

SENATE BILL NO. 56—SENATOR O'DONNELL

PREFILED JANUARY 29, 2001

Referred to Committee on Transportation

SUMMARY—Revises composition of board of directors of department of transportation and of certain regional transportation commissions. (BDR 35-68)

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 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:

Section 1. NRS 408.106 is hereby amended to read as follows:

408.106 1. There is hereby created a department of transportation, administered by a ~~{seven-member}~~ *nine-member* board of directors consisting of the governor, the lieutenant governor, the attorney general and the state controller, who serve ex officio, ~~{and}~~ three members who are appointed by the governor ~~{ }~~ *and two nonvoting members selected from the legislature*. If one of the four constitutional offices is vacant, the secretary of state shall serve ex officio on the board until the vacancy is filled.

2. The governor shall appoint as members of the board three persons who are residents of *the State of* Nevada, informed on and interested in the construction and maintenance of highways and other matters relating to transportation. *After the initial terms, the terms of the members of the board appointed by the governor are 4 years*. Each of the three members so appointed must reside in a different highway district and possess at least one of the following qualifications:

(a) Knowledge of engineering evidenced by the possession of a bachelor of science degree in civil or structural engineering and licensure in this state as a professional engineer.

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

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

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

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

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

12 ~~[4.]~~ 5. Each member of the board who is not a public officer is entitled
13 to receive as compensation \$80 for each day or portion of a day during
14 which he attends a meeting of the board or is otherwise engaged in the
15 business of the board plus the per diem allowance and travel expenses
16 provided for state officers and employees generally.

17 ~~[5. After the initial terms, the appointed members of the board shall~~
18 ~~serve terms of 4 years.]~~

19 6. *Except during a regular or special session of the legislature, each*
20 *legislator who is a member of the board is entitled to receive from the*
21 *legislative fund, for each day or portion of a day during which he attends*
22 *a meeting of the board or is otherwise engaged in the work of the board:*

23 (a) *The compensation provided for a majority of the members of the*
24 *legislature during the first 60 days of the preceding regular session;*

25 (b) *The per diem allowance provided for state officers and employees*
26 *generally; and*

27 (c) *The travel expenses provided pursuant to NRS 218.2207.*

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

29 373.040 1. In counties whose population is 100,000 or more, the
30 commission must be composed of ~~[representatives]~~:

31 (a) *Representatives* selected by the following entities from among their
32 members:

33 ~~[(a)]~~ (1) Two *representatives selected* by the board.

34 ~~[(b)]~~ (2) Two *representatives selected* by the governing body of the
35 largest city ~~[~~

36 ~~—(c)—~~ *in the county.*

37 (3) One *representative selected* by the governing body of each
38 additional city in the county.

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

43 2. ~~[(a)]~~ *Except as otherwise provided in subsection 3, in* counties
44 whose population is less than 100,000, the commission must be composed
45 of representatives selected as follows:

46 (a) If the county contains a city:

47 (1) Two *representatives selected* by the board.

48 (2) One *representative selected* by the governing body of the largest
49 city ~~[(c)]~~ *in the county.*

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

(1) Two members of the board. ~~[- and]~~

(2) One representative of the public, who ~~[- is]~~ **must be** a resident of the largest town, if any, in the county.

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

(a) Two members of the board of supervisors, one of whom must be designated by the commission to serve as chairman of the commission.

(b) Three representatives of the city at large.

4. The first representatives must be selected within 30 days after passage of the ordinance creating the commission, and, except as otherwise provided in subsections 5, 6 and 7, must serve until the next ensuing December 31 of an even-numbered year. The representative of any city incorporated after passage of the ordinance must be selected within 30 days after the first meeting of the governing body, and, except as otherwise provided in subsection 7, must serve until the next ensuing December 31 of an even-numbered year. Their successors must serve for terms of 2 years, and vacancies must be filled for the unexpired term.

5. In Carson City:

(a) One representative of the commission who is a member of the board of supervisors and one representative of the commission who is a representative of the city at large must serve until the next ensuing December 31 of an even-numbered year; and

(b) One representative of the commission who is a member of the board of supervisors and two representatives of the commission who are representatives of the city at large must serve until the next ensuing December 31 of an odd-numbered year.

6. In counties whose population is 100,000 or more ~~[-]~~ but less than 400,000:

(a) One representative selected by the board and one representative selected by the governing body of the largest city in the county must serve until the next ensuing December 31 of an even-numbered year; and

(b) One representative selected by the board and one representative selected by the governing body of the largest city in the county must serve until the next ensuing December 31 of an odd-numbered year.

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

8. Except during a regular or special session of the legislature, each legislator who is a representative of the commission is entitled to receive from the legislative fund, for each day or portion of a day during which he attends a meeting of the commission or is otherwise engaged in the work of the commission:

(a) The compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session;

(b) The per diem allowance provided for state officers and employees generally; and

(c) The travel expenses provided pursuant to NRS 218.2207.

1 **Sec. 3.** 1. As soon as practicable after July 1, 2001, the legislative
2 commission shall:

3 (a) Appoint to the board of directors of the department of transportation
4 two members of the legislature, one of whom must be a member of the
5 senate and the other of whom must be a member of the assembly.

6 (b) Appoint to the regional transportation commission of each county
7 whose population is 100,000 or more, two members of the legislature, one
8 of whom must be a member of the senate and the other of whom must be a
9 member of the assembly.

10 2. The terms of office of the legislators appointed pursuant to
11 subsection 1 expire on June 30, 2003.

12 **Sec. 4.** This act becomes effective on July 1, 2001.

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