

Assembly Bill No. 6—Committee of the Whole

CHAPTER.....

AN ACT relating to governmental financial administration; revising certain appropriations from the State General Fund for the support of the civil government of the State of Nevada; authorizing expenditures by certain agencies and entities of the State Government; providing for the transfer of certain appropriated money to the next fiscal year; requiring the Clean Water Coalition to transfer certain money to the State Controller for deposit in the State General Fund; increasing fees imposed for certain filings or registrations made with the Office of the Secretary of State; revising provisions relating to foreclosure of real property; revising provisions relating to the use of money in the Account for Common-Interest Communities and Condominium Hotels; increasing certain administrative assessments imposed against persons who commit certain crimes; authorizing the Department of Corrections to adopt regulations to allow the Department to deduct money credited to the Offenders' Store Fund for certain purposes and to impose a charge on purchases of electronic devices; providing for the temporary transfer of certain lobbyist registration fees; increasing certain fees charged by the State Registrar; authorizing the Department of Wildlife to use fees collected for processing applications for tags for certain additional purposes; imposing an additional fee for filing certain affidavits relating to mining claims; reducing the basic support guarantees of school districts for purposes of apportionments from the State Distributive School Account; requiring the Department of Taxation to allow for the payment of delinquent taxes, fees or assessments without a penalty for a limited period in certain circumstances; requiring the Division of Insurance of the Department of Business and Industry to carry out a desk audit program to audit insurance premium tax returns; providing for the use of money from an award from the Temporary Assistance for Needy Families Emergency Contingency funds; making appropriations; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

The Legislature appropriated various sums of money for the support of the government of the State of Nevada during the 2009 Legislative Session. **Sections 1-7** of this bill reduce certain appropriations for Fiscal Years 2009-2010 and 2010-2011. **Sections 8 and 9** of this bill authorize expenditures of money by certain



officers, departments, boards, agencies, commissions and institutions that were not appropriated in part because of additional or increased fees they are authorized to collect. The additional expenditures reflect an offset for some of the reductions to appropriations. For example, **section 7** reduces the appropriation previously made to the Nevada Gaming Commission and the State Gaming Control Board. **Section 8** then increases the expenditures of the State Gaming Control Board to reflect an amount that the Board is expected to collect from increasing the hourly rate charged for investigations of applicants for licenses, findings of suitability or approval under the provisions of the Nevada Gaming Control Act who have not previously received a license, finding of suitability or other required approval under the Act. The authorized expenditures must be made in accordance with the provisions of the State Budget Act. (NRS 353.150-353.245)

Sections 11, 12 and 13 of this bill transfer money appropriated from the State General Fund to the Nevada System of Higher Education and the Department of Corrections from Fiscal Year 2009-2010 to Fiscal Year 2010-2011.

Sections 14 and 15 of this bill transfer certain sums allocated for projects of the State Public Works Board to other projects.

Section 16 of this bill requires the Executive, Legislative and Judicial Departments of State Government to identify any additional reductions that may be made from renegotiating certain contracts.

Section 17 of this bill specifically authorizes the Executive Department to identify additional reductions in amounts appropriated for contract services and building leases and transfer those amounts to Category 93, Reserve for Reversion.

Section 18 of this bill requires the Clean Water Coalition, an entity created pursuant to interlocal agreement by the Clark County Water Reclamation District and the Cities of Henderson, Las Vegas and North Las Vegas, to make a transfer payment to the State Controller for deposit in the State General Fund for unrestricted State General Fund use.

Existing law provides that the Nevada Supreme Court may adopt rules providing for voluntary mediation with respect to a homeowner who is not in default but is at risk of default. (NRS 2.125) **Section 19** of this bill provides that the Nevada Supreme Court may adopt rules providing for voluntary mediation with respect to a small business whose commercial property is in default.

Sections 20-30, 39 and 48-52 of this bill increase the amount of certain fees collected by the Secretary of State for filings, registrations, certificates, notices or other documents required to be provided to the Office of the Secretary of State. (NRS 78.780, 80.050, 86.561, 87.470, 87A.315, 87A.645, 88.415, 88.607, 88A.900, 90.360, 104.9525, 240.1657, 600.340, 600.355, 600.360, 600.370, 600.395)

Existing law provides for the payment of a fee for deposit in the Account for Foreclosure Mediation at the time of recording a notice of default and election to sell real property. **Section 31** of this bill provides for an additional fee for deposit in the State General Fund at the time of recording a notice of default and election to sell real property. (NRS 107.080)

Section 32 of this bill authorizes the additional use of the money in the Account for Common-Interest Communities and Condominium Hotels to defray the costs and expenses of administering the Real Estate Division of the Department of Business and Industry, as authorized by the Legislature or Interim Finance Committee. (NRS 116.630)

Existing law requires the Secretary of State to charge and collect a fee for the filing of a certificate of domestic partnership, which must not exceed the amount estimated to cover the cost incurred by the Secretary of State for the issuance of the certificate and any other associated administrative costs. Existing law further



requires the Secretary of State to account for the fees received for associated administrative costs separately and use those fees solely to pay for expenses related to the registration of domestic partnerships. **Section 33** of this bill requires the Secretary of State to reconcile the fees received for associated administrative costs and the expenses of administering the registration of domestic partnerships and deposit any excess fees received for credit to the State General Fund at the end of each fiscal year. (NRS 122A.100)

Existing law provides that a justice or judge may impose an administrative assessment as part of the sentence for violation of a misdemeanor by a person who pleads or is found guilty or guilty but mentally ill. **Section 34** of this bill increases the amount of the administrative assessment and provides for a portion of such assessments to be credited to the State General Fund. (NRS 176.059)

Existing law requires that money received for the benefit of offenders through contributions that is not required to be deposited elsewhere be placed in the Offenders' Store Fund and expended for the welfare and benefit of all offenders sentenced to imprisonment in the state prison. (NRS 209.221) **Section 35** of this bill authorizes the Director of the Department of Corrections to deduct money from the Offenders' Store Fund to repay or defray the costs relating to the operation and maintenance of the offenders' store, coffee shop, gymnasium and visitation posts. The amount of the deduction must be established by regulation with the approval of the Board of State Prison Commissioners. **Section 35** further authorizes the Director, with approval of the Board, to adopt regulations imposing a charge on electronic devices purchased by an offender to defray the cost of operating such devices. Further, **sections 35 and 37** of this bill require the regulations to be adopted in accordance with the provisions of the Nevada Administrative Procedure Act. (Chapter 233B of NRS)

Section 36 of this bill temporarily requires the Legislative Commission to transfer the first \$100,000 collected from fees for registration of lobbyists to the State General Fund. (NRS 218H.500)

Existing law authorizes the Secretary of State to provide courses of study for the mandatory training of notaries public, to charge reasonable fees for the courses of study and, if fees are collected, requires the Secretary of State to deposit those fees in the Notary Public Training Fund. **Section 38** of this bill instead requires the Secretary of State to deposit 25 percent of any such fees collected in the Notary Public Training Fund and 75 percent in the State General Fund. (NRS 240.018)

Existing law authorizes certain state entities to seek a temporary advance from the State General Fund for authorized expenses if the collection of expected revenue is delayed. (NRS 353.347-353.359) **Sections 41 and 42** of this bill authorize certain state entities whose legislative appropriations have been reduced and whose claims must be paid from the collection of certain fees, assessments or other receipts to seek a temporary advance from the State General Fund for authorized expenses if the collection of expected revenue is delayed.

Existing law requires the State Registrar of Vital Statistics to charge certain fees for providing certain vital records and for carrying out certain duties. **Sections 43 and 44** of this bill remove the specific amount of the fee the State Registrar is required to charge and instead requires the State Registrar to establish the amount of the fees by regulation. (NRS 440.175, 440.700) **Section 67** of this bill provides that the existing fees will continue to be imposed until the State Registrar adopts the new fees by regulation.

Section 45 of this bill increases the license fee paid by a promoter of unarmed combat. (NRS 467.107)



Existing law provides that the Department of Wildlife may use the fees collected for processing applications for tags only for certain specified purposes. (NRS 502.255) **Section 46** of this bill authorizes the Department to use such fees for certain additional purposes, including the costs associated with the Department's automated program for licensing and registration and titling of vessels and the issuance of licenses, permits and tags.

Existing law requires the annual filing of either an affidavit of the work performed on or improvements made to a mining claim or an affidavit of the intent to hold a mining claim. (NRS 517.230) **Section 47** of this bill imposes an additional fee on the filing of such an affidavit if the entity holding the mining claim holds 11 or more mining claims in this State.

Sections 59-63 of this bill make appropriations to the Department of Health and Human Services, the Secretary of State, the State Gaming Control Board and the Legislative Fund.

The 2009 Session of the Legislature appropriated money from the State General Fund to the State Distributive School Account for the basic support guarantees of school districts and otherwise for the support of the system of public education for the 2009-2011 biennium. (Chapter 389, Statutes of Nevada 2009, at p. 2126) **Sections 53-57** of this bill reduce the basic support guarantees of all the 17 county school districts and otherwise make adjustments to address the budget shortfall.

Section 58 of this bill temporarily revises provisions governing local funds available for the support of certain school districts.

Section 64 of this bill requires the Department of Taxation to allow a person who on July 1, 2010, is delinquent in the payment of a tax, fee or assessment to pay the amount due without any penalty or interest in certain circumstances. This amnesty program will apply only to a person who files a request for relief and pays the amount due between July 1, 2010, and October 1, 2010.

Section 65 of this bill requires the Division of Insurance of the Department of Business and Industry to carry out a desk audit program to audit insurance premium tax returns to determine compliance and requires the Commissioner of the Division to submit a plan to carry out the program to the Fiscal Analysis Division of the Legislative Counsel Bureau by June 1, 2010.

Existing law requires the Department of Health and Human Services to administer the Temporary Assistance for Needy Families program, which is established pursuant to Title IV of the Social Security Act, 42 U.S.C. 601 et seq. (NRS 422.270) Existing law also requires that any federal money allotted to the State for this program be deposited in the appropriate account of the Division of Welfare and Supportive Services of the Department and administered by that Division. (NRS 422.245) **Section 66** of this bill provides that, if the Department receives an award from the Temporary Assistance for Needy Families Emergency Contingency Fund, the money must be used: (1) to replace State general funds that have been appropriated for certain purposes, including family resource centers and Family to Family Connection programs; (2) for the support of autistic children at certain facilities; and (3) for transfer to the appropriate social services departments of Clark and Washoe Counties. **Section 66** further provides that the savings from the use of money received from the Temporary Assistance for Needy Families Emergency Contingency Fund must be reverted to the State General Fund.



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

Section 1. The following reductions are hereby made to the appropriations from the State General Fund made pursuant to chapter 388, Statutes of Nevada 2009, at page 2105, for the support of the Government of the State of Nevada for the fiscal years beginning July 1, 2009, and ending June 30, 2010, and beginning July 1, 2010, and ending June 30, 2011:

	<u>2009-2010</u>	<u>2010-2011</u>
1. Adjutant General and National Guard	\$102,109	\$303,367
2. Department of Administration.....	\$364,439	\$497,817
3. State Department of Agriculture.....	\$88,983	\$255,728
4. Attorney General's Office.....	\$1,391,545	\$781,837
5. Office of the Secretary of State.....	\$138,366	\$0
6. Department of Business and Industry:		
(a) Business and Industry Administration	\$543	\$0
(b) Consumer Affairs Division.....	30,738	107,762
(c) Real Estate Division.....	704	0
(d) Nevada Athletic Commission	7,000	12,000
(e) Labor Commissioner.....	41,044	42,847
7. Commission on Economic Development.....	\$72,697	\$111,855
8. State Department of Conservation and Natural Resources:		
(a) Conservation and Natural Resources Administration.....	\$52,618	\$53,093
(b) Division of Conservation Districts.....	1,306	10,740
(c) Division of State Parks.....	322,682	379,748
(d) Division of Water Resources:		
(1) South Fork Reservoir/Map Case savings from receipt of federal grant	137,240	0
(2) Discontinue United States Geological Survey Agreement.....	0	20,000



	<u>2009-2010</u>	<u>2010-2011</u>
(3) Change funding source for engineering technician from State General Fund to other funding only associated with Truckee River title work.....	\$0	\$50,130
(4) Change funding source for staff I associate engineer position from State General Fund (25 percent of position to be funded with water basin assessment funds)	0	15,890
(5) Change funding source for an engineering technician position from State General Fund to water basin assessments	0	50,130
(e) Tahoe Regional Planning Agency.....	42,168	126,509
(f) Division of Forestry.....	101,549	64,194
(g) Division of State Lands	39,936	109,874
(h) Nevada Natural Heritage Program	2,898	8,914
(i) Division of Environmental Protection.....	23,022	65,656
9. Department of Corrections:		
(a) Move MIS to Building 89	\$33,057	\$85,322
(b) Charge the Offenders' Store Fund for rent for stores and coffee shops	245,853	245,853
(c) Charge the Offenders' Store Fund for rent for the gymnasiums	100,798	100,798
(d) Charge the Offenders' Store Fund for 50 percent of costs of officer salaries for visitation posts	826,238	865,272
(e) Charge inmates one-time energy surcharge on the purchase of electronic devices	0	140,498
(f) Cancel Choices contract effective April, 2010.....	126,395	656,473
(g) Reduction of medical payments to the Medicare rate commencing October, 2010.....	0	1,000,000



