

CHAPTER.....

AN ACT relating to state financial administration; making appropriations from the State General Fund and the State Highway Fund for the support of the civil government of the State of Nevada for the fiscal years beginning July 1, 2011, and ending June 30, 2012, and beginning July 1, 2012, and ending June 30, 2013; providing for the use of the money so appropriated; authorizing the State Treasurer to establish a line of credit under certain circumstances; making various other changes relating to the financial administration of the State; and providing other matters properly relating thereto.

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

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

Section 1. The sums set forth in sections 2 to 29, inclusive, of this act are hereby appropriated from the State General Fund for the purposes expressed in those sections, and for the support of the government of the State of Nevada for the fiscal years beginning July 1, 2011, and ending June 30, 2012, and beginning July 1, 2012, and ending June 30, 2013.

	<u>2011-2012</u>	<u>2012-2013</u>
Sec. 2. The Office and Mansion of the Governor.		
For the support of the:		
Office of the Governor.....	\$1,976,476	\$2,000,617
Governor’s Mansion	266,037	328,331
High Level Nuclear Waste.....	643,058	643,332
Energy Conservation.....	100	100
Sec. 3. The Office of Lieutenant Governor.		
For the support of the Office of the Lieutenant Governor	\$461,975	\$494,892
Sec. 4. The Office of Attorney General.		
For the support of the:		
Attorney General		
Administration Account.....	\$11,758,987	\$11,375,088
Special Litigation Account	230,868	230,868
Medicaid Fraud Control Unit....	100	100
Crime Prevention Program	211,016	214,973
Office of the Extradition		
Coordinator.....	593,478	595,350



	<u>2011-2012</u>	<u>2012-2013</u>
Bureau of Consumer Protection.....	\$1,118,477	\$1,132,373
Advisory Council for Prosecuting Attorneys.....	100	100
Sec. 5. The Office of Secretary of State.		
For the support of the:		
Office of the Secretary of State	\$8,948,124	\$9,455,794
HAVA Election Reform	100	100
State Business Portal.....	2,222,676	2,212,687
Sec. 6. The Office of State Treasurer.		
For the support of the Office of the State Treasurer	\$662,012	\$668,781
Sec. 7. The Office of State Controller.		
For the support of the Office of the State Controller	\$4,048,521	\$4,055,027
Sec. 8. Department of Administration.		
For the support of the:		
Budget and Planning Division.....	\$3,435,145	\$3,799,602
Division of Internal Audits	1,243,065	1,238,966
Merit Award Board.....	1,100	1,100
National Judicial College and National College of Juvenile and Family Justice	130,430	130,430
Special Appropriations.....	105,000	105,000
Nevada State Library	3,168,397	2,722,220
Archives and Records	1,082,779	1,100,363
Public Works Division - Facility Condition and Analysis	234,303	240,470
Sec. 9. Department of Taxation.		
For the support of the Department of Taxation	\$25,682,810	\$25,620,966
Sec. 10. Legislative Fund.		
For the support of the:		
Legislative Commission.....	\$285,820	\$141,150
Audit Division.....	3,087,383	3,127,823
Administrative Division.....	8,907,716	8,859,232
Legal Division.....	7,954,340	7,871,244
Research Division	4,509,947	4,496,507
Fiscal Analysis Division	3,175,941	3,199,123



	<u>2011-2012</u>	<u>2012-2013</u>
Interim Legislative Operations.....	\$612,401	\$613,477
Sec. 11. Supreme Court of Nevada.		
For the support of the:		
Supreme Court of Nevada.....	\$3,253,723	\$3,382,946
Supreme Court Law Library	1,621,509	1,636,312
Judicial Programs and Services Division.....	618,421	629,561
Judicial Retirement System State Share	2,243,200	2,243,200
Senior Justice and Senior Judge Program.....	912,724	911,893
Judicial Selection	16,180	16,180
State Judicial Elected Officials	20,772,925	21,230,151
Sec. 12. Commission on Judicial Discipline.		
For the support of the Commission on Judicial Discipline	\$595,738	\$589,050
Sec. 13. Commission on Economic Development.		
For the support of the:		
Commission on Economic Development.....	\$2,918,570	\$1,375,167
Rural Community Development.....	234,966	242,146
Procurement Outreach Program.....	92,752	96,242
Nevada Catalyst Fund.....	10,000,000	0
Sec. 14. Department of Tourism and Cultural Affairs.		
For the support of the:		
Cultural Affairs Administration	\$207,150	\$0
Division of Museums and History	228,589	184,613
Nevada Historical Society, Reno.....	256,947	207,859
Nevada State Museum, Carson City	652,139	528,059
Nevada State Museum, Las Vegas	753,652	618,271
Lost City Museum.....	196,249	159,531



