

Amendment No. 1074

Assembly Amendment to Assembly Bill No. 407 First Reprint (BDR 49-1162)

Proposed by: Assembly Committee on Ways and Means

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) 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.

KCR/BJE



Date: 6/1/2017

A.B. No. 407—Makes various changes relating to cooperative extension programs.
(BDR 49-1162)



ASSEMBLY BILL NO. 407—ASSEMBLYWOMAN DIAZ

MARCH 20, 2017

Referred to Committee on Education

SUMMARY—~~[Makes various changes relating to]~~ **Designates the state land grant institutions in this State and requires a legislative audit of cooperative extension programs.** (BDR 49-1162)

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 ~~[cooperative extension programs; establishing geographical regions of the State for the purposes of such programs; requiring the creation of an advisory board on cooperative extension education in each county of the State; requiring certain entities to enter into cooperative extension memorandums of understanding or agreement for cooperative extension programs; placing the operation of the programs in the respective regions under the control of the Presidents of the University of Nevada, Reno, and the University of Nevada, Las Vegas, or their designees;]~~ **the Nevada System of Higher Education; designating certain institutions within the Nevada System of Higher Education as the state land grant institutions; requiring the Legislative Auditor to conduct a performance and compliance audit of the cooperative extension program of the System;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 8 of Article 11 of the Nevada Constitution designates certain proceeds from public lands to be used for certain colleges in this State. **Section 1** of this bill designates the University of Nevada, Las Vegas, the University of Nevada, Reno, and the Desert Research Institute as the state land grant institutions.

Existing law provides for certain educational, research, outreach and service programs pertaining to agriculture, community development, health and nutrition, horticulture, personal and family development, and natural resources in this State, conducted in accordance with cooperative agreements between the boards of county commissioners of participating counties and the Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education. The money for such programs is provided, in part, by property taxes levied in each participating county and legislative appropriations. (NRS 549.010, 549.020, 549.040) **Section 11.2 of this bill establishes Northern and Southern Regions of this State and provides that the budgets and expenditures of those programs must be approved and directed in the respective regions of this State by the President, or a person designated by the President, of the University of Nevada, Reno, in the Northern region of the State, and of the University of Nevada, Las Vegas, in the Southern region of the State**

pursuant to a cooperative extension memorandum of understanding or agreement with each county.

Section 1.5 of this bill requires the creation of an advisory board on cooperative extension in each county in this State which enters into a cooperative extension memorandum of understanding or agreement. The advisory board is required to provide advice to the board of county commissioners of the county in which it is created concerning certain issues relating to such cooperative extension memorandums of understanding or agreements.

Sections 2-5 of this bill transfer certain responsibilities related to cooperative extension programs from the Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education to the Northern and Southern Directors of Cooperative Extension of the state land grant institution of the University of Nevada. Section 2 of this bill further requires the Northern and Southern Directors to enter into cooperative extension memorandums of understanding or agreements and activities with the counties.

Section 5.5 of this bill requires the Northern and Southern Directors of Cooperative Extension of the state land grant institution of the University of Nevada to prepare and transmit a report to the Legislature on or before December 1, 2018, which describes in detail the programs and services provided in their respective regions pursuant to a cooperative extension memorandum of understanding or agreement. 5.7 of this bill requires the Legislative Auditor to: (1) conduct a performance and compliance audit of the cooperative extension program of the Nevada System of Higher Education for fiscal year 2017-2018 and any prior years deemed necessary by the Legislative Auditor; and (2) submit a report of the results of the audit to the Audit Subcommittee of the Legislative Commission on or before February 4, 2019.

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

Section 1. Chapter 549 of NRS is hereby amended by adding thereto the provisions set forth as sections 1.3 and 1.5 of this act.

Sec. 1.3. ~~H.H.~~ *The state land grant institutions of the University of Nevada are the University of Nevada, Las Vegas, the University of Nevada, Reno, and the Desert Research Institute.*

~~2. Except as prohibited by federal law, the proceeds of the tax collected pursuant to NRS 549.020 in each participating county in the relevant region of this State, any money appropriated pursuant to NRS 549.020 and any other money available from any source to carry out the provisions of this chapter must be expended as directed for the relevant region of this State in accordance with subsection 3 or 4, as applicable.~~

~~3. For any cooperative extension work performed in a participating county in the Northern Region of this State, consisting of Carson City, Churchill County, Douglas County, Elko County, Esmeralda County, Eureka County, Humboldt County, Lander County, Lyon County, Mineral County, Pershing County, Storey County, Washoe County and White Pine County, the money described in subsection 2 must be expended as directed by the President of the University of Nevada, Reno, or a person designated by the President as the designee to be the Northern Director of Cooperative Extension of the state land grant institution of the University of Nevada, pursuant to a cooperative extension memorandum of understanding or agreement entered into with each county.~~