	<u>2009-2010</u>	<u>2010-2011</u>
(h) Reduction of debt-service costs for the Florence McClure Women's Correctional Center.....	\$2,346,250	\$0
10. Department of Cultural Affairs:		
(a) Department of Cultural Affairs Administration	\$94,451	\$93,010
(b) Division of Museums and History	280,971	249,669
(c) Division of State Library and Archives.....	71,701	156,771
(d) Nevada Arts Council.....	32,861	0
(e) Office of Historic Preservation	0	34,316
11. Department of Education— State Programs	\$1,006,570	\$942,516
12. Department of Employment, Training and Rehabilitation, Nevada Equal Rights Commission	\$0	\$109,195
13. Department of Health and Human Services:		
(a) Director's Office:		
(1) Hold vacant one position designated as an administrative assistant.....	\$39,791	\$41,767
(2) Use money from federal Title XX funds and the Children's Trust Fund to enable the use of money from the State General Fund appropriated for family resource centers	1,061,533	153,830
(b) Aging and Disability Services Division:		
(1) Use of the surplus available due to the attrition of the state family support workers who had been providing homemaker services and transition to contract services	80,270	0
(2) Projected surplus in the Independent Living Program due to reduced caseload projections	357,150	357,150



	<u>2009-2010</u>	<u>2010-2011</u>
(3) Reduction in the number of persons with disabilities who are provided personal assistance program services	\$440,604	\$0
(4) Reduction of approximately 27 percent of the refunds available to seniors above the federal poverty level through the Senior Citizens' Property Tax Assistance Account	0	1,209,399
(5) Reductions to the Home and Community-Based Program, including case management, attendant care, respite, adult day care, adult companion, homemaker and chore services	598,176	598,176

(c) Division of Health Care Financing and Policy:

(1) Reductions in spending as a result of improvements to and more effective delivery of certain medical services, including: (1) reducing the rate paid to anesthesia providers; (2) requiring a therapy clinical assessment prior to the authorization of personal care services; (3) expanding the list of preferred prescription drugs established pursuant to NRS 422.4025; (4) lowering the monthly limit of incontinence supplies provided to certain persons; (5) eliminating the purchase of disposable gloves as a covered medical service; (6) reducing the allowable administrative percentage paid for non-emergency transportation; (7) revising behavioral health rates from a multi-tier structure based on provider qualifications to a single rate structure; and (8) requiring legally responsible relatives who are



	<u>2009-2010</u>	<u>2010-2011</u>
unable to provide personal care to recipients due to employment or disability to provide approved documentation	\$2,997,616	\$11,695,117
(2) Reduction in the projected caseload for the Community Home-Based Initiatives Program.....	722,059	1,268,967
(3) Unspent general fund money as a result of the decision of the Federal Department of Health and Human Services to apply the increased ARRA federal medical assistance percentages to the Medicare Part D clawback provisions	4,839,939	11,705,027
(4) Reduction in projected caseload for Nevada Check-Up	1,611,578	4,561,941
(d) Health Division—Eliminate all State general funds for the Office of Minority Health, eliminate one filled position and change the funding source to use federal money, as available, to continue operating this Office	36,865	118,317
(e) Division of Welfare and Supportive Services:		
(1) Reduction of in-state travel and operating costs, including a reduction in contract and licensing costs based on recently negotiated agreements, and use of unspent funds for Food Stamp High Performance Bonuses	259,769	499,867
(2) Unspent money resulting from changes in the caseload of aged, blind and adult group care facilities	200,000	100,000
(3) Terminate the northern Nevada NEON pilot project and require Division personnel to provide case management services to persons currently served by this pilot project	58,502	73,255



	<u>2009-2010</u>	<u>2010-2011</u>
(4) Close the Winnemucca office of the Division, eliminate one vacant position in the Winnemucca office, provide public assistance applications and information through the family resource center and transfer the application processing and client services to the Elko District Office of the Division.....	\$5,579	\$16,881
(5) Close the Research Way facility, relocate publications and information technology warehouses and eliminate one maintenance position	0	28,224
(6) Reduction of administrative expenses of the Supplemental Nutrition Assistance Program.....	375,000	1,125,000
(7) Change the funding source for part of the new technology personnel within the administration budget to use federal funds and savings	216,966	256,906
(8) Savings recognized from personnel turnovers and a reduction in the travel and training expenses of the Division	808,624	585,532
(9) Use the State's portion of money collected for the Program for the Enforcement of Child Support for administrative costs	216,934	2,030,988
(10) Use the State's portion of the money collected for the Program for the Enforcement of Child Support	0	825,518
(11) Change the funding source for services provided to children through child care assistance and use the Federal Child Care and Development grants and other federal funds	0	738,390



	<u>2009-2010</u>	<u>2010-2011</u>
(f) Division of Mental Health and Developmental Services:		
(1) Carry forward money collected pursuant to the United Health settlement agreement	\$0	\$116,555
(2) Medication savings management efforts in Northern Nevada	1,270,000	1,540,000
(3) Vacant positions within the Mental Health Information System budget.....	50,090	0
(4) Medication savings management efforts in rural clinics	273,200	246,000
(5) Hold vacant an administrative assistant I position and a health program support specialist in the Substance Abuse Prevention and Treatment Agency and change the funding source to use a Substance Abuse Prevention and Treatment block grant for one management analyst position.....	145,846	207,189
(6) New participants receiving autism treatment from Desert Regional Center not using the full monthly allotment of available funds for Fiscal Year 2010	120,000	0
(7) Medication savings management efforts in Southern Nevada	2,066,944	2,766,262
(8) Temporarily reduce by 22 the number of inpatient mental health hospital beds available at Rawson-Neal Hospital and hold vacant 18 positions at Rawson-Neal Hospital.....	304,761	1,228,660
(9) Close certain buildings on the Northern Nevada Adult Mental Health Services site	150,000	150,000
(10) Reduction of out-of-state travel for administration during Fiscal Year 2010.....	5,700	0



	<u>2009-2010</u>	<u>2010-2011</u>
(11) Reduction in the number of psychiatric visits for clients at rural clinics and reduce funding for contract psychiatrists for rural Nevada	\$265,000	\$25,921
(12) Eliminate caseload growth in the Jobs and Day Training Services in rural Nevada.....	226,110	223,436
(13) Delay access for purchase of services through the Rural Regional Center for families with a developmentally disabled family member.....	45,000	55,000
(14) Reduction of 3 percent of the prevention efforts of the Substance Abuse Prevention and Treatment Agency for Fiscal Year 2010	176,481	0
(15) Hold vacant the following 12 positions at Lake's Crossing Center for the Mental Disordered Offender: (1) six forensic specialist III positions; (2) two forensic specialist IV positions; (3) one senior correctional officer; (4) one administrative assistant; (5) one quality assurance specialist; and (6) one psychiatric nurse.....	728,313	637,934
(16) Eliminate budgeted caseload growth at the Desert Regional Center for supportive living arrangements for people with developmental disabilities	5,497,635	4,090,082
(17) Eliminate budgeted caseload growth at the Sierra Regional Center for supportive living arrangements for people with developmental disabilities	1,720,076	2,027,656
(18) Reduction of the Southern Nevada Adult Mental Health residential placement assistance caseload	1,250,000	0



	<u>2009-2010</u>	<u>2010-2011</u>
(g) Division of Child and Family Services:		
(1) Reduction of 10 percent of the funds provided for the support of China Spring Youth Camp and Aurora Pines Girls Facility in Douglas County and the Spring Mountain Youth Camp in Clark County	\$0	\$170,498
(2) Reduction of residential care funding for children that are not in the custody of the Division	350,000	350,000
(3) Reduction of funding available for substitute foster care and residential care	573,247	537,436
(4) Increased projections in Medicaid revenue based on the approved Public Assistance Cost Allocation Plan of the Division	400,000	320,000
(5) Reduction of placement prevention program contracts	80,000	80,000
(6) Close the Summit View Youth Correctional Center and eliminate 49 positions at this facility	347,847	4,997,827
(7) Hold vacant an accounting assistant position, a management analyst position and a social services program specialist position	65,593	134,141
(8) Hold vacant two information technology professional positions in the UNITY/SACWIS budget, and reduction of out-of-state and in-state travel, the information services budget and the training budget	113,053	111,294
(9) Reduction of the residential care budget for youth in the custody of Youth Parole Bureau and reduce transitional community reintegration efforts for youth in the custody of the Youth Parole Bureau	600,000	300,000



	<u>2009-2010</u>	<u>2010-2011</u>
(10) Reduction in funding for contract mental health rehabilitative services provided by the Division for uninsured children in Clark County	\$90,000	\$90,000
(11) Eliminate a part-time administrative assistant position and a part-time accounting clerk position for a total reduction of 1.02 FTE with the Southern Nevada Child and Adolescent Services.....	8,753	29,143
14. Lieutenant Governor's Office	\$19,366	\$61,079
15. Department of Motor Vehicles	\$608	\$1,823
16. Office of the Governor:		
(a) Governor's Office	\$147,005	\$227,754
(b) Office of Energy	10,099	34,207
(c) Agency for Nuclear Projects	61,221	175,535
17. Office of Veterans' Services.....	\$86,787	\$244,963
18. Commission on Postsecondary Commission.....	\$27,607	\$18,793
19. Department of Public Safety	\$1,779,932	\$2,193,167
20. State Public Works Board	\$16,406	\$23,510
21. Department of Taxation.....	\$62,701	\$432,807
22. Department of Wildlife	\$29,038	\$84,889
23. Nevada System of Higher Education.....	\$11,524,182	\$34,572,454
24. Office of the State Treasurer	\$40,964	\$122,126
25. Office of State Controller	\$146,106	\$398,758
26. Legislative Fund	\$1,003,146	\$2,204,745
27. Board of Examiners Salary Adjustment Account.....	\$0	\$8,089,065

Sec. 2. The following reductions are hereby made to the appropriations from the State General Fund made pursuant to chapter 388, Statutes of Nevada 2009, at page 2105, for the support of the Government of the State of Nevada for the fiscal years beginning July 1, 2009, and ending June 30, 2010, and beginning



July 1, 2010, and ending June 30, 2011, as a result of the elimination of certain vacant positions:

	<u>2009-2010</u>	<u>2010-2011</u>
1. The Office of Attorney General—Attorney General Administration Account	\$58,755	\$823,607
2. Department of Agriculture—Veterinary Medical Services.....	\$20,329	\$192,805
3. Department of Business and Industry—Real Estate Administration	\$52,836	\$157,717
4. Department of Conservation and Natural Resources:		
(a) Conservation and Natural Resources Administration.....	\$0	\$19,856
(b) Division of State Parks	33,143	54,596
(c) Division of Water Resources.....	25,211	0
(d) DEP - Water Quality Planning	0	64,146
5. Department of Corrections:		
(a) Correctional Programs	\$0	\$255,686
(b) Medical Care.....	0	604,144
6. Department of Cultural Affairs:		
(a) Division of Museums and History	\$0	\$56,287
(b) Nevada Historical Society, Reno.....	0	15,167
(c) Nevada State Museum, Carson City	0	39,808
(d) Nevada State Railroad Museums.....	54,787	55,512
(e) Archives and Records	0	40,855
7. Department of Education—Education State Programs.....	\$6,995	\$20,884
8. Department of Employment, Training and		



	<u>2009-2010</u>	<u>2010-2011</u>
Rehabilitation—Nevada Equal Rights Commission.....	\$31,592	\$0
9. Department of Health and Human Services:		
(a) Division for Aging and Disability Services—Home and Community-Based Programs.....	\$46,862	\$140,367
(b) Division of Health Care Financing and Policy:		
(1) Health Care Financing and Policy Administration.....	21,924	65,835
(2) Nevada Check-Up Program	1,472	49,515
(c) Health Division:		
(1) Chronic Disease.....	2,998	0
(2) Community Health Services.....	52,816	55,491
(3) Consumer Health Protection.....	194,572	264,878
(4) Early Intervention Services.....	67,324	152,980
(5) Emergency Medical Services.....	23,399	24,226
(6) Health Statistics and Planning	13,594	41,134
(d) Division of Welfare and Supportive Services—Welfare Field Services Account.....	5,647	17,026
(e) Division of Mental Health and Developmental Services:		
(1) Sierra Regional Center	28,025	83,988
(2) Desert Regional Center.....	18,846	56,730
(3) Northern Nevada Adult Mental Health Services.....	28,233	87,652
(f) Division of Child and Family Services:		
(1) Child and Family Administration	63,671	190,791
(2) Nevada Youth Training Center.....	39,130	117,736
(3) Northern Nevada Child and Adolescent Services.....	299,102	309,160



	<u>2009-2010</u>	<u>2010-2011</u>
(4) Rural Child Welfare	\$24,053	\$72,741
(5) Southern Nevada Child and Adolescent Services	0	65,672
(6) Unity/SACWIS	16,438	48,902
(7) Wraparound in Nevada	96,125	172,935
10. Office of Veterans' Services—Southern Nevada Veterans' Home	\$11,059	\$44,941
11. Commission on Postsecondary Education	\$0	\$9,511
12. Department of Public Safety—Training Division	\$0	\$106,542
13. Department of Wildlife	\$19,797	\$40,087

