

Assembly Bill No. 3—Committee of the Whole

CHAPTER.....

AN ACT relating to state financial administration; revising provisions relating to the transfer of certain money from the Abandoned Property Trust Account; providing for the temporary reduction by the Legislature of the assessment on state agencies for a portion of the costs of premiums or contributions for retirees with state service participating in the Public Employees' Benefits Program; authorizing certain sums appropriated to the Department of Health and Human Services to be transferred among the various budget accounts of the Department under certain circumstances; reducing certain amounts of money budgeted for the 2009-2010 and 2010-2011 Fiscal Years; providing for revisions of certain work programs necessary to carry out and process those reductions; requiring the transfer of certain money to the State General Fund; making corresponding changes relating to such transfers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the first \$7.6 million of the balance remaining in the Abandoned Property Trust Account at the end of a fiscal year is transferred to the Millennium Scholarship Trust Fund. The remaining balance is transferred to the State General Fund, subject to any valid claims. (NRS 120A.620) **Section 88** of this bill eliminates the temporary cancellation of a portion of the \$7.6 million transfers to the Millennium Scholarship Trust Fund during the 2009-2011 biennium and **section 1** of this bill suspends the entire \$7.6 million transfers during that biennium. Thus, the entire remaining balance of the Abandoned Property Trust Account at the end of Fiscal Years 2009-2010 and 2010-2011 will be transferred to the State General Fund.

Existing law requires state agencies to pay an assessment that is used to pay a portion of the cost of premiums or contributions for the Public Employees' Benefits Program for persons who have retired with state service. The money assessed is deposited into the State Retirees' Health and Welfare Benefits Fund to be used to pay for a portion of the current and future health and welfare benefits for such retirees. (NRS 287.046) **Section 6** of this bill allows the Legislature to temporarily reduce the amount of such an assessment until July 1, 2011. **Section 79** of this bill transfers \$24,700,000 from the Retirement Benefits Investment Fund to the State Retirees' Health and Welfare Benefits Fund to pay a portion of the costs for health and welfare benefits for state retirees during Fiscal Year 2010-2011.

Existing law provides a procedure for the revision of the work program of any department, institution or agency of the Executive Department of the State Government. (NRS 353.220) **Section 36** of this bill authorizes the transfer of certain sums appropriated to the Department of Health and Human Services among the various budget accounts of the Department in the same manner and within the same limits as allowed for revisions of work programs in NRS 353.220.

Sections 37 and 68 of this bill reduce the current amount of money budgeted for Fiscal Years 2009-2010 and 2010-2011, respectively, for certain programs and



services of various state agencies. **Sections 83 and 85** of this bill provide for the transfer of the amount of the reductions provided in **sections 37 and 68** to the State General Fund Budget Reserve Account in each fiscal year. The revisions to the work programs required to accomplish these reductions are made only upon approval of the Chief of the Budget Division of the Department of Administration, the Senate Fiscal Analyst and the Assembly Fiscal Analyst, without further legislative approval.

Sections 38-67 and 69-79 of this bill require the State Controller to transfer various sums of money from certain funds and accounts in Fiscal Years 2009-2010 and 2010-2011 to the State General Fund Budget Reserve Account to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State. **Section 80** of this bill provides that the transfers of money made in **sections 38-67 and 69-79** do not apply to the extent that they would constitute an impairment of the rights of holders of bonds or similar obligations issued by the State. **Sections 84 and 86** of this bill require that the balance of the money transferred pursuant to **sections 38-67 and 69-79** revert to the State General Fund at the close of the applicable fiscal year.

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

Section 1. NRS 120A.620 is hereby amended to read as follows:

120A.620 1. There is hereby created in the State General Fund the Abandoned Property Trust Account.

2. All money received by the Administrator under this chapter, including the proceeds from the sale of abandoned property, must be deposited by the Administrator in the State General Fund for credit to the Account.

3. Before making a deposit, the Administrator shall record the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned property and the name and last known address of each insured person or annuitant, and with respect to each policy or contract listed in the report of an insurance company, its number, the name of the company and the amount due. The record must be available for public inspection at all reasonable business hours.

4. The Administrator may pay from money available in the Account:

- (a) Any costs in connection with the sale of abandoned property.
- (b) Any costs of mailing and publication in connection with any abandoned property.
- (c) Reasonable service charges.
- (d) Any costs incurred in examining the records of a holder and in collecting the abandoned property.
- (e) Any valid claims filed pursuant to this chapter.



5. Except as otherwise provided in NRS 120A.610, by the end of each fiscal year, the balance in the Account must be transferred ~~[as follows:~~

~~—(a) The first \$7,600,000 each year must be transferred to the Millennium Scholarship Trust Fund created by NRS 396.926.~~

~~—(b) The remainder must be transferred]~~ to the State General Fund, but remains subject to the valid claims of holders pursuant to NRS 120A.590 and owners pursuant to NRS 120A.640. ~~[No such claim may be satisfied from money in the Millennium Scholarship Trust Fund.]~~

6. If there is an insufficient amount of money in the Account to pay any cost or charge pursuant to subsection 4, the State Board of Examiners may, upon the application of the Administrator, authorize a temporary transfer from the State General Fund to the Account of an amount necessary to pay those costs or charges. The Administrator shall repay the amount of the transfer as soon as sufficient money is available in the Account.

Sec. 2. NRS 206.340 is hereby amended to read as follows:

206.340 1. The Graffiti Reward Fund is hereby created in the State General Fund.

2. When a defendant pleads or is found guilty of violating NRS 206.125, 206.330 or 206.335, the court shall include an administrative assessment of \$250 for each violation in addition to any other fine or penalty. The money collected must be paid by the clerk of the court to the State Controller on or before the fifth day of each month for the preceding month for credit to the Graffiti Reward Fund.

3. All money received pursuant to subsection 2 must be deposited with the State Controller for credit to the Graffiti Reward Fund. The money in the Fund must be used ~~[to]~~ :

(a) To pay a reward to a person who, in response to the offer of a reward, provides information which results in the identification, apprehension and conviction of a person who violates NRS 206.125, 206.330 or 206.335 ~~[]~~ ; *or*

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

4. If sufficient money is available in the Graffiti Reward Fund, a state law enforcement agency may offer a reward, not to exceed \$1,000, for information leading to the identification, apprehension and conviction of a person who violates NRS 206.125, 206.330 or 206.335. The reward must be paid out of the Graffiti Reward Fund upon approval by the State Board of Examiners.



Sec. 3. NRS 209.192 is hereby amended to read as follows:

209.192 1. There is hereby created in the State Treasury a Fund for New Construction of Facilities for Prison Industries as a capital projects fund. The Director shall deposit in the Fund the deductions made pursuant to paragraph (c) of subsection 1 or paragraph (b) of subsection 2 of NRS 209.463. The money in the Fund must only be expended to house new industries or expand existing industries in the industrial program to provide additional employment of offenders ~~{}~~ *or for any other purpose authorized by the Legislature.* The money in the Fund must not be expended for relocating an existing industry in the industrial program unless the existing industry is being expanded to provide additional employment of offenders.

2. Before money in the Fund may be expended for construction, the Director shall submit a proposal for the expenditure to the State Board of Examiners. Upon making a determination that the proposed expenditure is appropriate and necessary, the State Board of Examiners shall recommend to the Interim Finance Committee, or the Senate Standing Committee on Finance and the Assembly Standing Committee on Ways and Means when the Legislature is in general session, that the expenditure be approved. Upon approval of the appropriate committee or committees, the money may be so expended.

3. The interest and income earned on the money in the Fund, after deducting any applicable charges, must be credited to the Fund.

Sec. 4. NRS 228.340 is hereby amended to read as follows:

228.340 1. Except as otherwise provided by NRS 598A.260, all money collected by the Bureau of Consumer Protection pursuant to NRS 704.033 and chapter 711 of NRS and pursuant to those provisions of NRS relating to private investigators and unfair trade practices must be deposited with the State Treasurer for credit to the Account for the Bureau of Consumer Protection.

2. Money in the Account may be used ~~{only to}~~ :

(a) To defray the costs of maintaining the Office of the Consumer's Advocate and for carrying out the provisions of NRS 228.300 to 228.390, inclusive ~~{}~~ ; or

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

3. All claims against the Account must be paid as other claims against the State are paid.

Sec. 5. NRS 240.018 is hereby amended to read as follows:

240.018 1. The Secretary of State may:



(a) Provide courses of study for the mandatory training of notaries public. Such courses of study must include at least 4 hours of instruction relating to the functions and duties of notaries public.

(b) Charge a reasonable fee to each person who enrolls in a course of study for the mandatory training of notaries public.

2. A course of study provided pursuant to this section must comply with the regulations adopted pursuant to subsection 1 of NRS 240.017.

3. The following persons are required to enroll in and successfully complete a course of study provided pursuant to this section:

(a) A person applying for appointment as a notary public for the first time.

(b) A person renewing his or her appointment as a notary public, if the appointment has expired for a period greater than 1 year.

(c) A person renewing his or her appointment as a notary public, if during the immediately preceding 4 years the person has been fined for failing to comply with a statute or regulation of this State relating to notaries public.

↳ A person who holds a current appointment as a notary public is not required to enroll in and successfully complete a course of study provided pursuant to this section if the person is in compliance with all of the statutes and regulations of this State relating to notaries public.

4. The Secretary of State shall deposit the fees collected pursuant to paragraph (b) of subsection 1 in the Notary Public Training Fund which is hereby created as a special revenue fund in the State Treasury. The Fund must be administered by the Secretary of State. Any interest and income earned on the money in the Fund, after deducting any applicable charges, must be credited to the Fund. Any money remaining in the Fund at the end of a fiscal year does not revert to the State General Fund, and the balance in the Fund must be carried forward. All claims against the Fund must be paid as other claims against the State are paid. The money in the Fund may be expended ~~only to~~ :

(a) *To* pay for expenses related to providing courses of study for the mandatory training of notaries public, including, without limitation, the rental of rooms and other facilities, advertising, travel and the printing and preparation of course materials ~~to~~ ; or

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

Sec. 6. NRS 287.046 is hereby amended to read as follows:

287.046 1. The Department of Administration shall establish an assessment that is to be used to pay for a portion of the cost of



premiums or contributions for the Program for persons who have retired with state service before January 1, 1994, or under the circumstances set forth in paragraph (a), (b) or (c) of subsection 3.

