

ASSEMBLY BILL NO. 480—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 25, 2013

Referred to Committee on Ways and Means

SUMMARY—Revises provisions relating to the Tahoe Regional Planning Agency. (BDR 22-1168)

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 the Tahoe Regional Planning Agency; requiring the Agency periodically to submit certain financial information to the Executive and Legislative Departments of the State Government; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 1** of this bill requires the Tahoe Regional Planning Agency annually to
2 provide the Governor and the Director of the Legislative Counsel Bureau with a
3 copy of the Agency's most recent independent audit report and certain information
4 about the Agency's expenditures and its progress in achieving certain performance
5 measures and benchmarks. **Sections 2 and 3** of this bill require the Agency to
6 submit biennially its proposed budget to the Chief of the Budget Division of the
7 Department of Administration and the Fiscal Analysis Division of the Legislative
8 Counsel Bureau.

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

1 **Section 1.** NRS 277.220 is hereby amended to read as follows:
2 277.220 *1.* The Account for the Tahoe Regional Planning
3 Agency is hereby established in the State General Fund and consists
4 of any money provided by direct legislative appropriation. Money in
5 this Account must be expended for the support of, or paid over
6 directly to, the Tahoe Regional Planning Agency in whatever



amount and manner is directed by each appropriation or provided by law.

2. On or before January 31 of each year, the Tahoe Regional Planning Agency shall submit to the Governor and the Director of the Legislative Counsel Bureau:

(a) A copy of the report of the independent audit most recently prepared for the Tahoe Regional Planning Agency; and

(b) A written report detailing:

(1) The nature and purpose of the expenditures made by the Tahoe Regional Planning Agency during the immediately preceding calendar year from money appropriated to it by the Legislature; and

(2) The progress of the Tahoe Regional Planning Agency in achieving the performance measures and benchmarks included in its current biennial budget.

3. The Director of the Legislative Counsel Bureau shall cause copies of the materials submitted pursuant to subsection 2 to be transmitted to the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System created by NRS 218E.555 and:

(a) In odd-numbered years, the Legislature.

(b) In even-numbered years, the Interim Finance Committee.

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

353.210 1. Except as otherwise provided in ~~subsection~~ **subsections 6 and 7**, on or before September 1 of each even-numbered year, all departments, institutions and other agencies of the Executive Department of the State Government, and all agencies of the Executive Department of the State Government receiving state money, fees or other money under the authority of the State, including those operating on money designated for specific purposes by the Nevada Constitution or otherwise, shall prepare, on blanks furnished them by the Chief, and submit to the Chief:

(a) The number of full-time equivalent positions within the department, institution or agency.

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

(c) Any existing contracts for services the department, institution or agency has with temporary employment services or other persons, the proposed expenditures for such contracts in the next 2 fiscal years and the reasons for the use of such services. If such contracts include any privatization contracts, a copy of each of those privatization contracts together with:



(1) A statement specifying the duration of the privatization contracts;

(2) The number of privatization contracts proposed for the next 2 fiscal years and the estimated expenditures for the privatization contracts; and

(3) An analysis of each of the privatization contracts, which includes, without limitation:

(I) For the preceding, current and next fiscal years, the annual amount required to perform each of the privatization contracts; and

(II) For the preceding and current fiscal years, the number of persons the department, institution or agency employed pursuant to the privatization contracts, reflected as the equivalent full-time position if the persons were regularly employed by the department, institution or agency, including the equivalent hourly wage and the cost of benefits for each job classification.

(d) Estimates of expenditure requirements of the department, institution or agency, together with all anticipated income from fees and all other sources, for the next 2 fiscal years compared with the corresponding figures of the last completed fiscal year and the estimated figures for the current fiscal year.

2. The Chief shall direct that one copy of the forms submitted pursuant to subsection 1, accompanied by every supporting schedule and any other related material, be delivered directly to the Fiscal Analysis Division of the Legislative Counsel Bureau on or before September 1 of each even-numbered year.

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

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

5. If any department, institution or other agency of the Executive Department of the State Government, whether its money



1 is derived from state money or from other money collected under
2 the authority of the State, fails or neglects to submit estimates of its
3 expenditure requirements as provided in this section, the Chief may,
4 from any data at hand in the Chief's office or which the Chief may
5 examine or obtain elsewhere, make and enter a proposed budget for
6 the department, institution or agency in accordance with the data.

7 6. Agencies, bureaus, commissions and officers of the
8 Legislative Department, the Public Employees' Retirement System
9 and the Judicial Department of the State Government shall submit to
10 the Chief for his or her information in preparing the proposed
11 executive budget the budgets which they propose to submit to the
12 Legislature.

13 7. *On or before September 1 of each even-numbered year, the*
14 *Tahoe Regional Planning Agency shall submit the budget which*
15 *the Agency proposes to submit to the Legislature to:*

16 (a) *The Chief for his or her information in preparing the*
17 *proposed executive budget.*

18 (b) *The Fiscal Analysis Division of the Legislative Counsel*
19 *Bureau.*

20 8. The information provided by a department, institution or
21 agency pursuant to paragraph (c) of subsection 1 is a public record
22 and must be open to public inspection.

23 ~~18.1~~ 9. As used in this section, "privatization contract" means a
24 contract executed by or on behalf of a department, institution or
25 agency which authorizes a private entity to provide public services
26 which are:

27 (a) Substantially similar to the services performed by the public
28 employees of the department, institution or agency; and

29 (b) In lieu of the services otherwise authorized or required to be
30 provided by the department, institution or agency.

31 **Sec. 3.** NRS 353.246 is hereby amended to read as follows:

32 353.246 1. Except as otherwise provided in subsection 2 of
33 this section and ~~subsection~~ *subsections 6 and 7* of NRS 353.210,
34 the provisions of NRS 353.150 to 353.245, inclusive, do not apply
35 to agencies, bureaus, commissions and officers of the Legislative
36 Department, the Public Employees' Retirement System, ~~and~~ the
37 Judicial Department of the State Government ~~and~~ *and the Tahoe*
38 *Regional Planning Agency.*

39 2. The Legislative Department, the Public Employees'
40 Retirement System, ~~and~~ the Judicial Department of the State
41 Government *and the Tahoe Regional Planning Agency* shall
42 submit their budgets to the Legislature in the same format as the
43 proposed executive budget unless otherwise provided by the
44 Legislative Commission. All projections of revenue and any other
45 information concerning future state revenue contained in those



- 1 budgets must be based upon the projections and estimates prepared
- 2 by the Economic Forum pursuant to NRS 353.228.
- 3 **Sec. 4.** This act becomes effective on July 1, 2013.

