

SENATE BILL NO. 117—SENATOR CEGAVSKE

FEBRUARY 5, 2009

Referred to Committee on Energy, Infrastructure and Transportation

SUMMARY—Repeals the Commission on Nuclear Projects and the Agency for Nuclear Projects and transfers certain duties to the Governor. (BDR 18-589)

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 hazardous materials; repealing the provisions creating the Commission on Nuclear Projects and the Agency for Nuclear Projects; transferring certain duties relating to the disposal of radioactive waste in Nevada to the Governor; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 3** of this bill repeals the provisions creating the Commission on
2 Nuclear Projects and the Agency for Nuclear Projects, including the Executive
3 Director of the Agency and the divisions within the Agency. (NRS 459.009-
4 459.0098) **Section 1** of this bill transfers certain duties relating to the disposal of
5 radioactive waste in Nevada from the Executive Director of the Agency to the
6 Governor. (Chapter 223 of NRS) **Section 6** of this bill requires the Department of
7 Personnel to place an employee of the Agency or a division within the Agency
8 whose employment is terminated as a result of this bill on a reemployment list
9 maintained by the Department and allow a preference for each of those employees
10 on that list for a specified period.

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

1 **Section 1.** Chapter 223 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 ***The Governor shall:***

4 ***1. Carry out the duties imposed on the State by 42 U.S.C. §§***
5 ***10101 et seq.; and***



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1 2. *Provide semiannual reports to the Legislature and the*
2 *Committee on High-Level Radioactive Waste created by NRS*
3 *459.0085. The report must contain:*

4 (a) *The status of any litigation relating to the potential disposal*
5 *of radioactive waste in this State; and*

6 (b) *Any other information requested by the Legislature or the*
7 *Committee.*

8 **Sec. 2.** NRS 223.085 is hereby amended to read as follows:

9 223.085 1. The Governor may, within the limits of available
10 money, employ such persons as he deems necessary to provide an
11 appropriate staff for the Office of the Governor, including, without
12 limitation, ~~the Agency for Nuclear Projects,~~ the Office of Science,
13 Innovation and Technology and the Governor's mansion. Any such
14 employees are not in the classified or unclassified service of the
15 State and serve at the pleasure of the Governor.

16 2. The Governor shall:

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

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

23 **Sec. 3.** NRS 459.009, 459.0091, 459.0092, 459.0093,
24 459.0094, 459.0095, 459.0096, 459.0097 and 459.0098 are hereby
25 repealed.

26 **Sec. 4.** The Legislative Counsel shall, in preparing the reprint
27 and supplement to the Nevada Revised Statutes with respect to any
28 section which is not amended by this act or is adopted or amended
29 by another act, appropriately change any reference to an officer or
30 agency whose responsibilities have been transferred pursuant to the
31 provisions of this act to refer to the appropriate officer or agency. If
32 any internal reference is made to a section repealed by this act, the
33 Legislative Counsel shall delete the reference and replace it by
34 reference to the superseding section, if any.

35 **Sec. 5.** The regulations adopted by the Commission on
36 Nuclear Projects are hereby declared void. In preparing the
37 supplements to the Nevada Administrative Code on or after
38 October 1, 2009, the Legislative Counsel shall remove those
39 regulations.

40 **Sec. 6.** 1. The Department of Personnel shall, upon the
41 request of an employee of the Agency for Nuclear Projects or a
42 division within the Agency whose employment is terminated as a
43 result of this act, place the employee on an appropriate
44 reemployment list maintained by the Department and allow a
45 preference for each of those employees on that list. The Department



1 shall maintain each such employee on the reemployment list until
2 October 1, 2011, or until the employee is reemployed by the
3 Executive Branch of State Government, whichever occurs earlier.

4 2. The provisions of this section apply regardless of whether
5 the employee was in the classified, unclassified or nonclassified
6 service of the State of Nevada.

7 **Sec. 7.** Any contract or other agreement entered into by the
8 Commission on Nuclear Projects or the Agency for Nuclear Projects
9 before October 1, 2009, remains in effect as if the contract or
10 agreement had been entered into by the State of Nevada. The
11 Governor, or his designee, shall serve as the administrator on each
12 such contract or agreement.

LEADLINES OF REPEALED SECTIONS

459.009 Definitions.

459.0091 Commission on Nuclear Projects: Creation; membership; terms and salary of members.

459.0092 Commission on Nuclear Projects: Duties.

459.0093 Agency for Nuclear Projects: Creation; composition; appointment and qualifications of Executive Director.

459.0094 Executive Director of Agency for Nuclear Projects: Duties.

459.0095 Executive Director of Agency for Nuclear Projects: Powers.

459.0096 Executive Director and Administrators: Administration of laws relating to Division; classification; certain other employment prohibited.

459.0097 Duties of Administrator of Division of Technical Programs.

459.0098 Duties of Administrator of Division of Planning.