2. ~~[The]~~ *Unless the assessment is reduced by the Legislature, the* money assessed pursuant to subsection 1 must be deposited into the Retirees' Fund and must be based upon an amount approved by the Legislature each session to pay for a portion of the current and future health and welfare benefits for such retirees. Except as otherwise provided in subsection 4, the portion to be paid to the Program from the Retirees' Fund on behalf of such persons must be equal to a portion of the cost for each retiree and the retiree's dependents who are enrolled in the plan, as defined for each year of the plan by the Program.

3. Adjustments to the portion paid by the Retirees' Fund must be as follows:

(a) For persons who retire on or after January 1, 1994, with state service:

(1) For each year of service less than 15 years, excluding service purchased pursuant to NRS 1A.310 or 286.300, the portion paid by the Retirees' Fund must be reduced by an amount equal to 7.5 percent of the base funding level defined by the Legislature. In no event may the adjustment exceed 75 percent of the base funding level defined by the Legislature.

(2) For each year of service greater than 15 years, excluding service purchased pursuant to NRS 1A.310 or 286.300, the portion paid by the Retirees' Fund must be increased by an amount equal to 7.5 percent of the base funding level defined by the Legislature. In no event may the adjustment exceed 37.5 percent of the base funding level defined by the Legislature.

(b) For persons who are initially hired by the State on or after January 1, 2010, and who retire with at least 15 years of service credit, which must include state service and may include local governmental service, and who have participated in the Program on a continuous basis since their retirement from such employment, for each year of service greater than 15 years, excluding service purchased pursuant to NRS 1A.310 or 286.300, the portion paid by the Retirees' Fund must be increased by an amount equal to 7.5 percent of the base funding level defined by the Legislature. In no event may the adjustment exceed 37.5 percent of the base funding level defined by the Legislature.

(c) For persons who are initially hired by the State on or after January 1, 2010, and who retire with at least 5 years of service credit, which must include state service and may include local



governmental service, who do not have at least 15 years of service credit to qualify under paragraph (b) as a result of a disability for which disability benefits are received under the Public Employees' Retirement System or a retirement program for professional employees offered by or through the Nevada System of Higher Education, and who have participated in the Program on a continuous basis since their retirement from such employment:

(1) For each year of service less than 15 years, excluding service purchased pursuant to NRS 1A.310 or 286.300, the portion paid by the Retirees' Fund must be reduced by an amount equal to 7.5 percent of the base funding level defined by the Legislature. In no event may the adjustment exceed 75 percent of the base funding level defined by the Legislature.

(2) For each year of service greater than 15 years, excluding service purchased pursuant to NRS 1A.310 or 286.300, the portion paid by the Retirees' Fund must be increased by an amount equal to 7.5 percent of the base funding level defined by the Legislature. In no event may the adjustment exceed 37.5 percent of the base funding level defined by the Legislature.

4. If the amount calculated pursuant to subsection 3 exceeds the actual premium or contribution for the plan of the Program that the retired participant selects, the balance must be credited to the Program Fund.

5. For the purposes of subsection 1:

(a) Credit for service must be calculated in the manner provided by chapter 286 of NRS.

(b) No proration may be made for a partial year of state service.

6. The Department shall agree through the Board with the insurer for billing of remaining premiums or contributions for the retired participant and the retired participant's dependents to the retired participant and to the retired participant's dependents who elect to continue coverage under the Program after the retired participant's death.

Sec. 7. NRS 349.080 is hereby amended to read as follows:

349.080 The purpose of NRS 349.080 to 349.140, inclusive, is declared to be for the aid of, and not in limitation of, any act existing on March 28, 1939, or which may be enacted after March 28, 1939, providing for the payment of bonds and interest thereon which may have been or may be issued pursuant to any act of the Legislature of the State of Nevada ~~§~~ *or for any other purpose authorized by the Legislature.*



Sec. 8. NRS 353.263 is hereby amended to read as follows:

353.263 1. As used in this section, “emergency” means invasion, disaster, insurrection, riot, breach of the peace, substantial threat to life or property, epidemic or the imminent danger thereof. The term includes damage to or the disintegration of a building owned by this state or of the mechanical or electrical system of such a building when immediate repairs are necessary to maintain the integrity of the structure or its mechanical or electrical system.

2. The Emergency Account is hereby created in the State General Fund. Money for the Account must be provided by direct legislative appropriation.

3. When the State Board of Examiners finds that an emergency exists which requires an expenditure for which no appropriation has been made, or in excess of an appropriation made, the Board may authorize an expenditure from the Emergency Account to meet the emergency.

4. The State Board of Examiners may, under such circumstances as it deems appropriate, authorize its Clerk to determine whether an emergency exists and approve, on behalf of the Board, an expenditure from the Emergency Account.

5. The Chief shall enumerate expenditures from the Account made in the preceding biennium in each executive budget report.

6. Notwithstanding the provisions of this section to the contrary, money in the Emergency Account may be expended for any purpose authorized by the Legislature.

Sec. 9. NRS 353.266 is hereby amended to read as follows:

353.266 1. The Contingency Fund is hereby created as a special revenue fund. Money for the Fund must be provided by direct legislative appropriation.

2. Money in the Contingency Fund may be allocated and expended within the limitations and in the manner provided in NRS 353.268, 353.269 and 538.650 ~~or~~ *or by the Legislature directly:*

(a) For emergency use to supplement regular legislative appropriations which fail to cover unforeseen expenses;

(b) To meet expenses pursuant to the requirements of the law; or

(c) As provided by specific statute.

Sec. 10. NRS 353.2735 is hereby amended to read as follows:

353.2735 1. The Disaster Relief Account is hereby created as a special account in the Fund to Stabilize the Operation of the State Government. The Interim Finance Committee shall administer the Account.



2. The Division may accept grants, gifts or donations for deposit in the Account. Except as otherwise provided in subsection 3, money received from:

(a) A direct legislative appropriation to the Account;

(b) A transfer from the State General Fund in an amount equal to not more than 10 percent of the aggregate balance in the Fund to Stabilize the Operation of the State Government, excluding the aggregate balance in the Disaster Relief Account and the Emergency Assistance Subaccount, made pursuant to NRS 353.288; and

(c) A grant, gift or donation to the Account,

↳ must be deposited in the Account. Except as otherwise provided in NRS 414.135, the interest and income earned on the money in the Account must, after deducting any applicable charges, be credited to the Account.

3. If, at the end of each quarter of a fiscal year, the balance in the Account exceeds 0.75 percent of the total amount of all appropriations from the State General Fund for the operation of all departments, institutions and agencies of State Government and authorized expenditures from the State General Fund for the regulation of gaming for that fiscal year, the State Controller shall not, until the balance in the Account is 0.75 percent or less of that amount, transfer any money in the Fund to Stabilize the Operation of the State Government from the State General Fund to the Account pursuant to the provisions of NRS 353.288.

4. Money in the Account may be *used for any purpose authorized by the Legislature or* distributed through grants and loans to state agencies and local governments as provided in NRS 353.2705 to 353.2771, inclusive. Except as otherwise provided in NRS 353.276, such grants will be disbursed on the basis of reimbursement of costs authorized pursuant to NRS 353.274 and 353.2745.

5. If the Governor declares a disaster, the State Board of Examiners shall estimate:

(a) The money in the Account that is available for grants and loans for the disaster pursuant to the provisions of NRS 353.2705 to 353.2771, inclusive; and

(b) The anticipated amount of those grants and loans for the disaster.

↳ Except as otherwise provided in this subsection, if the anticipated amount determined pursuant to paragraph (b) exceeds the available money in the Account for such grants and loans, all grants and loans from the Account for the disaster must be reduced in the same proportion that the anticipated amount of the grants and loans



exceeds the money in the Account that is available for grants and loans for the disaster. If the reduction of a grant or loan from the Account would result in a reduction in the amount of money that may be received by a state agency or local government from the Federal Government, the reduction in the grant or loan must not be made.

Sec. 11. NRS 353.288 is hereby amended to read as follows:

353.288 1. The Fund to Stabilize the Operation of the State Government is hereby created as a special revenue fund. Except as otherwise provided in subsections 3 and 4, each year after the close of the previous fiscal year and before the issuance of the State Controller's annual report, the State Controller shall transfer from the State General Fund to the Fund to Stabilize the Operation of the State Government:

(a) Forty percent of the unrestricted balance of the State General Fund, as of the close of the previous fiscal year, which remains after subtracting an amount equal to 7 percent of all appropriations made from the State General Fund during that previous fiscal year for the operation of all departments, institutions and agencies of State Government and for the funding of schools; and

(b) Commencing with the fiscal year that begins on July 1, 2011, 1 percent of the total anticipated revenue for the fiscal year in which the transfer will be made, as projected by the Economic Forum for that fiscal year pursuant to paragraph (e) of subsection 1 of NRS 353.228 and as adjusted by any legislation enacted by the Legislature that affects state revenue for that fiscal year.

2. Money transferred pursuant to subsection 1 to the Fund to Stabilize the Operation of the State Government is a continuing appropriation solely for the purpose of authorizing the expenditure of the transferred money for the purposes set forth in this section.

3. The balance in the Fund to Stabilize the Operation of the State Government, excluding the aggregate balance in the Disaster Relief Account and the Emergency Assistance Subaccount, must not exceed 20 percent of the total of all appropriations from the State General Fund for the operation of all departments, institutions and agencies of the State Government and for the funding of schools and authorized expenditures from the State General Fund for the regulation of gaming for the fiscal year in which that revenue will be transferred to the Fund to Stabilize the Operation of the State Government.

