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APP. 11-11-11

exhibit F

9/19

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. Senior citizens' property tax assistance;
2. Individuals with Disabilities;
3. Forest fire suppression/emergency response;
4. National Guard benefits;
5. Communicable disease control;
6. Maternal child health services;
7. Immunization program;
8. Welfare administration;
9. Welfare field services;
10. Temporary assistance for needy families (TANF);
11. Assistance to aged and blind;
12. Child Assistance and Development;
13. Nevada Medicaid;

14. Division of Health Care Financing and Policy;
15. Nevada Check Up program;
16. Youth community services;
17. Attorney General's special litigation account;
18. Attorney General's Medicaid Fraud Control Unit;
19. Attorney General's extradition coordinator;
20. Commission on Ethics;
21. Veterans' Home Account;
- 22. Child Welfare Integration;
- 23. Secretary of State HAVA Election Reform; and
24. Information Technology Projects,

FLUSH are available for both fiscal years 2003-2004 and 2004-2005, 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 section 14 and 15 of this act to finance specific programs as outlined in this section are available for both fiscal years 2003-2004 and 2004-2005 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 Commission on Economic Development pursuant to section 14 of this act, a total of \$500,000 in both fiscal year 2003-2004 and fiscal year 2004-2005 to support the Train Employees Now Program.

2. Of the amount appropriated to the Department of Education, other state education programs, pursuant to section 15 of this act:

\*49,803

(a) A total of ~~\$50,000~~ in fiscal year 2003-2004 for Peer Mediation Programs;

(b) A total of \$51,429 in both fiscal year 2003-2004 and fiscal year 2004-2005 for successful completion of the National Board Teacher Certification Program;

(c) A total of \$5.0 million in both fiscal year 2003-2004 and fiscal year 2004-2005 for new teacher signing bonuses; and

(d) A total of \$850,000 in fiscal year 2003-2004 and \$750,000 in fiscal year 2004-2005 for the technology components of the System for Accountability Information in Nevada (SAIN).

3. Of the amounts appropriated to the Department of Education, proficiency testing pursuant to section 15 of this act:

(a) A total of \$515,058 in fiscal year 2003-2004 and \$599,852 in fiscal year 2004-2005 for the state norm-referenced examination.

(b) A total of \$1,400,000 in fiscal year 2003-2004 and \$1,456,000 in fiscal year 2004-2005 for the high school proficiency examination.

(c) A total of \$1,360,731 in both fiscal year 2003-2004 and fiscal year 2004-2005 for the criterion-referenced examinations.

(d) A total of \$343,520 in fiscal year 2003-2004 and \$360,414 in fiscal year 2004-2005 for the state writing proficiency examinations,

may be transferred from one year to the other with the approval of the Interim Finance Committee upon the recommendation of the Governor.

Sec. 34. 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 2003-2004 and 2004-2005, 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. The provisions of chapter 338 of NRS do not apply to projects undertaken pursuant to those appropriations.

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. 35. The total amounts appropriated in section 19 of this act to each of the accounts of the Division of Health Care Financing and Policy and the Welfare Division enumerated in section 32 of this act, except for the amounts appropriated for the health care financing and policy account, the assistance to the aged and blind program, the welfare administration account, welfare field services account and, except as otherwise provided in this section, are limits. The divisions shall not request additional money for these programs, except for:

1. Increased state costs in fiscal year 2004-2005 in the event that federal financial participation rates are less than legislatively approved effective on October 1, 2004; or

2. Costs related to additional services mandated by the Federal Government on or after October 1, 2003, and not specifically funded in the Nevada Medicaid account in fiscal years 2003-2004 and 2004-2005.

3. Increased state costs in fiscal year 2003-2004 and fiscal year 2004-2005 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. 36.** The sums appropriated to the Welfare Division by section 19 of this act may be transferred among the various budget accounts of the Welfare Division with the approval of the Interim Finance Committee upon the recommendation of the Governor.

