

Senate Bill No. 401—Senators Rawson,  
Neal and O'Donnell

CHAPTER.....

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:

**Section 1.** NRS 223.085 is hereby amended to read as follows:

223.085 1. The governor may, within the limits of available money, employ such persons as he deems necessary to provide an appropriate staff for the office of the governor, including, without limitation, the agency for nuclear projects, *the office of science, innovation and technology* and the governor's mansion. Any such employees are not in the classified or unclassified service of the state and serve at the pleasure of the governor.

2. The governor shall:

(a) Determine the salaries and benefits of the persons employed pursuant to subsection 1, within limits of money available for that purpose; and

(b) Adopt such rules and policies as he deems appropriate to establish the duties and employment rights of the persons employed pursuant to subsection 1.

**Sec. 2.** Chapter 231 of NRS is hereby amended by adding thereto the provisions set forth as sections 3 to 6, inclusive, of this act.

**Sec. 3. 1. *The office of science, innovation and technology is hereby established in the office of the governor.***

**2. *The governor shall appoint the director of the office of science, innovation and technology. In making the appointment, the governor:***

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

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

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

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

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

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

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

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

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

5. *Develop and coordinate efforts to attract biotechnological companies to this state.*

6. *Establish and maintain a clearinghouse of information regarding biotechnological business in this state.*

**Sec. 5.** 1. *The director of the office of science, innovation and technology may:*

(a) *Accept any gift, donation, bequest or devise; and*

(b) *Apply for and accept any grant, loan or other source of money,*

*to assist him in carrying out his duties.*

2. *The director may serve as a member of the Nevada Technology Council.*

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

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

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

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

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

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

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

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

2. Members of boards and commissions, and heads of departments, agencies and institutions required by law to be appointed.

3. At the discretion of the elective officer or head of each department, agency or institution, one deputy and one chief assistant in each department, agency or institution.

4. Except as otherwise provided in *section 3 of this act and* NRS 223.085 and 223.570, all persons required by law to be appointed by the governor or heads of departments or agencies appointed by the governor or by boards.

5. All employees other than clerical in the office of the attorney general and the state public defender required by law to be appointed by the attorney general or the state public defender.

6. Except as otherwise provided by the board of regents of the University of Nevada pursuant to NRS 396.251, officers and members of the teaching staff and the staffs of the agricultural extension department

and experiment station of the University and Community College System of Nevada, or any other state institution of learning, and student employees of these institutions. Custodial, clerical or maintenance employees of these institutions are in the classified service. The board of regents of the University of Nevada shall assist the director in carrying out the provisions of this chapter applicable to the University and Community College System of Nevada.

7. Officers and members of the Nevada National Guard.

8. Persons engaged in public work for the state but employed by contractors when the performance of the contract is authorized by the legislature or another competent authority.

9. Patient and inmate help in state charitable, penal, mental and correctional institutions.

10. Part-time professional personnel who are paid for any form of medical, nursing or other professional service and who are not engaged in the performance of administrative or substantially recurring duties.

11. All other officers and employees authorized by law to be employed in the unclassified service.

**Sec. 8.** NRS 396.798, 396.7982, 396.7984 and 396.7988 are hereby repealed.

**Sec. 9.** The state treasurer shall transfer any balance remaining unexpended on June 30, 2001, in the account for the office of science, engineering and technology to the account for the office of science, innovation and technology which is created by section 6 of this act.

**Sec. 10.** This act becomes effective on July 1, 2001.