Sec. 3. The following reductions are hereby made to the appropriations from the State General Fund made pursuant to chapter 388, Statutes of Nevada 2009, at page 2105, for the support of the Government of the State of Nevada for the fiscal years beginning July 1, 2009, and ending June 30, 2010, and beginning July 1, 2010, and ending June 30, 2011, with respect to travel and training expenses:

	<u>2009-2010</u>	<u>2010-2011</u>
1. Office of the Military	\$11,800	\$9,192
2. Department of Administration:		
(a) Budget and Planning Division	\$13,584	\$27,361
(b) Division of Internal Audits	9,310	11,145
3. Department of Agriculture:		
(a) Agriculture Administration	\$6,497	\$14,100
(b) Plant Industry Program	3,309	3,309
(c) Veterinary Medical Services	2,958	3,546
4. Department of Business and Industry:		
(a) Business and Industry— Administration	\$110	\$201
(b) Consumer Affairs	2,725	2,589
(c) Real Estate Administration	133	236
(d) Office of Labor Commissioner	4,185	1,052



	<u>2009-2010</u>	<u>2010-2011</u>
5. State Department of Conservation and Natural Resources:		
(a) Conservation and Natural Resources—Administration.....	\$8,885	\$1,000
(b) Division of State Parks	9,857	17,539
(c) Division of Water Resources.....	12,702	21,354
6. Department of Corrections:		
(a) Correctional Programs	\$3,791	\$3,791
(b) Office of the Director.....	11,908	11,908
7. Department of Cultural Affairs:		
(a) Cultural Affairs Administration	\$7,045	\$10,045
(b) Lost City Museum	600	674
(c) Nevada State Museum, Carson City	500	1,652
(d) Nevada State Museum, Las Vegas	2,214	2,664
(e) Nevada State Railroad Museums.....	1,468	1,468
(f) Archives and Records.....	642	2,179
(g) Nevada State Library	2,994	5,102
(h) Nevada State Library—Literacy	4,316	0
(i) Nevada Arts Council	5,338	4,152
(j) Comstock Historic District	0	511
(k) State Historic Preservation Office	1,805	1,805
8. Department of Health and Human Services:		
(a) Division of Health Care Financing and Policy:		
(1) Health Care Financing and Policy Administration	\$29,449	\$50,108
(2) Nevada Check-Up Program	492	492
(b) Health Division:		
(1) Consumer Health Protection.....	6,703	7,967



	<u>2009-2010</u>	<u>2010-2011</u>
(2) Emergency Medical Services.....	\$23,066	\$23,066
(3) Health Statistics and Planning.....	281	281
(4) Maternal Child Health Services.....	17,144	24,827
(5) Office of Health Administration.....	958	2,390
(c) Division of Welfare and Supportive Services:		
(1) Welfare Administration.....	4,431	6,705
(2) Welfare Field Services Account.....	2,450	2,450
(d) Division of Mental Health and Developmental Services:		
(1) Sierra Regional Center.....	5,625	13,769
(2) Desert Regional Center.....	16,789	16,348
(3) Mental Health Information System.....	4,600	4,800
(4) Mental Health and Developmental Services Administration.....	25,000	38,921
(5) Northern Nevada Adult Mental Health Services.....	27,300	39,150
(6) Rural Regional Center.....	3,322	10,519
(7) Southern Nevada Adult Mental Health Services.....	41,000	44,000
(8) Substance Abuse Prevention and Treatment Agency.....	20,810	33,948
(e) Division of Child and Family Services:		
(1) Child and Family Administration.....	19,766	17,420
(2) Northern Nevada Child and Adolescent Services.....	1,325	2,273
(3) Rural Child Welfare.....	40,119	38,596
(4) Southern Nevada Child and Adolescent Services.....	4,338	9,596
(5) Wraparound in Nevada.....	6,735	11,142
(6) Youth Parole Services.....	36,259	40,249



	<u>2009-2010</u>	<u>2010-2011</u>
9. Office of Veterans' Services:		
(a) Commissioner for Veterans' Affairs	\$5,874	\$7,234
(b) Southern Nevada Veterans' Home	10,667	16,135
10. Department of Public Safety:		
(a) Dignitary Protection	\$1,764	\$4,129
(b) Division of Investigations	11,800	13,708
(c) Division of Emergency Management	20,325	0
(d) State Fire Marshal	810	0
(e) Narcotics Control	5,670	5,668
(f) Division of Parole and Probation	10,494	11,100
(g) Training Division	5,349	5,354
11. Department of Wildlife	\$5,100	\$2,365

Sec. 4. The following reductions are hereby made to the appropriations from the State General Fund made pursuant to chapter 388, Statutes of Nevada 2009, at page 2105, for the support of the Government of the State of Nevada for the fiscal years beginning July 1, 2009, and ending June 30, 2010, and beginning July 1, 2010, and ending June 30, 2011:

	<u>2009-2010</u>	<u>2010-2011</u>
1. Department of Administration—Division of Internal Audits	\$0	\$9,534
2. The Office of Attorney General—Special Litigation Account	\$152,601	\$718,163
3. Department of Cultural Affairs:		
(a) Cultural Affairs Administration	\$1,470	\$18,555
(b) Nevada State Library	0	8,809
4. Department of Education:		
(a) Nutrition Education Programs	\$24,648	\$0
(b) Education State Programs	0	886,602



	<u>2009-2010</u>	<u>2010-2011</u>
5. Department of Health and Human Services:		
(a) Division for Aging and Disability Services—Aging Federal Programs and Administration	\$209,238	\$211,730
(b) Health Division—Emergency Medical Services	0	6,910
(c) Division of Mental Health and Developmental Services:		
(1) Sierra Regional Center	327,630	642,800
(2) Desert Regional Center.....	529,029	571,305
(3) Mental Health and Developmental Services Administration	7,000	5,800
(4) Northern Nevada Adult Mental Health Services.....	54,858	0
(5) Rural Regional Center	63,653	307,160
(6) Southern Nevada Adult Mental Health Services.....	0	104,000
(7) Substance Abuse Prevention and Treatment Agency	38,296	0
6. Office of the Governor—Energy Conservation	\$28,397	\$41,377
7. Office of Veterans’ Services:		
(a) Commissioner for Veterans’ Affairs	\$15,068	\$10,239
(b) Southern Nevada Veterans’ Home	4,643	30,695
8. Department of Public Safety:		
(a) Division of Investigations	\$52,810	\$114,345
(b) Narcotics Control.....	159,634	508,002

Sec. 5. 1. The appropriations from the State General Fund for the Supreme Court of Nevada made pursuant to chapter 388, Statutes of Nevada 2009, at page 2106, for the fiscal years beginning July 1, 2009, and ending June 30, 2010, and beginning July 1, 2010, and ending June 30, 2011, are hereby reduced by \$1,055,640.



2. The reduction required pursuant to subsection 1 may be made in either or both fiscal years of the 2009-2011 biennium at the discretion of the Nevada Supreme Court.

Sec. 6. The following reductions are hereby made to the appropriations from the State General Fund made pursuant to chapter 388, Statutes of Nevada 2009, at page 2105, for the support of the Government of the State of Nevada for the fiscal year beginning July 1, 2010, and ending June 30, 2011:

- 1. Department of Cultural Affairs
 - (a) Lost City Museum.....\$18,758
 - (b) Nevada Historical Society, Reno.....2,430
 - (c) Nevada State Museum, Carson City56,608
 - (d) Nevada State Museum, Las Vegas4,862
 - (e) Nevada State Railroad Museums112,866
- 2. State Department of Conservation and Natural Resources—Division of State Parks.....\$1,086,000

Sec. 7. The expenditures of the following sums by the State Gaming Control Board and the Nevada Gaming Commission from the State General Fund pursuant to NRS 463.330 that were authorized pursuant to sections 3 and 4 of chapter 392, Statutes of Nevada 2009, at page 2177, are hereby reduced for the fiscal years beginning July 1, 2009, and ending June 30, 2010, and beginning July 1, 2010, and ending June 30, 2011, as follows:

	<u>2009-2010</u>	<u>2010-2011</u>
1. For personnel, operating and related expenditures:		
(a) Nevada Gaming Commission	\$17,479	\$6,860
(b) State Gaming Control Board	1,031,520	986,162
2. For other State Gaming Control Board reductions.....	\$0	\$4,236,650

Sec. 8. 1. Expenditure of the following sums not appropriated from the State General Fund is hereby authorized by the State Gaming Control Board from money collected by the State Gaming Control Board:

- (a) For the fiscal year beginning on July 1, 2009, and ending on June 30, 2010.....\$415,512
- (b) For the fiscal year beginning on July 1, 2010, and ending on June 30, 2011.....\$4,286,031

2. The money authorized to be expended by the provisions of subsection 1 must be expended in accordance with the allotment transfer, work program and budget provisions of NRS 353.150 to



353.245, inclusive, and 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.

Sec. 9. Expenditure of the following sums not appropriated from the State General Fund is hereby authorized during the fiscal year beginning on July 1, 2010, and ending on June 30, 2011, by the various officers, departments, boards, agencies, commissions and institutions of the State Government mentioned in this section from the money collected by such officers, departments, boards, agencies, commissions and institutions of the State Government:

1. Department of Cultural Affairs:
 - (a) Lost City Museum.....\$18,758
 - (b) Nevada Historical Society2,430
 - (c) Nevada State Museum, Carson City56,608
 - (d) Nevada State Museum, Las Vegas4,862
 - (e) Nevada State Railroad Museums112,866
2. State Department of Conservation and Natural Resources—Division of State Parks.....\$1,086,000

Sec. 10. The money authorized to be expended by the provisions of section 9 of this act must be expended in accordance with the allotment transfer, work program and budget provisions of NRS 353.150 to 353.245, inclusive, and 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.

Sec. 11. 1. The following changes are hereby made to the appropriations from the State General Fund made pursuant to chapter 388, Statutes of Nevada, at page 2105, for the support of the Nevada System of Higher Education for the fiscal year beginning July 1, 2009, and ending June 30, 2010, and beginning July 1, 2010, and ending June 30, 2011:

	<u>2009-2010</u>	<u>2010-2011</u>
(a) The following reductions are hereby made:.....	\$92,389,311	\$0
(b) The following increases are hereby made:.....	0	92,389,311



2. The following changes are hereby made to the expenditure of Federal education stabilization funds received pursuant to the American Recovery and Reinvestment Act of 2009 not appropriated from the State General Fund and authorized pursuant to chapter 392, Statutes of Nevada 2009, at page 2166:

	<u>2009-2010</u>	<u>2010-2011</u>
(a) The following increases are hereby made:.....	\$92,389,311	\$0
(b) The following reductions are hereby made:.....	0	92,389,311

↳ The changes authorized under this subsection are made pursuant to section 19 of chapter 392, Statutes of Nevada 2009, at page 2186.

3. The Board of Regents of the University of Nevada, with the approval of the Interim Finance Committee upon the recommendation of the Governor, shall determine how the changes authorized pursuant to this section shall be implemented consistent with the purposes of the Federal education stabilization program of the American Recovery and Reinvestment Act of 2009.

Sec. 12. The following changes are hereby made to the appropriations from the State General Fund made pursuant to chapter 388, Statutes of Nevada 2009, at page 2105, for the support of the government of the State of Nevada for the fiscal years beginning June 1, 2009, and ending June 30, 2010, and beginning July 1, 2010, and ending June 30, 2011:

	<u>2009-2010</u>	<u>2010-2011</u>
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For the Department of Corrections, the following reductions are made:

Medical Care	\$20,090,364	\$0
Southern Desert Correctional Center	9,752,970	0
Ely State Prison	12,870,676	0
Lovelock Correctional Center	10,957,802	0
High Desert State Prison	18,506,257	0



For the Department of Corrections, the following increases are made:

Medical Care	\$0	\$20,090,364
Southern Desert Correctional Center	0	9,752,970
Ely State Prison	0	12,870,676
Lovelock Correctional Center	0	10,957,802
High Desert State Prison	0	18,506,257

Sec. 13. The following changes are hereby made to the expenditure of the following sums received pursuant to the American Recovery and Reinvestment Act of 2009 not appropriated from the State General Fund during the fiscal year beginning on July 1, 2010.

2009-2010 2010-2011

For the Department of Corrections, the following reductions are made:

Medical Care	\$0	\$20,090,364
Southern Desert Correctional Center	0	9,752,970
Ely State Prison	0	12,870,676
Lovelock Correctional Center	0	10,957,802
High Desert State Prison	0	18,506,257

For the Department of Corrections, the following increases are made:

Medical Care	\$20,090,364	\$0
Southern Desert Correctional Center	9,752,970	0
Ely State Prison	12,870,676	0
Lovelock Correctional Center	10,957,802	0
High Desert State Prison	18,506,257	0

Sec. 14. 1. The State Public Works Board shall transfer the sum of \$700,000 from the amounts allocated pursuant to section 3 of chapter 347, Statutes of Nevada 2007, at page 1641, from the projects identified in this subsection to the project as authorized in subsection 2:



<u>Description</u>	<u>Project No.</u>	<u>Amount</u>
(a) Statewide ADA Program	07-S02	\$200,000
(b) Statewide Fire Life Safety Program ...	07-S03	\$500,000

2. The State Public Works Board shall use the \$700,000 transferred pursuant to paragraph (a) and (b) of subsection 1 to support the Board in carrying out the project numbered and described in the Executive Budget for the 2007-2009 biennium or otherwise described as Project 07-C02, New State Museum in Las Vegas – deferred construction.