4. Except as otherwise provided in this subsection and NRS 353.2735, beginning with the fiscal year that begins on July 1, 2003, the State Controller shall, at the end of each quarter of a fiscal year,



transfer from the State General Fund to the Disaster Relief Account created pursuant to NRS 353.2735 an amount equal to not more than 10 percent of the aggregate balance in the Fund to Stabilize the Operation of the State Government during the previous quarter, excluding the aggregate balance in the Disaster Relief Account and the Emergency Assistance Subaccount created pursuant to NRS 414.135. The State Controller shall not transfer more than \$500,000 for any quarter pursuant to this subsection.

5. The Chief of the Budget Division of the Department of Administration may submit a request to the State Board of Examiners to transfer money from the Fund to Stabilize the Operation of the State Government to the State General Fund:

(a) If the total actual revenue of the State falls short by 5 percent or more of the total anticipated revenue for the biennium in which the transfer will be made, as determined by the Legislature, or the Interim Finance Committee if the Legislature is not in session; or

(b) If the Legislature, or the Interim Finance Committee if the Legislature is not in session, and the Governor declare that a fiscal emergency exists.

6. The State Board of Examiners shall consider a request made pursuant to subsection 5 and shall, if it finds that a transfer should be made, recommend the amount of the transfer to the Interim Finance Committee for its independent evaluation and action. The Interim Finance Committee is not bound to follow the recommendation of the State Board of Examiners.

7. If the Interim Finance Committee finds that a transfer recommended by the State Board of Examiners should and may lawfully be made, the Committee shall by resolution establish the amount and direct the State Controller to transfer that amount to the State General Fund. The State Controller shall thereupon make the transfer.

8. In addition to the manner of allocation authorized pursuant to subsections 5, 6 and 7, the money in the Fund to Stabilize the Operation of the State Government may be allocated directly by the Legislature to be used for any other purpose.

Sec. 12. NRS 354.721 is hereby amended to read as follows:

354.721 1. The Severe Financial Emergency Fund is hereby created in the State Treasury as a revolving fund. The Executive Director shall administer the Fund.

2. The money in the Fund must be invested as other state funds are invested. Any interest and income earned on the money in the Fund must, after deducting any applicable charges, be credited to the Fund.



3. ~~3. [The Executive Director may distribute the money]~~ **Money** in the Severe Financial Emergency Fund *may be:*

(a) **Distributed by the Executive Director** as a loan to a local government for the purpose of paying the operating expenses of the local government until the local government receives revenues if:

~~(a)~~ (1) The Department takes over the management of a local government pursuant to NRS 354.685 to 354.725, inclusive;

~~(b)~~ (2) The Executive Director determines that a loan from the Severe Financial Emergency Fund is necessary to pay the operating expenses of the local government; and

~~(c)~~ (3) The local government adopts a resolution in which the local government agrees to:

~~(1)~~ (I) Use the money only for the purpose of paying the operating expenses of the local government until the local government receives revenues; and

~~(2)~~ (II) Repay the entire amount of the loan, without any interest, to the Severe Financial Emergency Fund as soon as practicable, but not later than 12 months after the date on which the resolution is adopted.

(b) **Used for any other purpose authorized by the Legislature.**

4. A loan approved by the Executive Director must be repaid as soon as practicable by the local government, but the duration of the loan must not exceed 12 months after the date on which the loan was made. The Executive Director shall not charge interest on a loan made pursuant to this section.

5. The Executive Director shall report to the Committee on Local Government Finance and to the Nevada Tax Commission as soon as practicable after the date that the loan is approved concerning:

(a) The status of the loan;

(b) The purposes for which the local government will use the money from the loan; and

(c) The resources that the local government will use to repay the loan.

Sec. 13. NRS 355.220 is hereby amended to read as follows:

355.220 1. The Retirement Benefits Investment Board is hereby created. The membership of the Board consists of the members of the Public Employees' Retirement Board, who shall serve in that capacity ex officio and without any additional compensation.

2. The Board shall establish and administer a fund to be known as the Retirement Benefits Investment Fund for the investment of money deposited with the Board pursuant to subsection ~~(5)~~ 6 or



NRS 287.017. Any money received by the Board pursuant to subsection ~~[5]~~ 6 or NRS 287.017 shall be deemed to be held for investment purposes only and not in any fiduciary capacity. Any money in the Fund must be invested in the same manner as money in the Public Employees' Retirement Fund is invested. The interest and income earned on the money in the Fund, after deducting any applicable charges, must be credited to the Fund.

3. *Money in the Fund may be transferred to the State Retirees' Health and Welfare Benefits Fund created by NRS 287.0436 to be used for the purposes specified in NRS 287.0436.*

4. The Board may assess reasonable charges against the Fund for the payment of its expenses in administering the Fund. ~~[No]~~ *Except as otherwise provided in subsection 3, no* other money may be withdrawn from the Fund except as directed by the board responsible for that money pursuant to subsection ~~[5]~~ 6 or NRS 287.017, as applicable.

~~[4]~~ 5. Except as otherwise provided in this section, the Board has the same powers and duties in carrying out the provisions of this section as those pertaining to the administration of the Public Employees' Retirement Fund by the Public Employees' Retirement Board. The Retirement Benefits Investment Board may employ such staff and contract for the provision of such management, investment and other services, including, without limitation, the services of accountants, actuaries, attorneys and investment managers, as are necessary for the administration of the Fund and to carry out the provisions of this section.

~~[5]~~ 6. Notwithstanding any other provision of law, the Board of the Public Employees' Benefits Program may deposit any of the assets of the Public Employees' Benefits Program in the Fund for purposes of investment if it obtains an opinion from its legal counsel that the investment of those assets in accordance with this section will not violate any of the provisions of Sections 9 and 10 of Article 8 of the Nevada Constitution.

~~[6]~~ 7. As used in this section, unless the context otherwise requires:

(a) "Board" means the Retirement Benefits Investment Board created pursuant to this section.

(b) "Fund" means the Retirement Benefits Investment Fund created pursuant to this section.

Sec. 14. NRS 396.926 is hereby amended to read as follows:

396.926 1. The Governor Guinn Millennium Scholarship Program is hereby created for the distribution of the Governor Guinn Millennium Scholarships in accordance with NRS 396.911 to



396.938, inclusive. The Millennium Scholarship Trust Fund is hereby created in the State Treasury. The State Treasurer may accept gifts, grants, bequests and donations for deposit in the Trust Fund.

2. The State Treasurer shall deposit in the Trust Fund:

(a) Forty percent of all money received by the State of Nevada pursuant to any settlement entered into by the State of Nevada and a manufacturer of tobacco products;

(b) Forty percent of all money recovered by the State of Nevada from a judgment in a civil action against a manufacturer of tobacco products; and

(c) Any gifts, grants, bequests or donations specifically designated for the Trust Fund by the donor.

3. The State Treasurer shall administer the Trust Fund. As administrator of the Trust Fund, the State Treasurer, except as otherwise provided in this section:

(a) Shall maintain the financial records of the Trust Fund;

(b) Shall invest the money in the Trust Fund as the money in other state funds is invested;

(c) Shall manage any account associated with the Trust Fund;

(d) Shall maintain any instruments that evidence investments made with the money in the Trust Fund;

(e) May contract with vendors for any good or service that is necessary to carry out the provisions of this section; and

(f) May perform any other duties necessary to administer the Trust Fund.

4. In addition to the investments authorized pursuant to paragraph (b) of subsection 3, the State Treasurer may, except as otherwise provided in subsection 5, invest the money in the Trust Fund in:

(a) Common or preferred stock of a corporation created by or existing under the laws of the United States or of a state, district or territory of the United States, if:

(1) The stock of the corporation is:

(I) Listed on a national stock exchange; or

(II) Traded in the over-the-counter market, if the price quotations for the over-the-counter stock are quoted by the National Association of Securities Dealers Automated Quotations System (NASDAQ);

(2) The outstanding shares of the corporation have a total market value of not less than \$50,000,000;

(3) The maximum investment in stock is not greater than 25 percent of the book value of the total investments of the Trust Fund;



(4) Except for investments made pursuant to paragraph (c), the amount of an investment in a single corporation is not greater than 3 percent of the book value of the assets of the Trust Fund; and

(5) Except for investments made pursuant to paragraph (c), the total amount of shares owned by the Trust Fund is not greater than 5 percent of the outstanding stock of a single corporation.

(b) A pooled or commingled real estate fund or a real estate security that is managed by a corporate trustee or by an investment advisory firm that is registered with the Securities and Exchange Commission, either of which may be retained by the State Treasurer as an investment manager. The shares and the pooled or commingled fund must be held in trust. The total book value of an investment made under this paragraph must not at any time be greater than 5 percent of the total book value of all investments of the Trust Fund.

(c) Mutual funds or common trust funds that consist of any combination of the investments authorized pursuant to paragraph (b) of subsection 3 and paragraphs (a) and (b) of this subsection.

5. The State Treasurer shall not invest any money in the Trust Fund pursuant to subsection 4 unless the State Treasurer obtains a judicial determination that the proposed investment or category of investments will not violate the provisions of Section 9 of Article 8 of the Constitution of the State of Nevada. The State Treasurer shall contract for the services of independent contractors to manage any investments of the State Treasurer made pursuant to subsection 4. The State Treasurer shall establish such criteria for the qualifications of such an independent contractor as are appropriate to ensure that each independent contractor has expertise in the management of such investments.

6. All interest and income earned on the money in the Trust Fund must, after deducting any applicable charges, be credited to the Trust Fund. All claims against the Trust Fund must be paid as other claims against the State are paid.

