

SENATE BILL NO. 446—COMMITTEE ON FINANCE

(ON BEHALF OF THE OFFICE OF FINANCE
IN THE OFFICE OF THE GOVERNOR)

MAY 13, 2021

Referred to Committee on Education

SUMMARY—Revises provisions relating to the Western Regional Education Compact. (BDR 18-1072)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Executive Budget.

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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 education; removing the Office of the Western Regional Education Compact from the Office of the Governor; revising provisions relating to the administration of the Office; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the execution of the Western Regional Education
2 Compact for the purpose of the State of Nevada cooperating with other western
3 states in the formation of the Western Interstate Commission for Higher Education.
4 (NRS 397.010) Under the terms of the Compact, Nevada residents may participate
5 in programs that provide financial support to assist them in obtaining technical,
6 graduate or professional education at institutions located within the states and
7 territories that are signatories to the Compact. (NRS 397.020) The Compact creates
8 the Western Interstate Commission for Higher Education, consisting of three
9 Commissioners from each state or territory that is a signatory to the Compact.
10 (NRS 397.020, 397.030) In furtherance of the Compact, the Office of the Western
11 Regional Education Compact is created under existing law within the Office of the
12 Governor and the Governor is required to appoint a Director of the Office. (NRS
13 223.700) **Sections 1, 2 and 4** of this bill remove the Office of the Western Regional
14 Education Compact from within the Office of the Governor. **Section 2** also changes
15 the appointing authority for the Director of the Office from the Governor to the
16 three Nevada State Commissioners, acting jointly. **Section 3** of this bill provides
17 that on July 1, 2021, the person serving as the Director of the Office of the Western
18 Regional Education Compact within the Office of the Governor on June 30, 2021,
19 continues to serve as the Director of the Office and serves at the pleasure of the
20 three Nevada State Commissioners.



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

1 **Section 1.** NRS 223.085 is hereby amended to read as follows:

2 223.085 1. The Governor may, within the limits of available
3 money, employ such persons as he or she deems necessary to
4 provide an appropriate staff for the Office of the Governor,
5 including, without limitation, the Office of Economic Development,
6 the Office of Science, Innovation and Technology, ~~the Office of the~~
7 ~~Western Regional Education Compact,~~ the Office of Workforce
8 Innovation and the Governor's mansion. Except as otherwise
9 provided by specific statute, such employees are not in the classified
10 or unclassified service of the State and, except as otherwise
11 provided in NRS 231.043 and 231.047, serve at the pleasure of the
12 Governor.

13 2. Except as otherwise provided by specific statute, the
14 Governor shall:

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

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

21 3. The Governor may:

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

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

25 ➔ If the Administrator is so appointed, the Administrator shall serve
26 as the Chief Information Officer of the State without additional
27 compensation.

28 4. As used in this section, "Administrator" means the
29 Administrator of the Division of Enterprise Information Technology
30 Services of the Department of Administration.

31 **Sec. 2.** NRS 397.030 is hereby amended to read as follows:

32 397.030 1. In furtherance of the provisions contained in the
33 Compact, there must be three Commissioners from the State of
34 Nevada, appointed by the Governor to serve in the Office of the
35 Western Regional Education Compact, *which is hereby* created .
36 ~~[by NRS 223.700.]~~

37 2. The qualifications and terms of the three Nevada State
38 Commissioners must be in accordance with Article 4 of the
39 Compact. A Nevada State Commissioner shall hold office until his
40 or her successor is appointed and qualified, but the successor's term
41 expires 4 years after the legal date of expiration of the term of his or
42 her predecessor.



1 3. Any Nevada State Commissioner may be removed from
2 office by the Governor upon charges and after a hearing.

3 4. The term of any Nevada State Commissioner who ceases to
4 hold the required qualifications terminates when a successor is
5 appointed.

6 5. The three Nevada State Commissioners, acting jointly, *shall*
7 *appoint a Director of the Office. The Director serves at the*
8 *pleasure of the three Nevada State Commissioners.*

9 6. *The three Nevada State Commissioners, acting jointly,*
10 *may:*

11 (a) Adopt regulations as necessary to carry out the provisions of
12 this chapter; and

13 (b) At a meeting held in accordance with the provisions of
14 chapter 241 of NRS, delegate to an officer or employee of the
15 Nevada Office of the Western Interstate Commission for Higher
16 Education the authority to undertake any actions authorized or
17 required by the provisions of this chapter, except that any agreement
18 that will be binding on the Commission must be approved by the
19 Commission.

20 **Sec. 3.** Notwithstanding any provision of this act, the person
21 serving as the Director of the Office of the Western Regional
22 Education Compact on June 30, 2021, becomes the Director of the
23 Office of the Western Regional Education Compact created by NRS
24 397.030, as amended by section 2 of this act, on July 1, 2021, and
25 serves at the pleasure of the three Nevada State Commissioners
26 appointed pursuant to NRS 397.030, as amended by section 2 of this
27 act.

28 **Sec. 4.** NRS 223.700 is hereby repealed.

29 **Sec. 5.** This act becomes effective on July 1, 2021.

TEXT OF REPEALED SECTION

**223.700 Creation; budget; appointment and classification
of Director; employment and classification of additional
personnel.**

1. There is hereby created within the Office of the Governor
the Office of the Western Regional Education Compact.

2. The Governor shall propose a budget for the Office of the
Western Regional Education Compact.

3. The Governor shall appoint a Director of the Office of the
Western Regional Education Compact. The Director is in the



unclassified service of the State and serves at the pleasure of the Governor.

4. The Director may, within the limits of available money, employ such additional personnel as may be required to carry out the duties of the Office of the Western Regional Education Compact, who must be in the classified service of the State.