3. Any remaining balance of the amount transferred in this section must not be committed for expenditure after June 30, 2011, 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, 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 Bond Interest and Redemption Fund on or before September 16, 2011.

Sec. 15. 1. The State Public Works Board shall transfer the sum of \$1,441,638 from the amounts allocated pursuant to section 4 of chapter 398, Statutes of Nevada 2005, at page 1547, from the projects identified in this subsection to the projects as authorized in subsections 2 and 3:

<u>Description</u>	<u>Project No.</u>	<u>Amount</u>
(a) Las Vegas readiness center for Nevada National Guard	05-C13	\$933,638
(b) New classroom building on West Charleston Campus of CCSN	05-C20	\$508,000

2. The State Public Works Board shall use the \$933,638 transferred pursuant to paragraph (a) of subsection 1 to support the Board in carrying out the project numbered and described in the Executive Budget for the 2005-2007 biennium or otherwise described as Project 05-M15, Sewage treatment upgrades at ESP.

3. The State Public Works Board shall use the \$508,000 transferred pursuant to paragraph (b) of subsection 1 to support the Board in carrying out the project numbered and described in the Executive Budget for the 2005-2007 biennium or otherwise described as Project 05-C16, Greenspun College of Urban Affairs building at the University of Nevada, Las Vegas.



4. Any remaining balance of the amount transferred in this section must not be committed for expenditure after June 30, 2011, 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, 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 Bond Interest and Redemption Fund on or before September 16, 2011.

Sec. 16. 1. 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:

(a) For the work program for Budget Account 409-1508, State Public Works Board – UNIV CIP-Greenspun CUA, by transferring \$508,000 to Category 93, Reserve for Reversion, within that Account.

(b) For the work program for Budget Account 410-1558, State Public Works Board - SPWB General CIP Projects, by transferring \$700,000 to Category 93, Reserve for Reversion, within that Account.

(c) For the work program for Budget Account 466-1565, State Public Works Board - Prisons CIP Projects, by transferring \$933,638 to Category 93, Reserve for Reversion, within that Account.

2. Notwithstanding any other provision of law to the contrary, all money transferred to Category 93, Reserve for Reversion, in each budget account pursuant to subsection 1 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. 17. 1. In addition to the other reductions in the sums appropriated for the fiscal years beginning July 1, 2009, and ending June 30, 2010, and beginning July 1, 2010, and ending June 30, 2011, carried out pursuant to this act, the Executive, Judicial and Legislative Departments of State Government shall identify any additional reductions that may be made to those appropriated sums as a result of the renegotiation of contracts for services or for the rental or leasing of buildings, facilities or real property.



2. If any such additional reductions are identified, the Department shall renegotiate the applicable contracts and the money saved must be reserved for reversion to the State General Fund in the manner provided by law.

Sec. 18. 1. The Legislature finds and declares that:

(a) The transfer of money from the Clean Water Coalition to the State General Fund is necessary to ensure that the government of this State is able to continue to operate effectively and to serve the residents, businesses and governmental entities of this State;

(b) The transfer of money from the Clean Water Coalition to the State General Fund will promote the general welfare of this State; and

(c) A general law cannot be made applicable to the provisions of this section because of special circumstances.

2. On March 12, 2010, or such other day as is mutually agreed upon by the Clean Water Coalition and the State Treasurer, the Clean Water Coalition shall transfer to the State of Nevada securities and cash which together total \$62,000,000, for deposit in the State General Fund for unrestricted State General Fund use.

3. For the purposes of subsection 2, the dollar amount of value assigned to each of the securities that is transferred must be the market value of the securities on the last business day before the day of the transfer as determined by the State Treasurer's Securities Custodian.

4. All securities transferred to the State of Nevada pursuant to subsection 2 must be approved in advance by the State Treasurer and must constitute appropriate investments of the State of Nevada in accordance with law.

5. The State Treasurer may take any action the State Treasurer determines necessary to ensure that the transfer of the securities and cash required by the provisions of this section is carried out in an appropriate and timely manner.

6. The provisions of this section must not be applied to modify, directly or indirectly, any pledged revenues or securities in such a manner as to impair adversely any outstanding obligations of the Clean Water Coalition, including, without limitation, bonds, medium-term financing, letters of credit and any other financing obligations, until all such obligations have been discharged in full or provision for their payment and redemption has been fully made.

Sec. 19. NRS 2.125 is hereby amended to read as follows:

2.125 The Supreme Court may adopt rules providing for voluntary mediation with respect to **[a]**:



1. A homeowner who is not in default but is at risk of default.
 2. A small business whose commercial property is in default.
- If the Supreme Court adopts such rules, the Supreme Court shall consider:*

- (a) *The goals and purposes of the mediation process;*
- (b) *The necessity, efficiency and desirability of allowing mediation for the various types of commercial property; and*
- (c) *Any other factor that is relevant in determining whether allowing mediation under the circumstances is in the best interests of the residents, businesses and governmental entities in this State.*

Sec. 20. NRS 78.780 is hereby amended to read as follows:

78.780 The fee for filing a certificate of dissolution whether it occurs before or after payment of capital and beginning of business is ~~[\$75.]~~ **\$100.**

Sec. 21. NRS 80.050 is hereby amended to read as follows:

80.050 1. Except as otherwise provided in subsection 3, foreign corporations shall pay the same fees to the Secretary of State as are required to be paid by corporations organized pursuant to the laws of this State, but the amount of fees to be charged must not exceed:

- (a) The sum of \$35,000 for filing records for initial qualification; or
- (b) The sum of \$35,000 for each subsequent filing of a certificate increasing authorized capital stock.

2. If the corporate records required to be filed set forth only the total number of shares of stock the corporation is authorized to issue without reference to value, the authorized shares shall be deemed to be without par value and the filing fee must be computed pursuant to paragraph (b) of subsection 3 of NRS 78.760.

3. Foreign corporations which are nonprofit corporations and which do not have or issue shares of stock shall pay the same fees to the Secretary of State as are required to be paid by nonprofit corporations organized pursuant to the laws of this State.

4. The fee for filing a notice of withdrawal from the State of Nevada by a foreign corporation is ~~[\$75.]~~ **\$100.**

Sec. 22. NRS 86.561 is hereby amended to read as follows:

86.561 1. The Secretary of State shall charge and collect for:

- (a) Filing the original articles of organization, or for registration of a foreign company, \$75;
- (b) Amending or restating the articles of organization, amending the registration of a foreign company or filing a certificate of correction, \$175;



- (c) Filing the articles of dissolution of a domestic or foreign company, ~~[\$75;]~~ \$100;
- (d) Certifying a copy of articles of organization or an amendment to the articles, \$30;
- (e) Certifying an authorized printed copy of this chapter, \$30;
- (f) Reserving a name for a limited-liability company, \$25;
- (g) Filing a certificate of cancellation, ~~[\$75;]~~ \$100;
- (h) Signing, filing or certifying any other record, \$50; and
- (i) Copies provided by the Office of the Secretary of State, \$2 per page.

2. The Secretary of State shall charge and collect, at the time of any service of process on the Secretary of State as agent for service of process of a limited-liability company, \$100 which may be recovered as taxable costs by the party to the action causing the service to be made if the party prevails in the action.

3. Except as otherwise provided in this section, the fees set forth in NRS 78.785 apply to this chapter.

Sec. 23. NRS 87.470 is hereby amended to read as follows:

87.470 The registration of a registered limited-liability partnership is effective until:

1. Its certificate of registration is revoked pursuant to NRS 87.520; or

2. The registered limited-liability partnership files with the Secretary of State a notice of withdrawal signed by a managing partner. The notice must be accompanied by a fee of ~~[\$75;]~~ \$100.

Sec. 24. NRS 87A.315 is hereby amended to read as follows:

87A.315 The Secretary of State, for services relating to the official duties of the Secretary of State and the records of the Office of the Secretary of State, shall charge and collect the following fees:

1. For filing a certificate of limited partnership, or for registering a foreign limited partnership, \$75.

2. For filing a certificate of registration of limited-liability limited partnership, or for registering a foreign registered limited-liability limited partnership, \$100.

3. For filing a certificate of amendment of limited partnership or restated certificate of limited partnership, \$175.

4. For certifying a copy of a certificate of limited partnership, an amendment to the certificate, or a certificate as amended, \$30 per certification.

5. For certifying an authorized printed copy of the limited partnership law, \$30.

6. For reserving a limited partnership name, or for signing, filing or certifying any other record, \$25.



7. For copies provided by the Office of the Secretary of State, \$2 per page.

8. For filing a certificate of cancellation of a limited partnership or a certificate of cancellation of the registration of a foreign limited partnership, ~~[\$75-]~~ **\$100.**

↳ Except as otherwise provided in this section, the fees set forth in NRS 78.785 apply to this chapter.

Sec. 25. NRS 87A.645 is hereby amended to read as follows:

87A.645 The registration of a registered limited-liability limited partnership is effective until:

1. Its certificate of registration is revoked pursuant to NRS 87A.305; or

2. The registered limited-liability limited partnership files with the Secretary of State a notice of withdrawal signed by a general partner. The notice must be accompanied by a fee of ~~[\$60-]~~ **\$100.**

Sec. 26. NRS 88.415 is hereby amended to read as follows:

88.415 The Secretary of State, for services relating to the official duties of the Secretary of State and the records of the Office of the Secretary of State, shall charge and collect the following fees:

1. For filing a certificate of limited partnership, or for registering a foreign limited partnership, \$75.

2. For filing a certificate of registration of limited-liability limited partnership, or for registering a foreign registered limited-liability limited partnership, \$100.

3. For filing a certificate of amendment of limited partnership or restated certificate of limited partnership, \$175.

4. For certifying a copy of a certificate of limited partnership, an amendment to the certificate, or a certificate as amended, \$30 per certification.

5. For certifying an authorized printed copy of the limited partnership law, \$30.

6. For reserving a limited partnership name, or for signing, filing or certifying any other record, \$25.

7. For copies provided by the Office of the Secretary of State, \$2 per page.

8. For filing a certificate of cancellation of a limited partnership, ~~[\$75-]~~ **\$100.**

↳ Except as otherwise provided in this section, the fees set forth in NRS 78.785 apply to this chapter.

Sec. 27. NRS 88.607 is hereby amended to read as follows:

88.607 The registration of a registered limited-liability limited partnership is effective until:



1. Its certificate of registration is revoked pursuant to NRS 88.405; or

2. The registered limited-liability limited partnership files with the Secretary of State a notice of withdrawal signed by a general partner. The notice must be accompanied by a fee of ~~[\$60.]~~ **\$100.**

Sec. 28. NRS 88A.900 is hereby amended to read as follows:

88A.900 The Secretary of State shall charge and collect the following fees for:

1. Filing an original certificate of trust, or for registering a foreign business trust, \$75.

2. Filing an amendment or restatement, or a combination thereof, to a certificate of trust, \$175.

3. Filing a certificate of cancellation, ~~[\$75.]~~ **\$100.**

4. Certifying a copy of a certificate of trust or an amendment or restatement, or a combination thereof, \$30 per certification.

5. Certifying an authorized printed copy of this chapter, \$30.

6. Reserving a name for a business trust, \$25.

7. Signing a certificate of existence of a business trust which does not list the previous records relating to it, or a certificate of change in the name of a business trust, \$50.

8. Signing a certificate of existence of a business trust which lists the previous records relating to it, \$50.

9. Signing, certifying or filing any certificate or record not otherwise provided for in this section, \$50.

10. Examining and provisionally approving a record before the record is presented for filing, \$125.

11. Copying a record on file with the Secretary of State, for each page, \$2.

Sec. 29. NRS 90.360 is hereby amended to read as follows:

90.360 1. An applicant for licensing shall pay a nonrefundable licensing fee, due annually in the following amounts:

(a) Broker-dealer, \$300.

(b) Sales representative, ~~[\$110.]~~ **\$125.**

(c) Investment adviser, \$300.

(d) Representative of an investment adviser, \$110.

2. The Administrator by regulation shall require licensing of branch offices. A broker-dealer who desires to obtain a branch office license must, in addition to complying with any other requirements established by the Administrator for such a license, submit an application for the license and pay a fee of \$100. If any change occurs in the information set forth in an application made pursuant to this subsection, the applicant shall, within 30 days after the change, file an amendment to the application and pay a fee of



\$50. A license obtained pursuant to this subsection expires on December 31 of each year. The license must be renewed annually on or before December 31 by paying a fee of \$100.

3. For the purpose of this section, a “branch office” means any place of business in this State other than the principal office in the state of the broker-dealer, from which one or more sales representatives transact business.

Sec. 30. NRS 104.9525 is hereby amended to read as follows:

104.9525 1. Except as otherwise provided in subsection 5, the fee for filing and indexing a record under this part, other than an initial financing statement of the kind described in subsection 2 of NRS 104.9502, is:

(a) ~~Forty~~ **Sixty** dollars if the record is communicated in writing and consists of one or two pages;

(b) ~~Sixty~~ **Ninety** dollars if the record is communicated in writing and consists of more than two pages, and \$2 for each page over 20 pages;

(c) ~~Twenty~~ **Thirty** dollars if the record is communicated by another medium authorized by filing-office rule; and

(d) Two dollars for each additional debtor, trade name or reference to another name under which business is done.

2. The filing officer may charge and collect \$2 for each page of copy or record of filings produced by him or her at the request of any person.