	<u>2011-2012</u>	<u>2012-2013</u>
Nevada State Railroad		
Museums.....	\$505,142	\$410,422
Nevada Arts Council.....	610,552	497,870
Nevada Humanities.....	40,000	40,000
Nevada Indian Commission.....	137,215	137,160
Sec. 15. Department of Education.		
For the support of the:		
Education State Programs	\$2,817,767	\$2,792,605
Career and Technical		
Education	488,233	488,233
Teacher Education and		
Licensing.....	100	100
Nutrition Education Programs ..	106,934	107,582
Continuing Education	661,861	661,861
Individuals with Disabilities		
Education Act	100	100
Proficiency Testing	5,689,277	5,893,010
Discretionary Grants –		
Restricted	1,875	1,875
Sec. 16. Nevada System of Higher Education.		
For the support of the:		
System Administration.....	\$4,980,100	\$4,980,100
UNLV Dental School.....	6,404,551	6,404,551
System Computing Center	16,669,848	16,669,848
UNLV Law School	6,570,754	6,570,754
Desert Research Institute	7,421,572	7,421,572
State-Funded Perkins Loan	35,793	35,793
University of Nevada,		
Reno.....	119,188,549	119,188,549
School of Medical Sciences	26,886,018	26,886,018
University of Nevada, Las		
Vegas	135,911,945	135,911,945
College of Southern Nevada	77,587,864	77,587,864
Western Nevada College.....	15,029,964	15,029,964
Truckee Meadows Community		
College.....	30,603,292	30,603,292
Great Basin College	14,031,554	14,031,554
Nevada State College.....	9,111,439	9,111,439
Special Projects.....	1,946,486	1,946,486
Western Interstate Commission		
for Higher Education		
Administration	317,565	320,116



	<u>2011-2012</u>	<u>2012-2013</u>
Western Interstate Commission for Higher Education Loan and Stipend	\$558,554	\$558,125
Sec. 17. Commission on Postsecondary Education. For the support of the Commission on Postsecondary Education	\$302,827	\$301,135
Sec. 18. Department of Health and Human Services. For the support of the:		
Health and Human Services		
Administration	\$1,300,361	\$1,292,319
Grants Management Unit	2,749,545	337,003
Office of the State Public Defender	1,150,156	1,158,235
Consumer Health Assistance	304,771	309,687
State Council on Developmental Disabilities..	162,660	162,660
Division of Health Care Financing and Policy:		
Nevada Medicaid	506,794,541	489,621,665
Health Care Financing and Policy Administration.....	19,264,369	20,074,689
Nevada Check-Up Program	9,762,817	9,032,030
HIFA Holding Account	96,246	0
Division for Aging and Disability Services:		
Aging Federal Programs and Administration	3,999,650	4,045,513
Community-Based Services.....	12,053,662	9,664,778
Senior Rx and Disability Rx	43,603	43,396
Division of Child and Family Services:		
Community Juvenile Justice Programs.....	2,349,807	2,349,615
UNITY/SACWIS.....	3,113,990	4,204,177
Child and Family Administration.....	4,935,433	5,016,962
Nevada Youth Training Center	8,758,397	8,885,654
Caliente Youth Center	7,777,466	7,856,110
Rural Child Welfare.....	5,752,173	6,002,881



	<u>2011-2012</u>	<u>2012-2013</u>
Youth Alternative		
Placement	\$1,534,481	\$1,534,481
Youth Parole Services.....	2,714,118	2,729,054
Northern Nevada Child and Adolescent Services.....	3,200,061	3,159,650
Clark County Integration	42,750,000	42,750,000
Washoe County		
Integration.....	14,250,000	14,250,000
Southern Nevada Child and Adolescent Services.....	11,244,555	10,678,194
Summit View Youth Correctional Center	1,472,661	1,472,940
Health Division:		
Office of Health		
Administration.....	714,509	828,373
Maternal Child Health Services.....	881,541	879,181
Early Intervention Services.....	19,710,338	22,067,436
Community Health Services.....	1,083,651	1,064,232
Communicable Diseases.....	2,081,040	2,080,001
Emergency Medical Services.....	726,861	728,487
Immunization Program	579,740	524,567
Child Care Services	15,441	51,088
Biostatistics and Epidemiology	340,782	342,240
Division of Mental Health and Developmental Services:		
Mental Health and Developmental Services		
Administration.....	1,949,613	1,978,700
Mental Health Information System	1,289,084	1,318,440
Southern Nevada Adult Mental Health Services...	74,353,953	74,956,332
Northern Nevada Adult Mental Health Services...	26,418,705	26,605,748
Lake's Crossing Center.....	8,337,884	8,432,011
Rural Clinics	10,727,274	10,832,793
Desert Regional Center.....	47,516,854	46,332,630
Sierra Regional Center.....	19,120,518	18,629,896