~~4. For any cooperative extension work performed in a participating county in the Southern Region of this State, consisting of Clark County, Lincoln County and Nye County, the money described in subsection 2 must be expended as directed by the President of the University of Nevada, Las Vegas, or a person designated by the President as the designee to be the Southern Director of Cooperative Extension of the state land grant institution of the University of~~

~~Nevada, pursuant to a cooperative extension memorandum of understanding or agreement entered into with each county.]~~

~~Sec. 1.5. 1. An advisory board on cooperative extension education must be created for each county in this State which enters into a cooperative extension memorandum of understanding or agreement pursuant to section 1.3 of this act. Each advisory board shall provide advice to the board of county commissioners of the county in which the advisory board is created concerning:~~

~~(a) The scope of the cooperative extension memorandums of understanding or agreements and the services provided pursuant thereto to serve the communities and businesses within the county; and~~

~~(b) The budget for services to be provided pursuant to such a cooperative extension memorandum of understanding or agreement.~~

~~2. An advisory committee created pursuant to subsection 1 must consist of:~~

~~(a) Seven members appointed by the board of county commissioners for the county in which the advisory board is created. Such members may be members of the county who benefit from cooperative extension programs, members of the business community or chamber of commerce, members of a nonprofit entity, teachers or other educational personnel, administrators of county government or any other person whose experience the board deems appropriate; and~~

~~(b) One member of a research institution listed in subsection 1 of section 1.3 of this act which serves the county for which the advisory board is created who is appointed by the president of the research institution.~~

~~3. Each member of an advisory board serves for a term of 2 years and may be reappointed. A vacancy on the board must be filled in the same manner as the original appointment.~~

~~4. At the first meeting of an advisory board, the members of the advisory board shall elect a Chair and Vice Chair by majority vote. After the initial elections, the Chair and Vice Chair hold office for a term of 1 year beginning on July 1 of each year. If the position of Chair or Vice Chair becomes vacant, the members of the advisory board shall elect a Chair or Vice Chair, as appropriate, from among its members to serve for the balance of the term.~~

~~5. The members of an advisory board:~~

~~(a) Serve without compensation; and~~

~~(b) May, upon written request, receive the per diem allowance and travel expenses provided for state officers and employees generally while engaged in the business of the advisory board.~~

~~6. A member of the advisory board who is an officer or employee of this State or a political subdivision of this State must be relieved from duties without loss of regular compensation so that the officer or employee may prepare for and attend meetings of the advisory board and perform any work necessary to carry out the duties of the advisory board in the most timely manner practicable. A state agency or political subdivision of this State shall not require an officer or employee who is a member of the advisory board to make up the time the officer or employee is absent from work to carry out duties as a member of the advisory board or use annual vacation or compensatory time for the absence.] (Deleted by amendment.)~~

~~Sec. 2. [NRS 549.010 is hereby amended to read as follows:~~

~~549.010 To provide for continued educational, research, outreach and service programs pertaining to agriculture, community development, health and nutrition, horticulture, personal and family development, and natural resources in the rural and urban communities in the State of Nevada, the [Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education] Northern Director of Cooperative Extension of the state land~~

~~grant institution of the University of Nevada and the Southern Director of Cooperative Extension of the state land grant institution of the University of Nevada who are designated pursuant to section 1.3 of this act and the boards of county commissioners of any or all of the respective counties of the State of Nevada [may] shall enter into cooperative extension memorandums of understanding or agreements and activities subject to the provisions of this chapter.~~ **(Deleted by amendment.)**

Sec. 3. ~~[NRS 549.020 is hereby amended to read as follows:~~

~~549.020 1. [The Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education] The Northern Director of Cooperative Extension of the state land grant institution of the University of Nevada and the Southern Director of Cooperative Extension of the state land grant institution of the University of Nevada who are designated pursuant to section 1.3 of this act shall prepare and submit to the board of county commissioners, for each county participating, an annual financial budget covering the county, state and federal funds cooperating in the cost of educational, research, outreach and service programs pertaining to agriculture, community development, health and nutrition, horticulture, personal and family development, and natural resources in the rural and urban communities in the State of Nevada.~~

~~2. The budget must be adopted by the board of county commissioners and certified as a part of the annual county budget, and the county tax levy provided for agricultural extension work in the annual county budget must include a levy of not less than 1 cent on each \$100 of taxable property. If the proceeds of the county tax levy of 1 cent are insufficient to meet the county's share of the cooperative agricultural extension work, as provided in the combined annual financial budget, the board of county commissioners may, by unanimous vote, levy an additional tax so that the total in no instance exceeds 5 cents on each \$100 of the county tax rate.~~

~~3. The proceeds of such a tax must be placed in the agricultural extension fund in each county treasury and must be paid out on claims drawn by the agricultural extension agent of the county as [designated by the Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education, when approved by the Director and] directed by the cooperative extension memorandum of understanding or agreement entered into pursuant to NRS 549.010 and countersigned by the Treasurer of the Nevada System of Higher Education.~~

