pursuant to subsection 5; and

(d) Bear any cost of equipment which is required to receive and submit to the Department the applications described in subsection 1, including any computer software or hardware.

3. Except as otherwise provided in subsection 4, an authorized dealer is not entitled to receive compensation for the performance of any services pursuant to this section.

4. An authorized dealer may charge and collect a fee of not more than \$2 for each application for a certificate of title or registration received by the authorized dealer pursuant to this section. An authorized dealer may retain any fee collected by the authorized dealer pursuant to this subsection.

5. The Department shall adopt regulations to carry out the provisions of this section. The regulations must include, without limitation, provisions for:

(a) The expedient and secure issuance of:

(1) Forms for applying for the issuance of certificates of title for, or registration of, off-highway vehicles;

(2) Certificates of title and registration by the Department to each applicant whose application is approved by the Department; and

(3) Renewal notices for registrations before the date of expiration of the registrations;

(b) The renewal of registrations by mail or the Internet;

(c) The collection of a fee of not less than \$20 or more than \$30 for the renewal of a registration of an off-highway vehicle;

(d) The submission by mail or electronic transmission to the Department of an application for:

(1) The issuance of a certificate of title for, or registration of, an off-highway vehicle; or

(2) The renewal of registration of an off-highway vehicle;

(e) The replacement of a lost, damaged or destroyed certificate of title or registration certificate, sticker or decal; and

(f) The revocation of the authorization granted to a dealer pursuant to subsection 1 if the authorized dealer fails to comply with the regulations.

Sec. 23. NRS 490.084 is hereby amended to read as follows:

490.084 1. The Department shall determine the fee for issuing a certificate of title for an off-highway vehicle, but such fee must not exceed the fee imposed for issuing a certificate of title pursuant to NRS 482.429. Money received from the payment of the fees described in this subsection must be deposited with the State Treasurer for credit to the Revolving Account for the Administration of Off-Highway Vehicle Titling and Registration created by NRS 490.085.

2. The Commission shall determine the fee for the annual registration of an off-highway vehicle, but such fee must not be less than \$20 or more than \$30. Money received from the payment of the fees described in this subsection must be distributed as follows:

(a) During the period beginning on July 1, 2012, and ending on June 30, 2013:

(1) Eighty-five percent must be deposited with the State Treasurer for credit to the Revolving Account for the Administration of Off-Highway Vehicle Titling and Registration created by NRS 490.085.

(2) To the extent that any portion of the fee for registration is not for the operation of the off-highway vehicle on a highway, 15 percent must be deposited into the ~~Fund~~ **Account for Off-Highway Vehicles created by NRS 490.069.**

(b) On or after July 1, 2013:

(1) Fifteen percent must be deposited with the State Treasurer for credit to the Revolving Account for the Administration of Off-Highway Vehicle Titling and Registration created by NRS 490.085.

(2) To the extent that any portion of the fee for registration is not for the operation of the off-highway vehicle on a highway, 85 percent must be deposited into the ~~Fund~~ **Account for Off-Highway Vehicles.**

Sec. 24. NRS 490.085 is hereby amended to read as follows:

490.085 1. The Revolving Account for the Administration of Off-Highway Vehicle Titling and Registration is hereby created ~~as a special account~~ in the ~~Motor Vehicle~~ **State Highway** Fund.

2. The Department shall use the money in the Account to pay the expenses of administering the provisions of this chapter relating to the titling and registration of off-highway vehicles.

3. Money in the Account must be used only for the purposes specified in subsection 2.

4. Any money remaining in the Account at the end of ~~the~~ **a** fiscal year does not revert to the State ~~General~~ **Highway** Fund, and the balance in the Account must be carried forward to the next fiscal year.

Sec. 25. NRS 490.086 is hereby amended to read as follows:

490.086 1. The Revolving Account for the Assistance of the Department is hereby created ~~as a special account~~ in the ~~Motor Vehicle~~ **State Highway** Fund.

