

## Amendment No. 394

Senate Amendment to Senate Bill No. 139

(BDR 35-718)

**Proposed by:** Committee on Transportation and Homeland Security**Amendment Box:** Replaces Amendment No. 99.**Resolves Conflicts with:** N/A**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

| ASSEMBLY ACTION  | Initial and Date | SENATE ACTION  | Initial and Date |
|--|------------------|--|------------------|
| Adopted <input type="checkbox"/> Lost <input type="checkbox"/>     | _____            | Adopted <input type="checkbox"/> Lost <input type="checkbox"/>     | _____            |
| Concurred In <input type="checkbox"/> Not <input type="checkbox"/> | _____            | Concurred In <input type="checkbox"/> Not <input type="checkbox"/> | _____            |
| Receded <input type="checkbox"/> Not <input type="checkbox"/>      | _____            | Receded <input type="checkbox"/> Not <input type="checkbox"/>      | _____            |

Amend section 1, pages 1 and 2, by deleting line 4 on page 1 and lines 1 through 18 on page 2, and inserting:

“Directors consisting of the Governor, the Lieutenant Governor ~~[,]~~ **and** the Attorney General, ~~and the State Controller,~~ who serve ex officio, and ~~three~~ **four** members who are appointed by the Governor. 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~~ **four** persons who are residents of Nevada ~~[, informed on and interested]~~ **with knowledge of and experience** in the construction and maintenance of highways and other matters relating to transportation. ~~Each~~ **At least one** of the ~~three~~ members so appointed must reside in ~~a~~ **each of the** different highway ~~district~~ **districts** and **each of the members so appointed must** possess at least one of the following qualifications:

SJC/BJE

Date: 4/15/2005

S.B. No. 139—Changes composition of Board of Directors of Department of Transportation.



(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.]~~ ***transportation safety, planning or design.***”.

Amend section 1, page 2, by deleting lines 33 and 34 and inserting:

“5. ~~[After the initial terms, the appointed]~~ ***The*** members of the Board ***appointed by the Governor*** shall serve terms of 4 years ~~[.]~~ ***and are eligible to be reappointed not more than once.***

***6. An Advisory Committee to the Board is hereby created consisting of the following members:***

***(a) The chairman of the regional transportation commission of each county whose population is 100,000 or more; and***

***(b) One additional member who is appointed by the Governor. The Governor shall appoint as a member of the Advisory Committee the chairman of the regional transportation commission of a county whose population is less than 100,000. The member of the Advisory Committee appointed pursuant to this paragraph shall serve a term of 4 years. Successive appointments pursuant to this paragraph must be made on the basis of a strict rotation among the various eligible counties which have a regional transportation commission.***

***7. Members of the Advisory Committee serve without compensation, except that each member is entitled, while engaged in the business of the Advisory Committee, to the per diem allowance and travel expenses provided for state officers and employees generally.***”.

Amend the title of the bill, second line, by deleting “Transportation;” and inserting:

“Transportation and creating an Advisory Committee to the Board;”.

Amend the summary of the bill to read as follows:

“SUMMARY—Changes composition of Board of Directors of Department of Transportation and creates Advisory Committee to Board. (BDR 35-718)”.

**If this amendment is adopted, the Legislative  
Counsel's Digest will be changed to read as follows:**

**Legislative Counsel's Digest:**

Existing law creates the Department of Transportation, which is administered by a Board of Directors. The Board of Directors consists of seven members, including the Governor, the Lieutenant Governor, the Attorney General, the State Controller and three members appointed by the Governor. The Governor is required to appoint to the Board three members who are informed on and interested in matters relating to transportation and who possess certain qualifications. Each must reside in a different highway district. (NRS 408.106)

This bill changes the composition of the Board of Directors of the Department of Transportation. This bill removes the State Controller from the Board and increases to four the number of members appointed by the Governor.

This bill makes various changes to the requirements concerning members appointed by the Governor, most notably requiring that all four members must have knowledge of and experience in transportation matters, and at least one of the members must reside in each of the different highway districts.

Under existing law, the members of the Board appointed by the Governor serve terms of 4 years and are eligible for reappointment.

This bill limits each such member appointed by the Governor to two terms.

This bill also creates an Advisory Committee to the Board of Directors, consisting of the chairman of the regional transportation commission of each county with a population of 100,000 or

---

more (currently Washoe County and Clark County) and an additional member appointed by the Governor. This bill directs the Governor to appoint to the Advisory Committee the chairman of the regional transportation commission of a county whose population is less than 100,000. Successive appointments must be made on a rotating basis among the various counties.

This bill also directs the Legislative Auditor to conduct a performance audit of the Department of Transportation. The Legislative Auditor must submit a written report of the performance audit to the Audit Subcommittee of the Legislative Commission no later than February 5, 2007.