

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. (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; setting forth the duties of the Director; 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:

1 Existing law provides for the Office of the Governor and authorizes the
2 Governor to employ such persons as he or she deems necessary to provide an
3 appropriate staff for the Office. (NRS 223.085) **Section 2** of this bill creates the
4 Office of Grant Procurement, Coordination and Management in the Office of the
5 Governor, authorizes the Governor to appoint the Director of the Office and sets
6 forth the qualifications for the Director. **Section 3** of this bill sets forth the duties of
7 the Director, which include: (1) seeking out grants and writing grant proposals for
8 state and local agencies in Nevada; (2) compiling information about grants and
9 providing information to state and local agencies about grants for which they are
10 eligible to apply; (3) keeping track of all the grants for which state and local
11 agencies have applied and of all grants they have received, and coordinating with
12 those agencies that have received grants for similar projects to ensure they do not
13 duplicate their efforts or services; and (4) seeking grants for which businesses can



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14 apply to develop projects in Nevada and offering to help those companies in
15 applying for such grants.

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

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

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

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

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

7 ***2. The Governor shall appoint the Director of the Office of***
8 ***Grant Procurement, Coordination and Management. The person***
9 ***appointed to serve as the Director must have:***

10 ***(a) Extensive expertise and experience in applying for and***
11 ***receiving grants;***

12 ***(b) Specialized knowledge of the process of grant writing and***
13 ***approval in the public and private sector; and***

14 ***(c) Proven experience in designing and managing programs***
15 ***which rely solely or partially upon money received from grants.***

16 ***3. The Director shall devote his or her entire time and***
17 ***attention to the business of his or her office and shall not engage***
18 ***in any other gainful employment or occupation.***

19 ***4. The Director is not in the classified or unclassified service***
20 ***of the State and serves at the pleasure of the Governor.***

21 **Sec. 3. 1. *The Director of the Office of Grant Procurement,***
22 ***Coordination and Management shall:***

23 ***(a) If requested by a state or local agency, research the***
24 ***availability of grants and write grant proposals and applications***
25 ***for the state or local agency, giving priority to grants:***

26 ***(1) Which may facilitate economic development in this***
27 ***State; and***



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(2) For research and development at a university, state college, community college or research facility within the Nevada System of Higher Education.

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

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

(d) Advise the Governor and state and local agencies concerning the requirements for receiving and managing grants.

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

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

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

2. The Director may adopt regulations to carry out the provisions of this section and sections 4 and 5 of this act.

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

(a) For which the state or local agency applies; and

(b) Which the state or local agency receives.

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

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



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

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

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

4. The money in the Account must only be used to carry out the duties of the Director.

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

Sec. 7. NRS 223.085 is hereby amended to read as follows:

223.085 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.

Sec. 8. The Director of the Office of Grant Procurement, Coordination and Management established pursuant to section 2 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 (f) 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 (g) 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. This act becomes effective on July 1, 2011.

