

**SAVE OUR SCHOOLS WITH ADDITIONAL FUNDING  
FOR SALARIES AND STUDENT ACHIEVEMENT**

Explanation: Language in ***boldface italics*** is new; language between brackets [~~deleted language~~] is to be deleted..

THE PEOPLE OF THE STATE OF NEVADA DO ENACT AS FOLLOWS:

**Section 1. Finding and declaration; purpose.** The People of the State of Nevada find and declare that the school districts and charter schools of this state need more money to enable them to attract and retain qualified employees and to provide students with the education they need to become productive and responsible adults. The purpose of this initiative measure is to provide a means of increasing the total amount of money provided to Nevada school districts and charter schools, so as to supplement the total amount of money available for the payment of salaries to employees, other than administrative employees, and for improving the achievement of students.

**Sec. 2. Section 6 of Article 11 of the Constitution of the State of Nevada is hereby amended** to read as follows:

[~~Section~~] ***Sec. 6.*** 1. In addition to other means provided for the support and maintenance of said university and common schools, the legislature shall provide for their support and maintenance by direct legislative appropriation from the general fund, upon the presentation of budgets in the manner required by law.

2. During a regular session of the Legislature, before any other appropriation is enacted to fund a portion of the state budget for the next ensuing biennium, the Legislature shall enact one or more appropriations to provide the money the Legislature deems to be sufficient, when combined with the local money reasonably available for this purpose, to fund the operation of the public schools in the State for kindergarten through grade 12 for the next ensuing biennium for the population reasonably estimated for that biennium.

3. During a special session of the Legislature that is held between the end of a regular session in which the Legislature has not enacted the appropriation or appropriations required by subsection 2 to fund education for the next ensuing biennium and the first day of that next ensuing biennium, before any other appropriation is enacted other than appropriations required to pay the cost of that special session, the Legislature shall enact one or more appropriations to provide the money the Legislature deems to be sufficient, when combined with the local money reasonably available for this purpose, to fund the operation of the public schools in the State for kindergarten through grade 12 for the next ensuing biennium for the population reasonably estimated for that biennium.

4. During a special session of the Legislature that is held in a biennium for which the Legislature has not enacted the appropriation or appropriations required by subsection 2 to fund education for the biennium in which the special session is being held, before any other appropriation is enacted other than appropriations required to pay the cost of that special session, the Legislature shall enact one or more appropriations to provide the money the Legislature deems to be sufficient, when combined with the local money reasonably available for this purpose, to fund the operation of the public schools in the State for kindergarten through grade 12 for the population reasonably estimated for the biennium in which the special session is held.

***5. To supplement the money appropriated by the Legislature pursuant to subsection 2, 3 or 4, the Nevada Gaming Commission shall charge and collect from each gaming licensee a monthly license fee, at the rate of 3 percent, upon all the gross revenue of the licensee which exceeds \$1,000,000 per calendar month, as adjusted in accordance with subsection 6. The fee provided by this subsection is in addition to any other license fee imposed upon a gaming licensee pursuant to statute and charged on the basis of revenue. The fee provided by this subsection must be charged on the basis of gross revenue received on or after December 1, 2010. The Commission shall begin to collect the fee on or before March 1, 2011, and monthly thereafter.***

***6. Effective as of June 1, 2011, the amount of gross revenue, \$1,000,000, specified in subsection 5 must be adjusted to reflect any change in the Consumer Price Index for 2010, and the license fee provided by subsection 5 must be charged and collected according to the adjusted amount of gross revenue. Effective as of June 1, 2012, and each year thereafter, the adjusted amount of gross revenue must again be adjusted to reflect any change in the Consumer Price Index for the preceding calendar year, and the fee must be charged and collected accordingly. The rate specified in subsection 5 is fixed at 3 percent and is not subject to adjustment pursuant to this subsection.***

***7. Except as otherwise provided in this subsection, the Commission shall pay over to the State Treasurer all the proceeds of the license fee as the proceeds are collected. The Commission may retain from the proceeds an amount sufficient to reimburse the Commission for the cost of administering and collecting the fee. The State Treasurer shall deposit the proceeds of the fee to the credit of the State Supplemental School Support Fund, which is hereby created in the state treasury as a special revenue fund. Any interest or other income earned on the money in the State Supplemental School Support Fund must be credited to the Fund.***

8. For each fiscal year beginning on or after July 1, 2011, the Legislature shall authorize the Superintendent of Public Instruction to transfer from the State Supplemental School Support Fund all the proceeds of the license fee provided by subsection 5, including any interest or other income earned thereon, and distribute the proceeds in accordance with this subsection. Commencing on February 1, 2012, and thereafter on or before February 1, May 1, August 1 and November 1 of each year, the Superintendent of Public Instruction shall transfer from the State Supplemental School Support Fund all the proceeds of the fee and distribute the proceeds proportionally among the school districts and charter schools of this State. The proportionate amount of money distributed to each school district or charter school must be determined by dividing the number of students enrolled in the school district or charter school by the number of students enrolled in all the school districts and charter schools of the State. For the purposes of this subsection, the enrollment in each school district and the number of students who reside in the district and are enrolled in a charter school must be determined as of the last day of the first school month of the school district for the school year, or as of such other date as the Legislature specifies by statute. This determination governs the distribution of money pursuant to this subsection until the next annual determination of enrollment is made. The Superintendent may retain from the proceeds of the fee an amount sufficient to reimburse the Superintendent for the cost of administering the provisions of this section.

