

Assembly Bill No. 4—Committee on Ways and Means

CHAPTER.....

AN ACT relating to prison industries; allowing money in the fund for new construction of facilities for prison industries to be used to expand existing industries; creating the committee on industrial programs; specifying the powers and duties of the committee on industrial programs; repealing the statutes creating and governing the advisory board on industrial programs; and providing other matters properly relating thereto.

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

**Section 1.** Chapter 209 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

**Sec. 2. 1.** *The committee on industrial programs is hereby created.*

*2. The committee on industrial programs consists of the director of the department of prisons, the chief of the purchasing division of the department of administration and eight members appointed by the interim finance committee as follows:*

- (a) Two members of the senate.*
- (b) Two members of the assembly.*
- (c) Two persons who represent manufacturing in this state.*
- (d) One person who represents business in this state.*
- (e) One person who represents organized labor in this state.*

*3. The members of the committee on industrial programs shall select a chairman from among their membership.*

*4. Each member of the committee on industrial programs appointed by the interim finance committee must be appointed to a term of 2 years and may be reappointed.*

*5. Except during a regular or special session of the legislature, each legislator who is a member of the committee on industrial programs is entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session for each day or portion of a day during which he attends a meeting of the committee on industrial programs or is otherwise engaged in the work of the committee on industrial programs. Each nonlegislative member appointed by the interim finance committee is entitled to receive compensation for his service on the committee on industrial programs in the same amount and manner as the legislative members whether or not the legislature is in session. Each nonlegislative member of the committee on industrial programs is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally. Each legislator who is a member of the committee on industrial programs is entitled to receive the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to NRS 218.2207. All compensation, allowances and travel expenses must be paid from the fund for prison industries.*

**Sec. 3. 1.** *The committee on industrial programs shall:*

*(a) Be informed on issues and developments relating to industrial programs for correctional institutions;*

*(b) Submit a semiannual report to the interim finance committee before July 1 and December 1 of each year on the status of current and proposed industrial programs for correctional institutions;*

*(c) Report to the legislature on any other matter relating to industrial programs for correctional institutions that it deems appropriate;*

*(d) Meet at least quarterly and at the call of the chairman to review the operation of current and proposed industrial programs;*

*(e) Recommend three persons to the director for appointment as the assistant director for industrial programs whenever a vacancy exists;*

*(f) Before any new industrial program is established by the director in an institution of the department, review the proposed program for compliance with the requirements of subsections 2, 3 and 4 of NRS 209.461 and submit to the director its recommendations concerning the proposed program; and*

*(g) Review each industry program established pursuant to subsection 2 of NRS 209.461 to determine whether the program is operating profitably within 3 years after its establishment. If the committee on industrial programs determines that a program is not operating profitably within 3 years after its establishment, the committee on industrial programs shall report its finding to the director with a recommendation regarding whether the program should be continued or terminated.*

*2. Upon the request of the committee on industrial programs, the director and the assistant director for industrial programs shall provide to the committee on industrial programs any information the committee on industrial programs determines is relevant to the performance of the duties of the committee on industrial programs.*

**Sec. 4.** NRS 209.011 is hereby amended to read as follows:

209.011 As used in this chapter, unless the context otherwise requires, the terms defined in NRS ~~209.015~~ **209.021** to 209.085, inclusive, have the meanings ascribed to them in those sections.

**Sec. 5.** NRS 209.192 is hereby amended to read as follows:

209.192 1. There is hereby created in the state treasury a fund for new construction of facilities for prison industries as a fund for construction of capital projects. The director shall deposit in the fund the deductions made pursuant to paragraph (c) of subsection 1 or paragraph (b) of subsection 2 of NRS 209.463. The money in the fund must only be expended to house new industries *or expand existing industries* in the industrial program ~~which will~~ *to* provide additional employment of offenders. The money in the fund must not be expended for relocating an existing industry in the industrial program ~~+~~ *unless the existing industry is being expanded to provide additional employment of offenders.*

2. Before money in the fund may be expended for construction, the director shall submit a proposal for the expenditure to the state board of examiners. Upon making a determination that the proposed expenditure is appropriate and necessary, the state board of examiners shall recommend to the interim finance committee, or the senate standing committee on finance and the assembly standing committee on ways and means when the legislature is in general session, that the expenditure be approved. Upon

approval of the appropriate committee or committees, the money may be so expended.

3. The interest and income earned on the money in the fund, after deducting any applicable charges, must be credited to the fund.

**Sec. 6.** NRS 209.459 is hereby amended to read as follows:

209.459 The director shall present the recommendations of the ~~{advisory board}~~ *committee* on industrial programs to the board of state prison commissioners and, with the approval of the board of state prison commissioners, establish and carry out a program for the employment of offenders in services and manufacturing conducted by institutions of the department or by private employers.

**Sec. 7.** NRS 209.015, 209.4813 and 209.4814 are hereby repealed.

**Sec. 8.** This act becomes effective upon passage and approval.