
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.

~

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:

1 Existing law creates the Department of Administration consisting of several
2 divisions, including the Budget Division and the Division of Internal Audits. (NRS
3 232.213) **Section 2** of this bill creates the Office of Finance in the Office of the
4 Governor. **Sections 2-13** of this bill transfer the duties of the Budget Division and
5 the Division of Internal Audits from the Department of Administration to the Office
6 of Finance.

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

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



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 Finance is hereby created in the*
5 *Office of the Governor.*

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

8 **(a)** *The Budget Division; and*

9 **(b)** *The Division of Internal Audits.*

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

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

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

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

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

17 **1.** *Shall appoint a Chief of the Budget Division, or may serve*
18 *in this position if the Director has the qualifications required by*
19 *NRS 353.175.*

20 **2.** *Is responsible for the administration, through the divisions*
21 *of the Office, of the provisions of NRS 235.005 to 235.016,*
22 *inclusive, 353.150 to 353.246, inclusive, and 353A.031 to*
23 *353A.100, inclusive, and all other provisions of law relating to the*
24 *functions of the divisions of the Office.*

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

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

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

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

37 223.085 1. The Governor may, within the limits of available
38 money, employ such persons as he or she deems necessary to
39 provide an appropriate staff for the Office of the Governor,
40 including, without limitation, *the Office of Finance*, the Office of
41 Economic Development, the Office of Science, Innovation and
42 Technology and the Governor's mansion. Any such employees are



1 not in the classified or unclassified service of the State and, except
2 as otherwise provided in NRS 231.043 and 231.047, serve at the
3 pleasure of the Governor.

4 2. The Governor shall:

5 (a) Determine the salaries and benefits of the persons employed
6 pursuant to subsection 1, within limits of money available for that
7 purpose; and

8 (b) Adopt such rules and policies as he or she deems appropriate
9 to establish the duties and employment rights of the persons
10 employed pursuant to subsection 1.

11 3. The Governor may:

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

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

15 ➔ If the Administrator is so appointed, the Administrator shall serve
16 as the Chief Information Officer of the State without additional
17 compensation.

18 4. As used in this section, "Administrator" means the
19 Administrator of the Division of Enterprise Information Technology
20 Services of the Department of Administration.

21 **Sec. 8.** NRS 232.213 is hereby amended to read as follows:

22 232.213 1. The Department of Administration is hereby
23 created.

24 2. The Department consists of a Director and the following:

- 25 (a) ~~[(b)]~~ **Budget Division.**
26 ~~[(b)]~~ **Risk Management Division.**
27 ~~[(e)]~~ **(b) Hearings Division**, which consists of hearing officers,
28 compensation officers and appeals officers.
29 ~~[(d)]~~ **(c) State Public Works Division.**
30 ~~[(e)]~~ **(d) Purchasing Division.**
31 ~~[(f)]~~ **(e) Administrative Services Division.**
32 ~~[(g)]~~ **Division of Internal Audits.**
33 ~~[(h)]~~ **(f) Division of Human Resource Management.**
34 ~~[(i)]~~ **(g) Division of Enterprise Information Technology**
35 **Services.**
36 ~~[(j)]~~ **(h) Division of State Library and Archives.**
37 ~~[(k)]~~ **(i) Office of Grant Procurement, Coordination and**
38 **Management.**

39 ~~[(l)]~~ **(j) Fleet Services Division.**

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

41 232.215 The Director:

42 1. Shall appoint an Administrator of the:

- 43 (a) Risk Management Division;
44 (b) State Public Works Division;
45 (c) Purchasing Division;



- 1 (d) Administrative Services Division;
- 2 (e) ~~Division of Internal Audits;~~
- 3 ~~(f)~~ Division of Human Resource Management;
- 4 ~~(g)~~ (f) Division of Enterprise Information Technology
- 5 Services;
- 6 ~~(h)~~ (g) Division of State Library and Archives;
- 7 ~~(i)~~ (h) Office of Grant Procurement, Coordination and
- 8 Management; and
- 9 ~~(j)~~ (i) Fleet Services Division.

10 2. ~~Shall appoint a Chief of the Budget Division, or may serve~~
11 ~~in this position if the Director has the qualifications required by~~
12 ~~NRS 353.175.~~

13 ~~3.]~~ Shall serve as Chief of the Hearings Division and shall
14 appoint the hearing officers and compensation officers. The Director
15 may designate one of the appeals officers in the Division to
16 supervise the administrative, technical and procedural activities of
17 the Division.