3. Except as otherwise provided in subsection 5, the fee for filing and indexing an initial financing statement of the kind described in subsection 3 of NRS 104.9502 is:

(a) ~~Sixty~~ **Ninety** dollars if the financing statement indicates that it is filed in connection with a public-finance transaction; and

(b) ~~Forty~~ **Sixty** dollars if the financing statement indicates that it is filed in connection with a manufactured-home transaction.

4. The fee for responding to a request for information from the filing office, including for issuing a certificate showing whether there is on file any financing statement naming a particular debtor, is:

(a) ~~Forty~~ **Sixty** dollars if the request is communicated in writing; and

(b) ~~Twenty~~ **Thirty** dollars if the request is communicated by another medium authorized by filing-office rule.

5. This section does not require a fee with respect to a mortgage that is effective as a financing statement filed as a fixture filing or as a financing statement covering as-extracted collateral or timber to be cut under subsection 3 of NRS 104.9502. However, the



fees for recording and satisfaction which otherwise would be applicable to the mortgage apply.

Sec. 31. NRS 107.080 is hereby amended to read as follows:

107.080 1. Except as otherwise provided in NRS 107.085 and 107.086, if any transfer in trust of any estate in real property is made after March 29, 1927, to secure the performance of an obligation or the payment of any debt, a power of sale is hereby conferred upon the trustee to be exercised after a breach of the obligation for which the transfer is security.

2. The power of sale must not be exercised, however, until:

(a) Except as otherwise provided in paragraph (b), in the case of any trust agreement coming into force:

(1) On or after July 1, 1949, and before July 1, 1957, the grantor, the person who holds the title of record, a beneficiary under a subordinate deed of trust or any other person who has a subordinate lien or encumbrance of record on the property has, for a period of 15 days, computed as prescribed in subsection 3, failed to make good the deficiency in performance or payment; or

(2) On or after July 1, 1957, the grantor, the person who holds the title of record, a beneficiary under a subordinate deed of trust or any other person who has a subordinate lien or encumbrance of record on the property has, for a period of 35 days, computed as prescribed in subsection 3, failed to make good the deficiency in performance or payment;

(b) In the case of any trust agreement which concerns owner-occupied housing as defined in NRS 107.086, the grantor, the person who holds the title of record, a beneficiary under a subordinate deed of trust or any other person who has a subordinate lien or encumbrance of record on the property has, for a period that commences in the manner and subject to the requirements described in subsection 3 and expires 5 days before the date of sale, failed to make good the deficiency in performance or payment;

(c) The beneficiary, the successor in interest of the beneficiary or the trustee first executes and causes to be recorded in the office of the recorder of the county wherein the trust property, or some part thereof, is situated a notice of the breach and of the election to sell or cause to be sold the property to satisfy the obligation; and

(d) Not less than 3 months have elapsed after the recording of the notice.

3. The 15- or 35-day period provided in paragraph (a) of subsection 2, or the period provided in paragraph (b) of subsection 2, commences on the first day following the day upon which the notice of default and election to sell is recorded in the office of the



county recorder of the county in which the property is located and a copy of the notice of default and election to sell is mailed by registered or certified mail, return receipt requested and with postage prepaid to the grantor or, to the person who holds the title of record on the date the notice of default and election to sell is recorded, and, if the property is operated as a facility licensed under chapter 449 of NRS, to the State Board of Health, at their respective addresses, if known, otherwise to the address of the trust property. The notice of default and election to sell must:

(a) Describe the deficiency in performance or payment and may contain a notice of intent to declare the entire unpaid balance due if acceleration is permitted by the obligation secured by the deed of trust, but acceleration must not occur if the deficiency in performance or payment is made good and any costs, fees and expenses incident to the preparation or recordation of the notice and incident to the making good of the deficiency in performance or payment are paid within the time specified in subsection 2; and

(b) If the property is a residential foreclosure, comply with the provisions of NRS 107.087.

4. The trustee, or other person authorized to make the sale under the terms of the trust deed or transfer in trust, shall, after expiration of the 3-month period following the recording of the notice of breach and election to sell, and before the making of the sale, give notice of the time and place thereof by recording the notice of sale and by:

(a) Providing the notice to each trustor, any other person entitled to notice pursuant to this section and, if the property is operated as a facility licensed under chapter 449 of NRS, the State Board of Health, by personal service or by mailing the notice by registered or certified mail to the last known address of the trustor and any other person entitled to such notice pursuant to this section;

(b) Posting a similar notice particularly describing the property, for 20 days successively, in three public places of the township or city where the property is situated and where the property is to be sold;

(c) Publishing a copy of the notice three times, once each week for 3 consecutive weeks, in a newspaper of general circulation in the county where the property is situated; and

(d) If the property is a residential foreclosure complying with the provisions of NRS 107.087.

5. Every sale made under the provisions of this section and other sections of this chapter vests in the purchaser the title of the grantor and any successors in interest without equity or right of



redemption. A sale made pursuant to this section may be declared void by any court of competent jurisdiction in the county where the sale took place if:

(a) The trustee or other person authorized to make the sale does not substantially comply with the provisions of this section or any applicable provision of NRS 107.086 and 107.087;

(b) Except as otherwise provided in subsection 6, an action is commenced in the county where the sale took place within 90 days after the date of the sale; and

(c) A notice of lis pendens providing notice of the pendency of the action is recorded in the office of the county recorder of the county where the sale took place within 30 days after commencement of the action.

6. If proper notice is not provided pursuant to subsection 3 or paragraph (a) of subsection 4 to the grantor, to the person who holds the title of record on the date the notice of default and election to sell is recorded, to each trustor or to any other person entitled to such notice, the person who did not receive such proper notice may commence an action pursuant to subsection 5 within 120 days after the date on which the person received actual notice of the sale.

7. The sale of a lease of a dwelling unit of a cooperative housing corporation vests in the purchaser title to the shares in the corporation which accompany the lease.

8. After a sale of property is conducted pursuant to this section, the trustee shall:

(a) Within 30 days after the date of the sale, record the trustee's deed upon sale in the office of the county recorder of the county in which the property is located; or

(b) Within 20 days after the date of the sale, deliver the trustee's deed upon sale to the successful bidder. Within 10 days after the date of delivery of the deed by the trustee, the successful bidder shall record the trustee's deed upon sale in the office of the county recorder of the county in which the property is located.

9. If the successful bidder fails to record the trustee's deed upon sale pursuant to paragraph (b) of subsection 8, the successful bidder:

(a) Is liable in a civil action to any party that is a senior lienholder against the property that is the subject of the sale in a sum of up to \$500 and for reasonable attorney's fees and the costs of bringing the action; and

(b) Is liable in a civil action for any actual damages caused by the failure to comply with the provisions of subsection 8 and for reasonable attorney's fees and the costs of bringing the action.



10. The county recorder shall, in addition to any other fee, at the time of recording a notice of default and election to sell collect ~~the sum~~ :

(a) *A fee of \$150 for deposit in the State General Fund.*

(b) *A fee of \$50 for deposit in the Account for Foreclosure Mediation, which is hereby created in the State General Fund. The Account must be administered by the Court Administrator, and the money in the Account may be expended only for the purpose of supporting a program of foreclosure mediation established by Supreme Court Rule.*

↳ The fees collected *pursuant to this subsection* must be paid over to the county treasurer by the county recorder on or before the fifth day of each month for the preceding calendar month, and, except as otherwise provided in this subsection, must be placed to the credit of the *State General Fund or the Account* ~~as prescribed pursuant to this subsection.~~ The county recorder may direct that 1.5 percent of the fees collected by the county recorder be transferred into a special account for use by the office of the county recorder. The county treasurer shall, on or before the 15th day of each month, remit the fees deposited by the county recorder ~~for the Account for Foreclosure Mediation~~ *pursuant to this subsection* to the State Controller for credit to the *State General Fund or the Account* ~~The Account must be administered by the Court Administrator, and the money in the Account may be expended only for the purpose of supporting a program of foreclosure mediation established by Supreme Court Rule.~~ *as prescribed in this subsection.*

11. *The beneficiary, the successor in interest of the beneficiary or the trustee who causes to be recorded the notice of default and election to sell shall not charge the grantor or the successor in interest of the grantor any portion of any fee required to be paid pursuant to subsection 10.*

12. As used in this section, “residential foreclosure” means the sale of a single family residence under a power of sale granted by this section. As used in this subsection, “single family residence”:

(a) Means a structure that is comprised of not more than four units.

(b) Does not include any time share or other property regulated under chapter 119A of NRS.

Sec. 32. NRS 116.630 is hereby amended to read as follows:

116.630 1. There is hereby created the Account for Common-Interest Communities and Condominium Hotels in the State General Fund. The Account must be administered by the Administrator.



2. Except as otherwise provided in subsection 3, all money received by the Commission, a hearing panel or the Division pursuant to this chapter or chapter 116B of NRS, including, without limitation, the fees collected pursuant to NRS 116.31155 and 116B.620, must be deposited into the Account.

3. If the Commission imposes a fine or penalty, the Commission shall deposit the money collected from the imposition of the fine or penalty with the State Treasurer for credit to the State General Fund. If the money is so deposited, the Commission may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is required to pay attorney's fees or the costs of an investigation, or both.

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

5. The money in the Account must be used solely to defray:

(a) The costs and expenses of the Commission and the Office of the Ombudsman; ~~and~~

(b) If authorized by the Commission or any regulations adopted by the Commission, the costs and expenses of subsidizing proceedings for mediation and arbitration conducted pursuant to NRS 38.300 to 38.360, inclusive ~~and~~; *and*

(c) If authorized by the Legislature or by the Interim Finance Committee if the Legislature is not in session, the costs and expenses of administering the Division.

Sec. 33. NRS 122A.100 is hereby amended to read as follows:

122A.100 1. A valid domestic partnership is registered in the State of Nevada when two persons who satisfy the requirements of subsection 2:

(a) File with the Office of the Secretary of State, on a form prescribed by the Secretary of State, a signed and notarized statement declaring that both persons:

(1) Have chosen to share one another's lives in an intimate and committed relationship of mutual caring; and

(2) Desire of their own free will to enter into a domestic partnership; and

(b) Pay to the Office of the Secretary of State a reasonable filing fee established by the Secretary of State, which filing fee must not exceed the total of an amount set by the Secretary of State to estimate:

(1) The cost incurred by the Secretary of State to issue the Certificate described in subsection 3; and



(2) Any other associated administrative costs incurred by the Secretary of State.

↳ The Office of the Secretary of State shall account for the fees received pursuant to paragraph (b) separately, and use those fees, and any interest and income earned on those fees, solely to pay for expenses related to administering the registration of domestic partnerships pursuant to this chapter, including, without limitation, the cost of materials and technology necessary to process and record the filing. *At the end of each fiscal year, the Secretary of State shall reconcile the amount of the fees received pursuant to paragraph (b) and the expenses related to administering the registration of domestic partnerships pursuant to this chapter and deposit any excess fees received with the State Treasurer for credit to the State General Fund.*

2. To be eligible to register pursuant to subsection 1, two persons desiring to enter into a domestic partnership must furnish proof satisfactory to the Office of the Secretary of State that:

- (a) Both persons have a common residence;
- (b) Except as otherwise provided in NRS 122A.500, neither person is married or a member of another domestic partnership;
- (c) The two persons are not related by blood in a way that would prevent them from being married to each other in this State;
- (d) Both persons are at least 18 years of age; and
- (e) Both persons are competent to consent to the domestic partnership.

3. The Office of the Secretary of State shall issue a Certificate of Registered Domestic Partnership to persons who satisfy the applicable requirements of this section.

4. As used in this section:

(a) "Common residence" means a residence shared by both domestic partners on at least a part-time basis, irrespective of whether:

(1) Ownership of the residence or the right to occupy the residence is in the name of only one of the domestic partners; and

(2) One or both of the domestic partners owns or occupies an additional residence.

(b) "Residence" means any house, room, apartment, tenement or other building, vehicle, vehicle trailer, semitrailer, house trailer or boat designed or intended for occupancy as a residence.

Sec. 34. NRS 176.059 is hereby amended to read as follows:

176.059 1. Except as otherwise provided in subsection 2, when a defendant pleads guilty or guilty but mentally ill or is found guilty or guilty but mentally ill of a misdemeanor, including the



violation of any municipal ordinance, the justice or judge shall include in the sentence the sum prescribed by the following schedule as an administrative assessment and render a judgment against the defendant for the assessment:

Fine	Assessment
\$5 to \$49.....	[\$25] \$30
50 to 59.....	[40] 45
60 to 69.....	[45] 50
70 to 79.....	[50] 55
80 to 89.....	[55] 60
90 to 99.....	[60] 65
100 to 199.....	[70] 75
200 to 299.....	[80] 85
300 to 399.....	[90] 95
400 to 499.....	[[100]] 105
500 to 1,000.....	[[115]] 120

If the justice or judge sentences the defendant to perform community service in lieu of a fine, the justice or judge shall include in the sentence the amount of the administrative assessment that corresponds with the fine for which the defendant would have been responsible as prescribed by the schedule in this subsection.

2. The provisions of subsection 1 do not apply to:

(a) An ordinance regulating metered parking; or

(b) An ordinance which is specifically designated as imposing a civil penalty or liability pursuant to NRS 244.3575 or 268.019.