7. Not more than 3 percent of the anticipated annual revenue to the State of Nevada from the settlement agreements with and civil actions against manufacturers of tobacco products anticipated for deposit in the Trust Fund may be used to pay the costs of administering the Trust Fund.

8. The money in the Trust Fund remains in the Fund and does not revert to the State General Fund at the end of any fiscal year.

9. Money in the Trust Fund may be used ~~only~~ for the purposes set forth in NRS 396.914 to 396.934, inclusive ~~and~~, *or for any other purpose authorized by the Legislature.*



Sec. 15. NRS 414.135 is hereby amended to read as follows:

414.135 1. There is hereby created the Emergency Assistance Subaccount within the Disaster Relief Account created pursuant to NRS 353.2735. Beginning with the fiscal year that begins on July 1, 1999, the State Controller shall, at the end of each fiscal year, transfer the interest earned during the previous fiscal year on the money in the Disaster Relief Account to the Subaccount in an amount not to exceed \$500,000.

2. The Division of Emergency Management of the Department of Public Safety shall administer the Subaccount. The Division may adopt regulations authorized by this section before, on or after July 1, 1999.

3. ~~AMH~~ *Except as otherwise provided in paragraph (c), all expenditures from the Subaccount must be approved in advance by the Division. Except as otherwise provided in subsection 4, all money in the Subaccount must be expended : ~~solely to:~~*

(a) ~~Provide~~ *To provide* supplemental emergency assistance to this state or to local governments in this state that are severely and adversely affected by a natural, technological or human-caused emergency or disaster for which available resources of this state or the local government are inadequate to provide a satisfactory remedy; ~~and~~

(b) ~~Pay~~ *To pay* any actual expenses incurred by the Division for administration during a natural, technological or human-caused emergency or disaster ~~;~~ *and*

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

4. Beginning with the fiscal year that begins on July 1, 1999, if any balance remains in the Subaccount at the end of a fiscal year and the balance has not otherwise been committed for expenditure, the Division may, with the approval of the Interim Finance Committee, allocate all or any portion of the remaining balance, not to exceed \$250,000, to this state or to a local government to:

(a) Purchase equipment or supplies required for emergency management;

(b) Provide training to personnel related to emergency management; and

(c) Carry out the provisions of NRS 392.600 to 392.656, inclusive.

5. Beginning with the fiscal year that begins on July 1, 1999, the Division shall, at the end of each quarter of a fiscal year, submit to the Interim Finance Committee a report of the expenditures made from the Subaccount for the previous quarter.



6. The Division shall adopt such regulations as are necessary to administer the Subaccount.

7. The Division may adopt regulations to provide for reimbursement of expenditures made from the Subaccount. If the Division requires such reimbursement, the Attorney General shall take such action as is necessary to recover the amount of any unpaid reimbursement plus interest at a rate determined pursuant to NRS 17.130, computed from the date on which the money was removed from the Account, upon request by the Division.

Sec. 16. NRS 439.605 is hereby amended to read as follows:

439.605 1. The Trust Fund for Public Health is hereby created in the State Treasury. The State Treasurer shall deposit in the Trust Fund:

(a) Ten percent of all money received by this State pursuant to any settlement entered into by the State of Nevada and a manufacturer of tobacco products; and

(b) Ten percent of all money recovered by this State from a judgment in a civil action against a manufacturer of tobacco products.

2. The State Treasurer shall administer the Trust Fund. As administrator of the Trust Fund, the State Treasurer, except as otherwise provided in this section:

(a) Shall maintain the financial records of the Trust Fund;

(b) Shall invest the money in the Trust Fund as the money in other state funds is invested;

(c) Shall manage any account associated with the Trust Fund;

(d) Shall maintain any instruments that evidence investments made with the money in the Trust Fund;

(e) May contract with vendors for any good or service that is necessary to carry out the provisions of this section; and

(f) May perform any other duties necessary to administer the Trust Fund.

3. In addition to the investments authorized pursuant to paragraph (b) of subsection 2, the State Treasurer may, except as otherwise provided in subsection 4, invest the money in the Trust Fund in:

(a) Common or preferred stock of a corporation created by or existing under the laws of the United States or of a state, district or territory of the United States, if:

(1) The stock of the corporation is:

(I) Listed on a national stock exchange; or

(II) Traded in the over-the-counter market, if the price quotations for the over-the-counter stock are quoted by the National



Association of Securities Dealers Automated Quotations System (NASDAQ);

(2) The outstanding shares of the corporation have a total market value of not less than \$50,000,000;

(3) The maximum investment in stock is not greater than 50 percent of the book value of the total investments of the Trust Fund;

(4) Except for investments made pursuant to paragraph (c), the amount of an investment in a single corporation is not greater than 3 percent of the book value of the assets of the Trust Fund; and

(5) Except for investments made pursuant to paragraph (c), the total amount of shares owned by the Trust Fund is not greater than 5 percent of the outstanding stock of a single corporation.

(b) A pooled or commingled real estate fund or a real estate security that is managed by a corporate trustee or by an investment advisory firm that is registered with the Securities and Exchange Commission, either of which may be retained by the State Treasurer as an investment manager. The shares and the pooled or commingled fund must be held in trust. The total book value of an investment made under this paragraph must not at any time be greater than 5 percent of the total book value of all investments of the Trust Fund.

(c) Mutual funds or common trust funds that consist of any combination of the investments authorized pursuant to paragraph (b) of subsection 2 and paragraphs (a) and (b) of this subsection.

4. The State Treasurer shall not invest any money in the Trust Fund pursuant to subsection 3 unless the State Treasurer obtains a judicial determination that the proposed investment or category of investments will not violate the provisions of Section 9 of Article 8 of the Constitution of the State of Nevada. The State Treasurer shall contract for the services of independent contractors to manage any investments of the State Treasurer made pursuant to subsection 3. The State Treasurer shall establish such criteria for the qualifications of such an independent contractor as are appropriate to ensure that each independent contractor has expertise in the management of such investments.

5. The interest and income earned on the money in the Trust Fund is hereby appropriated to the Board of Trustees of the Trust Fund for Public Health and must, after deducting any applicable charges, be credited to the Fund and accounted for separately. All claims against the Fund must be paid as other claims against the State are paid.



6. Only the interest and income earned on the money in the Trust Fund may be expended. Such expenditures may ~~only~~ be made for:

(a) Grants made pursuant to NRS 439.615 for:

(1) The promotion of public health and programs for the prevention of disease or illness;

(2) Research on issues related to public health; and

(3) The provision of direct health care services to children and senior citizens;

(b) Expenses related to the operation of the Board of Trustees of the Trust Fund; ~~and~~

(c) Actual costs incurred by the Health Division for providing administrative assistance to the Board, but in no event may more than 2 percent of the money in the Fund be used for administrative expenses or other indirect costs ~~and~~; *and*

(d) Any other purpose authorized by the Legislature.

7. The money in the Trust Fund remains in the Fund and does not revert to the State General Fund at the end of any fiscal year.

Sec. 17. NRS 439.620 is hereby amended to read as follows:

439.620 1. The Fund for a Healthy Nevada is hereby created in the State Treasury. The State Treasurer shall deposit in the Fund:

(a) Fifty percent of all money received by this State pursuant to any settlement entered into by the State of Nevada and a manufacturer of tobacco products; and

(b) Fifty percent of all money recovered by this State from a judgment in a civil action against a manufacturer of tobacco products.

2. The State Treasurer shall administer the Fund. As administrator of the Fund, the State Treasurer:

(a) Shall maintain the financial records of the Fund;

(b) Shall invest the money in the Fund as the money in other state funds is invested;

(c) Shall manage any account associated with the Fund;

(d) Shall maintain any instruments that evidence investments made with the money in the Fund;

(e) May contract with vendors for any good or service that is necessary to carry out the provisions of this section; and

(f) May perform any other duties necessary to administer the Fund.

3. The interest and income earned on the money in the Fund must, after deducting any applicable charges, be credited to the Fund. All claims against the Fund must be paid as other claims against the State are paid.



4. The State Treasurer or the Department may submit to the Interim Finance Committee a request for an allocation for administrative expenses from the Fund pursuant to this section. Except as otherwise limited by this subsection, the Interim Finance Committee may allocate all or part of the money so requested. The annual allocation for administrative expenses from the Fund must:

(a) Not exceed 2 percent of the money in the Fund, as calculated pursuant to this subsection, each year to pay the costs incurred by the State Treasurer to administer the Fund; and

(b) Not exceed 5 percent of the money in the Fund, as calculated pursuant to this subsection, each year to pay the costs incurred by the Department, including, without limitation, the Aging and Disability Services Division of the Department, to carry out its duties set forth in NRS 439.630, to administer the provisions of NRS 439.635 to 439.690, inclusive, and NRS 439.705 to 439.795, inclusive.

↳ For the purposes of this subsection, the amount of money available for allocation to pay for the administrative costs must be calculated at the beginning of each fiscal year based on the total amount of money anticipated by the State Treasurer to be deposited in the Fund during that fiscal year.

5. The money in the Fund remains in the Fund and does not revert to the State General Fund at the end of any fiscal year.

6. All money that is deposited or paid into the Fund is hereby appropriated to *be used for any purpose authorized by the Legislature or by* the Department for expenditure or allocation in accordance with the provisions of NRS 439.630. Money expended from the Fund must not be used to supplant existing methods of funding that are available to public agencies.

Sec. 18. NRS 445B.590 is hereby amended to read as follows:

445B.590 1. The Account for the Management of Air Quality is hereby created in the State General Fund, to be administered by the Department.

