

ASSEMBLY BILL NO. 12—COMMITTEE ON GOVERNMENT AFFAIRS

PREFILED JANUARY 18, 2007

Referred to Committee on Government Affairs

SUMMARY—Revises certain provisions relating to State Public Works Board. (BDR 28-193)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 public works; revising the composition of and certain internal procedures relating to the operations of the State Public Works Board; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill changes the composition of the State Public Works Board from a
2 seven-member body consisting of the Director of the Department of Administration
3 and six members appointed by the Governor to a five-member body consisting of
4 the Governor, Lieutenant Governor, State Treasurer and two members appointed
5 by the Governor. (NRS 341.020) Instead of an election of the Chairman from
6 among the appointed members of the Board, this bill designates the Governor as the
7 Chairman of the Board. (NRS 341.020, 341.060) This bill also transfers from the
8 Board to the Governor the power to appoint and remove the Manager of the Board
9 and the power to approve the appointment of certain deputies by the Manager.
10 (NRS 341.100)

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

1 **Section 1.** NRS 341.020 is hereby amended to read as follows:
2 341.020 1. The State Public Works Board, consisting of ~~the~~
3 ~~Director of the Department of Administration and six~~ :
4 *(a) The Governor, the Lieutenant Governor and the State*
5 *Treasurer, who serve ex officio; and*



1 **(b) Two** members appointed by the Governor,
2 ↪ is hereby created within the Department of Administration.

3 2. At least one of the appointed members must have a
4 comprehensive knowledge of the principles of ~~{administration and~~
5 ~~at least one of the appointed members must have a working~~
6 ~~knowledge of the principles of}~~ engineering or architecture.

7 **3. The Governor shall serve as Chairman of the Board, and**
8 **the members of the Board shall elect annually a Vice Chairman.**

9 **Sec. 2.** NRS 341.030 is hereby amended to read as follows:

10 341.030 1. The **appointed** members of the Board ~~{shall be~~
11 ~~appointed}~~ **serve** for terms of 4 years.

12 2. The term of office of each **appointed** member ~~{shall begin}~~
13 **of the Board begins on** July 1 of the year of his appointment.

14 **Sec. 3.** NRS 341.041 is hereby amended to read as follows:

15 341.041 If an appointed member of the Board fails to attend
16 three successive meetings of the Board, ~~{the Board shall notify the~~
17 ~~Governor of that fact, in writing, within 5 days after the third~~
18 ~~successive meeting that the member fails to attend. Upon receipt of~~
19 ~~the notice,}~~ the Governor may appoint a person to replace the
20 member for the unexpired term of that member.

21 **Sec. 4.** NRS 341.050 is hereby amended to read as follows:

22 341.050 1. Each **appointed** member of the Board is entitled
23 to receive a salary of not more than \$80 per day, as fixed by the
24 Board, while engaged in the business of the Board.

25 2. While engaged in the business of the Board, each member
26 and employee of the Board is entitled to receive the per diem
27 allowance and travel expenses provided for state officers and
28 employees generally. The per diem allowances and travel expenses
29 must be paid from money appropriated for the use of the Board.

30 **Sec. 5.** NRS 341.100 is hereby amended to read as follows:

31 341.100 1. The ~~{Board}~~ **Governor** may appoint a Manager
32 who serves at the pleasure of the ~~{Board and the}~~ Governor. The
33 ~~{Board or the}~~ Governor may remove the Manager for inefficiency,
34 neglect of duty, malfeasance or for other just cause.

35 2. The Manager, with the approval of the ~~{Board,}~~ **Governor,**
36 may appoint a deputy for professional services and a deputy for
37 administrative, fiscal and constructional services. In addition, the
38 Manager may appoint such other technical and clerical assistants as
39 may be necessary to carry into effect the provisions of this chapter.

40 3. The Manager and his deputies are in the unclassified service
41 of the State. Except as otherwise provided in NRS 284.143, the
42 Manager and each deputy shall devote his entire time and attention
43 to the business of his office and shall not pursue any other business
44 or occupation or hold any other office of profit.



4. The Manager and his deputy for professional services must each be a licensed professional engineer pursuant to the provisions of chapter 625 of NRS or an architect registered pursuant to the provisions of chapter 623 of NRS. The deputy manager for administrative, fiscal and constructional services must have a comprehensive knowledge of principles of administration and a working knowledge of principles of engineering or architecture as determined by the Board.

5. The Manager shall:

(a) Serve as the Secretary of the Board.

(b) Manage the daily affairs of the Board.

(c) Represent the Board before the Legislature.

(d) Prepare and submit to the Board, for its approval, the recommended priority for proposed capital improvement projects and provide the Board with an estimate of the cost of each project.

(e) Make recommendations to the Board for the selection of architects, engineers and contractors.

(f) Make recommendations to the Board concerning the acceptance of completed projects.

(g) Advise the Board and the Legislature, or the Interim Finance Committee if the Legislature is not in session, on a monthly basis of the progress of all public works projects which are a part of the approved capital improvement program.

(h) Serve as the building official for all buildings and structures on property of the State or held in trust for any division of the State Government.

Sec. 6. NRS 341.191 is hereby amended to read as follows:

341.191 ~~{1.}~~ The Board shall submit ~~{reports and make}~~ :

1. Reports and recommendations relative to its findings ~~{to the Governor and to the Legislature. The Board shall particularly recommend to the Governor and to the Legislature}~~ , **including, without limitation, recommendations concerning** the priority of construction of ~~{any and all}~~ buildings or other construction work now authorized or that may hereafter be authorized or proposed ~~{~~

~~2. The Board shall submit before}~~ ; **and**

2. Before October 1 of each even-numbered year , its recommendations for projects for capital improvements in the next biennium ~~{}~~ ,

↳ to the Chief of the Budget Division of the Department of Administration and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature.

Sec. 7. NRS 341.060 is hereby repealed.

Sec. 8. 1. The terms of the current members of the State Public Works Board expire on June 30, 2007.



- 1 2. As soon as practicable after July 1, 2007, the Governor shall
2 appoint to the State Public Works Board:
3 (a) One member to serve an initial term that expires on June 30,
4 2009; and
5 (b) One member to serve an initial term that expires on June 30,
6 2011.
7 **Sec. 9.** This act becomes effective on July 1, 2007.

TEXT OF REPEALED SECTION

341.060 Organization; election of officers. Within a reasonable time after the appointment of the members of the Board, the Board shall meet upon the call of the Governor and shall organize and elect a chairman and vice chairman from among the members appointed pursuant to NRS 341.020.

