

Amendment No. 212

Senate Amendment to Senate Bill No. 214	(BDR 31-837)
Proposed by: Senate 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) 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.

HAC/MSN



Date: 4/3/2015

S.B. No. 214—Creates the Nevada Advisory Council on Federal Assistance.
(BDR 31-837)



SENATE BILL NO. 214—COMMITTEE ON FINANCE

MARCH 5, 2015

Referred to Committee on Government Affairs

SUMMARY—Creates the Nevada Advisory Council on Federal Assistance.
(BDR 31-837)

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; creating the Nevada Advisory Council on Federal Assistance; providing for the membership, powers and duties of the Council; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill generally creates the Nevada Advisory Council on Federal Assistance for the purposes of ~~evaluating, monitoring and~~ advising ***and assisting*** state and local agencies with respect to obtaining and maximizing federal assistance that may be available ~~to such agencies~~ from any agency or authority of the Federal Government. **Section 3** of this bill creates the Council and prescribes the membership of the Council. **Sections 4 and 5** of this bill set forth the duties and powers of the Council. **Section 4** requires the Council to meet at least once annually and authorizes the Council, for the purpose of carrying out its duties, to: (1) appoint committees from its members; (2) engage the services of volunteers and consultants without compensation; and (3) apply for and receive gifts, grants, contributions and other money from any source. **Section 4** further requires the Council to submit annual reports to the Governor and the Legislature outlining the activities and recommendations of the Council. **Section 5** requires the Council, within the scope of its authority, to ~~evaluate, monitor and~~ advise ***and assist*** state and local agencies with respect to obtaining and maximizing federal assistance. **Section 5** authorizes the Council to ~~submit inquiries and~~ request certain information in accordance with its stated purpose and authorizes a state or local agency ~~to, in its discretion,~~ to cooperate with the Council for the purpose of obtaining and maximizing federal assistance that may be available to the agency. **Section 5** requires the Council to: (1) ~~develop model strategies and guidelines tailored towards assisting the individual needs and opportunities of state and local agencies;~~ ***address methods and models for identifying, procuring, utilizing and maintaining federal assistance;*** and (2) develop legislative and executive recommendations ~~to address certain barriers to the acquisition of federal assistance by state and local agencies;~~ ***to address certain barriers to the acquisition of federal assistance by state and local agencies;*** and (3) ~~at the request of a state or local agency, advise and assist the agency with the implementation of any strategy to obtain and maximize any federal assistance that may be available to the agency.~~

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

Section 1. Chapter 353 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. *As used in sections 2 to 5, inclusive, of this act, unless the context otherwise requires, "Council" means the Nevada Advisory Council on Federal Assistance created by section 3 of this act.*

Sec. 3. 1. *The Nevada Advisory Council on Federal Assistance is hereby created. The Council consists of the following ~~17~~ seven members:*

~~(a) The Superintendent of Public Instruction or his or her designee.~~

~~(b) The Director of the Department of Health and Human Services or his or her designee.~~

~~(c) The Director of the Department of Transportation or his or her designee.~~

~~(d) The Executive Director of the Office of Economic Development or his or her designee.~~

~~(e) One member appointed by the Governor who represents the Nevada System of Higher Education, nominated by the Board of Regents of the University of Nevada.~~

~~(f) Seven members who are representatives of business and industry, nonprofit and philanthropic organizations, academia, public policy organizations and local governments, three of whom are appointed by the Governor, two of whom are appointed by the Majority Leader of the Senate and two of whom are appointed by the Speaker of the Assembly.~~

~~(g) One member appointed by the Governor who must be a member of the Legislature.~~

~~(h) One member of the Senate appointed by the Majority Leader of the Senate.~~

~~(i) One member of the Assembly appointed by the Speaker of the Assembly.~~

~~(j) One member of the Senate appointed by the Minority Leader of the Senate.~~

~~(k) One member of the Assembly appointed by the Minority Leader of the Assembly.~~

(c) One member appointed by the Governor who represents a nonprofit organization that provides grants in this State.

(d) One member appointed by the Governor who represents a local government.

(e) One member appointed by the Governor who represents private businesses.

(f) The Chief of the Budget Division of the Department of Administration.

(g) The Administrator of the Office of Grant Procurement, Coordination and Management of the Department of Administration.

2. The members described in:

(a) Paragraphs (a) to (e), inclusive, of subsection 1 are voting members.

(b) Paragraphs (f) and (g) of subsection 1 are nonvoting members.

3. The persons appointing members to the Council pursuant to paragraphs (f) to (h), inclusive, of subsection 1 Governor shall, to the extent practicable, collaborate to ensure that the appointees persons appointed pursuant to paragraphs (c), (d) and (e) of subsection 1 are representative of the urban and rural areas of this State.

~~3. After the initial terms, each~~

1 4. Each appointed member of the Council serves a term of 2 years.

2 ~~4.1~~ 5. An appointed member of the Council:

3 (a) May be reappointed.

4 (b) Shall not serve more than three terms.

5 ~~5.1~~ 6. Any vacancy occurring in the appointed membership of the Council
6 must be filled in the same manner as the original appointment not later than 30
7 days after the vacancy occurs. A member appointed to fill a vacancy shall serve
8 as a member of the Council for the remainder of the original term of
9 appointment.