**Sec. 37.** The sums appropriated to Nevada Medicaid and the Nevada Check Up program by section 19 of this act may be transferred between each budget with the approval of the Interim Finance Committee upon the recommendation of the Governor.

**Sec. 38.** The sums appropriated to the Department of Corrections by section 22 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. 39.** Of the amounts appropriated to the Department of Public Safety by sections 28 and 30 of this act, amounts appropriated to the various budget accounts enumerated in those sections for the support of payment to the Public Safety Information Services Section may be transferred among the various budgets of the Department of Public Safety as enumerated in sections 28 and 30 of this act for the support of payment to the Public Safety Information Services Section with

the approval of the Interim Finance Committee upon the recommendation of the Governor. The amount transferred between accounts is limited to the total amount appropriated in the accounts for the support of payment to the Public Safety Information Services Section.

**Sec. 40.** Of the amounts appropriated from the state highway fund to the Department of Motor Vehicles, Director's Office, pursuant to section 30 of this act:

(a) A total of \$50,000 in fiscal year 2003-2004 for the continuation of kiosk technology.

(b) A total of \$2,000,000 in fiscal year 2004-2005 for the expansion of kiosk technology may be transferred from one fiscal year to another with the approval of the Interim Finance Committee upon the recommendation of the Governor.

**Sec. 41.** 1. There is hereby appropriated \$1,290,113 from the state highway fund to the Highway Patrol to be expended for furniture, equipment, telephone system and data drop lines for the new Highway Patrol building in Las Vegas (99-H1).

2. Any remaining balance appropriated by subsection 1 must not be committed for expenditure after June 30, 2005, and reverts to the state highway fund as soon as payments of money committed have been made.

**Sec. 42.** 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. 43.** In addition to the requirements of NRS 353.225, for the fiscal years 2003-2004 and 2004-2005, the Board of Regents of the University and Community College System 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 44.** 1. Of the sums appropriated by section 16 of this act, any amounts utilized to match research grants in the University and Community College System of Nevada, Special Projects account which are not committed for expenditure by June 30 of each fiscal year may be carried forward for a maximum of two 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 support Special Projects research is subject to the provisions of section 48 of this act.

**Sec. 45.** 1. There is hereby appropriated \$98,711 from the state general fund to the Public Employees' Retirement Board to be expended for the administration of the Legislators' Retirement System for the period July 1, 2003 through June 30, 2005.

**Sec. 46.** Section 9 of Chapter 453, Statutes of Nevada 2001, at page 2286, is hereby amended to read as follows:

Sec. 9. The state treasurer shall transfer any balance remaining unexpended on June 30, 2001, in the account for the office of science, engineering and technology to the account for the



office of science, innovation and technology which is created by section 6 of this act. *Any remaining balance of the appropriation made by section 7 of chapter 544, Statutes of Nevada 1999, must not be committed for expenditure after June 30, 2003 and reverts to the state general fund as soon as all payments of money committed have been made.*

**Sec. 47.** The appropriations made to the Tahoe Regional Planning Agency in section 25 of this act are available contingent upon the State of California providing its two-thirds share of funding.

**Sec. 48.** 1. Except as otherwise provided in sections 44 and 60 of this act, unencumbered balances of the appropriations made in this act for the fiscal years 2003-2004 and 2004-2005 must not be committed for expenditure after June 30 of each fiscal year. Except as otherwise provided in subsection 2, unencumbered balances of these appropriations revert to the fund from which appropriated.

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

**Sec. 49.** 1. There is hereby appropriated from the state general fund the sum of \$2,163,960 to the Interim Finance Committee for allocation to the Department of Corrections for the fiscal year beginning July 1, 2004 and ending June 30, 2005 for staffing and operation of a transition housing facility.

2. Money appropriated pursuant to subsection 1 may only be allocated for staffing and operation of a transition housing facility upon submittal of a comprehensive transition housing plan by the department and upon approval of the State Board of Examiners and the Interim

Finance Committee or for inmate housing expenses if a comprehensive transition housing plan is not submitted by the department or not approved by the State Board of Examiners and the Interim Finance Committee.