3. The money collected for an administrative assessment must not be deducted from the fine imposed by the justice or judge but must be taxed against the defendant in addition to the fine. The money collected for an administrative assessment must be stated separately on the court's docket and must be included in the amount posted for bail. If bail is forfeited, the administrative assessment included in the amount posted for bail pursuant to this subsection must be disbursed in the manner set forth in subsection 5 or 6. If the defendant is found not guilty or the charges are dismissed, the money deposited with the court must be returned to the defendant. If the justice or judge cancels a fine because the fine has been determined to be uncollectible, any balance of the fine and the administrative assessment remaining unpaid shall be deemed to be uncollectible and the defendant is not required to pay it. If a fine is determined to be uncollectible, the defendant is not entitled to a refund of the fine or administrative assessment the defendant has



paid and the justice or judge shall not recalculate the administrative assessment.

4. If the justice or judge permits the fine and administrative assessment to be paid in installments, the payments must be first applied to the unpaid balance of the administrative assessment. The city treasurer shall distribute partially collected administrative assessments in accordance with the requirements of subsection 5. The county treasurer shall distribute partially collected administrative assessments in accordance with the requirements of subsection 6.

5. The money collected for administrative assessments in municipal court must be paid by the clerk of the court to the city treasurer on or before the fifth day of each month for the preceding month. The city treasurer shall distribute, on or before the 15th day of that month, the money received in the following amounts for each assessment received:

(a) Two dollars to the county treasurer for credit to a special account in the county general fund for the use of the county's juvenile court or for services to juvenile offenders. Any money remaining in the special account after 2 fiscal years must be deposited in the county general fund if it has not been committed for expenditure. The county treasurer shall provide, upon request by a juvenile court, monthly reports of the revenue credited to and expenditures made from the special account.

(b) Seven dollars for credit to a special revenue fund for the use of the municipal courts. Any money remaining in the special revenue fund after 2 fiscal years must be deposited in the municipal general fund if it has not been committed for expenditure. The city treasurer shall provide, upon request by a municipal court, monthly reports of the revenue credited to and expenditures made from the special revenue fund.

(c) *Five dollars to the State Controller for credit to the State General Fund.*

(d) The remainder of each assessment to the State Controller for credit to a special account in the State General Fund **for distribution as provided in subsection 8.**

6. The money collected for administrative assessments in justice courts must be paid by the clerk of the court to the county treasurer on or before the fifth day of each month for the preceding month. The county treasurer shall distribute, on or before the 15th day of that month, the money received in the following amounts for each assessment received:



(a) Two dollars for credit to a special account in the county general fund for the use of the county's juvenile court or for services to juvenile offenders. Any money remaining in the special account after 2 fiscal years must be deposited in the county general fund if it has not been committed for expenditure. The county treasurer shall provide, upon request by a juvenile court, monthly reports of the revenue credited to and expenditures made from the special account.

(b) Seven dollars for credit to a special revenue fund for the use of the justice courts. Any money remaining in the special revenue fund after 2 fiscal years must be deposited in the county general fund if it has not been committed for expenditure. The county treasurer shall provide, upon request by a justice court, monthly reports of the revenue credited to and expenditures made from the special revenue fund.

(c) *Five dollars to the State Controller for credit to the State General Fund.*

(d) The remainder of each assessment to the State Controller for credit to a special account in the State General Fund **[] for distribution as provided in subsection 8.**

7. The money apportioned to a juvenile court, a justice court or a municipal court pursuant to this section must be used, in addition to providing services to juvenile offenders in the juvenile court, to improve the operations of the court, or to acquire appropriate advanced technology or the use of such technology, or both. Money used to improve the operations of the court may include expenditures for:

- (a) Training and education of personnel;
- (b) Acquisition of capital goods;
- (c) Management and operational studies; or
- (d) Audits.

8. Of the total amount deposited in the State General Fund pursuant to **[subsections] paragraph (d) of subsection 5 and paragraph (d) of subsection 6**, the State Controller shall distribute the money received to the following public agencies in the following manner:

(a) Not less than 51 percent to the Office of Court Administrator for allocation as follows:

(1) Thirty-six and one-half percent of the amount distributed to the Office of Court Administrator for:

- (I) The administration of the courts;
- (II) The development of a uniform system for judicial records; and
- (III) Continuing judicial education.



(2) Forty-eight percent of the amount distributed to the Office of Court Administrator for the Supreme Court.

(3) Three and one-half percent of the amount distributed to the Office of Court Administrator for the payment for the services of retired justices and retired district judges.

(4) Twelve percent of the amount distributed to the Office of Court Administrator for the provision of specialty court programs.

(b) Not more than 49 percent must be used to the extent of legislative authorization for the support of:

(1) The Central Repository for Nevada Records of Criminal History;

(2) The Peace Officers' Standards and Training Commission;

(3) The operation by the Department of Public Safety of a computerized interoperative system for information related to law enforcement;

(4) The Fund for the Compensation of Victims of Crime;

(5) The Advisory Council for Prosecuting Attorneys; and

(6) Programs within the Office of the Attorney General related to victims of domestic violence.

9. Any money deposited in the State General Fund pursuant to ~~[subsections]~~ *paragraph (d) of subsection 5* and *paragraph (d) of subsection 6* that is not distributed or used pursuant to paragraph (b) of subsection 8 must be transferred to the uncommitted balance of the State General Fund.

10. As used in this section:

(a) "Juvenile court" has the meaning ascribed to it in NRS 62A.180.

(b) "Office of Court Administrator" means the Office of Court Administrator created pursuant to NRS 1.320.

Sec. 35. NRS 209.221 is hereby amended to read as follows:

209.221 1. The Offenders' Store Fund is hereby created as a special revenue fund. All money received for the benefit of offenders through contributions, and from other sources not otherwise required to be deposited in another fund, must be deposited in the Offenders' Store Fund.

2. The Director shall:

(a) Keep, or cause to be kept, a full and accurate account of the Fund;

(b) Submit reports to the Board relative to money in the Fund as may be required from time to time; and

(c) Submit a monthly report to the offenders of the amount of money in the Fund by posting copies of the report at locations



accessible to offenders generally or by delivery of copies to the appropriate representatives of the offenders if any are selected.

3. Except as otherwise provided in subsections 4 to ~~7~~ 9, inclusive, money in the Offenders' Store Fund, except interest earned upon it, must be expended for the welfare and benefit of all offenders.

4. If necessary to cover a shortfall of money in the Prisoners' Personal Property Fund, the Director may, after obtaining the approval of the Interim Finance Committee, authorize the State Controller to transfer money from the Offenders' Store Fund to the Prisoners' Personal Property Fund, and the State Controller shall make the transfer.

5. If an offender has insufficient money in his or her individual account in the Prisoners' Personal Property Fund to repay or defray costs assessed to the offender pursuant to NRS 209.246, the Director shall authorize the State Controller to transfer sufficient money from the Offenders' Store Fund to the appropriate account in the State General Fund to pay costs remaining unpaid, and the State Controller shall make the transfer. Any money so transferred must be accounted for separately. The Director shall cause the Offenders' Store Fund to be reimbursed from the offender's individual account in the Prisoners' Personal Property Fund, as money becomes available.

6. If the Department incurs costs related to state property that has been willfully damaged, destroyed or lost or incurs costs related to medical examination, diagnosis or treatment for an injury to an offender, the Director may authorize the State Controller to transfer money from the Offenders' Store Fund to the appropriate account in the State General Fund to repay or defray those costs if:

(a) The Director has reason to believe that an offender caused the damage, destruction, loss or injury; and

(b) The identity of the offender is unknown or cannot be determined by the Director with reasonable certainty.

→ The State Controller shall make the transfer if authorized by the Director. Any money transferred must be accounted for separately. If the identity of the offender is determined after money has been transferred, the Director shall cause the Offenders' Store Fund to be reimbursed from the offender's individual account in the Prisoners' Personal Property Fund, as money becomes available.

7. *The Director may, with approval of the Board, establish by regulation criteria for a reasonable deduction from money credited to the Offenders' Store Fund to repay or defray the costs relating to the operation and maintenance of the offenders' store,*



coffee shop, gymnasium and correctional officers' salaries for visitation posts where they exist in each facility. Any regulations adopted pursuant to this subsection must be adopted in accordance with the provisions of chapter 233B of NRS.

8. The Director may, with approval of the Board, establish by regulation a charge on the purchase of electronic devices by offenders to defray the costs relating to the operation of the devices. The Director shall utilize the proceeds collected from the charge established for operation of the devices to offset the energy costs of the facilities within the Department. Any regulations adopted pursuant to this subsection must be adopted in accordance with the provisions of chapter 233B of NRS.

9. If an offender who has been assigned to a center for the purpose of making restitution is returned to an institution for committing an infraction of the regulations of the Department and the center has not been fully compensated for the cost of providing the offender with housing, transportation, meals, or medical or dental services at the center, the Director may authorize the State Controller to transfer money from the Offenders' Store Fund to the appropriate account in the State General Fund to repay or defray those costs. The State Controller shall make the transfer if authorized by the Director. Any money transferred must be accounted for separately. The Director shall cause the Offenders' Store Fund to be reimbursed from the offender's individual account in the Prisoners' Personal Property Fund, as money becomes available.

~~[8.]~~ 10. If an offender has insufficient money in his or her individual account in the Prisoners' Personal Property Fund to repay or defray costs assessed to the offender pursuant to NRS 209.246, the offender shall sign a statement under penalty of perjury concerning his or her financial situation. Such a statement must include, but is not limited to, the following information:

- (a) The value of any interest the offender has in real estate;
- (b) The value of the personal property of the offender;
- (c) The assets in any bank account of the offender; and
- (d) The employment status of the offender.

~~[9.]~~ 11. The statement required by subsection ~~[8.]~~ 10 must also authorize the Department to access any relevant document, for the purpose of verifying the accuracy of the information provided by the offender pursuant to this section, including, but not limited to, information regarding any bank account of the offender, information regarding any bank account held in trust for the offender and any



federal income tax return, report or withholding form of the offender.

~~10.~~ **12.** An offender who conceals assets from the Department or provides false or misleading information on a statement prepared pursuant to this section is guilty of a gross misdemeanor.

~~11.~~ **13.** A person who aids or encourages an offender to conceal assets from the Department or to provide false or misleading information on a statement prepared pursuant to this section is guilty of a gross misdemeanor.

Sec. 36. NRS 218H.500 is hereby amended to read as follows:

218H.500 1. The Legislative Commission shall adopt regulations to carry out the provisions of this chapter, may, except as otherwise provided in this subsection, require fees for registration, payable into the Legislative Fund, and may classify lobbyists for this purpose. A veteran who does not receive compensation for the veteran's lobbying activities is not required to pay any fee established for registration if the veteran provides proof of the veteran's discharge or release from the Armed Forces of the United States, a reserve component thereof or the National Guard under honorable conditions.

2. *The Legislative Commission shall transfer the first \$100,000 collected from a fee established for registration pursuant to subsection 1 to the State General Fund.*

3. The Director shall:

(a) Prepare and furnish forms for the statements and reports required to be filed.

(b) Prepare and publish uniform methods of accounting and reporting to be used by persons required to file such statements and reports, including guidelines for complying with the reporting requirements of this chapter.

(c) Accept and file any information voluntarily supplied that exceeds the requirements of this chapter.

(d) Develop a filing, coding and cross-indexing system consistent with the purposes of this chapter.

(e) Make the statements and reports available for public inspection during regular office hours.

(f) Preserve the statements and reports for a period of 5 years from the date of filing.

(g) Compile and keep current an alphabetical list of registrants, including their address, the name and address of each person for whom the registrant is lobbying and the principal areas of interest on which the registrant expects to lobby. A copy of the list must be



furnished to each Legislator, to the clerks of the respective counties for preservation and public inspection, and to any person who requests a copy and pays the cost of reproduction.

Sec. 37. NRS 233B.039 is hereby amended to read as follows:

233B.039 1. The following agencies are entirely exempted from the requirements of this chapter:

- (a) The Governor.
- (b) ~~[The]~~ *Except as otherwise provided in NRS 209.221, the* Department of Corrections.
- (c) The Nevada System of Higher Education.
- (d) The Office of the Military.
- (e) The State Gaming Control Board.
- (f) Except as otherwise provided in NRS 368A.140, the Nevada Gaming Commission.
- (g) The Division of Welfare and Supportive Services of the Department of Health and Human Services.
- (h) The Division of Health Care Financing and Policy of the Department of Health and Human Services.
- (i) The State Board of Examiners acting pursuant to chapter 217 of NRS.
- (j) Except as otherwise provided in NRS 533.365, the Office of the State Engineer.
- (k) The Division of Industrial Relations of the Department of Business and Industry acting to enforce the provisions of NRS 618.375.
- (l) The Administrator of the Division of Industrial Relations of the Department of Business and Industry in establishing and adjusting the schedule of fees and charges for accident benefits pursuant to subsection 2 of NRS 616C.260.
- (m) The Board to Review Claims in adopting resolutions to carry out its duties pursuant to NRS 590.830.

2. Except as otherwise provided in subsection 5 and NRS 391.323, the Department of Education, the Board of the Public Employees' Benefits Program and the Commission on Professional Standards in Education are subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.

