

ASSEMBLY BILL NO. 572—COMMITTEE ON
NATURAL RESOURCES, AGRICULTURE, AND MINING

(ON BEHALF OF THE NEVADA SUPREME COURT)

MARCH 26, 2007

Referred to Committee on Government Affairs

SUMMARY—Revises various provisions governing the administration and control of the Supreme Court Building and other property used by the Supreme Court. (BDR 26-665)

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 state property; providing the Supreme Court with authority over the supervision, control, administration and maintenance of the Supreme Court Building and other property used by the Supreme Court or its staff; providing that the Court Administrator is responsible for maintaining the buildings and grounds of the Supreme Court; transferring all outstanding capital improvement projects for the Supreme Court Building to the Court Administrator and requiring the State Public Works Board to work with the Court Administrator to complete the projects timely; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Under existing law, all lands and interests in lands owned by the State must be
- 2 held in the name of the State of Nevada by the Division of State Lands of the State
- 3 Department of Conservation and Natural Resources. Exceptions are provided for:
- 4 (1) lands used or acquired for highway purposes; (2) lands vested in the Board of
- 5 Regents of the University of Nevada; (3) offices outside state buildings that are
- 6 leased for the use of state officers and employees; and (4) lands or interests used or
- 7 acquired for the Legislature or its staff. (NRS 321.001) **Section 1** of this bill
- 8 provides a similar exception for lands or interests used or acquired for the Supreme
- 9 Court or its staff.



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Under existing law, the Chief of the Buildings and Grounds Division of the Department of Administration has supervision and control over all state buildings, grounds and properties not otherwise provided for by law. (NRS 331.070) However, the Legislature has authority over the supervision and control of the Legislative Building, its grounds and all other property acquired for the use of the Legislature and its staff, and the Director of the Legislative Counsel Bureau is responsible for maintaining the building and grounds of the Legislature. (NRS 331.135) **Section 2** of this bill provides similar authority for the Supreme Court over the Supreme Court Building, its grounds and all other property acquired for the Supreme Court or its staff, and provides that the Court Administrator is responsible for maintaining the buildings and grounds of the Supreme Court.

Existing law also provides the Chief of the Buildings and Grounds Division with authority to assign rooms used by the State, but provides an exception for rooms used by the Legislature. (NRS 331.120) **Sections 2 and 4** of this bill provide a similar exception for rooms used by the Supreme Court.

Section 6 of this bill transfers all outstanding capital improvement projects for the Supreme Court Building to the Court Administrator and requires the State Public Works Board to work with the Court Administrator to complete the projects timely.

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

Section 1. NRS 321.001 is hereby amended to read as follows:
321.001 1. The Division shall acquire and hold in the name of the State of Nevada all lands and interests in land owned or required by the State except:

(a) Lands or interests used or acquired for highway purposes;
(b) Lands or interests the title to which is vested in the Board of Regents of the University of Nevada;

(c) Offices outside state buildings leased by the Chief of the Buildings and Grounds Division of the Department of Administration for the use of state officers and employees; ~~for~~

(d) Lands or interests used or acquired for the Legislature or its staff ~~for~~; and

(e) Lands or interests used or acquired for the Supreme Court or its staff,

↪ and shall administer all lands it holds which are not assigned for administration to another state agency.

2. If additional land or an interest in land is required for the use of any state agency except the Department of Transportation or the Nevada System of Higher Education, the agency and the Division shall select land for use by the agency. The Division shall obtain the approval of the State Public Works Board if the land will be used for a building pursuant to NRS 341.141. The Division shall determine the value of that land and obtain the land or interest by negotiation or, if necessary, by exercising the State's power of eminent domain. Title must be taken in the name of the State of Nevada.



3. The Division may acquire and hold land and interests in land required for any public purpose, including the production of public revenue. Title must be taken in the name of the State of Nevada.

Sec. 2. Chapter 331 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Supreme Court has authority over the supervision, control, administration and maintenance of:

(a) The Supreme Court Building, including, without limitation, its chambers, offices and grounds, and its furnishings and equipment;

(b) The Supreme Court Law Library; and

(c) All other property which is being used by the Supreme Court or its staff, or which may be acquired for the use of the Supreme Court or its staff.

2. The Court Administrator may assign the use of space in the Supreme Court Building or other facilities of the Supreme Court, or on the grounds thereof, in such a manner as the Supreme Court prescribes.

3. The Court Administrator shall cause the Supreme Court Building, its chambers, offices and grounds, the Supreme Court Law Library and other facilities of the Supreme Court to be kept in good repair, clean, orderly and presentable as befits public property and the dignity of the Supreme Court. For this purpose, the Court Administrator may contract with any private enterprise or governmental agency for the provision of appropriate services.

Sec. 3. NRS 331.010 is hereby amended to read as follows:

331.010 As used in NRS 331.010 to 331.145, inclusive, ***and section 2 of this act***, unless the context otherwise requires:

1. "Buildings and Grounds Division" means the Buildings and Grounds Division of the Department of Administration.

2. "Chief" means the Chief of the Buildings and Grounds Division.

3. "Director" means the Director of the Department of Administration.

Sec. 4. NRS 331.120 is hereby amended to read as follows:

331.120 1. Except as otherwise provided in NRS 331.130 and 331.135, ***and section 2 of this act***, the Chief shall assign the rooms in the Capitol Building, and rooms elsewhere used by the State, and shall determine the occupancy thereof in such manner as the public service may require.

2. The executive and administrative officers, departments, boards, commissions and agencies of the State must be provided with suitable quarters which must, so far as is expedient, be in Carson City. As used in this subsection, "boards" does not include



boards that are exempt from the provisions of chapter 353 of NRS pursuant to NRS 353.005.

3. The Chief shall provide suitable office space for the use of the Governor-Elect and expend money for incidental expenses connected therewith. The provisions of this subsection do not apply if the incumbent Governor is elected to succeed himself.

4. The Chief may provide suitable space in the Capitol Building for the permanent use of accredited members of the press and for the installation of communication equipment.

Sec. 5. NRS 2.410 is hereby amended to read as follows:

2.410 The Supreme Court ~~{Law Library shall be under the supervision and control of the Supreme Court, which}~~ may make and enforce such rules and regulations as may be necessary for the government, use and services of the *Supreme Court Law* Library. ~~{Such}~~ *The* rules or regulations ~~{shall assure}~~ *must ensure* that the Library is accessible for public use and to users in all parts of the State.

Sec. 6. Notwithstanding any other provision of law to the contrary, all outstanding capital improvement projects for the Supreme Court Building funded by this and previous sessions are hereby transferred to the Court Administrator. The State Public Works Board shall work with the Court Administrator and complete all of these capital improvement projects for which expenditures have been approved not later than the date on which the money approved for the projects is required to be reverted.

Sec. 7. This act becomes effective on July 1, 2007.