2. Money in the Account for the Management of Air Quality must be expended : ~~only:~~

(a) To carry out and enforce the provisions of NRS 445B.100 to 445B.640, inclusive, and of any regulations adopted pursuant to those sections, including, without limitation, the direct and indirect costs of:

(1) Preparing regulations and recommendations for legislation regarding those provisions;

(2) Furnishing guidance for compliance with those provisions;



- (3) Reviewing and acting upon applications for operating permits;
- (4) Administering and enforcing the terms and conditions of operating permits;
- (5) Monitoring emissions and the quality of the ambient air;
- (6) Preparing inventories and tracking emissions;
- (7) Performing modeling, analyses and demonstrations; and
- (8) Establishing and administering a program for the provision of assistance, pursuant to 42 U.S.C. § 7661f, to small businesses operating stationary sources; ~~and~~

(b) In any other manner required as a condition to the receipt of federal money for the purposes of NRS 445B.100 to 445B.640, inclusive ~~and~~; *and*

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

3. All interest earned on the money in the Account for the Management of Air Quality must be credited to the Account. Claims against the Account for the Management of Air Quality must be paid as other claims against the State are paid.

Sec. 19. NRS 458A.090 is hereby amended to read as follows:

458A.090 1. The Revolving Account to Support Programs for the Prevention and Treatment of Problem Gambling is hereby created in the State General Fund. The Director shall administer the Account.

2. Except as otherwise provided in this subsection, the money in the Account must be expended ~~only to~~ :

(a) To award grants of money or contracts for services to state agencies and other political subdivisions of the State or to organizations or educational institutions to provide programs for the prevention and treatment of problem gambling or to provide services related to the development of data, the assessment of needs, the performance of evaluations or technical assistance. The Director may use not more than 10 percent of the money in the Account to administer the Account.

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

3. The existence of the Account does not create a right in any state agency or other political subdivision of the State or in any organization or educational institution to receive money from the Account.

4. On or before January 31 of each year, the Director shall submit to the Director of the Legislative Counsel Bureau a written report concerning any grants of money or contracts for services awarded pursuant to this section during the previous year.



Sec. 20. NRS 459.231 is hereby amended to read as follows:

459.231 1. There is hereby created as a special revenue fund in the State Treasury a Fund for the Care of Sites for the Disposal of Radioactive Waste. The Director of the Department of Health and Human Services is responsible for the administration of the Fund. All money held by the State Treasurer or received by the Director for that purpose must be deposited in the Fund.

2. The money in the Fund must be invested as other state funds are invested. All interest earned on the deposit or investment of the money in the Fund must be credited to the Fund, except that all interest earned on the money in the Account created pursuant to section 5 of chapter 374, Statutes of Nevada 1961, must be credited to that Account.

3. The Director may expend the annual income from the Fund for the purpose for which the Fund is created, and any income of the Fund which is unexpended at the end of any year must be added to the principal of the Fund. Except as otherwise provided in section 5 of chapter 374, Statutes of Nevada 1961, the principal of the Fund may be expended if approved by the Legislature when in regular session or by the Interim Finance Committee when the Legislature is not in session. Claims against the Fund must be paid as other claims against the State are paid.

4. Notwithstanding the provisions of this section to the contrary, money in the Fund may be expended for any purpose authorized by the Legislature.

Sec. 21. NRS 459.535 is hereby amended to read as follows:

459.535 1. Except as otherwise provided in NRS 459.537 and subsection 2 of this section, the money in the Account for the Management of Hazardous Waste may be expended only to pay the costs of:

(a) The continuing observation or other management of hazardous waste;

(b) Establishing and maintaining a program of certification of consultants involved in the clean up of leaks of hazardous waste, hazardous material or a regulated substance from underground storage tanks or the clean up of spills of or accidents involving hazardous waste, hazardous material or a regulated substance;

(c) Training persons to respond to accidents or other emergencies related to hazardous materials, including any basic training by the State Fire Marshal which is necessary to prepare personnel for advanced training related to hazardous materials;

(d) Establishing and maintaining a program by the Public Utilities Commission of Nevada to inspect and otherwise ensure the



safety of any shipment of hazardous materials transported by rail car through or within the State; and

(e) Financial incentives and grants made in furtherance of the program developed pursuant to paragraph (c) of subsection 2 of NRS 459.485 for the minimization, recycling and reuse of hazardous waste.

2. Money in the Account for the Management of Hazardous Waste may be expended to provide matching money required as a condition of any federal grant for the purposes of NRS 459.800 to 459.856, inclusive ~~{ }~~, *or for any other purpose authorized by the Legislature.*

Sec. 22. NRS 459.735 is hereby amended to read as follows:

459.735 1. The Contingency Account for Hazardous Materials is hereby created in the State General Fund.

2. The Commission shall administer the Contingency Account for Hazardous Materials . ~~{and,—except}~~ *Except* as otherwise provided in subsection 4, the money in the Account may be expended ~~{only}~~ for:

(a) Carrying out the provisions of NRS 459.735 to 459.773, inclusive;

(b) Carrying out the provisions of 42 U.S.C. §§ 11001 et seq. and 49 U.S.C. §§ 5101 et seq.;

(c) Maintaining and supporting the operations of the Commission and local emergency planning committees;

(d) Training and equipping state and local personnel to respond to accidents and incidents involving hazardous materials; ~~{and}~~

(e) The operation of training programs and a training center for handling emergencies relating to hazardous materials and related fires pursuant to NRS 477.045 ~~{ }~~; *and*

(f) Any other purpose authorized by the Legislature.

3. All money received by this State pursuant to 42 U.S.C. §§ 11001 et seq. or 49 U.S.C. §§ 5101 et seq. must be deposited with the State Treasurer to the credit of the Contingency Account for Hazardous Materials. In addition, all money received by the Commission from any source must be deposited with the State Treasurer to the credit of the Contingency Account for Hazardous Materials. The State Controller shall transfer from the Contingency Account to the Operating Account of the State Fire Marshal such money collected pursuant to chapter 477 of NRS as is authorized for expenditure in the budget of the State Fire Marshal for use pursuant to paragraph (e) of subsection 2.

4. Any fees deposited with the State Treasurer for credit to the Contingency Account for Hazardous Materials pursuant to



subsection 5 of NRS 482.379365 must be accounted for separately and must be expended ~~[solely]~~ to provide financial assistance to this State or to local governments in this State to support preparedness to combat terrorism, including, without limitation, planning, training and purchasing supplies and equipment ~~[]~~, *or for any other purpose authorized by the Legislature.*

5. Upon the presentation of budgets in the manner required by law, money to support the operation of the Commission pursuant to this chapter, other than its provision of grants, must be provided by direct legislative appropriation from the State Highway Fund or other legislative authorization to the Contingency Account for Hazardous Materials.

6. The interest and income earned on the money in the Contingency Account for Hazardous Materials, after deducting any applicable charges, must be credited to the Account.

7. All claims against the Contingency Account for Hazardous Materials must be paid as other claims against the State are paid.

Sec. 23. NRS 463.385 is hereby amended to read as follows:

463.385 1. In addition to any other license fees and taxes imposed by this chapter, there is hereby imposed upon each slot machine operated in this State an annual excise tax of \$250. If a slot machine is replaced by another, the replacement is not considered a different slot machine for the purpose of imposing this tax.

2. The Commission shall:

(a) Collect the tax annually on or before June 30, as a condition precedent to the issuance of a state gaming license to operate any slot machine for the ensuing fiscal year beginning July 1, from a licensee whose operation is continuing.

(b) Collect the tax in advance from a licensee who begins operation or puts additional slot machines into play during the fiscal year, prorated monthly after July 31.

(c) Include the proceeds of the tax in its reports of state gaming taxes collected.

3. Any other person, including, without limitation, an operator of an inter-casino linked system, who is authorized to receive a share of the revenue from any slot machine that is operated on the premises of a licensee is liable to the licensee for that person's proportionate share of the license fees paid by the licensee pursuant to this section and shall remit or credit the full proportionate share to the licensee on or before the dates set forth in subsection 2. A licensee is not liable to any other person authorized to receive a share of the licensee's revenue from any slot machine that is operated on the premises of a licensee for that person's



proportionate share of the license fees to be remitted or credited to the licensee by that person pursuant to this section.

4. The Commission shall pay over the tax as collected to the State Treasurer to be deposited to the credit of the State Distributive School Account in the State General Fund, and the Capital Construction Fund for Higher Education and the Special Capital Construction Fund for Higher Education, which are hereby created in the State Treasury as special revenue funds, in the amounts and to be expended only for the purposes specified in this section ~~H~~, *or for any other purpose authorized by the Legislature.*

5. During each fiscal year, the State Treasurer shall deposit the tax paid over to him or her by the Commission as follows:

(a) The first \$5,000,000 of the tax in the Capital Construction Fund for Higher Education;

(b) Twenty percent of the tax in the Special Capital Construction Fund for Higher Education; and

(c) The remainder of the tax in the State Distributive School Account in the State General Fund.

6. There is hereby appropriated from the balance in the Special Capital Construction Fund for Higher Education on July 31 of each year the amount necessary to pay the principal and interest due in that fiscal year on the bonds issued pursuant to section 5 of chapter 679, Statutes of Nevada 1979, as amended by chapter 585, Statutes of Nevada 1981, at page 1251, the bonds authorized to be issued by section 2 of chapter 643, Statutes of Nevada 1987, at page 1503, the bonds authorized to be issued by section 2 of chapter 614, Statutes of Nevada 1989, at page 1377, the bonds authorized to be issued by section 2 of chapter 718, Statutes of Nevada 1991, at page 2382, and the bonds authorized to be issued by section 2 of chapter 629, Statutes of Nevada 1997, at page 3106. If in any year the balance in that fund is not sufficient for this purpose, the remainder necessary is hereby appropriated on July 31 from the Capital Construction Fund for Higher Education. The balance remaining unappropriated in the Capital Construction Fund for Higher Education on August 1 of each year and all amounts received thereafter during the fiscal year must be transferred to the State General Fund for the support of higher education. If bonds described in this subsection are refunded and if the amount required to pay the principal of and interest on the refunding bonds in any fiscal year during the term of the bonds is less than the amount that would have been required in the same fiscal year to pay the principal of and the interest on the original bonds if they had not been refunded, there is appropriated to the Nevada System of Higher Education an amount sufficient to pay the



principal of and interest on the original bonds, as if they had not been refunded. The amount required to pay the principal of and interest on the refunding bonds must be used for that purpose from the amount appropriated. The amount equal to the saving realized in that fiscal year from the refunding must be used by the Nevada System of Higher Education to defray, in whole or in part, the expenses of operation and maintenance of the facilities acquired in part with the proceeds of the original bonds.

