

Amendment No. 344

Senate Amendment to Senate Bill No. 233

(BDR 18-1058)

Proposed by: Senate Committee on Government Affairs**Amends:** Summary: Yes Title: Yes 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.

CAF/JRS



Date: 4/18/2011

S.B. No. 233—Establishes the Office of Grant Procurement, Coordination and Management in the Office of the Governor. (BDR 18-1058)



SENATE BILL NO. 233—SENATORS PARKS AND HORSFORD

MARCH 10, 2011

JOINT SPONSORS: ASSEMBLYMEN OCEGUERA AND CONKLIN

Referred to Committee on Government Affairs

SUMMARY—Establishes the Office of Grant Procurement, Coordination and Management in the ~~{Office of the Governor;}~~ Department of Administration. (BDR 18-1058)

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 grants; establishing the Office of Grant Procurement, Coordination and Management in the ~~{Office of the Governor;}~~ Department of Administration; setting forth the duties of the ~~{Director;}~~ Chief of the Office; requiring all state and local agencies to notify the Office ~~{of Grant Procurement, Coordination and Management}~~ of any grants for which the agency applies and any which they receive; ~~{prohibiting state and local agencies from establishing certain programs;}~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the ~~{Office of the Governor;}~~ Department of Administration, divides the Department into various divisions and ~~{authorizes}~~ requires the ~~{Governor}~~ Director of the Department to ~~{employ such persons as he or she deems necessary to provide an appropriate staff for the Office. (NRS 232.085) Section 2}~~ appoint Chiefs of those divisions. (NRS 232.213, 232.215) Sections 9 and 10 of this bill ~~{creates}~~ establish the Office of Grant Procurement, Coordination and Management in the ~~{Office of the Governor, authorizes}~~ Department and require the ~~{Governor}~~ Director to appoint the ~~{Director}~~ Chief of the Office. ~~{and}~~ Section 2 of this bill sets forth the qualifications for the ~~{Director}~~ Chief. Section 3 of this bill sets forth the duties of the ~~{Director}~~ Chief, which include: (1) researching and identifying federal grants which may be available to state and local agencies and local nonprofit organizations; (2) writing grants for federal funds for state agencies; (3) coordinating with members of Congress representing this State to identify and manage available federal grants and programs; (4) seeking out grants and writing grant proposals for state ~~{and local}~~ agencies in Nevada; ~~{(2)}~~ (5) compiling information about grants and providing information to state and local agencies about grants for which they are eligible to apply; ~~{(4)}~~ (6) keeping track of all the grants for which state and local agencies have applied and of all grants they have received, and coordinating with those agencies that have received grants for similar projects to ensure they do not duplicate their efforts or services; and ~~{(4)}~~ (7) seeking grants for which businesses can apply to develop projects in

Nevada and offering to help those companies in applying for such grants. In addition, section 3 authorizes the Chief to write grants for federal funds for local agencies and local nonprofit organizations if he or she is requested to do so by the local agency or local nonprofit organization.

Section 4 of this bill requires all state and local agencies to notify the Office ~~of Grant Procurement, Coordination and Management~~ of any grants for which they apply and any grants which they receive. ~~[Section 4 also prohibits state and local agencies from establishing any program which provides essential services with funds from a grant from the Federal Government if the grant is not continuous or reasonably certain to be renewed.]~~

Section ~~[8]~~ 12 of this bill requires the ~~[Director]~~ Chief of the Office ~~of Grant Procurement, Coordination and Management~~, on or before January 1, 2013, to develop suggestions and proposals for an incentive program to encourage businesses to apply for grants to develop projects in Nevada and on or before January 1, 2013, to submit a report setting forth those suggestions and proposals, together with any recommendations for legislation, to the Director of the Legislative Counsel Bureau for transmittal to the Legislature.

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

Section 1. Chapter ~~[223]~~ 232 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.

Sec. 2. 1. The Office of Grant Procurement, Coordination and Management is hereby established in the Office of the Governor.

2. The Governor shall appoint the Director of the Office of Grant Procurement, Coordination and Management. The person appointed to serve as the [Director] Chief of the Office of Grant Procurement, Coordination and Management must have:

- (a) Extensive expertise and experience in applying for and receiving grants;
- (b) Specialized knowledge of the process of grant writing and approval in the public and private sector; and
- (c) Proven experience in designing and managing programs which rely solely or partially upon money received from grants.