9. The money received by a school district or charter school from the State Supplemental School Support Fund pursuant to this section must be used to pay the salaries of employees, other than administrative employees, of the school district or charter school, and to improve the achievement of students. Nothing contained in this section shall be deemed to impair or restrict the right of public employees to engage in collective bargaining as provided by statute.

10. On or before November 10, 2012, and each year thereafter, the board of trustees of each school district and the governing body of each charter school shall prepare a report to the Superintendent of Public Instruction, in the form prescribed by the Superintendent. The report must provide an accounting of the expenditures by the school district or charter school of the money it received from the State Supplemental School Support Fund during the preceding fiscal year.

11. The proceeds of the license fee provided by subsection 5 supplement, and do not replace, any money appropriated by the Legislature pursuant to subsection 2, 3 or 4. In determining the amount of any such appropriation, the Legislature shall not consider the actual or estimated proceeds of the license fee. Any appropriation of money enacted in violation of this subsection or subsection 2, 3 or 4 is void.

[6.] 12. As used in this section [,"biennium"] :

(a) "Administrative employee" means any person who holds a license as an administrator, issued by the Superintendent of Public Instruction, and is employed in that capacity by a school district or charter school.

(b) "Biennium" means a period of two fiscal years beginning on July 1 of an odd-numbered year and ending on June 30 of the next ensuing odd-numbered year.

(c) "Commission" means the Nevada Gaming Commission or its successor.

(d) "Consumer Price Index" means the nonseasonally adjusted Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, 1982-84=100, or its successor index, published by the Bureau of Labor Statistics of the United States Department of Labor, or its successor.

(e) "Game" means any game played with cards, dice, equipment or any mechanical, electromechanical or electronic device or machine for money, property, checks, credit or any representative of value, or any other game or device approved by the Commission. The term includes, without limitation, an inter-casino linked system, but does not include any game played with cards in a private residence in which no person makes money for operating the game, except as a player, or any game operated by a charitable or educational organization approved by the Nevada Gaming Control Board or its successor.

(f) "Gaming" means to deal, operate, carry on, conduct, maintain or expose for play in this state any game or gaming device.

(g) "Gaming device" means any equipment or mechanical, electromechanical or electronic contrivance, component or machine used remotely or directly in connection with gaming or any game which affects the result of a wager by determining a win or loss.

(h) "Gaming license" means a license issued by the Commission which authorizes the person named therein to engage in gaming.

(i) "Gaming licensee" means any person to whom a gaming license has been issued by the Commission, except that the term does not include:

(1) Any operator of a slot machine route; or

(2) Any person to whom a license has been issued for the operation of not more than 15 slot machines and no other game or gaming device at an establishment in which the operation of slot machines is incidental to the primary business of the establishment.

(j) "Gross revenue" means the total of all:

- Sec. 3. Severability.** If any provision of this initiative measure or its application to any person or circumstance is held to be invalid or ineffective, the invalidity or ineffectiveness shall not affect any other provision or application of this measure. As used in this section, “provision” includes any subsection, paragraph, subparagraph, sentence, phrase or word of this measure.

(NOTICE: The following summary has been prepared by the proponents of this initiative measure.)

This initiative measure would amend the Nevada Constitution. It seeks to provide additional funding for Nevada's school districts and charter schools, to be distributed among them in proportion to the number of pupils in each. The additional funding would be used for the payment of salaries to employees, other than administrative employees, and for improving the achievement of students. The funding would come from an additional monthly license fee, to be collected by the Nevada Gaming Commission from certain gaming licensees, equal to 3 percent of each licensee's monthly "gross revenue" exceeding \$1,000,000, as adjusted for inflation and deflation.

Presently, under Article 11 § 6 of the Constitution, the Legislature enacts one or more appropriations “to provide the money the Legislature deems to be sufficient, when combined with the local money reasonably available for this purpose, to fund the operation of the public schools” (K-12). This initiative provides that the proceeds of the additional license fee would supplement, and not replace, any such appropriation. The Legislature could not consider the actual or estimated proceeds of the license fee in determining the amount of any such appropriation. To this extent, the Legislature would no longer have complete discretion regarding school funding.

County of \_\_\_\_\_ (Only registered voters of this county may sign below)

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AFFIDAVIT OF CIRCULATOR

(To be signed by the circulator in the presence of a notary public.)

STATE OF NEVADA                      )

: ss.

COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_ (print name), being first duly sworn under penalty of perjury, depose and say: (1) that I reside at \_\_\_\_\_ (print street, city and state); (2) that I am 18 years of age or older; (3) that I personally circulated this document; (4) that all signatures were affixed in my presence; (5) that I believe each person who signed was at the time of signing a registered voter in the county of his residence; (6) that the number of signatures affixed thereon is \_\_\_\_\_; and (7) that each person who signed had an opportunity before signing to read the full text of the act or resolution on which the initiative is demanded.

\_\_\_\_\_  
Signature of Circulator

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ (month), 2008.

\_\_\_\_\_  
Notary Public