7. After the requirements of subsection 6 have been met for each fiscal year, when specific projects are authorized by the Legislature, money in the Capital Construction Fund for Higher Education and the Special Capital Construction Fund for Higher Education must be transferred by the State Controller and the State Treasurer to the State Public Works Board for the construction of capital improvement projects for the Nevada System of Higher Education, including, but not limited to, capital improvement projects for the community colleges of the Nevada System of Higher Education. As used in this subsection, "construction" includes, but is not limited to, planning, designing, acquiring and developing a site, construction, reconstruction, furnishing, equipping, replacing, repairing, rehabilitating, expanding and remodeling. Any money remaining in either Fund at the end of a fiscal year does not revert to the State General Fund but remains in those Funds for authorized expenditure.

8. The money deposited in the State Distributive School Account in the State General Fund under this section must be apportioned as provided in NRS 387.030 among the several school districts and charter schools of the State at the times and in the manner provided by law.

9. The Board of Regents of the University of Nevada may use any money in the Capital Construction Fund for Higher Education and the Special Capital Construction Fund for Higher Education for the payment of interest and amortization of principal on bonds and other securities, whether issued before, on or after July 1, 1979, to defray in whole or in part the costs of any capital project authorized by the Legislature.

Sec. 24. NRS 486.372 is hereby amended to read as follows:
486.372 1. The Director shall:

- (a) Establish the Program.
- (b) Appoint an Administrator to carry out the Program.
- (c) Consult regularly with the Advisory Committee for 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 money in the Account for the Program for the Education of Motorcycle Riders may be used ~~only to~~ :

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

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

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

Sec. 25. NRS 561.385 is hereby amended to read as follows:

561.385 1. The Agriculture Registration and Enforcement Account is hereby created in the State General Fund for the use of the Department.

2. The following fees must be deposited in the Agriculture Registration and Enforcement Account:

(a) Except as otherwise provided in NRS 586.270, fees collected pursuant to the provisions of NRS 586.010 to 586.450, inclusive.

(b) Fees collected pursuant to the provisions of chapter 588 of NRS.

(c) Fees collected pursuant to the provisions of NRS 590.340 to 590.450, inclusive.

(d) Laboratory fees collected for the testing of pesticides as authorized by NRS 561.305, and as are necessary pursuant to the provisions of NRS 555.2605 to 555.460, inclusive, and 586.010 to 586.450, inclusive.

(e) Laboratory fees collected for the analysis and testing of commercial fertilizers and agricultural minerals, as authorized by NRS 561.305, and as are necessary pursuant to the provisions of chapter 588 of NRS.

(f) Laboratory fees collected for the analysis and testing of petroleum products or motor vehicle fuel, as authorized by NRS 561.305, and as are necessary pursuant to the provisions of NRS 590.010 to 590.150, inclusive.

(g) Laboratory fees collected for the analysis and testing of antifreeze, as authorized by NRS 561.305, and as are necessary pursuant to the provisions of NRS 590.340 to 590.450, inclusive.



3. Expenditures from the Agriculture Registration and Enforcement Account may be made ~~only~~ to carry out the provisions of this chapter, NRS 555.2605 to 555.460, inclusive, or chapters 586, 588 and 590 of NRS ~~or~~ *or for any other purpose authorized by the Legislature.*

Sec. 26. NRS 584.053 is hereby amended to read as follows:

584.053 1. There is hereby created in the State Treasury a special revenue fund designated as the Dairy Commission Fund. Except as otherwise required in NRS 584.670, all money received by the Commission pursuant to the provisions of this chapter must be paid into the Fund and must be expended ~~solely~~ for the administration and enforcement of the provisions of this chapter ~~or~~ *or for any other purpose authorized by the Legislature.*

2. The interest and income earned on the money in the Dairy Commission Fund, after deducting any applicable charges, must be credited to the Fund.

Sec. 27. NRS 612.615 is hereby amended to read as follows:

612.615 1. There is hereby created the Employment Security Fund as a special revenue fund.

2. All interest and forfeits collected under NRS 612.618 to 612.675, inclusive, and 612.740 must be paid into the Fund.

3. All money which is deposited or paid into the Fund is hereby appropriated and made available to the Administrator ~~or~~ *or for any other purpose authorized by the Legislature.* The money may not be expended or made available for expenditure in any manner which would permit its substitution for, or a corresponding reduction in, federal payments which would, in the absence of this money, be available to finance expenditures for the administration of the employment security laws of the State of Nevada.

4. This section does not prevent this money from being used as a revolving fund to cover expenditures, necessary and proper under the law, for which federal payments have been duly requested but not yet received, subject to the repayment to the Fund of such expenditures when received.

5. The money in this Fund *available to the Administrator* must be used by the Administrator for the payment of costs of:

(a) Administration which are found not to have been properly and validly chargeable against federal grants received for or in the Unemployment Compensation Administration Fund; or

(b) Any program or the implementation of procedures deemed necessary by the Administrator to ensure the proper payment of benefits and collection of contributions and reimbursements



pursuant to this chapter ~~[]~~ *or for any other purpose authorized by the Legislature.*

6. Any balances in this Fund do not lapse at any time, but are continuously available to the Administrator for expenditure consistent with this chapter.

7. Money in this Fund must not be commingled with other state money, but must be maintained in a separate account on the books of the depository.

Sec. 28. NRS 624.580 is hereby amended to read as follows:

624.580 1. There is hereby created a Construction Education Account as a separate account within the State General Fund.

2. Money deposited in the Account must be used:

(a) ~~[Solely for]~~ *For* the purposes of construction education and to pay the costs of the Commission on Construction Education as described in accordance with subsection 3 ~~[; and~~
~~—(b) In]~~ , *and in* addition to any other money provided for construction education from any other source ~~[;]~~ ; *or*

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

3. The Commission on Construction Education shall administer the Construction Education Account and , *except as otherwise provided in paragraph (b) of subsection 2* , shall disburse the money in the Account as follows:

(a) At least 95 percent of the money deposited in the Account must be used to fund programs of education which relate to building construction and which the Commission on Construction Education determines qualify for grants; and

(b) Not more than 5 percent of the money deposited in the Account may be reserved for operating expenses incurred by the Commission on Construction Education pursuant to this section.

4. The unexpended and unencumbered balance, if any, remaining in the Construction Education Account at the end of each fiscal year, must remain in the Account.

Sec. 29. NRS 645.842 is hereby amended to read as follows:

645.842 1. The Real Estate Education, Research and Recovery Fund is hereby created as a special revenue fund.

2. A balance of not less than \$300,000 must be maintained in the Fund, to be used for satisfying claims against persons licensed under this chapter, as provided in NRS 645.841 to 645.8494, inclusive. Any balance over \$300,000 remaining in the Fund at the end of any fiscal year must be set aside and used ~~[by]~~ :

(a) By the Administrator, after approval of the Commission, for real estate education and research ~~[;]~~ ; *or*

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



3. The interest and income earned on the money in the Fund, after deducting any applicable charges, must be credited to the Fund.

Sec. 30. NRS 658.055 is hereby amended to read as follows:

658.055 1. The Commissioner may appoint deputy commissioners of financial institutions, examiners, assistants, clerks, stenographers and other employees necessary to assist the Commissioner in the performance of the Commissioner's duties pursuant to this title, title 56 of NRS or any other law. These employees shall perform such duties as are assigned to them by the Commissioner.

2. The Commissioner shall employ a certified public accountant to review and conduct independent audits and examinations of financial institutions. The Commissioner shall levy an assessment upon each licensed financial institution to cover all of the costs related to the employment of the certified public accountant and the performance of the audits and examinations.

3. Assessments collected by the Commissioner pursuant to subsection 2 must be deposited in the State Treasury for credit to the Account for Auditing Financial Institutions, which is hereby created in the State General Fund. ~~{The Commissioner shall use the money}~~ *Money in the Account ~~[, and]~~ may be used by the Commissioner or for any purpose authorized by the Legislature. The Commissioner* may advance money from the Account, for the purposes specified in subsection 2.

Sec. 31. NRS 679B.300 is hereby amended to read as follows:

679B.300 1. The Insurance Examination Fund is hereby created as a special revenue fund. All money received by the Commissioner pursuant to NRS 679B.290 must be deposited in the State Treasury for credit to the Fund.

2. Money for travel, per diem, compensation and other necessary and authorized expenses incurred by an examiner or other representative of the Division in the examination of any person required to pay, and making payment of, the expense of examination pursuant to NRS 679B.290 must be paid out of the Insurance Examination Fund as other claims against the State are paid.

3. Money in the Insurance Examination Fund may be expended for any other purpose authorized by the Legislature.

Sec. 32. NRS 679B.305 is hereby amended to read as follows:

679B.305 1. There is hereby created the Insurance Recovery Account in the State General Fund. The Commissioner shall promptly deposit with the State Treasurer for credit to the Account



all recovery fees received from licensees pursuant to the provisions of this title.

2. A balance of not more than \$40,000 must be maintained in the Account to be used for satisfying claims against persons licensed pursuant to chapters 683A, 684A, 685A and 692A of NRS. Any balance over \$40,000 in the Account at the end of any fiscal year must be set aside and used by the Commissioner for insurance education and research ~~or~~ *or for any other purpose authorized by the Legislature.*

3. The Commissioner shall adopt reasonable regulations for the administration of the Account, including the manner, time, procedure and grounds for recovery against the Account.