[3.] 2. The [Director] Chief shall devote his or her entire time and attention to the business of his or her office and shall not engage in any other gainful employment or occupation.

[4. The Director is not in the classified or unclassified service of the State and serves at the pleasure of the Governor.]

Sec. 3. 1. The [Director] Chief of the Office of Grant Procurement, Coordination and Management shall:

(a) Research and identify federal grants which may be available to state or local agencies and local nonprofit organizations.

(b) Write grants for federal funds for state agencies.

(c) Coordinate with the members of Congress representing this State to combine efforts relating to identifying and managing available federal grants and related programs.

(d) If requested by a state [or local] agency, research the availability of grants and write grant proposals and applications for the state [or local] agency, giving priority to grants:

- (1) Which may facilitate economic development in this State; and
- (2) For research and development at a university, state college, community college or research facility within the Nevada System of Higher Education.

~~1~~ ~~(b)~~ (e) Create and maintain an Internet website which sets forth
2 information relating to grants, including, without limitation, contacts for
3 information and applications for grants, resources for applying for and receiving
4 grants, information concerning grants that have been applied for and awarded to
5 state and local agencies, and notifications of opportunities for grants.

~~6~~ ~~(c)~~ (f) To the greatest extent practicable, ensure that state and local
7 agencies are aware of any grant opportunities for which they are or may be
8 eligible.

~~9~~ ~~(d)~~ (g) Advise the ~~Governor~~ Director and state and local agencies
10 concerning the requirements for receiving and managing grants.

~~11~~ ~~(e)~~ (h) Coordinate with all state and local agencies that have received
12 grants for similar projects to ensure that the efforts and services of those state
13 and local agencies are not duplicated.

~~14~~ ~~(f)~~ (i) Seek grants for which businesses may apply that may assist those
15 businesses in developing projects in this State and offer to assist those businesses
16 in applying for such grants.

~~17~~ ~~(g)~~ (j) On or before January 1 of each odd-numbered year, submit to the
18 Director of the Legislative Counsel Bureau for transmittal to the Legislature a
19 report regarding all activity relating to the application for, receipt of and use of
20 grants in this State.

21 2. If requested by a local agency or local nonprofit organization, the Chief
22 may write grant proposals and applications for federal funds for the local agency
23 or local nonprofit organization.

24 3. The ~~Director~~ Chief may adopt regulations to carry out the provisions of
25 this section and sections 4 and 5 of this act.

26 Sec. 4. ~~1.~~ In addition to any other requirement concerning applying for
27 or receiving a grant, a state or local agency shall notify the Office of Grant
28 Procurement, Coordination and Management, on a form prescribed by the
29 Office, of any grant:

30 ~~(a)~~ 1. For which the state or local agency applies; and

31 ~~(b)~~ 2. Which the state or local agency receives.

32 ~~1. Notwithstanding any provision of law to the contrary, a state or local~~
33 ~~agency shall not establish a program to provide an essential service for which the~~
34 ~~source of money for the program is a grant received from the Federal~~
35 ~~Government that is not continuous or reasonably certain to be renewed by the~~
36 ~~Federal Government.~~

37 Sec. 5. The Office of Grant Procurement, Coordination and Management
38 may apply for and receive any gift, grant, contribution or other money from any
39 source to carry out the provisions of sections 2 to 6, inclusive, of this act. ~~and to~~
40 ~~defray any expenses incurred by the Office in the discharge of its duties.~~

41 Sec. 6. 1. The Account for the Office of Grant Procurement,
42 Coordination and Management is hereby created in the State General Fund. The
43 Account must be administered by the ~~Director~~ Chief of the Office.

44 2. Any money accepted pursuant to section 5 of this act must be deposited in
45 the Account.

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

48 4. The money in the Account which is donated for a purpose specified by
49 the donor, within the scope of the duties of the Chief of the Office of Grant
50 Procurement, Coordination and Management, must only be used for that
51 purpose. If no purpose is specified, the money in the Account must only be used
52 to carry out the duties of the ~~Director~~ Chief.

