

SENATE BILL NO. 401—SENATORS RAWSON,
NEAL AND O'DONNELL

MARCH 19, 2001

Referred to Committee on Government Affairs

SUMMARY—Makes various changes to provisions governing office of science, engineering and technology. (BDR 18-815)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: 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 the office of science, engineering and technology; transferring the office from the University and Community College System of Nevada to the Office of the Governor; revising the duties of the director of the office; 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 223.085 is hereby amended to read as follows:
2 223.085 1. The governor may, within the limits of available money,
3 employ such persons as he deems necessary to provide an appropriate staff
4 for the office of the governor, including, without limitation, the agency for
5 nuclear projects , *the office of science, innovation and technology* and the
6 governor's mansion. Any such employees are not in the classified or
7 unclassified service of the state and serve at the pleasure of the governor.
8 2. The governor shall:
9 (a) Determine the salaries and benefits of the persons employed
10 pursuant to subsection 1, within limits of money available for that purpose;
11 and
12 (b) Adopt such rules and policies as he deems appropriate to establish
13 the duties and employment rights of the persons employed pursuant to
14 subsection 1.
15 **Sec. 2.** Chapter 231 of NRS is hereby amended by adding thereto the
16 provisions set forth as sections 3 to 6, inclusive, of this act.
17 **Sec. 3. 1. *The office of science, innovation and technology is***
18 *hereby established in the office of the governor.*
19 **2. *The governor shall appoint the director of the office of science,***
20 *innovation and technology. In making the appointment, the governor:*



1 (a) Shall give consideration to any recommendation which is
2 submitted by the chancellor of the University and Community College
3 System of Nevada.

4 (b) May assemble a panel of persons with appropriate experience in
5 science and technology to make recommendations of qualified
6 candidates for the position of director.

7 3. The director shall devote his entire time and attention to the
8 business of his office and shall not engage in any other gainful
9 employment or occupation.

10 4. The director is not in the classified or unclassified service of the
11 state and serves at the pleasure of the governor.

12 **Sec. 4.** The director of the office of science, innovation and
13 technology shall:

14 1. Advise the governor on matters relating to science, innovation and
15 technology.

16 2. Work in coordination with the commission on economic
17 development to establish criteria and goals for economic development
18 and diversification in this state in the areas of science, innovation and
19 technology.

20 3. As directed by the governor, identify, recommend and carry out
21 policies related to science, innovation and technology.

22 4. Report periodically to the chairman and executive director of the
23 commission on economic development concerning the administration of
24 the policies and programs of the office of science, innovation and
25 technology.

26 **Sec. 5.** The director of the office of science, innovation and
27 technology may:

28 1. Accept any gift, donation, bequest or devise; and

29 2. Apply for and accept any grant, loan or other source of
30 money,

31 to assist him in carrying out his duties.

32 **Sec. 6.** 1. The account for the office of science, innovation and
33 technology is hereby created in the state general fund. The account must
34 be administered by the director of the office of science, innovation and
35 technology.

36 2. Any money accepted pursuant to section 5 of this act must be
37 deposited in the account.

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

40 4. The money in the account must only be used to carry out the
41 duties of the director.

42 5. Claims against the account must be paid as other claims against
43 the state are paid.

44 **Sec. 7.** NRS 284.140 is hereby amended to read as follows:

45 284.140 The unclassified service of the state consists of positions held
46 by state officers or employees in the executive department of the state
47 government as follows:

48 1. Persons chosen by election or appointment to fill an elective office.



- 1 2. Members of boards and commissions, and heads of departments,
2 agencies and institutions required by law to be appointed.
- 3 3. At the discretion of the elective officer or head of each department,
4 agency or institution, one deputy and one chief assistant in each
5 department, agency or institution.
- 6 4. Except as otherwise provided in *section 3 of this act and* NRS
7 223.085 and 223.570, all persons required by law to be appointed by the
8 governor or heads of departments or agencies appointed by the governor or
9 by boards.
- 10 5. All employees other than clerical in the office of the attorney
11 general and the state public defender required by law to be appointed by
12 the attorney general or the state public defender.
- 13 6. Except as otherwise provided by the board of regents of the
14 University of Nevada pursuant to NRS 396.251, officers and members of
15 the teaching staff and the staffs of the agricultural extension department
16 and experiment station of the University and Community College System
17 of Nevada, or any other state institution of learning, and student employees
18 of these institutions. Custodial, clerical or maintenance employees of these
19 institutions are in the classified service. The board of regents of the
20 University of Nevada shall assist the director in carrying out the provisions
21 of this chapter applicable to the University and Community College
22 System of Nevada.
- 23 7. Officers and members of the Nevada National Guard.
- 24 8. Persons engaged in public work for the state but employed by
25 contractors when the performance of the contract is authorized by the
26 legislature or another competent authority.
- 27 9. Patient and inmate help in state charitable, penal, mental and
28 correctional institutions.
- 29 10. Part-time professional personnel who are paid for any form of
30 medical, nursing or other professional service and who are not engaged in
31 the performance of administrative or substantially recurring duties.
- 32 11. All other officers and employees authorized by law to be employed
33 in the unclassified service.
- 34 **Sec. 8.** NRS 396.798, 396.7982, 396.7984 and 396.7988 are hereby
35 repealed.
- 36 **Sec. 9.** The state treasurer shall transfer any balance remaining
37 unexpended on June 30, 2001, in the account for the office of science,
38 engineering and technology to the account for the office of science,
39 innovation and technology which is created by section 6 of this act.
- 40 **Sec. 10.** This act becomes effective on July 1, 2001.

LEADLINES OF REPEALED SECTIONS

396.798 Establishment; appointment, qualifications and term of director; other employment by director prohibited without approval of governor.



* S B 4 0 1 *

- 396.7982 Director: Duties; powers; prohibited acts.
- 396.7984 Periodic and biennial reports required of director.
- 396.7988 Acceptance of gifts and money by director; creation of account; deposit of money.