3. The special provisions of:

- (a) Chapter 612 of NRS for the distribution of regulations by and the judicial review of decisions of the Employment Security Division of the Department of Employment, Training and Rehabilitation;



(b) Chapters 616A to 617, inclusive, of NRS for the determination of contested claims;

(c) Chapter 703 of NRS for the judicial review of decisions of the Public Utilities Commission of Nevada;

(d) Chapter 91 of NRS for the judicial review of decisions of the Administrator of the Securities Division of the Office of the Secretary of State; and

(e) NRS 90.800 for the use of summary orders in contested cases,

↳ prevail over the general provisions of this chapter.

4. The provisions of NRS 233B.122, 233B.124, 233B.125 and 233B.126 do not apply to the Department of Health and Human Services in the adjudication of contested cases involving the issuance of letters of approval for health facilities and agencies.

5. The provisions of this chapter do not apply to:

(a) Any order for immediate action, including, but not limited to, quarantine and the treatment or cleansing of infected or infested animals, objects or premises, made under the authority of the State Board of Agriculture, the State Board of Health, or any other agency of this State in the discharge of a responsibility for the preservation of human or animal health or for insect or pest control;

(b) An extraordinary regulation of the State Board of Pharmacy adopted pursuant to NRS 453.2184; or

(c) A regulation adopted by the State Board of Education pursuant to NRS 392.644 or 394.1694.

6. The State Board of Parole Commissioners is subject to the provisions of this chapter for the purpose of adopting regulations but not with respect to any contested case.

Sec. 38. 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 *following manner*:

(a) Seventy-five percent of the fees collected must be deposited in the State General Fund.

(b) Twenty-five percent of the fees collected must be deposited 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 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.

Sec. 39. [This section was deleted.]

Sec. 40. Chapter 353 of NRS is hereby amended by adding thereto the provisions set forth as sections 41 and 42 of this act.

Sec. 41. 1. *If the Administrator of the Division of State Parks determines that current claims exceed the amount of money available because revenue from fees or assessments has not been collected or because of a delay in other expected receipts, he or she 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 his or her 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) May be approved by the Director of the Department of Administration.

(b) Is limited to 25 percent of the revenue expected to be received in the current fiscal year from any source other than legislative appropriation.

4. Any money which is temporarily advanced from the State General Fund pursuant to subsection 3 must be repaid by August 31 following the end of the immediately preceding fiscal year.

Sec. 42. *1. If the Director of the Department of Cultural Affairs determines that current claims exceed the amount of money available because revenue from fees or assessments has not been collected or because of a delay in other expected receipts, he or she 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 his or her 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) May be approved by the Director of the Department of Administration.

(b) Is limited to 25 percent of the revenue expected to be received in the current fiscal year from any source other than legislative appropriation.

4. Any money which is temporarily advanced from the State General Fund pursuant to subsection 3 must be repaid by August 31 following the end of the immediately preceding fiscal year.

Sec. 43. NRS 440.175 is hereby amended to read as follows:

440.175 1. Upon request, the State Registrar may furnish statistical data to any federal, state, local or other public or private agency, upon such terms or conditions as may be prescribed by the Board.

2. No person may prepare or issue any document which purports to be an original, certified copy, certified abstract or official copy of:



(a) A certificate of birth, death or fetal death, except as authorized in this chapter or by the Board.

(b) A certificate of marriage, except a county clerk, county recorder or a person so required pursuant to NRS 122.120.

(c) A decree of divorce or annulment of marriage, except a county clerk or the judge of a court of record.

3. A person or governmental organization which issues certified or official copies pursuant to paragraph (a) of subsection 2 shall:

(a) Not charge a fee for issuing a certified or official copy of a certificate of birth to a homeless person who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless.

(b) Remit to the State Registrar ~~the~~ *fees collected which are charged in an amount established by the State Registrar by regulation:*

(1) For each registration of a birth or death in its district . ~~the~~ *\$2.*

(2) For each copy issued of a certificate of birth in its district, other than a copy issued pursuant to paragraph (a) . ~~the~~ *\$7.*

(3) For each copy issued of a certificate of death in its district . ~~the~~ *\$1.*

Sec. 44. NRS 440.700 is hereby amended to read as follows:

440.700 1. Except as otherwise provided in this section, the State Registrar shall charge and collect ~~the following fees:~~ *a fee in an amount established by the State Registrar by regulation:*

(a) For searching the files for one name, if no copy is made . ~~the~~ *\$8*

(b) For verifying a vital record . ~~the~~ *8*

(c) For establishing and filing a record of paternity (other than a hospital-based paternity), and providing a certified copy of the new record . ~~the~~ *20*

(d) For a certified copy of a record of birth . ~~the~~ *13*

(e) For a certified copy of a record of death originating in a county in which the board of county commissioners has not created an account for the support of the office of the county coroner pursuant to NRS 259.025 . ~~the~~ *10*



- (f) For a certified copy of a record of death originating in a county in which the board of county commissioners has created an account for the support of the office of the county coroner pursuant to NRS 259.025 . {.....\$11}
- (g) For correcting a record on file with the State Registrar and providing a certified copy of the corrected record . {.....20}
- (h) For replacing a record on file with the State Registrar and providing a certified copy of the new record . {.....20}
- (i) For filing a delayed certificate of birth and providing a certified copy of the certificate . {.....20}
- (j) For the services of a notary public, provided by the State Registrar . {.....2}
- (k) For an index of records of marriage provided on microfiche to a person other than a county clerk or a county recorder of a county of this State . {.....200}
- (l) For an index of records of divorce provided on microfiche to a person other than a county clerk or a county recorder of a county in this State . {.....100}
- (m) For compiling data files which require specific changes in computer programming . {.....200}

2. The fee collected for furnishing a copy of a certificate of birth or death ~~includes~~ **must include** the sum of \$3 for credit to the Children’s Trust Account created by NRS 432.131.

3. The fee collected for furnishing a copy of a certificate of death ~~includes~~ **must include** the sum of \$1 for credit to the Review of Death of Children Account created by NRS 432B.409.

4. The State Registrar shall not charge a fee for furnishing a certified copy of a record of birth to a homeless person who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless.

5. The fee collected for furnishing a copy of a certificate of death originating in a county in which the board of county commissioners has created an account for the support of the office of the county coroner pursuant to NRS 259.025 ~~includes~~ **must include** the sum of \$1 for credit to the account for the support of the office of the county coroner of the county in which the certificate originates.

6. Upon the request of any parent or guardian, the State Registrar shall supply, without the payment of a fee, a certificate



limited to a statement as to the date of birth of any child as disclosed by the record of such birth when the certificate is necessary for admission to school or for securing employment.

7. The United States Bureau of the Census may obtain, without expense to the State, transcripts or certified copies of births and deaths without payment of a fee.

Sec. 45. NRS 467.107 is hereby amended to read as follows:

467.107 1. In addition to the payment of any other fees and money due under this chapter, every promoter, except as provided in subsection 2, shall pay a license fee of:

(a) ~~Four~~ *Six* percent of the total gross receipts from admission fees to the live contest or exhibition of unarmed combat, exclusive of any federal tax or tax imposed by any political subdivision of this state; and

(b) Three percent of the first \$1,000,000, and 1 percent of the next \$2,000,000, of the total gross receipts from the sale, lease or other exploitation of broadcasting, television and motion picture rights for that contest or exhibition,

↳ without any deductions for commissions, brokerage fees, distribution fees, advertising, contestants' purses or any other expenses or charges.

2. A corporation organized pursuant to NRS 81.550 to 81.660, inclusive, which promotes an amateur contest or exhibition of unarmed combat whose net proceeds are to be spent entirely in this state, for the purposes for which the corporation is organized, is exempt from the fees payable under this section. The corporation must retain the services of a promoter licensed pursuant to this chapter.

3. The Commission shall adopt regulations:

(a) Requiring that the number and face value of all complimentary tickets be reported.

(b) Governing the treatment of complimentary tickets for the purposes of computing gross receipts from admission fees under paragraph (a) of subsection 1.

Sec. 46. NRS 502.255 is hereby amended to read as follows:

502.255 The Department shall account separately for the money received from fees for processing applications for tags and, except as otherwise provided in NRS 502.253, use that money only for ~~fall of~~ the Department's direct and indirect costs associated with ~~the~~:

1. *The system of applications and drawings for ~~[-]~~ tags;*
2. *The Department's automated program for licensing and registration and titling of vessels; and ~~the~~*



3. *The issuance of **H** licenses, permits and tags.*

Sec. 47. Chapter 517 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *An additional fee is hereby imposed upon each filing made pursuant to NRS 517.230 regarding a mining claim held by a person who holds 11 or more mining claims in this State on the date of that filing, in the amount determined in accordance with subsection 2. The person making that filing shall remit the fee to the county recorder in such a manner that, at the option of that person:*

(a) *The fee is paid in full at the time of the filing;*

(b) *One-half of the fee is paid at the time of the filing and the remainder of the fee is paid not later than June 1 of the calendar year immediately following the filing date; or*

(c) *The fee is paid in full not later than June 1 of the calendar year immediately following the filing date.*

2. *If the greatest number of mining claims held in this State by any of the persons who hold any of the mining claims to which a filing made pursuant to NRS 517.230 pertains is:*

(a) *Not less than 11 and not more than 199 on the date of that filing, the fee imposed by this section is \$70 for each mining claim to which the filing pertains.*

(b) *Not less than 200 and not more than 1,299 on the date of that filing, the fee imposed by this section is \$85 for each mining claim to which the filing pertains.*

(c) *Not less than 1,300 on the date of that filing, the fee imposed by this section is \$195 for each mining claim to which the filing pertains.*

3. *The county recorder shall:*

(a) *Obtain from each person who makes a filing pursuant to NRS 517.230 an affidavit declaring that the greatest number of mining claims held in this State on the date of that filing by any of the persons who hold any of the mining claims to which the filing pertains is:*

(1) *Less than 11;*

(2) *Not less than 11 and not more than 199;*

(3) *Not less than 200 and not more than 1,299; or*

(4) *Not less than 1,300; and*

(b) *Based upon the information set forth in that affidavit, collect any fee imposed on that filing pursuant to this section.*

4. *Any person who:*

(a) *Fails to pay the fee imposed pursuant to this section within the time required shall pay a penalty in the amount of 10 percent*



of the amount of the fee that is owed, in addition to the fee, plus interest at the rate of 1 percent per month, or fraction of a month, from the date on which the fee is due until the date of payment.

(b) Knowingly makes a false declaration in an affidavit provided to a county recorder pursuant to subsection 3 is guilty of a misdemeanor and shall pay the amount of any additional fee, penalty and interest required pursuant to this section on account of the falsification.

5. The county recorder shall, on or before the fifth working day of each month, deposit with the county treasurer all the fees, penalties and interest imposed pursuant to this section which are collected during the preceding month. The county treasurer shall quarterly remit all money so collected to the State Controller, who shall place the money in the State General Fund.

6. The State Controller shall take such action as may be necessary to ensure that the fees, penalties and interest imposed pursuant to this section are paid in full.

Secs. 48-52. [These sections were deleted.]

Sec. 53. Section 1 of chapter 389, Statutes of Nevada 2009, at page 2126, is hereby amended to read as follows:

Section 1. The basic support guarantee for school districts for operating purposes for the 2009-2010 Fiscal Year is an estimated weighted average of ~~[\$5,251]~~ **\$5,186** per pupil. For each respective school district, the basic support guarantee per pupil for the 2009-2010 Fiscal Year is:

Carson City	[\$6,228] \$6,155
Churchill	[\$6,201] \$6,122
Clark	[\$5,025] \$4,962
Douglas	[\$5,333] \$5,268
Elko	[\$6,815] \$6,730
Esmeralda	[\$17,039] \$16,835
Eureka	\$100
Humboldt	[\$6,402] \$6,322
Lander	[\$6,261] \$6,184
Lincoln	[\$9,866] \$9,743
Lyon	[\$6,673] \$6,594
Mineral	[\$8,656] \$8,541
Nye	[\$6,582] \$6,504
Pershing	[\$8,368] \$8,263
Storey	[\$6,567] \$6,486
Washoe	[\$5,350] \$5,284
White Pine	[\$7,111] \$7,025



Sec. 54. Section 2 of chapter 389, Statutes of Nevada 2009, at page 2126, is hereby amended to read as follows:

Sec. 2. 1. The basic support guarantee for school districts for operating purposes for the 2010-2011 Fiscal Year is an estimated weighted average of ~~[\$5,395]~~ **\$5,192** per pupil.

2. On or before April 1, 2010, the Executive Director of the Department of Taxation shall provide to the Superintendent of Public Instruction the certified total of the amount of ad valorem taxes to be received by each school district for Fiscal Year 2010-2011 pursuant to the levy imposed under subsection 1 of NRS 387.195 and credited to the county's school district fund pursuant to subsection 4 of NRS 387.195.

3. Pursuant to NRS 362.115, on or before March 15 of each year, the Department of Taxation shall provide an estimate of the net proceeds of minerals based upon the statements required of mine operators.

