

Amendment No. 390

Assembly Amendment to Assembly Bill No. 248

(BDR 31-146)

Proposed by: Assembly Committee on Government Affairs**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date	
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

SJC/BJE



Date: 4/24/2011

A.B. No. 248—Revises certain requirements for the proposed budget of the Executive Department of the State Government. (BDR 31-146)



ASSEMBLY BILL NO. 248—ASSEMBLYMEN SMITH, OCEGUERA, CONKLIN, BOBZIEN, KIRKPATRICK; AIZLEY, ATKINSON, GOICOECHEA, HOGAN, HORNE AND MASTROLUCA

MARCH 9, 2011

Referred to Committee on Government Affairs

SUMMARY—Revises certain requirements for the proposed budget of the Executive Department of the State Government. (BDR 31-146)

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

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

AN ACT relating to state financial administration; revising certain requirements for the proposed budget of the Executive Department of the State Government; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law specifies the contents of the proposed budget of the Executive Department of the State Government. (NRS 353.205) **Section 1** of this bill requires each proposed budget to include certain information regarding long-term performance goals and intermediate objectives of the Executive Department, *clarifies the provisions governing certain contents of the proposed budget* and requires the posting of certain information on various Internet websites maintained by the State. **Section 2** of this bill clarifies the provisions governing the information that state agencies are required to submit to the Budget Division of the Department of Administration to assist the Budget Division in preparing proposed executive budgets. (NRS 353.210)

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

Section 1. NRS 353.205 is hereby amended to read as follows:
353.205 1. The proposed budget for the Executive Department of the State Government for each fiscal year must be set up in three parts:
(a) Part 1 must consist of a budgetary message by the Governor which ~~outlines the financial policy of the Executive Department of the State Government for the next 2 fiscal years, describing in connection therewith the important features of the financial plan. It must also embrace a)~~ *includes:*
(I) *A general summary of the long-term performance goals of the Executive Department of the State Government for:*
(I) *Core governmental functions, including the education of pupils in kindergarten through grade 12, higher education, human services and public safety and health; and*

(II) Other governmental services;

(2) An explanation of the means by which the proposed budget will provide adequate funding for those governmental functions and services such that ratable progress will be made toward achieving those long-term performance goals;

(3) An outline of any other important features of the financial plan of the Executive Department of the State Government for the next 2 fiscal years; and

(4) A general summary of the proposed budget setting forth the aggregate figures of the proposed budget in such a manner as to show the balanced relations between the total proposed expenditures and the total anticipated revenues, together with the other means of financing the proposed budget for the next 2 fiscal years, contrasted with the corresponding figures for the last completed fiscal year and fiscal year in progress. The general summary of the proposed budget must be supported by explanatory schedules or statements, classifying the expenditures contained therein by organizational units, objects and funds, and the income by organizational units, sources and funds. The organizational units may be subclassified by functions and by agencies, bureaus or commissions, or in any other manner determined by the Chief.

(b) Part 2 must embrace the detailed budgetary estimates both of expenditures and revenues as provided in NRS 353.150 to 353.246, inclusive. The information must be presented in a manner which sets forth separately the cost of continuing each program at the same level of service as the current year and the cost, by budgetary issue, of any recommendations to enhance or reduce that level of service. Revenues must be summarized by type, and expenditures must be summarized by program or budgetary account and by category of expense. Part 2 must include ~~the~~ :

(1) The identification of each long-term performance goal of the Executive Department of the State Government for:

(I) Core governmental functions, including the education of pupils in kindergarten through grade 12, higher education, human services, and public safety and health; and

(II) Other governmental services,

↳ and of each intermediate objective for the next 2 fiscal years toward achieving those goals.

(2) An explanation of the means by which the proposed budget will provide adequate funding for those governmental functions and services such that those intermediate objectives will be met and progress will be made toward achieving those long-term performance goals.

(3) A mission statement and measurement indicators for each ~~[program. It must also include statements]~~ department, institution and other agency of the Executive Department of the State Government, which articulate the intermediate objectives and long-term performance goals each such department, institution and other agency is tasked with achieving and the particular measurement indicators tracked for each such department, institution and other agency to determine whether the department, institution or other agency is successful in achieving its intermediate objectives and long-term performance goals, provided in sufficient detail to assist the Legislature in performing an analysis of the relative costs and benefits of program budgets and in determining priorities for expenditures. If available, information regarding such measurement indicators must be provided for each of the previous 4 fiscal years. If a new measurement indicator is being added, a rationale for that addition must be provided. If a measurement indicator is being modified, information must be provided regarding both the modified indicator and the indicator as it existed before

1 *modification. If a measurement indicator is being deleted, a rationale for that*
2 *deletion and information regarding the deleted indicator must be provided.*

3 (4) *Statements* of the bonded indebtedness of the State Government,
4 showing the requirements for redemption of debt, the debt authorized and unissued,
5 and the condition of the sinking funds. ~~[-and any]~~

6 (5) *Any* statements relative to the financial plan which the Governor may
7 deem desirable, or which may be required by the Legislature.

8 (c) Part 3 must include a recommendation to the Legislature for the drafting of
9 a general appropriation bill authorizing, by departments, institutions and agencies,
10 and by funds, all expenditures of the Executive Department of the State
11 Government for the next 2 fiscal years, and may include recommendations to the
12 Legislature for the drafting of such other bills as may be required to provide
13 the income necessary to finance the proposed budget and to give legal sanction to
14 the financial plan if adopted by the Legislature.