5. Claims against the Account must be paid as other claims against the State are paid.

Sec. 7. ~~NRS 222.085 is hereby amended to read as follows:~~

~~222.085 1. The Governor may, within the limits of available money, employ such persons as he or she deems necessary to provide an appropriate staff for the Office of the Governor, including, without limitation, the Office of Science, Innovation and Technology, the Office of Grant Procurement, Coordination and Management and the Governor's mansion. Any such employees are not in the classified or unclassified service of the State and serve at the pleasure of the Governor.~~

~~2. The Governor shall:~~

~~(a) Determine the salaries and benefits of the persons employed pursuant to subsection 1, within limits of money available for that purpose; and~~

~~(b) Adopt such rules and policies as he or she deems appropriate to establish the duties and employment rights of the persons employed pursuant to subsection 1.~~

~~++ (Deleted by amendment.)~~

Sec. 8. NRS 232.212 is hereby amended to read as follows:

232.212 As used in NRS 232.212 to 232.2195, inclusive, **and sections 2 to 6, inclusive, of this act,** unless the context requires otherwise:

1. "Department" means the Department of Administration.

2. "Director" means the Director of the Department.

Sec. 9. NRS 232.213 is hereby amended to read as follows:

232.213 1. The Department of Administration is hereby created.

2. The Department consists of a Director and the following: ~~{divisions}~~

(a) Budget Division.

(b) Risk Management Division.

(c) Hearings Division, which consists of hearing officers, compensation officers and appeals officers.

(d) Buildings and Grounds Division.

(e) Purchasing Division.

(f) Administrative Services Division.

(g) Division of Internal Audits.

(h) Office of Grant Procurement, Coordination and Management.

3. The Director may establish a Motor Pool Division or may assign the functions of the State Motor Pool to one of the other divisions of the Department.

Sec. 10. NRS 232.215 is hereby amended to read as follows:

232.215 The Director:

1. Shall appoint a Chief of the:

(a) Risk Management Division;

(b) Buildings and Grounds Division;

(c) Purchasing Division;

(d) Administrative Services Division;

(e) Division of Internal Audits; ~~and~~

(f) Office of Grant Procurement, Coordination and Management; and

(g) Motor Pool Division, if separately established.

2. Shall appoint a Chief of the Budget Division, or may serve in this position if the Director has the qualifications required by NRS 353.175.

3. Shall serve as Chief of the Hearings Division and shall appoint the hearing officers and compensation officers. The Director may designate one of the appeals officers in the Division to supervise the administrative, technical and procedural activities of the Division.

4. Is responsible for the administration, through the divisions of the Department, of the provisions of chapters 331, 333 and 336 of NRS, NRS 353.150

to 353.246, inclusive, and 353A.031 to 353A.100, inclusive, and all other provisions of law relating to the functions of the divisions of the Department.

5. Is responsible for the administration of the laws of this State relating to the negotiation and procurement of medical services and other benefits for state agencies.

6. Has such other powers and duties as are provided by law.

Sec. 11. NRS 232.2165 is hereby amended to read as follows:

232.2165 1. The Chief of:

(a) The Buildings and Grounds Division;

(b) The Purchasing Division;

(c) The Administrative Services Division;

(d) The Division of Internal Audits; and

(e) If separately established, the Motor Pool Division,

➤ of the Department serves at the pleasure of the Director, but, except as otherwise provided in subsection 2, for all purposes except removal is in the classified service of the State.

2. The Chief of the Motor Pool Division, if separately established, and the Chief of the Division of Internal Audits are in the unclassified service of the State.

3. The Chief of the Office of Grant Procurement, Coordination and Management is in the unclassified service of the State and serves at the pleasure of the Director.

~~[Sec. 8.]~~ **Sec. 12.** The ~~[Director]~~ **Chief** of the Office of Grant Procurement, Coordination and Management established pursuant to **NRS 232.213, as amended by section 9 of this act,** shall:

1. Develop suggestions and proposals for establishing an incentive system to encourage businesses to apply for grants to develop projects in this State pursuant to paragraph ~~(a)~~ **(i)** of subsection 1 of section 3 of this act; and

2. On or before January 1, 2013, and in addition to or together with the report required pursuant to paragraph ~~(a)~~ **(i)** of subsection 1 of section 3 of this act, submit a report setting forth those suggestions and proposals for establishing an incentive system, together with any suggestions for legislation, to the Director of the Legislative Counsel Bureau for transmittal to the Legislature.

~~[Sec. 9.]~~ **Sec. 13.** This act becomes effective on July 1, 2011.