3. Any remaining balance of the sum appropriated by subsection 1 must not be allocated by the Interim Finance Committee after June 30, 2005, and reverts to the state general fund as soon as all payments of money committed have been made.

**Sec. 50.** 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. 51.** 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. 52.** 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. 53.** There is hereby appropriated from the State General Fund to the Legislative Fund, created pursuant to NRS 218.085, the sum of \$1,600,000.

**Sec. 54.** 1. If the Attorney General determines that delays in the receipt of recovery revenue for the Medicaid Fraud Control Unit will result in insufficient revenues to pay authorized expenditures, he may submit a request for a temporary advance from the State General Fund to the Director of the Department of Administration to pay authorized expenditures to support the operations of the unit.

2. The Director of the Department of Administration shall notify the State Controller and the Fiscal Analysis Division of the Legislative Counsel Bureau if he approves a request made pursuant to subsection 1. The State Controller shall draw a warrant upon receipt of such a notification.

3. An advance from the State General Fund approved by the Director of the Department of Administration as authorized pursuant to this section is limited to the total estimated amounts due from outstanding billings for recoveries and must not exceed the total authorized recoveries in the appropriate fiscal year.

4. Any money which is temporarily advanced from the State General Fund to the Medicaid Fraud Control Unit 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. 55.** 1. If the Executive Director for Veterans' Services determines that delays in the receipt of federal reimbursement for services provided by the Veterans' Home in Southern Nevada will result in insufficient revenues to pay authorized expenditures, he may submit a

request for a temporary advance from the State General Fund to the Director of the Department of Administration to pay authorized expenditures to support operational costs of the Veterans' Home.

2. The Director of the Department of Administration shall notify the State Controller and the Fiscal Analysis Division of the Legislative Counsel Bureau if he approves a request made pursuant to subsection 1. The State Controller shall draw a warrant upon receipt of such a notification.

3. An advance for the State General Fund approved by the Director of the Department of Administration as authorized pursuant to this section is limited to the total estimated reimbursement due from the Federal Government for operational costs incurred by the Veterans' Home in Southern Nevada.

4. Any money which is temporarily advanced from the State General Fund to the Veterans' Home in Southern Nevada 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. 56.** 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 notify the State Controller and the Fiscal Analysis Division of the Legislative Counsel Bureau if he approves a request made pursuant to subsection 1. The State Controller shall draw his 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/emergency response 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/emergency response 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. 57.** 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 notify the State Controller and 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 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 under NRS 353.263.

**Sec. 58.** 1. If projections of the ending balance of the State General Fund fall below the amount estimated by the 2003 Legislature for fiscal year 2003-2004 or 2004-2005, 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 \$60,000,000 for fiscal year 2003-2004 or 2004-2005, 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 the Interim Finance Committee approves the setting aside of the reserve.

**Sec. 59.** 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. 60.** 1. Of the sums appropriated to the State Arts Council by section 18 of this act, the following amounts must be used to support the Challenge Grant Program:

For the fiscal year 2003-2004 .....	\$ 73,046
For the fiscal year 2004-2005 .....	\$ 73,046

2. Any amounts provided to support the Challenge Grant Program as provided by this section which are not committed for expenditure by June 30 of each fiscal year may be carried

14

forward for a maximum of 2 fiscal years after which time any unexpended amounts revert to the State General Fund. If a challenge grant project is completed in less than 3 fiscal years, any unexpended money must not be reallocated and reverts to the State General Fund at the close of the fiscal year.

3. All money appropriated by section 18 of this act other than the sums designated in subsection 1 to support the Challenge Grant Program is subject to the provisions of section 48 of this act.

**Sec. 61.** 1. This section and section 53 of this act become effective upon passage and approval.

2. Sections 1 to 52, inclusive, and 54 to 60, inclusive, of this act become effective on July 1, 2003.