	<u>2011-2012</u>	<u>2012-2013</u>
Rural Regional Center	\$8,296,726	\$7,958,242
Family Preservation Program	2,638,570	1,596,310
Substance Abuse Prevention and Treatment Agency	9,509,326	9,532,651
Division of Welfare and Supportive Services: Welfare Administration	8,247,937	8,758,699
Welfare Field Services Account.....	26,986,019	27,186,569
Assistance to Aged and Blind	7,887,442	8,189,643
Temporary Assistance for Needy Families.....	25,721,787	24,705,242
Child Assistance and Development.....	2,580,421	2,580,421
Sec. 19. Office of the Military:		
For the support of the:		
Office of the Military	\$2,052,385	\$2,466,085
National Guard Benefits	67,438	73,618
Sec. 20. Office of Veterans' Services:		
For the support of the:		
Commissioner for Veterans' Affairs	\$1,581,224	\$1,505,181
Sec. 21. Department of Corrections.		
For the support of the:		
Office of the Director.....	\$17,513,651	\$17,344,531
Medical Care	41,500,109	42,493,089
Correctional Programs	6,954,357	6,918,813
Southern Nevada Correctional Center.....	291,652	293,017
Southern Desert Correctional Center.....	20,781,312	21,439,071
Nevada State Prison	4,275,487	41,537
Northern Nevada Correctional Center.....	25,049,020	25,268,718
Warm Springs Correctional Center.....	9,391,187	9,486,348
Ely State Prison.....	25,063,368	24,922,519
Lovelock Correctional Center...	22,455,040	22,640,343



	<u>2011-2012</u>	<u>2012-2013</u>
Florence McClure Women's Correctional Center.....	\$14,000,631	\$13,526,005
Stewart Conservation Camp	1,580,156	1,594,940
Ely Conservation Camp	1,266,011	1,244,915
Humboldt Conservation Camp .	1,326,964	1,287,482
Three Lakes Valley Conservation Camp	2,178,684	2,201,190
Jean Conservation Camp.....	1,420,885	1,437,253
Pioche Conservation Camp.....	1,538,304	1,542,848
Carlin Conservation Camp.....	1,227,140	1,230,057
Wells Conservation Camp	1,227,390	1,213,800
Silver Springs Conservation Camp.....	9,966	9,966
Tonopah Conservation Camp ...	1,227,892	1,160,541
Northern Nevada Restitution Center.....	667,907	674,767
High Desert State Prison.....	45,120,016	45,562,021
Casa Grande Transitional Housing.....	3,310,551	3,362,191
Sec. 22. Department of Business and Industry.		
For the support of the:		
Business and Industry Administration	\$136,401	\$147,286
Division of Financial Institutions	100	100
Real Estate Administration	801,809	692,781
Office of Labor Commissioner	1,405,501	1,428,869
Nevada Athletic Commission ...	527,768	533,448
Sec. 23. Department of Agriculture.		
For the support of the:		
Agriculture Administration	\$328,312	\$318,687
Plant Health and Quarantine Services.....	273,323	277,275
Veterinary Medical Services.....	456,193	465,398
Predatory Animal and Rodent Control	488,593	495,929
Sec. 24. Department of Conservation and Natural Resources.		
For the support of the:		
Conservation and Natural Resources Administration....	\$400,915	\$400,075
Division of State Parks.....	3,123,142	3,297,937



	<u>2011-2012</u>	<u>2012-2013</u>
Nevada Tahoe Regional		
Planning Agency.....	\$1,371	\$1,371
Division of Forestry	3,749,108	3,670,116
Forest Fire Suppression.....	2,500,000	2,500,000
Forestry Conservation Camps...	5,004,755	5,034,114
Tahoe Regional Planning		
Agency.....	868,978	868,978
Division of Water Resources	4,893,192	4,881,032
Division of State Lands.....	1,034,000	1,058,516
Division of Conservation		
Districts.....	145,131	145,970
State Historic Preservation		
Office	312,057	297,193
Comstock Historic District	150,107	152,087
Sec. 25. Department of Wildlife.		
For the support of the:		
Division of Fisheries		
Management.....	\$149,892	\$149,892
Division of Diversity.....	344,873	344,878
Sec. 26. Department of Employment, Training and Rehabilitation.		
For the support of the:		
Nevada Equal Rights		
Commission	\$996,409	\$930,078
Bureau of Vocational		
Rehabilitation.....	2,153,669	2,137,179
Bureau of Services to the Blind		
and Visually Impaired.....	595,255	589,186
Sec. 27. Department of Motor Vehicles.		
For the support of the Division of		
Field Services.....	\$12,275	\$12,274
Sec. 28. Department of Public Safety.		
For the support of the:		
Training Division	\$191,248	\$194,303
Justice Grant.....	66,353	66,723
Nevada Highway Patrol	3,031	3,031
Dignitary Protection.....	1,024,543	1,040,989
Division of Investigations	5,531,298	5,460,418
Division of Emergency		
Management	328,417	323,124
State Board of Parole		
Commissioners	2,309,119	2,320,627