15 2. Except as otherwise provided in NRS 353.211, as soon as each part of the
16 proposed budget is prepared, a copy of the part must be transmitted to the Fiscal
17 Analysis Division of the Legislative Counsel Bureau for confidential examination
18 and retention.

19 3. Except for the information provided to the Fiscal Analysis Division of the
20 Legislative Counsel Bureau pursuant to NRS 353.211, parts 1 and 2 of the proposed
21 budget are confidential until the Governor transmits the proposed budget to the
22 Legislature pursuant to NRS 353.230, regardless of whether those parts are in the
23 possession of the Executive or Legislative Department of the State Government.
24 Part 3 of the proposed budget is confidential until the bills which result from the
25 proposed budget are introduced in the Legislature. *As soon as practicable after the*
26 *Governor transmits the proposed budget to the Legislature pursuant to NRS*
27 *353.230, the information required to be included in the proposed budget pursuant*
28 *to subparagraphs (1), (2) and (3) of paragraph (b) of subsection 1 must be posted*
29 *on the Internet websites maintained by the Governor, the Department of*
30 *Administration and the Budget Division of the Department of Administration.*

31 **Sec. 2.** NRS 353.210 is hereby amended to read as follows:

32 353.210 1. Except as otherwise provided in subsection 6, on or before
33 September 1 of each even-numbered year, all departments, institutions and other
34 agencies of the Executive Department of the State Government, and all agencies of
35 the Executive Department of the State Government receiving state money, fees or
36 other money under the authority of the State, including those operating on money
37 designated for specific purposes by the Nevada Constitution or otherwise, shall
38 prepare, on blanks furnished them by the Chief, and submit to the Chief:

39 (a) The number of *full-time equivalent* positions within the department,
40 institution or agency ;

41 (b) *The number of full-time equivalent positions within the department,*
42 *institution or agency* that have been vacant for at least 12 months, the number of
43 months each such position has been vacant and the reasons for each such vacancy;

44 ~~(b)(c)~~ (c) Any existing contracts the department, institution or agency has with
45 consultants or temporary employment services, the proposed expenditures for such
46 contracts in the next 2 fiscal years and the reasons for the use of such consultants or
47 services; and

48 ~~(b)(d)~~ (d) Estimates of their expenditure requirements, together with all
49 anticipated income from fees and all other sources, for the next 2 fiscal years
50 compared with the corresponding figures of the last completed fiscal year and the
51 estimated figures for the current fiscal year.

52 2. The Chief shall direct that one copy of the forms submitted pursuant to
53 subsection 1, accompanied by every supporting schedule and any other related

1 material, be delivered directly to the Fiscal Analysis Division of the Legislative
2 Counsel Bureau on or before September 1 of each even-numbered year.

3 3. The Budget Division of the Department of Administration shall give
4 advance notice to the Fiscal Analysis Division of the Legislative Counsel Bureau of
5 any conference between the Budget Division of the Department of Administration
6 and personnel of other state agencies regarding budget estimates. A Fiscal Analyst
7 of the Legislative Counsel Bureau or his or her designated representative may
8 attend any such conference.

9 4. The estimates of expenditure requirements submitted pursuant to
10 subsection 1 must be classified to set forth the data of funds, organizational units,
11 and the character and objects of expenditures ~~by~~ by program or budgetary account
12 and by category of expense, and must include a mission statement and
13 measurement indicators ~~for each program~~ in adequate detail to comply with the
14 requirements of subparagraph (3) of paragraph (b) of subsection 1 of NRS
15 353.205. The organizational units may be subclassified by functions and
16 ~~activities~~ by agencies, bureaus or commissions, or in any other manner at the
17 discretion of the Chief.

18 5. If any department, institution or other agency of the Executive Department
19 of the State Government, whether its money is derived from state money or from
20 other money collected under the authority of the State, fails or neglects to submit
21 estimates of its expenditure requirements as provided in this section, the Chief may,
22 from any data at hand in the Chief's office or which the Chief may examine or
23 obtain elsewhere, make and enter a proposed budget for the department, institution
24 or agency in accordance with the data.

25 6. Agencies, bureaus, commissions and officers of the Legislative
26 Department, the Public Employees' Retirement System and the Judicial Department
27 of the State Government shall submit to the Chief for his or her information in
28 preparing the proposed executive budget the budgets which they propose to submit
29 to the Legislature.

30 **Sec. 3.** NRS 353.211 is hereby amended to read as follows:

31 353.211 1. On or before October 15 of each even-numbered year, the Chief
32 shall provide to the Fiscal Analysis Division of the Legislative Counsel Bureau:

33 (a) Computerized budget files containing the actual data regarding revenues
34 and expenditures for the previous year;

35 (b) The work programs for the current year; and

36 (c) Each agency's requested budget for the next 2 fiscal years.

37 2. On or before December 31 of each even-numbered year, the Chief shall
38 provide to the Fiscal Analysis Division:

39 (a) Each agency's adjusted base budget by program or budgetary account for
40 the next 2 fiscal years; and

41 (b) An estimated range of the costs for:

42 (1) Continuing the operation of State Government; and

43 (2) Providing elementary, secondary and higher public education,

44 ~~at~~ at the current level of service.

45 3. The information provided to the Fiscal Analysis Division pursuant to
46 subsections 1 and 2 is open for public inspection.

47 4. *The Governor may authorize or direct an agency to hold public hearings*
48 *on a budget submitted pursuant to paragraph (c) of subsection 1 at any time after*
49 *the material is provided pursuant to subsection 1.*