4. The limit of liability of the insurance recovery account is \$5,000 per fiscal year for any one licensee.

Sec. 33. NRS 694C.460 is hereby amended to read as follows:

694C.460 1. There is hereby created in the State General Fund an Account for the Regulation and Supervision of Captive Insurers. Money in the Account must be used only to carry out the provisions of this chapter ~~or~~ *or for any other purpose authorized by the Legislature.* Except as otherwise provided in NRS 680C.110 and 694C.450, all fees and assessments received by the Commissioner or Division pursuant to this chapter must be credited to the Account. Not more than 2 percent of the tax collected and deposited in the Account pursuant to NRS 694C.450, may, upon application by the Division or an agency for economic development to, and with the approval of, the Interim Finance Committee, be transferred to an agency for economic development to be used by that agency to promote the industry of captive insurance in this State.

2. Except as otherwise provided in this section, all payments from the Account for the maintenance of staff and associated expenses, including contractual services, as necessary, must be disbursed from the State Treasury only upon warrants issued by the State Controller, after receipt of proper documentation of the services rendered and expenses incurred.

3. At the end of each fiscal year, that portion of the balance in the Account which exceeds \$500,000 must be transferred to the State General Fund.

4. The State Controller may anticipate receipts to the Account and issue warrants based thereon.

Sec. 34. NRS 703.147 is hereby amended to read as follows:

703.147 1. The Public Utilities Commission Regulatory Fund is hereby created as a special revenue fund. Except as otherwise



provided in NRS 702.170 and 704.7828, all money collected by the Commission pursuant to law must be deposited in the State Treasury for credit to the Fund. Money collected for the use of the Consumer's Advocate of the Bureau of Consumer Protection in the Office of the Attorney General must be transferred pursuant to the provisions of subsection 8 of NRS 704.035.

2. Money in the Fund which belongs to the Commission may be used ~~only to~~ :

(a) ~~To~~ defray the costs of:

~~(a)~~ (1) Maintaining staff and equipment to regulate adequately public utilities and other persons subject to the jurisdiction of the Commission.

~~(b)~~ (2) Participating in all rate cases involving those persons.

~~(c)~~ (3) Audits, inspections, investigations, publication of notices, reports and retaining consultants connected with that regulation and participation.

~~(d)~~ (4) The salaries, travel expenses and subsistence allowances of the members of the Commission.

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

3. All claims against the Fund must be paid as other claims against the State are paid.

4. The Commission must furnish upon request a statement showing the balance remaining in the Fund as of the close of the preceding fiscal year.

Sec. 35. Section 5 of chapter 432, Statutes of Nevada 2005, at page 1933, is hereby amended to read as follows:

Sec. 5. 1. Any remaining balance of the appropriation made by section 2 of this act must not be committed for expenditure after January 31, 2006, and must be reverted to the State General Fund on or before September 15, 2006.

2. The Division of Emergency Management of the Department of Public Safety shall establish a revolving account within the State General Fund for grants to persons who own and occupy homes damaged by a disaster.

3. Except as otherwise provided in this subsection, any remaining balance reverted to the State General Fund pursuant to subsection 1 must be deposited in the revolving account established by subsection 2 and is appropriated for use by the Division in making grants to persons who own and occupy homes damaged by a disaster ~~or~~ *or for any other purpose authorized by the Legislature.* Not more than \$5,000,000 may be deposited in the revolving account and appropriated as described in this subsection.



Sec. 36. Section 48 of chapter 388, Statutes of Nevada 2009, at page 2119, is hereby amended to read as follows:

Sec. 48. **1.** The sums appropriated to the Department of Corrections by section 23 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.

2. *In addition to transfers made pursuant to sections 46 and 47 of this act, the sums appropriated to the Department of Health and Human Services by section 20 of this act may be transferred among the various budget accounts of the Department of Health and Human Services in the same manner and within the same limits as allowed for revisions of work programs in NRS 353.220.*

Sec. 37. Notwithstanding any other provision of law to the contrary, upon approval of the Chief of the Budget Division of the Department of Administration, the Senate Fiscal Analyst and the Assembly Fiscal Analyst, revisions in the following work programs must be processed and carried out, as soon as practicable, without further legislative approval:

1. For the work program for Budget Account 101-4551, State Department of Agriculture - Weights and Measures, by transferring \$450,000 to Category 93, Reserve for Reversion, within that Account.

2. For the work program for Budget Account 101-4537, State Department of Agriculture - Gas Pollution Standards, by transferring \$250,000 to Category 93, Reserve for Reversion, within that Account.

3. For the work program for Budget Account 101-2366, Budget and Planning Division of the Department of Administration - Controlled Substance Grants, by transferring \$3,796 to Category 93, Reserve for Reversion, within that Account.

4. For the work program for Budget Account 101-4220, Commission on Mineral Resources - Bond Reclamation, by transferring \$427,817 to Category 93, Reserve for Reversion, within that Account.

5. For the work program for Budget Account 101-6201, Commission on Mineral Resources - Cash Pooled Bond Investments, by transferring \$138,557 to Category 93, Reserve for Reversion, within that Account.

6. For the work program for Budget Account 101-2706, Department of Education - Discretionary Grants - Unrestricted, by



transferring \$300,000 to Category 93, Reserve for Reversion, within that Account.

7. For the work program for Budget Account 101-4709, Department of Public Safety - Central Repository for Nevada Records of Criminal History, by transferring \$1,000,000 to Category 93, Reserve for Reversion, within that Account.

8. For the work program for Budget Account 101-4703, Department of Public Safety - Forfeitures, by transferring \$55,729 to Category 93, Reserve for Reversion, within that Account.

9. For the work program for Budget Account 615-6069, Department of Taxation - Department of Taxation Bonds, by transferring \$16,777,612 to Category 93, Reserve for Reversion, within that Account.

10. For the work program for Budget Account 101-4218, Division of Water Resources of the State Department of Conservation and Natural Resources - Flood Repairs and Disaster Relief, by transferring \$50,000 to Category 93, Reserve for Reversion, within that Account.

11. For the work program for Budget Account 101-3188, Division of Environmental Protection of the State Department of Conservation and Natural Resources - Mining Regulation and Reclamation, by transferring \$82,752 to Category 93, Reserve for Reversion, within that Account.

12. For the work program for Budget Account 101-3835, Division of Financial Institutions of the Department of Business and Industry - Financial Institutions, by transferring \$250,000 to Category 93, Reserve for Reversion, within that Account.

13. For the work program for Budget Account 101-4547, Health Division of the Department of Health and Human Services - Marijuana Health Registry, by transferring \$267,293 to Category 93, Reserve for Reversion, within that Account.

14. For the work program for Budget Account 101-6190, Division of State Parks of the State Department of Conservation and Natural Resources - Performance Guarantees, by transferring \$2,062 to Category 93, Reserve for Reversion, within that Account.

15. For the work program for Budget Account 101-3774, Peace Officers' Standards and Training Commission - Peace Officers' Standards and Training, by transferring \$62,282 to Category 93, Reserve for Reversion, within that Account.

16. For the work program for Budget Account 101-1050, Secretary of State's Office - Secretary of State, by transferring \$975,000 to Category 93, Reserve for Reversion, within that Account.



17. For the work program for Budget Account 101-1005, Agency for Nuclear Projects - High Level Nuclear Waste, by transferring \$57,563 to Category 93, Reserve for Reversion, within that Account.

18. For the work program for Budget Account 101-3824, Division of Insurance of the Department of Business and Industry - Insurance Education and Research, by transferring \$250,000 to Category 93, Reserve for Reversion, within that Account.

19. For the work program for Budget Account 101-3952, Nevada Athletic Commission - Nevada Athletic Commission, by transferring \$29,500 to Category 93, Reserve for Reversion, within that Account.

20. For the work program for Budget Account 201-4689, Department of Public Safety - Bicycle Safety Program, by transferring \$46,611 to Category 93, Reserve for Reversion, within that Account.

21. For the work program for Budget Account 409-1510, State Public Works Board - NSHE CIP Projects, by transferring \$2,157,462 to Category 93, Reserve for Reversion, within that Account.

22. For the work program for Budget Account 409-1517, State Public Works Board - UNIV CIP Project - UNR SMEC, by transferring \$250,000 to Category 93, Reserve for Reversion, within that Account.

23. For the work program for Budget Account 410-1558, State Public Works Board - SPWB General CIP Projects, by transferring \$3,290,325 to Category 93, Reserve for Reversion, within that Account.

24. For the work program for Budget Account 410-1561, State Public Works Board - SPWB Gen. CIP - Fire Safety, by transferring \$227,242 to Category 93, Reserve for Reversion, within that Account.

25. For the work program for Budget Account 466-1565, State Public Works Board - Prisons CIP Projects, by transferring \$378,807 to Category 93, Reserve for Reversion, within that Account.

26. For the work program for Budget Account 468-1566, State Public Works Board - Military CIP Projects - LVRC, by transferring \$617,578 to Category 93, Reserve for Reversion, within that Account.

27. For the work program for Budget Account 101-4883, State Board of Examiners - General Fund Salary Adjustment, by



transferring \$1,359,834 to Category 93, Reserve for Reversion, within that Account.

