
ASSEMBLY BILL NO. 266—ASSEMBLYMEN ANGLE AND HOLCOMB

MARCH 21, 2005

Referred to Committee on Ways and Means

SUMMARY—Provides that interest and income earned on money in certain accounts and funds be credited to State General Fund for use by school districts for books, supplies or instructional materials for classrooms. (BDR 31-677)

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

~

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

AN ACT relating to state financial administration; providing in skeleton form that the interest and income earned on the money in certain accounts and funds be credited to the State General Fund and accounted for separately; providing for the quarterly distribution of such money among the county school districts for use only for the provision of books, supplies or instructional materials for the classroom; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, all interest paid on money belonging to this State must be
2 deposited in the State General Fund unless otherwise provided by law. Interest
3 earned and received on a gift or bequest to a state agency must be credited to the
4 agency unless the gift or bequest provides otherwise. (NRS 356.087) Existing law
5 requires that the interest and income earned on the money in certain funds and
6 accounts, including, without limitation, the Fund for the Compensation of Victims
7 of Crime, the Account for Low-Income Housing, the Nevada Protection Account
8 and the Business Enterprise Account for the Blind be credited to those Funds and
9 Accounts. (NRS 217.260, 319.500, 353.2655, 426.675)

10 This bill requires in skeleton form that the interest and income earned on
11 the money in certain funds and accounts, including, without limitation, the Fund for
12 the Compensation of Victims of Crime, the Account for Low-Income Housing, the
13 Nevada Protection Account and the Business Enterprise Account for the Blind be
14 credited to the State General Fund and accounted for separately. The account must
15 be administered by the Superintendent of Public Instruction. The Superintendent



16 must quarterly distribute the money to school districts based on the proportion that
17 the number of pupils enrolled in each school district bears to the number of pupils
18 enrolled in all school districts in the State. The school district may spend the money
19 to buy books, supplies or instructional materials for classrooms. The money must
20 be used to supplement, and not replace, any other money that the school district
21 would otherwise spend for such books, supplies and instructional materials.

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

1 **Section 1.** Chapter 353 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *The interest and income credited to the State General*
4 *Fund pursuant to NRS 217.260, 319.500, 353.2655, 356.087 and*
5 *426.675 must be accounted for separately.*

6 2. *The Superintendent of Public Instruction shall administer*
7 *the account created pursuant to subsection 1.*

8 3. *On or before August 1, November 1, February 1 and*
9 *May 1 of each year, the Superintendent of Public Instruction shall*
10 *distribute the money in the account among the several county*
11 *school districts in amounts based on the approximate proportion*
12 *that the number of pupils enrolled in a school district bears to the*
13 *total number of pupils enrolled in all the school districts in this*
14 *State.*

15 4. *A school district may expend the money distributed to it*
16 *pursuant to subsection 3 only for the provision of books, supplies*
17 *or instructional materials for the classroom. The money must be*
18 *used to supplement, and not replace, any other money that the*
19 *school district would otherwise expend for the provision of books,*
20 *supplies or instructional materials for the classroom.*

21 **Sec. 2.** NRS 353.2655 is hereby amended to read as follows:
22 353.2655 1. There is hereby created the Nevada Protection
23 Account in the State General Fund.

24 2. The money in the Account must be used to protect the State
25 of Nevada and its residents through funding activities to prevent the
26 location of a federal nuclear waste repository at Yucca Mountain.

27 3. The Account must be administered by the Governor, who
28 may:

29 (a) Apply for and accept any gift, donation, bequest, grant or
30 other source of money for deposit in the Account; and

31 (b) Expend any money received pursuant to paragraph (a) in
32 accordance with subsection 2.

33 4. The interest and income earned on the money in the
34 Account, after deducting any applicable charges, must be credited to
35 the ~~{Account.}~~ *State General Fund.*



1 5. The money in the Account must remain in the Account and
2 does not revert to the State General Fund at the end of any fiscal
3 year.

4 **Sec. 3.** NRS 356.087 is hereby amended to read as follows:

5 356.087 1. Except as *otherwise* provided in subsections 2, 3
6 and 4 or in a specific statute, all interest paid on money belonging to
7 this State must be ~~deposited in~~ *credited to* the State General Fund.

8 2. ~~Interest~~ *Notwithstanding any specific statute to the*
9 *contrary, interest* earned and received on any gift or bequest to an
10 agency of the State must be credited to the agency ~~unless~~ *if* the gift
11 or bequest ~~provides otherwise.~~ *expressly so provides.* An agency,
12 when depositing a gift or bequest, shall notify the State Treasurer
13 whether it is a gift or bequest which entitles the agency to the
14 interest earned.

