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ASSEMBLY BILL NO. 619—COMMITTEE ON JUDICIARY

(ON BEHALF OF DEPARTMENT OF PRISONS)

MARCH 18, 1999

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Referred to Committee on Judiciary

SUMMARY—Clarifies and expands authority of board of state prison commissioners and director of department of prisons regarding administration and employees of department. (BDR 16-458)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

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

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AN ACT relating to prisons; clarifying the authority of the board of state prison commissioners to review the actions and decisions of the director of the department of prisons; clarifying the authority of the director to administer the department and to direct the work of employees of the department; authorizing the director to review and approve any other employment of employees of the department; and providing other matters properly relating thereto.

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

1     **Section 1.** Chapter 209 of NRS is hereby amended by adding thereto  
2 a new section to read as follows:  
3     *Each manager, warden and employee of the department shall:*  
4     1. *Carry out the duties as may be assigned to him by the director;*  
5     *and*  
6     2. *Not engage in any other gainful employment or occupation except*  
7 *as approved by the director pursuant to subsection 11 of NRS 209.131.*  
8     **Sec. 2.** NRS 209.111 is hereby amended to read as follows:  
9     209.111   1. The board has full control of all grounds, buildings, labor  
10 ~~and~~ and property of the department, and shall:  
11     ~~1.1~~ (a) Purchase, or cause to be purchased, all commissary supplies,  
12 materials and tools necessary for any lawful purpose carried on at any  
13 institution                   or                   facility                   of                   the                   department.

1 ~~(2-)~~ (b) Regulate the number of officers and employees of the  
2 department.

3 ~~(3-)~~ (c) Prescribe regulations for carrying on the business of the board  
4 and the department.

5 **2. The board may review an action or decision of the director.**

6 **Sec. 3.** NRS 209.131 is hereby amended to read as follows:

7 209.131 The director ~~{shall:}~~

8 ~~1. Administer} :~~

9 **1. Shall administer** the department under the direction of the board.

10 **2. ~~{Supervise}~~ Shall supervise** the administration of all institutions and  
11 facilities of the department.

12 **3. ~~{Receive,}~~ Shall receive,** retain and release in accordance with law  
13 offenders sentenced to imprisonment in the state prison.

14 **4. ~~{Be}~~ Is** responsible for the supervision, custody, treatment, care,  
15 security and discipline of all offenders under his jurisdiction.

16 **5. ~~{Establish}~~ Shall establish** regulations with the approval of the  
17 board and enforce all laws governing the administration of the department  
18 and the custody, care and training of offenders.

19 **6. ~~{Take}~~ Shall take** proper measures to protect the health and safety  
20 of the ~~{staff}~~ **employees of the department** and offenders in the institutions  
21 and facilities of the department.

22 **7. ~~{Cause}~~ Shall cause** to be placed from time to time in conspicuous  
23 places about each institution and facility copies of laws and regulations  
24 relating to visits and correspondence between offenders and others.

25 **8. ~~{Provide}~~ Shall provide** for the holding of religious services in the  
26 institutions and facilities and make available to the offenders copies of  
27 appropriate religious materials.

28 **9. May establish, consolidate or abolish a district within this state to**  
29 **which an assistant director, manager, warden or employee of the**  
30 **department is appointed or assigned.**

31 **10. Shall direct the work, including, without limitation, the time and**  
32 **location of work, assignment to an institution or facility of the**  
33 **department, and duties, of each assistant director, manager, warden and**  
34 **employee of the department.**

35 **11. Shall review and approve or disapprove a request of a manager,**  
36 **warden or employee of the department to engage in any other gainful**  
37 **employment or occupation.**

38 **12. Except as otherwise provided in NRS 209.111, has the final**  
39 **authority to carry out the provisions of this section.**

40 **Sec. 4.** This act becomes effective on July 1, 1999.