~~4. A record of all such claims approved and paid, segregated by counties, must be kept by the Treasurer of the Nevada System of Higher Education. The cost of maintaining the record must be paid from state funds provided for by this chapter.~~

~~5. The State's cooperative share of the cost of such agricultural extension work, as entered in the budget described in this section, must not be more than a sum equal to the proceeds of 1 cent of such county tax rate, but when the proceeds of a 1 cent tax rate are insufficient to carry out the provisions of the budget previously adopted, the [Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education is] Northern Director of Cooperative Extension of the state land grant institution of the University of Nevada and the Southern Director of Cooperative Extension of the state land grant institution of the University of Nevada who are designated pursuant to section 1.3 of this act are authorized to supplement the State's cooperative share from the funds as may be made available in the Public Service Division Fund of the Nevada System of Higher Education.] **(Deleted by amendment.)**~~

Sec. 4. ~~NRS 549.020 is hereby amended to read as follows:~~

~~549.030 1. [A] Within 10 days after its approval by the board of county commissioners, a certified copy of the county extension work budget as adopted and approved pursuant to NRS 549.020 must be filed with [the]:~~

~~(a) The President, or a person designated by the President, of the University of Nevada, Reno, or the University of Nevada, Las Vegas, for the applicable region of this State as described in section 1.3 of this act; and~~

~~(b) The Treasurer of the Nevada System of Higher Education. [within 10 days after its approval by the board of county commissioners.]~~

~~2. Necessary modifications thereof, involving county and state funds, resulting from leaves of absence without pay, resignations, changes in salary, dismissals or employment of any cooperative agent, variations in expense accounts or otherwise, not involving an increase in the total expenditures provided to be paid from the funds and consistent with the purposes of this chapter, may be made by filing with the county, at the request of:~~

~~(a) The President, or a person designated by the President, of the University of Nevada, Reno, or the University of Nevada, Las Vegas, for the applicable region of this State as described in section 1.3 of this act;~~

~~(b) The Treasurer of the Nevada System of Higher Education; and [the]~~

~~(c) The board of county commissioners;~~

~~or a revised budget approved by the [Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education] Northern Director of Cooperative Extension of the state land grant institution of the University of Nevada and the Southern Director of Cooperative Extension of the state land grant institution of the University of Nevada who are designated pursuant to section 1.3 of this act and countersigned by the Treasurer of the Nevada System of Higher Education.] (Deleted by amendment.)~~

Sec. 5. ~~NRS 549.050 is hereby amended to read as follows:~~

~~549.050 All moneys appropriated pursuant to NRS 549.040 must be expended [under the direction of the Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education] as provided in section 1.3 of this act to the extent of the financial budget for cooperation between the State and the respective counties provided for in NRS 549.020.] (Deleted by amendment.)~~

~~Sec. 5.5. [The Northern Director of Cooperative Extension of the state land grant institution of the University of Nevada and the Southern Director of Cooperative Extension of the state land grant institution of the University of Nevada who are designated pursuant to section 1.3 of this act shall each prepare and transmit a report to the Legislature on or before December 1, 2018, which describes in detail the programs and services being provided in their respective regions pursuant to a cooperative extension memorandum of understanding or agreement entered into pursuant to NRS 549.010.] (Deleted by amendment.)~~

Sec. 5.7. 1. The Legislative Auditor shall conduct a performance and compliance audit of the cooperative extension program of the Nevada System of Higher Education for fiscal year 2017-2018 and any previous years as deemed necessary by the Legislative Auditor.

2. The audit conducted pursuant to this section must include, without limitation, an examination and analysis of:

(a) The amount and use of program funds in counties participating in the cooperative extension program;

(b) Controls over the collection, distribution and expenditure of the program funds;

(c) Controls over the use of program assets; and

1 (d) Compliance with federal, state and local laws, regulations, agreements
2 and policies applicable to the cooperative extension program.

3 3. On or before February 4, 2019, the Legislative Auditor shall prepare
4 and present a final written report of the audit to the Audit Subcommittee of
5 the Legislative Commission created by NRS 218E.240.

6 4. To the extent the provisions of NRS 218G.030 to 218G.270, inclusive,
7 are consistent with the requirements of this section, those provisions apply to
8 the audit conducted pursuant to this section. Upon the request of the
9 Legislative Auditor or his or her authorized representative, the officers and
10 employees of the Nevada System of Higher Education shall make available to
11 the Legislative Auditor any of their books, accounts, claims, reports, vouchers
12 or other records of information, confidential or otherwise and irrespective of
13 their form or location, which the Legislative Auditor deems necessary to
14 conduct the audit required by this section.

15 Sec. 6. This act becomes effective on July 1, 2017.