Sec. 38. The State Controller shall transfer the sum of \$800,000 from the Agriculture Registration and Enforcement Account created by NRS 561.385 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 39. The State Controller shall transfer the sum of \$500,000 from the Account for the Bureau of Consumer Protection created by NRS 228.340 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 40. The State Controller shall transfer the sum of \$200,000 from the Emergency Account created by NRS 353.263 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 41. The State Controller shall transfer the sum of \$10,908 from the Graffiti Reward Fund created by NRS 206.340 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 42. The State Controller shall transfer the sum of \$632,516 from the Fund to Stabilize the Operation of the State Government created by NRS 353.288 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 43. The State Controller shall transfer the sum of \$128,647 from the Construction Education Account created by NRS 624.580 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 44. The State Controller shall transfer the sum of \$948,000 from the Fund for New Construction of Facilities



for Prison Industries created by NRS 209.192 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 45. The State Controller shall transfer the sum of \$520,429 from the Contingency Account for Hazardous Materials created by NRS 459.735 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 46. The State Controller shall transfer the sum of \$500,000 from the Emergency Assistance Subaccount within the Disaster Relief Account created by NRS 414.135 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 47. The State Controller shall transfer the sum of \$476,000 from the revolving account within the State General Fund established pursuant to section 5 of chapter 432, Statutes of Nevada 2005, at page 1933, by the Division of Emergency Management of the Department of Public Safety to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 48. The State Controller shall transfer the sum of \$126,418 from the Account for the Program for the Education of Motorcycle Riders created by NRS 486.372 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 49. The State Controller shall transfer the sum of \$225,000 from the Severe Financial Emergency Fund created by NRS 354.721 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.



Sec. 50. The State Controller shall transfer the sum of \$6,500,000 from the Employment Security Fund created by NRS 612.615 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 51. The State Controller shall transfer the sum of \$382,496 from the Account for the Management of Hazardous Waste created by NRS 459.530 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 52. The State Controller shall transfer the sum of \$184,464 from the Account for the Management of Air Quality created by NRS 445B.590 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 53. The State Controller shall transfer the sum of \$150,000 from the Account for Auditing Financial Institutions created by NRS 658.055 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 54. The State Controller shall transfer the sum of \$600,000 from the Insurance Examination Fund created by NRS 679B.300 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 55. The State Controller shall transfer the sum of \$400,000 from the Account for the Regulation and Supervision of Captive Insurers created by NRS 694C.460 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 56. The State Controller shall transfer the sum of \$100,000 from the Insurance Recovery Account created by NRS 679B.305 to Budget Account 101-9081, Budget Reserve, for



unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 57. The State Controller shall transfer the sum of \$22,206,295 from the Contingency Fund created by NRS 353.266 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 58. The State Controller shall transfer the sum of \$4,000,000 from the Disaster Relief Account in the Fund to Stabilize the Operation of the State Government created by NRS 353.2735 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 59. The State Controller shall transfer the sum of \$1,000,000 from the Public Utilities Commission Regulatory Fund created by NRS 703.147 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 60. The State Controller shall transfer the sum of \$200,000 from the Real Estate Education and Research Account in the Real Estate Education, Research and Recovery Fund created by NRS 645.842 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 61. The State Controller shall transfer the sum of \$100,000 from the Real Estate Recovery Account in the Real Estate Education, Research and Recovery Fund created by NRS 645.842 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 62. The State Controller shall transfer the sum of \$100,000 from the Notary Public Training Fund created by NRS 240.018 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.



Sec. 63. The State Controller shall transfer the sum of \$21,300,000 from the Fund for a Healthy Nevada created by NRS 439.620 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 64. The State Controller shall transfer the sum of \$5,922,687 from the Trust Fund for Public Health created by NRS 439.605 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 65. The State Controller shall transfer the sum of \$15,000,000 from the Consolidated Bond Interest and Redemption Fund created by NRS 349.090 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 66. The State Controller shall transfer the sum of \$8,990,050 from the Fund for the Care of Sites for the Disposal of Radioactive Waste created by NRS 459.231 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 67. The State Controller shall transfer the sum of \$350,000 from the Dairy Commission Fund created by NRS 584.053 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 68. Notwithstanding any other provision of law to the contrary, upon approval of the Chief of the Budget Division of the Department of Administration, the Senate Fiscal Analyst and the Assembly Fiscal Analyst, revisions in the following work programs must be processed and carried out, as soon as practicable, without further legislative approval:

1. For the work program for Budget Account 715-1348, Attorney General's Office - Tort Claim Fund, by transferring \$2,000,000 to Category 93, Reserve for Reversion, within that Account.



2. For the work program for Budget Account 101-2706, Department of Education - Discretionary Grants - Unrestricted, by transferring \$300,000 to Category 93, Reserve for Reversion, within that Account.

3. For the work program for Budget Account 615-6069, Department of Taxation - Department of Taxation Bonds, by transferring \$15,000,000 to Category 93, Reserve for Reversion, within that Account.

4. For the work program for Budget Account 101-1005, Agency for Nuclear Projects - High Level Nuclear Waste, by transferring \$970,000 to Category 93, Reserve for Reversion, within that Account.

5. For the work program for Budget Account 101-4883, State Board of Examiners - General Fund Salary Adjustment, by transferring \$554,405 to Category 93, Reserve for Reversion, within that Account.

Sec. 69. The State Controller shall transfer the sum of \$100,000 from the Account for Auditing Financial Institutions created by NRS 658.055 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 70. The State Controller shall transfer the sum of \$700,000 from the Insurance Examination Fund created by NRS 679B.300 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 71. The State Controller shall transfer the sum of \$100,000 from the Account for the Regulation and Supervision of Captive Insurers created by NRS 694C.460 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 72. The State Controller shall transfer the sum of \$2,500,000 from the Special Capital Construction Fund for Higher Education created by NRS 463.385 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.



Sec. 73. The State Controller shall transfer the sum of \$8,828,165 from the Fund for a Healthy Nevada created by NRS 439.620 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 74. The State Controller shall transfer the sum of \$4,839,733 from the Trust Fund for Public Health created by NRS 439.605 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 75. The State Controller shall transfer the sum of \$5,000,000 from the Millennium Scholarship Trust Fund created by NRS 396.926 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 76. The State Controller shall transfer the sum of \$14,000,000 from the Consolidated Bond Interest and Redemption Fund created by NRS 349.090 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 77. The State Controller shall transfer the sum of \$850,000 from the Revolving Account to Support Programs for the Prevention and Treatment of Problem Gambling created by NRS 458A.090 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 78. The State Controller shall transfer the sum of \$18,126,269 from the Contingency Fund created by NRS 353.266 to Budget Account 101-9081, Budget Reserve, for unrestricted State General Fund use to offset the difference between projected revenues and collections and to be used only as necessary to meet existing and future obligations of the State.

Sec. 79. The State Controller shall transfer the sum of \$24,700,000 from the Retirement Benefits Investment Fund created by NRS 355.220 to the State Retirees' Health and Welfare Benefits Fund created by NRS 287.0436 to pay a portion of the costs for



health and welfare benefits for state retirees during Fiscal Year 2010-2011.

Sec. 80. The provisions of this act do not apply to the extent that the provisions would constitute an impairment of the rights of holders of the bonds or similar obligations issued by the State of Nevada or a political subdivision thereof. If there are any such outstanding bonds or obligations, the State of Nevada and its officers and agencies shall take whatever actions that are deemed necessary to protect the interests of the State and the rights of the holders of the bonds and similar obligations.

Sec. 81. The provisions of this act shall be deemed not to reduce the amount of any appropriation as that amount is used for the purpose of establishing a base amount for any calculation that includes that appropriation.

Sec. 82. If any provision of this act, or the application thereof to any person, thing or circumstance, is held invalid, such invalidity shall not affect any provision or application of this act which can be given effect without the invalid provision or application, and to this end the Legislature declares that:

1. Each provision of this act is severable and independent;
2. The Legislature would have passed this act and each valid provision thereof, irrespective of the invalid provision or application; and
3. Each valid provision or application must be given effect to the fullest extent possible, irrespective of the invalid provision or application.

Sec. 83. Notwithstanding any other provision of law to the contrary, all money transferred to Category 93, Reserve for Reversion, in each budget account pursuant to section 37 of this act must, as soon as practicable, be transferred to Budget Account 101-9081, Budget Reserve, and must be reverted to the State General Fund at the close of Fiscal Year 2009-2010, not later than September 17, 2010.

Sec. 84. Notwithstanding any other provision of law to the contrary, transfers of money to Budget Account 101-9081, Budget Reserve, that are required pursuant to sections 38 to 67, inclusive, of this act must be made as soon as practicable when the money becomes available, and the balance of that money must be reverted to the State General Fund at the close of Fiscal Year 2009-2010, not later than September 17, 2010.

Sec. 85. Notwithstanding any other provision of law to the contrary, all money transferred to Category 93, Reserve for Reversion, in each budget account pursuant to section 68 of this



act must, as soon as practicable, be transferred to Budget Account 101-9081, Budget Reserve, and must be reverted to the State General Fund at the close of Fiscal Year 2010-2011, not later than September 16, 2011.

Sec. 86. Notwithstanding any other provision of law to the contrary, transfers of money to Budget Account 101-9081, Budget Reserve, that are required pursuant to sections 69 to 79, inclusive, of this act must be made as soon as practicable when the money becomes available, and the balance of that money must be reverted to the State General Fund at the close of Fiscal Year 2010-2011, not later than September 16, 2011.

Sec. 87. 1. The money reverted to the State General Fund at the close of Fiscal Year 2009-2010 and Fiscal Year 2010-2011 pursuant to subsection 9 of section 37 of this act and subsection 3 of section 68 of this act, respectively, remains subject to the valid claims of the person who paid the security pursuant to NRS 372.510.

2. If there is an insufficient amount of money in the Department of Taxation's Account in the State Agency Fund for Bonds to pay a claim pursuant to subsection 1, the State Board of Examiners shall, upon the application of the Department of Taxation, authorize a temporary transfer from the State General Fund to the Account in an amount necessary to the pay those claims. The Department of Taxation shall repay the amount of the transfer as soon as sufficient money is available in the Account.

Sec. 88. Section 60 of chapter 388, Statutes of Nevada 2009, at page 2121, is hereby repealed.

Sec. 89. 1. This section, sections 1 to 67, inclusive, and 80 to 88, inclusive, of this act become effective upon passage and approval.

2. Sections 68 to 79, inclusive, of this act become effective on July 1, 2010.

3. Sections 1 and 6 of this act expire by limitation on June 30, 2011.

