

Amendment No. 800

Assembly Amendment to Assembly Bill No. 469	(BDR 18-1180)
Proposed by: Assembly Committee on Ways and Means	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

EGO/BJE



Date: 5/26/2015

A.B. No. 469—Creating the Office of Finance in the Office of the Governor.
(BDR 18-1180)



ASSEMBLY BILL NO. 469—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 23, 2015

Referred to Committee on Ways and Means

SUMMARY—Creating the Office of Finance in the Office of the Governor.
(BDR 18-1180)

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 governmental administration; creating the Office of Finance in the Office of the Governor; transferring certain powers and duties of the Department of Administration to the Office of Finance; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Department of Administration consisting of several divisions, including the Budget Division and the Division of Internal Audits. (NRS 232.213) **Section 2** of this bill creates the Office of Finance in the Office of the Governor. **Sections 2-13** of this bill transfer the duties of the Budget Division and the Division of Internal Audits from the Department of Administration to the Office of Finance.

Sections 14-16 of this bill provide transitory provisions regarding the transfer of the responsibilities of the Department of Administration to the Office of Finance, including the transfer and adoption of regulations, the effect of name changes on any existing contracts, revisions that may be necessary to other provisions of existing law and administrative regulations to conform to the changes made in this bill and other necessary direction to carry out the intent of this bill.

If this bill is enacted, the Legislative Counsel and the Legal Division of the Legislative Counsel Bureau will be required by **section 16** and NRS 220.120 to conform all sections of law not included in this bill to the reorganization provided by this bill.

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

Section 1. Chapter 223 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 Finance is hereby created in the Office of the Governor.*

2. The Office of Finance consists of a Director and the following:

(a) The Budget Division; and

(b) *The Division of Internal Audits.*

Sec. 3. *The Director of the Office of Finance:*

1. *Is appointed by, is responsible to and serves at the pleasure of the Governor.*

2. *Is in the unclassified service of the State.*

3. *Shall not engage in any other gainful employment or occupation.*

Sec. 4. *The Director of the Office of Finance:*

1. *Shall appoint a Chief of the Budget Division, who serves at the pleasure of the Director and is in the unclassified service of the State, or may serve in this position if the Director has the qualifications required by NRS 353.175.*

2. *Is responsible for the administration, through the divisions of the Office, of the provisions of NRS 235.005 to 235.016, inclusive, 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 Office.*

Sec. 5. 1. *The Director of the Office of Finance shall appoint the Administrator of the Division of Internal Audits.*

2. *The Administrator of the Division of Internal Audits of the Office of Finance serves at the pleasure of the Director and is in the unclassified service of the State.*

Sec. 6. 1. *Unless federal law or regulation otherwise requires, the Chief of the Budget Division and the Administrator of the Division of Internal Audits may appoint a Deputy and a Chief Assistant in the unclassified service of the State, who shall not engage in any other gainful employment or occupation except as otherwise provided in NRS 284.143.*

2. *Except as otherwise provided in subsection 1 and sections 3, 4 and 5 of this act, employees of the Office of Finance are in the classified service of the State.*

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 Finance*, the Office of Economic Development, the Office of Science, Innovation and Technology and the Governor's mansion. Any such employees are not in the classified or unclassified service of the State and, except as otherwise provided in NRS 231.043 and 231.047, 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.~~

~~3. The Governor may:~~

~~(a) Appoint a Chief Information Officer of the State; or~~

~~(b) Designate the Administrator as the Chief Information Officer of the State.~~

~~→ If the Administrator is so appointed, the Administrator shall serve as the Chief Information Officer of the State without additional compensation.~~

~~4. As used in this section, "Administrator" means the Administrator of the Division of Enterprise Information Technology Services of the Department of Administration.] (Deleted by amendment.)~~

Sec. 8. 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:

(a) ~~Budget Division.~~

~~(b) Risk Management Division.~~

~~1~~ ~~(e)~~ ~~(b)~~ Hearings Division, which consists of hearing officers, compensation officers and appeals officers.

~~2~~ ~~(d)~~ ~~(c)~~ State Public Works Division.

~~3~~ ~~(e)~~ ~~(d)~~ Purchasing Division.

~~4~~ ~~(f)~~ ~~(e)~~ Administrative Services Division.

~~5~~ ~~(g)~~ ~~Division of Internal Audits;~~

~~6~~ ~~(h)~~ ~~(f)~~ Division of Human Resource Management.

~~7~~ ~~(i)~~ ~~(g)~~ Division of Enterprise Information Technology Services.

~~8~~ ~~(j)~~ ~~(h)~~ Division of State Library and Archives.

~~9~~ ~~(k)~~ ~~(i)~~ Office of Grant Procurement, Coordination and Management.

~~10~~ ~~(l)~~ ~~(j)~~ Fleet Services Division.

