

Senate Bill No. 446–Committee on Finance

CHAPTER.....

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:**

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

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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

**Section 1.** 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 Economic Development, the Office of Science, Innovation and Technology, ~~the Office of the Western Regional Education Compact,~~ the Office of Workforce Innovation and the Governor’s mansion. Except as otherwise provided by specific statute, 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. Except as otherwise provided by specific statute, 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.

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

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

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

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

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

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

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

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



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

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

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

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