18 ~~4.]~~ 3. Is responsible for the administration, through the
19 divisions of the Department, of the provisions of chapters 233F,
20 242, 284, 331, 333, 336, 338 and 341 of NRS ~~[, NRS 353.150 to~~
21 ~~353.246, inclusive, and 353A.031 to 353A.100, inclusive,]~~ and
22 chapter 378 of NRS and all other provisions of law relating to the
23 functions of the divisions of the Department.

24 ~~5.]~~ 4. Is responsible for the administration of the laws of this
25 State relating to the negotiation and procurement of medical services
26 and other benefits for state agencies.

27 ~~6.]~~ 5. Has such other powers and duties as are provided by
28 law.

29 **Sec. 10.** NRS 232.2165 is hereby amended to read as follows:
30 232.2165 The Administrator of:

- 31 1. The State Public Works Division;
- 32 2. The Purchasing Division;
- 33 3. The Administrative Services Division;
- 34 4. ~~The Division of Internal Audits;~~
- 35 ~~5.]~~ The Division of Human Resource Management;
- 36 ~~6.]~~ 5. The Division of Enterprise Information Technology
- 37 Services;
- 38 ~~7.]~~ 6. The Division of State Library and Archives;
- 39 ~~8.]~~ 7. The Office of Grant Procurement, Coordination and
- 40 Management; and
- 41 ~~9.]~~ 8. The Fleet Services Division,

42 ↗ of the Department serves at the pleasure of the Director and is in
43 the unclassified service of the State.



1 **Sec. 11.** NRS 232.217 is hereby amended to read as follows:
2 232.217 Unless federal law or regulation otherwise requires,
3 the ~~Chief of the Budget Division and the~~ Administrator of the:

- 4 1. State Public Works Division;
- 5 2. Purchasing Division;
- 6 3. ~~Division of Internal Audits;~~
- 7 ~~4.~~ Division of Human Resource Management;
- 8 ~~5.~~ 4. Division of Enterprise Information Technology
9 Services;
- 10 ~~6.~~ 5. Division of State Library and Archives; and
- 11 ~~7.~~ 6. Fleet Services Division,

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

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

17 232.219 1. The Department of Administration's Operating
18 Fund for Administrative Services is hereby created as an internal
19 service fund.

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

- 23 (a) State Public Works Division;
- 24 (b) ~~Budget Division;~~
- 25 ~~(c)~~ Purchasing Division;
- 26 ~~(d)~~ (c) Hearings Division;
- 27 ~~(e)~~ (d) Risk Management Division;
- 28 ~~(f)~~ ~~Division of Internal Audits;~~
- 29 ~~(g)~~ (e) Division of Human Resource Management;
- 30 ~~(h)~~ (f) Division of Enterprise Information Technology
31 Services;
- 32 ~~(i)~~ (g) Division of State Library and Archives; and
- 33 ~~(j)~~ (h) Fleet Services Division.

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

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

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

41 232.2195 The Administrative Services Division shall:

- 42 1. Furnish fiscal and accounting services to ~~the~~ :
- 43 (a) *The Director* and to each division of the Department; and
- 44 (b) *The Office of Finance.*
- 45 2. Advise and assist ~~the~~ :



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

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

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

12 2. Any contracts or other agreements entered into by an officer,
13 agency or other entity whose name has been changed or whose
14 responsibilities have been transferred pursuant to the provisions of
15 this act to another officer, agency or other entity are binding upon
16 the officer, agency or other entity to which the responsibility for the
17 administration of the provisions of the contract or other agreement
18 have been transferred. Such contracts and other agreements may be
19 enforced by the officer, agency or other entity to which the
20 responsibility for the enforcement of the provisions of the contract
21 or other agreement has been transferred.

22 3. Any action taken by an officer, agency or other entity whose
23 name has been changed or whose responsibilities have been
24 transferred pursuant to the provisions of this act to another officer,
25 agency or entity remains in effect as if taken by the officer, agency
26 or other entity to which the responsibility for the enforcement of
27 such actions has been transferred.

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

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

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

37 2. In preparing supplements to the Nevada Administrative
38 Code, substitute appropriately the name of any agency, officer or
39 instrumentality of the State whose name is changed by this act for
40 the name which the agency, officer or instrumentality previously
41 used.

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