Sec. 9. NRS 232.215 is hereby amended to read as follows:

232.215 The Director:

1. Shall appoint an Administrator of the:

(a) Risk Management Division;

(b) State Public Works Division;

(c) Purchasing Division;

(d) Administrative Services Division;

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

~~(f) Division of Human Resource Management;~~

~~(g) Division of Enterprise Information Technology Services;~~

~~(h) Division of State Library and Archives;~~

~~(i) Office of Grant Procurement, Coordination and Management; and~~

~~(j) Fleet Services Division.~~

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.~~ 3. Is responsible for the administration, through the divisions of the Department, of the provisions of chapters 233F, 242, 284, 331, 333, 336, 338 and 341 of NRS ~~1, NRS 353.150 to 353.246, inclusive, and 353A.031 to 353A.100, inclusive,~~ and chapter 378 of NRS and all other provisions of law relating to the functions of the divisions of the Department.

~~5.~~ 4. 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.~~ 5. Has such other powers and duties as are provided by law.

Sec. 10. NRS 232.2165 is hereby amended to read as follows:

232.2165 The Administrator of:

1. The State Public Works Division;

2. The Purchasing Division;

3. The Administrative Services Division;

~~4. The Division of Internal Audits;~~

~~5.~~ The Division of Human Resource Management;

~~6.~~ 5. The Division of Enterprise Information Technology Services;

~~7.~~ 6. The Division of State Library and Archives;

~~8.~~ 7. The Office of Grant Procurement, Coordination and Management; and

~~9.~~ 8. The Fleet Services Division,

➤ of the Department serves at the pleasure of the Director and is in the unclassified service of the State.

Sec. 11. NRS 232.217 is hereby amended to read as follows:

232.217 Unless federal law or regulation otherwise requires, the ~~Chief of the Budget Division and the~~ Administrator of the:

1. State Public Works Division;
2. Purchasing Division;
3. ~~Division of Internal Audits;~~
- ~~4.~~ Division of Human Resource Management;
- ~~5.~~ 4. Division of Enterprise Information Technology Services;
- ~~6.~~ 5. Division of State Library and Archives; and
- ~~7.~~ 6. Fleet Services Division;

may appoint a Deputy and a Chief Assistant in the unclassified service of the State, who shall not engage in any other gainful employment or occupation except as otherwise provided in NRS 284.143.

Sec. 12. NRS 232.219 is hereby amended to read as follows:

232.219 1. The Department of Administration's Operating Fund for Administrative Services is hereby created as an internal service fund.

2. The operating budget of each of the following entities must include an amount representing that entity's share of the operating costs of the central accounting function of the Department:

- (a) State Public Works Division;
- (b) ~~Budget Division;~~
- ~~(c)~~ Purchasing Division;
- ~~(d)~~ (c) Hearings Division;
- ~~(e)~~ (d) Risk Management Division;
- ~~(f)~~ ~~Division of Internal Audits;~~
- ~~(g)~~ (e) Division of Human Resource Management;
- ~~(h)~~ (f) Division of Enterprise Information Technology Services;
- ~~(i)~~ (g) Division of State Library and Archives; and
- ~~(j)~~ (h) Fleet Services Division.

3. All money received for the central accounting services of the Department must be deposited in the State Treasury for credit to the Operating Fund.

4. All expenses of the central accounting function of the Department must be paid from the Fund as other claims against the State are paid.

Sec. 13. NRS 232.2195 is hereby amended to read as follows:

232.2195 The Administrative Services Division shall:

1. Furnish fiscal and accounting services to ~~the~~ :

- (a) *The Director and to each division of the Department; and*
- (b) *The Office of Finance.*

2. Advise and assist ~~the~~ :

(a) *The Director and each division of the Department in carrying out their functions and responsibilities ~~it~~ ; and*

- (b) *The Office of Finance in carrying out its functions and responsibilities.*

Sec. 14. 1. Any administrative regulations adopted by an officer, agency or other entity whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer, agency or other entity remain in force until amended by the officer, agency or other entity to which the responsibility for the adoption of the regulations has been transferred.

2. Any contracts or other agreements entered into by an officer, agency or other entity whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer, agency or other entity are binding upon the officer, agency or other entity to which the responsibility for the administration of the provisions of the contract or other agreement have been transferred. Such contracts and other agreements may be

1 enforced by the officer, agency or other entity to which the responsibility for the
2 enforcement of the provisions of the contract or other agreement has been
3 transferred.

4 3. Any action taken by an officer, agency or other entity whose name has
5 been changed or whose responsibilities have been transferred pursuant to the
6 provisions of this act to another officer, agency or entity remains in effect as if
7 taken by the officer, agency or other entity to which the responsibility for the
8 enforcement of such actions has been transferred.

9 **Sec. 15.** The assets and liabilities of any fund or account transferred from the
10 Director of the Department of Administration to the Director of the Office of
11 Finance are unaffected by the transfer.

12 **Sec. 16.** The Legislative Counsel shall:

13 1. In preparing the Nevada Revised Statutes, use the authority set forth in
14 subsection 10 of NRS 220.120 to substitute appropriately the name of any agency,
15 officer or instrumentality of the State whose name is changed by this act for the
16 name which the agency, officer or instrumentality previously used; and

17 2. In preparing supplements to the Nevada Administrative Code, substitute
18 appropriately the name of any agency, officer or instrumentality of the State whose
19 name is changed by this act for the name which the agency, officer or
20 instrumentality previously used.

21 **Sec. 17.** This act becomes effective on July 1, 2015.