



STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Division of Human Resource Management
100 N. Stewart Street, Suite 200 | Carson City, Nevada 89701
Phone: (775) 684-0150 | <http://dop.nv.gov>

MEMO PERD #10/13

March 6, 2013

TO: Personnel Commission Members
Department Directors
Division Administrators
Agency Personnel Liaisons
Agency Personnel Representatives
Employee Representatives

FROM: Lee-Ann Easton, Administrator *Lee-Ann Easton*
Division of Human Resource Management

SUBJECT: PROPOSED CLASSIFICATION CHANGES

Attached are proposed classification changes for your information pursuant to NRS 284.160, subsections 3 through 5. If you have any comments or objections, regarding these changes, please send your written notification to Peter Long at plong@admin.nv.gov no later than April 4, 2013.

If no written objections are received in this office by April 4, 2013, action will be taken to effect the changes and a report will be made to the Personnel Commission.

Thank you.

LE:cp/tp

Attachments

NOTICE OF PROPOSED CLASSIFICATION CHANGES

Number: **#09-13**
Posting Expires: **April 4, 2013**

Per NRS 284.160, the Administrator may make a change in classification without the prior approval of the Commission. The following change(s) are proposed:

| CURRENT | | | PROPOSED | | |
|---------|----------------------------------|-------------|----------|---|-------------|
| CODE | TITLE | GRADE/EEO-4 | CODE | TITLE | GRADE/EEO-4 |
| 7.186 | Securities Registration Examiner | 37 B | 7.186 | <i>Securities Registration & Licensing Examiner</i> | 39 B |

EXPLANATION OF CHANGE

The Nevada Secretary of State, Securities Division has requested modification to the Securities Registration Examiner series in order to recognize additional duties assigned to the position due to the elimination of the unclassified Chief of Registration position and the need for the position to be licensed with the Nevada Bar or be eligible for certification pursuant to Supreme Court Rule 49.10.

In consultation with a Subject Matter Expert from the specified division it was determined, as a result of added responsibilities over the licensing function, changes to the duty statements to include responsibility for the management over the licensing of broker/dealers, sales representatives, transfer agents, and investment adviser representatives were necessary.

Requiring this position to possess a Nevada Bar License or be eligible for licensing pursuant to Supreme Court Rule 49.10 regarding the limited practice of attorneys employed in government or as in-house counsel allows for this position to perform its duties with more autonomy. Also, by adding this requirement this position will be able to present cases and matters dealing with licensing or registration to the Administrator, or appear in court on behalf of the Securities Division. Furthermore, this change will allow the Securities Division to have more flexibility in dealing with changing federal laws as they relate to State licensing authority.

As a result of added responsibilities and qualifications it is recommended that the Securities Registration Examiner be re-titled to Securities Registration & Licensing Examiner and be allocated at grade 39.

The formal recommendations and specifications are on file with the Division Administrator, Human Resource Management. To view a copy in Carson City, go to 209 East Musser Street, Room 101; in Las Vegas, go to 555 East Washington Avenue, Room 1400. For more information call (775) 684-0151.

Objections to the proposed change(s) must be received in writing by April 4, 2013. Objections should be addressed to Peter Long, Deputy Division Administrator, Compensation, Classification and Recruitment, Section of the Division of Human Resource Management, 209 East Musser Street, Room 101, Carson City, Nevada 89701-4204.

POSTING DATE: March 6, 2013



STATE OF NEVADA
Department of Administration
Division of Human Resource Management

CLASS SPECIFICATION

| <u>TITLE</u> | <u>GRADE</u> | <u>EEO-4</u> | <u>CODE</u> |
|--|----------------|--------------|--------------|
| SECURITIES REGISTRATION & <i>LICENSING</i> EXAMINER | [37] 39 | B | 7.186 |

Under administrative direction, the Securities Registration *and Licensing* Examiner manages the activities and operations of the Securities Division, Registration *and Licensing* Sections, and reviews, investigates and analyzes securities offerings *and registration and licensing applications* to ensure compliance with State and federal securities and commodities laws and regulations.

Respond to inquiries regarding Nevada securities registration *and licensing* statutes and securities offerings; provide assistance to securities issuer representatives covering securities offering approvals, denials and other related registration matters.

Review registration and licensing applications; provide assistance to broker-dealers, sales representatives, investment advisers, representatives of investment advisers and transfer agents regarding the approvals, denials and other related licensing matters.

Analyze company prospectuses with respect to the company's background and history, to include review of securities offering materials company officers, directors, financial statements, appraisals of corporate property, underwriting contracts and articles of incorporation.

Investigate possible violations of securities law, prepare reports, notices and other documents as required and needed.

When appropriate, consult and work with securities division legal counsel in conducting legal research, subpoena preparation, drafting of legal documents, and approving or denying certain securities registration offerings.

Research and prepare legal briefs and no action letters regarding the application of State securities and commodity laws.

Present cases and matters dealing with licensing or registration to the Administrator; and once properly licensed, appear before appropriate governing bodies and/or a court of law to provide testimony as required on behalf of the Securities Division.

Direct the processing of requests for exemptions from registration while ensuring the proper application of rules and regulations.

Supervise the duties and performance of clerical staff to include delegation of work assignments, performance evaluations, staff appraisal interviews and training requests and approvals.

Perform related duties as assigned.

MINIMUM QUALIFICATIONS

SPECIAL REQUIREMENTS:

- * A valid driver's license or evidence of equivalent mobility is required at the time of appointment and as a condition of continuing employment.

INFORMATIONAL NOTE:

- * *Incumbents not in possession of an active State Bar of Nevada License at the time of appointment will be required to submit an application, and be qualified pursuant to Supreme Court Rule 49.10 regarding the limited practice of attorneys employed in government or as in-house counsel.*
- * *As a condition of continuing employment, the incumbent must maintain either a State Bar of Nevada License or a certification by the State Bar of Nevada under Supreme Court Rule 49.10.*

EDUCATION AND EXPERIENCE: Graduation from an accredited law school and **a total of** two years of experience in the securities field involving interaction with the public in either securities investigation, analysis, issuance, [Ø] sales, **licensing**, or experience in a closely related field; **OR** an equivalent combination of education and experience. (*See Special Requirements*)

ENTRY LEVEL KNOWLEDGE, SKILLS, AND ABILITIES (required at time of application):

Working knowledge of: accounting principles and practices sufficient to analyze corporate financial statements; legal documents, terminology and procedures relating to securities registrations **and licensing**.
Skill in: the preparation of legal briefs; investigating and researching legal questions and possible violations of law and the preparation of various legal documents including subpoenas, reports and opinions; written English sufficient to compose business correspondence and reports; mathematical computation to effectively calculate offering features such as insider capitalization and shareholder dilution.

FULL PERFORMANCE KNOWLEDGE, SKILLS, AND ABILITIES (typically acquired on the job):

Detailed knowledge of: federal and State rules, regulations and laws regarding the registration and offerings of securities.

This class specification is used for classification, recruitment, and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this series.

7.186

ESTABLISHED: 9/22/89PC
REVISED: 7/1/91P
10/19/90PC
REVISED: 7/1/93P
9/24/92PC
REVISED 2/27/09PC
REVISED: 4/4/13UC