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



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

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

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

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

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

Sec. 32. The sums appropriated to:

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



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

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

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

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

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

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

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

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

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



2. The Division of Health Care Financing and Policy of the Department shall allocate money for the administrative and related costs to carry out the requirements of this section. The amount allocated for administrative and related costs must be approved by the Interim Finance Committee upon the recommendation of the Governor.

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

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

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

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



be reverted to the State General Fund on or before September 21, 2012, for Fiscal Year 2011-2012 and September 20, 2013, for Fiscal Year 2012 -2013.

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

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

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

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

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

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

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



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

2. Costs related to additional services mandated by the Federal Government on or after October 1, 2011, and not specifically funded in the Nevada Medicaid account in Fiscal Years 2011-2012 and 2012-2013;

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

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

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

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

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

Sec. 46. The Department of Health and Human Services may, during the 2011-13 biennium, implement a pilot project to provide therapeutic foster care for youths with serious emotional disturbance through nonprofit providers. The sums appropriated to the Division of Child and Family Services and the Division of Health Care Financing and Policy of the Department by section 18 of this act may be transferred between the various budget accounts of each Division for the purpose of implementing a pilot project with the



approval of the Interim Finance Committee upon the recommendation of the Governor.

Sec. 47. 1. The Department of Health and Human Services may, with the approval of the Interim Finance Committee upon the recommendation of the Governor, transfer from the various divisions of the Department to an account which is hereby created within the State General Fund any excess money available to the divisions as a result of savings from not providing health and related services, including, without limitation, savings recognized by using a different source of funding to pay the providers of services if the persons previously served by a division no longer require the provision of services from the division of the Department.

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

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

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

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

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

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

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

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

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

Sec. 48. The sums appropriated to the Department of Corrections by section 21 of this act may be transferred among the various budget accounts of the Department of Corrections in the



same manner and within the same limits as allowed for revisions of work programs in NRS 353.220.

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

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

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

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

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

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



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

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

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

Sec. 55. There is hereby appropriated from the State General Fund the sum of \$364,186 to the Public Employees' Retirement Board to be expended for the administration of the Legislators' Retirement System for the period from July 1, 2011, through June 30, 2013.

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

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

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

Sec. 58. The State Controller shall transfer among the appropriate accounts and funds the amounts necessary to carry out



the budget approved by the Legislature, and the amounts so transferred shall be deemed appropriated.

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

Sec. 60. 1. If the Director of the State Department of Conservation and Natural Resources determines that, because of delays in the receipt of revenue for services billed to the Federal Government, local governments and other state governments, the amount of current claims for expenses incurred in the suppression of fire or response to emergencies exceeds the amount of money available to pay such claims within 30 days, he may request from the Director of the Department of Administration a temporary advance from the State General Fund to pay authorized expenses.

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

3. An advance from the State General Fund:

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

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



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

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

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

3. An advance from the State General Fund:

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



in the Local Government Pooled Investment Fund during the immediately preceding calendar month.

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

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

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

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

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

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

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

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

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

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



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

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

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

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

353.185 The powers and duties of the Chief are:

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

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

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

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

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

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

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

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

(1) The anticipated expense, including personnel, for the operation and maintenance of each capital improvement to be



constructed during the next 2 fiscal years and of each capital improvement constructed on or after July 1, 1999, which is to be used during those fiscal years or a future fiscal year; and

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

(a) Acceptable to the State Treasurer; and

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

2. Any remaining balance of the appropriation made by subsection 1 to the Interim Finance Committee must not be committed for expenditure after June 30, ~~2011,~~ **2012**, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September ~~16, 2011~~ **21, 2012** by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September ~~16, 2011~~ **21, 2012**.

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

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



2. Sections 1 to 38, inclusive, 40 to 55, inclusive, and 57 to 68, inclusive, of this act become effective on July 1, 2011.
3. Section 67 of this act expires by limitation on June 30, 2017.
4. Sections 66 and 68 of this act expire by limitation on September 30, 2017.