2. All money received by the Department from the Federal Government or any other source to assist the Department in carrying out the provisions of this chapter relating to the titling and registration of off-highway vehicles must be deposited into the Account.

3. Money in the Account must be used only for the purposes specified in subsection 2.

4. Any money remaining in the Account at the end of ~~the~~ **a** fiscal year does not revert to the State ~~General~~ **Highway** Fund, and the balance in the Account must be carried forward to the next fiscal year.

1 **Sec. 26.** NRS 501.356 is hereby amended to read as follows:

2 501.356 1. Money received by the Department from:

3 (a) The sale of licenses;

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

5 (c) Remittances from the State Treasurer pursuant to the provisions of NRS
6 365.535;

7 (d) Appropriations made by the Legislature; and

8 (e) All other sources, including, without limitation, the Federal Government,
9 except money derived from the forfeiture of any property described in NRS
10 501.3857 or money deposited in the Wildlife Heritage Trust Account pursuant to
11 NRS 501.3575, the Wildlife Trust Fund pursuant to NRS 501.3585, the Energy
12 Planning and Conservation ~~{Fund}~~ **Account** created by NRS 701.630 or the ~~{Fund}~~
13 **Account** for the Recovery of Costs created by NRS 701.640,

14 ➤ must be deposited with the State Treasurer for credit to the Wildlife Fund
15 Account in the State General Fund.

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

18 3. Except as otherwise provided in subsection 4 and NRS 503.597, the
19 Department may use money in the Wildlife Fund Account only to carry out the
20 provisions of this title and chapter 488 of NRS and as provided in NRS 365.535,
21 and the money must not be diverted to any other use.

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

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

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

31 **Sec. 27.** NRS 701.630 is hereby amended to read as follows:

32 701.630 1. The Energy Planning and Conservation ~~{Fund}~~ **Account** is
33 hereby created in the State ~~{Treasury as a special revenue fund.}~~ **General Fund**.

34 2. The Director of the Department of Wildlife may apply for and accept any
35 gift, donation, bequest, grant or other source of money for use by the ~~{Fund.}~~
36 **Account**. Any money so received must be deposited in the ~~{State Treasury for}~~
37 ~~credit to the Fund.}~~ **Account**.

38 3. ~~{The Fund is a continuing fund without reversion. The money in the Fund}~~
39 ~~must be invested as the money in other state funds is invested.}~~ The interest and
40 income earned on the money in the ~~{Fund.}~~ **Account**, after deducting any applicable
41 charges, must be credited to the ~~{Fund.}~~ **Account**. Claims against the ~~{Fund}~~
42 **Account** must be paid as other claims against the State are paid.

43 4. *Any money remaining in the Account at the end of a fiscal year does not*
44 *revert to the State General Fund, and the balance in the Account must be carried*
45 *forward to the next fiscal year.*

46 5. The Director of the Department of Wildlife shall administer the ~~{Fund.}~~
47 **Account**. The money in the ~~{Fund.}~~ **Account** must be used in accordance with the
48 State Wildlife Action Plan and used by the Department:

49 (a) To conduct surveys of wildlife;

50 (b) To map locations of wildlife and wildlife habitat in this State;

51 (c) To pay for conservation projects for wildlife and its habitat;

52 (d) To match any federal money for a project or program for the conservation
53 of any species of wildlife which is of critical concern; and

(e) To coordinate carrying out the provisions of this subsection in cooperation with the Office of Energy.

~~5-} 6.~~ The Department of Wildlife shall adopt regulations to carry out the provisions of this section. The regulations must include, without limitation, the criteria for projects for which the Department may use money from the ~~{Fund-}~~ *Account*.

~~6-} 7.~~ As used in this section, “State Wildlife Action Plan” means a statewide plan prepared by the Department of Wildlife and approved by the United States Fish and Wildlife Service which sets forth provisions for the conservation of wildlife and wildlife habitat, including, without limitation, provisions for assisting in the prevention of any species of wildlife from becoming threatened or endangered.