4. For purposes of establishing the basic support guarantee, the estimated basic support guarantees per pupil for each school district for the 2010-2011 Fiscal Year for operating purposes are:

<u>School District</u>	<u>Basic Support Guarantee Before Adjustment</u>	<u>Estimated Ad Valorem Adjustment</u>	<u>Estimated Basic Support Guarantee as Adjusted</u>
Carson City	[\$5,404] \$5,175	\$873	[\$6,277] \$6,048
Churchill	[\$5,344] \$5,115	\$844	[\$6,188] \$5,959
Clark	[\$4,091] \$3,895	\$1,088	[\$5,179] \$4,983
Douglas	[\$3,402] \$3,166	\$2,069	[\$5,471] \$5,235
Elko	[\$6,200] \$5,951	\$655	[\$6,855] \$6,606
Esmeralda	[\$14,856] \$14,217	\$3,923	[\$18,779] \$18,140
Eureka	[(19,513)] (\$20,004)	\$24,179	[\$4,666] \$4,175
Humboldt	[\$5,679] \$5,431	\$1,005	[\$6,684] \$6,436
Lander	[\$4,500] \$4,221	\$2,046	[\$6,546] \$6,267
Lincoln	[\$8,901] \$8,553	\$934	[\$9,835] \$9,487
Lyon	[\$6,062] \$5,824	\$757	[\$6,819] \$6,581
Mineral	[\$7,721] \$7,365	\$855	[\$8,576] \$8,220
Nye	[\$5,561] \$5,311	\$1,211	[\$6,772] \$6,522
Pershing	[\$7,236] \$6,917	\$1,334	[\$8,570] \$8,251



School District	Basic Support Guarantee Before Adjustment	Estimated Ad Valorem Adjustment	Estimated Basic Support Guarantee as Adjusted
Storey	[\$119] (\$225)	\$6,468	[\$6,587] \$6,243
Washoe	[\$4,464] \$4,259	\$998	[\$5,462] \$5,257
White Pine	[\$6,606] \$6,337	\$1,073	[\$7,679] \$7,410

5. The ad valorem adjustment may be made only to take into account the difference in the ad valorem taxes to be received and the estimated enrollment of the school district between the amount estimated as of March 1, 2009, and the amount estimated as of March 1, 2010, for the 2010-2011 Fiscal Year. Estimates of net proceeds of minerals received from the Department of Taxation on or before March 15 pursuant to subsection 3 must be taken into consideration in determining the adjustment.

6. Upon receipt of the certified total of ad valorem taxes to be received by each school district for Fiscal Year 2010-2011 pursuant to subsection 2, the Superintendent of Public Instruction shall recalculate the ad valorem adjustment and the tentative basic support guarantee for operating purposes for each school district for the 2010-2011 Fiscal Year based on the certified total of ad valorem taxes provided by the Executive Director of the Department of Taxation pursuant to subsection 2. The final basic support guarantee for each school district for the 2010-2011 Fiscal Year is the amount, which is recalculated for the 2010-2011 Fiscal Year pursuant to this section, taking into consideration estimates of net proceeds of minerals received from the Department of Taxation on or before March 15, 2010. The basic support guarantee recalculated pursuant to this section must be calculated on or before May 31, 2010.

Sec. 55. Section 4 of chapter 389, Statutes of Nevada 2009, at page 2129, is hereby amended to read as follows:

Sec. 4. 1. There is hereby appropriated from the State General Fund to the State Distributive School Account created by NRS 387.030:

For the 2009-2010
 Fiscal Year..... ~~[\$1,201,169,591]~~ \$1,173,542,690
 For the 2010-2011
 Fiscal Year..... ~~[\$1,267,051,744]~~ \$1,154,625,174



2. The money appropriated by subsection 1 must be:

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

(b) Work-programmed for the 2 separate Fiscal Years 2009-2010 and 2010-2011, as required by NRS 353.215. Work programs may be revised with the approval of the Governor upon the recommendation of the Chief of the Budget Division of the Department of Administration.

3. Transfers to and allotments from must be allowed and made in accordance with NRS 353.215 to 353.225, inclusive, after separate consideration of the merits of each request.

4. The sums appropriated by subsection 1 are available for either fiscal year or may be transferred to Fiscal Year 2008-2009. Money may be transferred from one fiscal year to another with the approval of the Governor upon the recommendation of the Chief of the Budget Division of the Department of Administration. If funds appropriated by subsection 1 are transferred to Fiscal Year 2008-2009, any remaining funds in the State Distributive School Account after all obligations have been met that are not subject to reversion to the State General Fund must be transferred back to Fiscal Year 2009-2010. Any amount transferred back to Fiscal Year 2009-2010 must not exceed the amount originally transferred to Fiscal Year 2008-2009.

5. Any remaining balance of the appropriation made by subsection 1 for the 2009-2010 Fiscal Year must be transferred and added to the money appropriated for the 2010-2011 Fiscal Year and may be expended as that money is expended.

6. Any remaining balance of the appropriation made by subsection 1 for the 2010-2011 Fiscal Year, including any money added thereto pursuant to the provisions of subsections 3 and 5, must not be committed for expenditure after June 30, 2011, and must be reverted to the State General Fund on or before September 16, 2011.

Sec. 56. Section 25 of chapter 389, Statutes of Nevada 2009, at page 2138 is hereby amended to read as follows:

Sec. 25. 1. Notwithstanding the provisions of subsection 6 of section 4 of chapter 343, Statutes of Nevada 2007, at page 1555, any money remaining in the Grant Fund for Incentives for Licensed Educational Personnel at the end of Fiscal Year 2009 must be carried forward to Fiscal Year



2010 and must be used for the purchase of one-fifth of a year of retirement service credit and other financial incentives for licensed educational personnel for the 2008-2009 School Year in accordance with NRS 391.166.

2. Any money carried forward pursuant to subsection 1 that remains unexpended in the Grant Fund for Incentives for Licensed Educational Personnel must not be committed for expenditure after June 30, ~~2010,~~ 2011, and must be reverted to the State General Fund on or before September ~~17, 2010,~~ 16, 2011.

Sec. 57. Section 26 of chapter 389, Statutes of Nevada 2009, at page 2138, is hereby amended to read as follows:

Sec. 26. 1. There is hereby appropriated from the State General Fund to the Grant Fund for Incentives for Licensed Educational Personnel created by NRS 391.166 the sum of ~~[\$24,777,056]~~ \$16,277,056 to purchase one-fifth of a year of retirement service credit and other financial incentives for School Year 2009-2010 for certain licensed educational personnel in accordance with NRS 391.166.

2. Any remaining balance of the sum appropriated by subsection 1 must not be committed for expenditure after June 30, 2011, and must be reverted to the State General Fund on or before September 16, 2011.

Sec. 58. 1. Notwithstanding the provisions of NRS 387.1235 and 387.328, for the purposes of the apportionments made pursuant to NRS 387.124, local funds available for public schools include \$25,000,000 of the money in the county school district's fund for capital projects that was deposited in that fund pursuant to paragraph (b) of subsection 1 of NRS 244.3354 and paragraph (b) of subsection 1 of NRS 375.070.

2. The money available as local funds for public schools pursuant to subsection 1 may be used for purposes other than capital projects for schools districts for only the 2009-2011 biennium.

Sec. 59. 1. There are hereby appropriated from the State General Fund to the Division of Mental Health and Developmental Services of the Department of Health and Human Services to replace federal Temporary Assistance to Needy Families block grant funds that are no longer available to fund the monthly support rates provided for autistic children the following sums:

- (a) For the support of the Desert Regional Center:
 - (1) For the Fiscal Year 2009-2010\$215,867
 - (2) For the Fiscal Year 2010-2011\$823,478



- (b) For the support of the Sierra Regional Center:
 - (1) For the Fiscal Year 2009-2010\$52,857
 - (2) For the Fiscal Year 2010-2011\$211,428
- (c) For the support of the Rural Regional Center:
 - (1) For the Fiscal Year 2009-2010\$36,531
 - (2) For the Fiscal Year 2010-2011\$146,124

2. These appropriations are supplemental to those made by section 20 of chapter 388, Statutes of Nevada 2009, at page 2108.

Sec. 60. 1. There are hereby appropriated from the State General Fund to the Division of Child and Family Services of the Department of Health and Human Services for the purpose of adding 10 new positions at each of the following centers to accommodate additional youth placement resulting from the closure of the Summit View Youth Correctional Center the following sums:

- (a) For the support of the Nevada Youth Training Center:
 - (1) For the Fiscal Year 2009-2010\$287,711
 - (2) For the Fiscal Year 2010-2011\$754,632
- (b) For the support of the Caliente Youth Center:
 - (1) For the Fiscal Year 2009-2010\$275,645
 - (2) For the Fiscal Year 2010-2011\$532,941

2. These appropriations are supplemental to those made by section 20 of chapter 388, Statutes of Nevada 2009, at page 2108.

Sec. 61. 1. There is hereby appropriated from the State General Fund to the Office of the Secretary of State for six new administrative assistant positions to support case processing and customer service activities the following sums:

- (a) For the Fiscal Year 2009-2010\$75,000
- (b) For the Fiscal Year 2010-2011\$300,000

2. These appropriations are supplemental to those made by section 5 of chapter 388, Statutes of Nevada 2009, at page 2106.

Sec. 62. There is hereby appropriated from the State General Fund to the State Gaming Control Board the sum of \$87,404 for Fiscal Year 2010-2011 to fund costs of a new agent position for the Tax and License Division to perform audits of Nevada's smaller casinos. This appropriation is supplemental to that made by subsection 2 of section 3 of chapter 392, Statutes of Nevada 2009, at page 2177.

Sec. 63. There is hereby appropriated from the State General Fund to the Legislative Fund created by NRS 218A.150 the sum of \$100,000 for the costs of the 26th Special Session.

Sec. 64. 1. Except as otherwise provided in subsection 2 and notwithstanding any other provision of law to the contrary, the Department of Taxation shall relieve a person who has not paid a



tax, fee or assessment required to be paid to the Department of all the monetary penalties and interest imposed with regard to the unpaid tax, fee or assessment if, on or after July 1, 2010, and before October 1, 2010, the person:

(a) Files with the Department a request for relief pursuant to this section; and

(b) Pays the unpaid tax, fee or assessment in full to the Department.

2. The provisions of subsection 1:

(a) Apply only to taxes, fees and assessments that are due and payable before July 1, 2010; and

(b) Do not apply to any person who has entered into:

(1) A compromise or settlement agreement with the Department of Taxation regarding the unpaid tax, fee or assessment; or

(2) A compromise with the Nevada Tax Commission regarding the unpaid tax, fee or assessment pursuant to NRS 360.263.

3. A person who requests or receives relief pursuant to this section may be selected for an audit and audited by the Department of Taxation in the same manner as a person who does not request or receive relief pursuant to this section.

Sec. 65. 1. The Division of Insurance of the Department of Business and Industry shall, not later than July 1, 2010, implement a desk audit program to audit insurance premium tax returns to ensure that insurers are complying with the provisions of NRS 680B.027.

2. The Commissioner of Insurance shall submit to the Fiscal Analysis Division of the Legislative Counsel Bureau, not later than June 1, 2010, a report detailing the implementation plan for the desk audit program required pursuant to subsection 1. The plan must include information regarding the staff needed to implement the program, the insurers to be audited, and the manner in which the amount of unpaid taxes due to the state and the results of efforts to recover unpaid taxes and penalties will be reported to the Legislature. The Commissioner must submit with the plan any requests for work program revisions or allocations from the Interim Finance Committee's Contingency Fund that are required to implement the plan.

Sec. 66. 1. If the Department of Health and Human Services receives on or before June 30, 2011, an award of TANF Emergency Contingency funds from the Administration for Children and Families of the United States Department of Health and Human Services, the Department shall, after funding the caseload and



operating costs of the Temporary Assistance to Needy Family program:

(a) Transfer \$3 million from TANF funds to federal Title XX funds and use money from federal Title XX funds to enable the reversion of money appropriated from the State General Fund for family resource centers and the Family to Family program\$3,000,000

(b) Use TANF funds to enable the reversion of money appropriated from the State General Fund for the support of autistic children and self-directed support clients receiving services at the Desert Regional Center, Sierra Regional Center and Rural Regional Center\$1,486,285

(c) Transfer to the Washoe County Department of Social Services the maximum amount of TANF Emergency Assistance payments allowed by the TANF State Plan to enable the reversion of money appropriated from the State General Fund for the Washoe County Department of Social Services for child welfare integration services\$1,756,344

(d) Transfer to the Clark County Department of Family Services the maximum amount of TANF Emergency Assistance payments allowed by the TANF State Plan to enable the reversion of money appropriated from the State General Fund for the Clark County Department of Family Services for child welfare integration services\$3,027,300

2. If the award of TANF Emergency Contingency funds received on or before June 30, 2011, is insufficient to fund the caseload and operating costs and the transfers and uses described in subsection 1, the Department of Health and Human Services shall:

(a) Pay for the caseload and operating costs of the Temporary Assistance to Needy Family program; and

(b) From the remaining funds after paying for the caseload and operating costs, proportionally reduce the amount of money otherwise required to be transferred and reverted pursuant to subsection 1.

Sec. 67. Notwithstanding the amendatory provisions of sections 43 and 44 of this act, the fees set forth in NRS 440.175 and 440.700 remain in effect until the regulations establishing fees pursuant to those sections are adopted and filed with the Secretary of State.



Sec. 68. 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. 69. 1. This section and sections 1 to 18, inclusive, 20 to 30, inclusive, 32, 34 to 37, inclusive, 39, 43, 44, 46 to 63, inclusive, and 65 to 68, inclusive, of this act become effective upon passage and approval.

2. Sections 19 and 31 of this act become effective on April 1, 2010.

3. Section 64 of this act becomes effective on May 1, 2010.

4. Sections 33, 38, 40, 41, 42 and 45 of this act become effective on July 1, 2010.

5. Sections 36 and 47 of this act expire by limitation on June 30, 2011.