10 ~~6.1~~ 7. Each member of the Council:

11 (a) Serves without compensation; and

12 (b) While engaged in the business of the Council, is entitled to receive the per
13 diem allowance and travel expenses provided for state officers and employees
14 generally.

15 ~~7.1~~ 8. The Department of Administration shall provide the Council with
16 administrative support.

17 Sec. 4. 1. At the first meeting of each calendar year, the Council shall
18 elect from its members a Chair, Vice Chair and Secretary, and shall adopt the
19 rules and procedures of the Council.

20 2. The Council shall meet at least once each calendar year and at other
21 times at the call of the Chair or a majority of its members.

22 3. A majority of the members of the Council constitutes a quorum for the
23 transaction of business, and a quorum may exercise any power or authority
24 conferred on the Council.

25 4. The Council may ~~1. for~~ :

26 (a) For the purpose of carrying out the duties of the Council ~~(prescribed by~~
27 ~~section 5 of this act.~~

28 ~~(a) :~~

29 (1) Appoint committees from its members.

30 ~~(b) (2)~~ Engage the services of volunteer workers and consultants without
31 compensation.

32 ~~(c) Apply~~

33 (b) For the purpose of carrying out the duties set forth in paragraph (a) of
34 subsection 3 of section 5 of this act, apply for and receive gifts, grants,
35 contributions or other money from any source.

36 5. The Council shall, on or before December 31 of each year, prepare and
37 submit a report outlining the activities and recommendations of the Council to:

38 (a) The Governor; and

39 (b) The Director of the Legislative Counsel Bureau for transmittal to:

40 (1) The Legislative Commission if the report is submitted in an odd-
41 numbered year; or

42 (2) The next regular session of the Legislature if the report is submitted
43 in an even-numbered year.

44 Sec. 5. 1. The Council shall, within the scope of its authority, ~~evaluate~~
45 ~~and monitor the success of, and~~ advise and assist state and local agencies with
46 respect to ~~1. obtaining and maximizing federal assistance. ~~that may be available~~~~
47 ~~from any agency or authority of the Federal Government.~~

48 2. The Council may request information from state and local agencies for
49 the purposes of evaluating and monitoring the success of such agencies in
50 accordance with the stated purpose of the Council pursuant to subsection 1. A
51 state or local agency may provide any information, collaborate with the Council
52 or utilize any assistance offered by the Council for the purpose of obtaining and

maximizing any federal assistance that may be available to the state or local agency.

3. The Council shall:

(a) ~~Develop model strategies and guidelines for the purposes of applying for and receiving.~~ Address methods and models for identifying, procuring, utilizing and maintaining federal assistance that are tailored towards the individual needs and opportunities of state and local agencies. The model strategies and guidelines may address:

~~(1) Legal, regulatory and other barriers to the acquisition of federal assistance that may exist at each level of federal, state or local government.~~

~~(2) Opportunities for obtaining matching funds from federal and private sector grants and contract opportunities.~~

~~(3) Opportunities to partner with nonprofit and philanthropic organizations to achieve common objectives., including, without limitation:~~

(1) Streamlining process, regulatory, structural and other barriers to the acquisition of federal assistance that may exist at each level of federal, state or local government.

(2) Developing and expanding opportunities for obtaining matching funds for federal assistance.

(3) Ensuring sufficient personnel and technical expertise in state and local governments and nonprofit organizations.

(4) Developing and expanding opportunities to work with nonprofit organizations to achieve common goals.

~~(5) Standards for sufficient personnel and technical expertise to identify, secure, manage and maintain federal assistance.~~

~~(5) Balancing~~ balancing the costs to a state or local agency of maximizing eligibility for federal assistance relative to the ability of the agency to utilize effectively such federal assistance.

(b) ~~Develop legislative and executive recommendations to address legal, regulatory and other barriers to the acquisition of federal assistance that may otherwise be available to state and local agencies.~~

~~(c) At the request of a state or local agency, advise and assist the agency with the implementation of any strategy to obtain and maximize any federal assistance that may otherwise be available to the agency.~~ on matters described in paragraph (a).

4. As used in this section, "federal assistance" means money, equipment, material or services that may be available to a state or local agency from any agency or authority of the Federal Government pursuant to a federal program.

Sec. 6. 1. The members of the Nevada Advisory Council on Federal Assistance created by section 3 of this act who are appointed to initial terms in accordance with paragraphs ~~((e) to (k).)~~ (a) to (e). inclusive, of subsection 1 of section 3 of this act must be appointed on or before October 1, 2015.

2. The Governor shall call the first meeting of the Council, which must take place on or before December 31, 2015.

~~3. At the first meeting of the Council, the 13 members appointed to initial terms pursuant to paragraphs (e) to (k), inclusive, of subsection 1 of section 3 of this act shall choose their terms of office by lot, in the following manner:~~

~~(a) Seven members for terms of 2 years; and~~

~~(b) Six members for terms of 1 year.~~

Sec. 7. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 8. This act becomes effective on July 1, 2015.