Sec. 28. NRS 701.640 is hereby amended to read as follows:

701.640 1. The ~~{Fund-}~~ *Account* for the Recovery of Costs is hereby created in the State ~~{Treasury as a special revenue fund-}~~ *General Fund*.

2. All money collected by the Department of Wildlife in accordance with regulations adopted pursuant to NRS 701.610 must be deposited in the ~~{State Treasury for credit to the Fund-}~~ *Account*.

3. ~~{The Fund is a continuing fund without reversion. The money in the Fund must be invested as the money in other state funds is invested.~~

~~4-}~~ The interest and income earned on the money in the ~~{Fund-}~~ *Account*, after deducting any applicable charges, must be credited to the ~~{Fund-}~~ *Account*. Claims against the ~~{Fund-}~~ *Account* must be paid as other claims against the State are paid.

~~5-} 4.~~ The Director of the Department of Wildlife may apply for and accept any gift, donation, bequest, grant or other source of money for use by the ~~{Fund-}~~ *Account*. Any money so received must be deposited in the ~~{State Treasury for credit to the Fund-}~~ *Account*. If the Director of the Department of Wildlife receives any matching federal money which is credited to the ~~{Fund-}~~ *Account* pursuant to this subsection, the amount of money credited may be transferred to the Energy Planning and Conservation ~~{Fund-}~~ *Account* created by NRS 701.630.

~~6-} 5.~~ *Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.*

6. The Director of the Department of Wildlife shall administer the ~~{Fund-}~~ *Account*. The money in the ~~{Fund-}~~ *Account* must be used by the Department of Wildlife solely:

(a) To provide to the Federal Government, the Public Utilities Commission of Nevada or any person any information relating to wildlife or wildlife habitat based on the location of an energy development project; or

(b) To match any federal money for a project or program for the conservation of any species of wildlife.

Sec. 29. NRS 701A.385 is hereby amended to read as follows:

701A.385 Notwithstanding any statutory provision to the contrary, if the Director approves an application for a partial abatement pursuant to NRS 701A.300 to 701A.390, inclusive, of:

1. Property taxes imposed pursuant to chapter 361 of NRS, the amount of all the property taxes which are collected from the facility for the period of the abatement must be allocated and distributed in such a manner that:

(a) Forty-five percent of that amount is deposited in the Renewable Energy ~~{Fund-}~~ *Account* created by NRS 701A.450; and

(b) Fifty-five percent of that amount is distributed to the local governmental entities that would otherwise be entitled to receive those taxes in proportion to the relative amount of those taxes those entities would otherwise be entitled to receive.

2. Local sales and use taxes, the State Controller shall allocate, transfer and remit an amount equal to all the sales and use taxes imposed in this State and collected from the facility for the period of the abatement in the same manner as if that amount consisted solely of the proceeds of taxes imposed by NRS 374.110 and 374.190.

Sec. 30. NRS 701A.450 is hereby amended to read as follows:

701A.450 1. The Renewable Energy ~~Fund~~ Account is hereby created ~~in~~ *the State General Fund.*

2. The Director of the Office of Energy appointed pursuant to NRS 701.150 shall administer the ~~Fund~~ Account.

3. The interest and income earned on the money in the ~~Fund~~ Account must be credited to the ~~Fund~~ Account.

4. Not less than 75 percent of the money in the ~~Fund~~ Account must be used to offset the cost of electricity to retail customers of a public utility that is subject to the portfolio standard established by the Public Utilities Commission of Nevada pursuant to NRS 704.7821.

5. *Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.*

6. The Director of the Office of Energy may establish other uses of the money in the ~~Fund~~ Account by regulation.

Sec. 31. NRS 490.035 is hereby repealed.

Sec. 32. 1. This act becomes effective upon passage and approval.

2. Sections 29 and 30 of this act expire by limitation on June 30, 2049.

TEXT OF REPEALED SECTION

490.035 “Fund” defined. “Fund” means the Fund for Off-Highway Vehicles created by NRS 490.069.