

SENATE BILL NO. 336—SENATOR O'DONNELL

MARCH 8, 1999

Referred to Committee on Transportation

SUMMARY—Revises composition of board of directors of department of transportation and of certain regional transportation commissions. (BDR 35-1424)

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

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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 transportation; revising the composition of the board of directors of the department of transportation and of certain regional transportation commissions; 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.** NRS 408.106 is hereby amended to read as follows:
2 408.106 1. There is hereby created a department of transportation,
3 administered by a ~~seven-member~~ ***nine-member*** board of directors
4 consisting of the governor, the lieutenant governor, the attorney general and
5 the state controller, who serve ex officio, ~~and~~ three members who are
6 appointed by the governor ~~and~~ ***and two nonvoting members selected from***
7 ***the legislature.*** If one of the four constitutional offices is vacant, the
8 secretary of state shall serve ex officio on the board until the vacancy is
9 filled.
10 2. The governor shall appoint as members of the board three persons
11 who are residents of Nevada, informed on and interested in the construction
12 and maintenance of highways and other matters relating to transportation.
13 ***After the initial terms, the terms of the members of the board appointed***
14 ***by the governor are 4 years.*** Each of the three members so appointed must
15 reside in a different highway district and possess at least one of the
16 following qualifications:
17 (a) Knowledge of engineering evidenced by the possession of a bachelor
18 of science degree in civil or structural engineering and licensure in this
19 state as a professional engineer.

1 (b) Demonstrated expertise in financial matters and business
2 administration.

3 (c) Demonstrated expertise in the business of construction evidenced by
4 the possession of a license as a general contractor and experience as a
5 principal officer of a firm licensed in this state.

6 The governor shall not appoint any person who is currently employed in the
7 field of or has a substantial financial interest in the construction or
8 maintenance of highways in this state.

9 3. *The legislative commission shall appoint one member of the*
10 *senate and one member of the assembly to serve as nonvoting members*
11 *of the board for terms of 2 years.*

12 4. The governor shall serve as chairman of the board and the members
13 of the board shall elect annually a vice chairman.

14 ~~4.~~ 5. Each member of the board who is not a public officer is entitled
15 to receive as compensation \$80 for each day or portion of a day during
16 which he attends a meeting of the board or is otherwise engaged in the
17 business of the board plus the per diem allowance and travel expenses
18 provided for state officers and employees generally.

19 ~~5.—After the initial terms, the appointed members of the board shall~~
20 ~~serve terms of 4 years.~~

21 6. *Each member of the board who is a legislator is entitled to receive*
22 *from the legislative fund the compensation provided for a majority of the*
23 *members of the legislature during the first 60 days of the preceding*
24 *regular session for each day or portion of a day during which he attends*
25 *a meeting of the board or is otherwise engaged in the business of the*
26 *board plus the per diem allowance provided for state officers and*
27 *employees generally and the travel expenses provided pursuant to NRS*
28 *218.2207.*

29 **Sec. 2.** NRS 373.040 is hereby amended to read as follows:

30 373.040 1. In counties whose population is 100,000 or more, the
31 commission must be composed of ~~representatives~~ :

32 (a) *Five representatives* selected by the following entities from among
33 their members:

34 ~~(a)~~ (1) Two by the board.

35 ~~(b)~~ (2) Two by the governing body of the largest city.

36 ~~(c)~~ (3) One by the governing body of each additional city in the
37 county.

38 (b) *Two nonvoting representatives of the state legislature selected by*
39 *the legislative commission. The legislative commission shall appoint one*
40 *member of the senate and one member of the assembly to serve for terms*
41 *of 2 years.*

1 2. In counties whose population is less than 100,000, the commission
2 must be composed of representatives selected as follows:

3 (a) If the county contains a city:

4 (1) Two by the board.

5 (2) One by the governing body of the largest city.

6 (b) If the county contains no city, the board shall select:

7 (1) Two members of the board; and

8 (2) One representative of the public, who is a resident of the largest
9 town, if any, in the county.

10 3. In Carson City, the commission must be composed of
11 representatives selected by the board of supervisors as follows:

12 (a) Two members of the board of supervisors.

13 (b) One representative of the city at large.

14 4. The first representatives must be selected within 30 days after
15 passage of the ordinance creating the commission, and, except as otherwise
16 provided in subsection 5, must serve until the next ensuing December 31 of
17 an even-numbered year. The representative of any city incorporated after
18 passage of the ordinance must be selected within 30 days after the first
19 meeting of the governing body, and, except as otherwise provided in
20 subsection 5, must serve until the next ensuing December 31 of an even-
21 numbered year. Their successors must serve for terms of 2 years, and
22 vacancies must be filled for the unexpired term.

23 5. In counties whose population is 400,000 or more, the first
24 representatives and the representative of any city incorporated after passage
25 of the ordinance must serve until the next ensuing June 30 of an odd-
26 numbered year.

27 6. *Each representative who is a state legislator is entitled to receive*
28 *from the legislative fund the compensation provided for a majority of the*
29 *members of the legislature during the first 60 days of the preceding*
30 *regular session for each day or portion of a day during which he attends*
31 *a meeting of the commission or is otherwise engaged in the business of*
32 *the commission plus the per diem allowance provided for state officers*
33 *and employees generally and the travel expenses provided pursuant to*
34 *NRS 218.2207.*

35 **Sec. 3.** This act becomes effective on July 1, 1999.