15 3. For each fund or account which by specific statute is
16 credited with the interest earned on money deposited in it, the State
17 Treasurer shall determine the proportionate share of interest and
18 income earned by it and credit that amount to it.

19 4. The State Treasurer shall pay the interest due to any
20 contractor pursuant to NRS 338.515.

21 **Sec. 4.** NRS 217.260 is hereby amended to read as follows:

22 217.260 1. Money for payment of compensation as ordered
23 by the Board and for payment of salaries and other expenses
24 incurred by the Department of Administration pursuant to NRS
25 217.010 to 217.270, inclusive, must be paid from the Fund for the
26 Compensation of Victims of Crime, which is hereby created. Money
27 in the Fund must be disbursed on the order of the Board in the same
28 manner as other claims against the State are paid. The Board shall
29 estimate quarterly:

30 (a) The revenue in the Fund which is available for the payment
31 of compensation; and

32 (b) The anticipated expenses for the next quarter.

33 ➤ If the estimated expenses for the quarter exceed the available
34 revenue, all claims paid in that quarter must be reduced in the same
35 proportion as the expenses exceeded the revenue.

36 2. Money deposited in the Fund which is recovered from a
37 forfeiture of assets pursuant to NRS 200.760 ~~and the interest and~~
38 ~~income earned on that money~~ must be used for the counseling and
39 medical treatment of victims of crimes committed in violation of
40 NRS 200.366, 200.710, 200.720, 200.725, 200.730 or 201.230.

41 3. The interest and income earned on the money in the Fund
42 for the Compensation of Victims of Crime, after deducting any
43 applicable charges, must be credited to the *State General* Fund.



1 **Sec. 5.** NRS 319.500 is hereby amended to read as follows:

2 319.500 1. There is hereby created in the State General Fund
3 the Account for Low-Income Housing, to be administered by the
4 Division. All money that is collected for the use of the Account
5 from any source, including pursuant to a specific statute, tax,
6 legislative appropriation, gift or grant, or from interest earned on
7 specified public or private accounts, must be deposited in the
8 Account.

9 2. The money in the Account must be invested as provided in
10 chapters 355 and 356 of NRS. The interest and income earned on
11 the money in the Account, after deducting any applicable charges,
12 must be credited to the ~~Account~~ *State General Fund*. All claims
13 against the Account must be paid as other claims against the State
14 are paid.

15 **Sec. 6.** NRS 426.675 is hereby amended to read as follows:

16 426.675 1. The Business Enterprise Account for the Blind is
17 hereby created within the State General Fund and must be managed
18 by the Chief.

19 2. Money received by the Bureau under the provisions of NRS
20 426.670, except commissions assigned to licensed vending stand
21 operators, must:

22 (a) Be deposited in the Business Enterprise Account for the
23 Blind.

24 (b) Except as otherwise provided in subsection 4, remain in the
25 Account and not revert to the State General Fund.

26 (c) Be used for:

27 (1) Purchasing, maintaining or replacing vending stands or
28 the equipment therein;

29 (2) Maintaining a stock of equipment, parts, accessories and
30 merchandise used or planned for use in the Vending Stand Program;
31 and

32 (3) Other purposes, consistent with NRS 426.640, as may be
33 provided by regulation.

34 3. Purchases made pursuant to paragraph (c) of subsection 2
35 are exempt from the provisions of the State Purchasing Act at the
36 discretion of the Chief of the Purchasing Division of the Department
37 of Administration or his designated representative, but the Bureau
38 shall:

39 (a) Maintain current inventory records of all equipment, parts,
40 accessories and merchandise charged to the Business Enterprise
41 Account for the Blind;

42 (b) Conduct a periodic physical count of all such equipment,
43 parts, accessories and merchandise; and

44 (c) Reconcile the results of the periodic physical count with the
45 inventory records and cash balance in the Account.



1 4. If the Business Enterprise Account for the Blind is
2 dissolved, any money remaining therein reverts to the State General
3 Fund.

4 5. Money from any source which may lawfully be used for the
5 Vending Stand Program may be transferred or deposited by the
6 Bureau to the Business Enterprise Account for the Blind.

7 6. The interest and income earned on the money in the
8 Business Enterprise Account for the Blind, after deducting any
9 applicable charges, must be credited to the ~~Account.~~ *State General*
10 *Fund.*

11 **Sec. 7.** This act becomes effective on July 1, 2005.



