

Amendment No. 474

Senate Amendment to Senate Bill No. 299	(BDR 28-955)
Proposed by: Senate Committee on Government Affairs	
Amends: Summary: No Title: No 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"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



SENATE BILL NO. 299—SENATORS FLORES, DALY, HANSEN, CANNIZZARO,
SPEARMAN; DONATE, DONDERO LOOP, D. HARRIS, LANGE, NEAL, NGUYEN,
OHRENSCHALL, PAZINA AND SCHEIBLE

MARCH 16, 2023

JOINT SPONSORS: ASSEMBLYMEN TORRES, D’SILVA;
DICKMAN AND WATTS

Referred to Committee on Government Affairs

SUMMARY—Revises provisions related to monorails. (BDR 28-955)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 public works; eliminating certain exemptions from prevailing wage requirements relating to railroad companies or monorails; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires that every contract to which a public body is a party that requires the employment of certain workers to perform the public work must require that such workers be paid at least the wages prevailing for the type of work that the worker performs in the region in which the public work is performed. (NRS 338.020) Existing law exempts from the requirements to pay the prevailing wage any work, construction, alteration, repair or other employment performed, undertaken or carried out, by or for any railroad company or any person operating the same, regardless of whether a public body is party to the contract. (NRS 338.080) **Section 1** of this bill removes this exemption, and as a result, any such activity or employment may be subject to the prevailing wage requirements.

Existing law also ~~[(1)]~~ exempts the work of or incident to the installation and operation of a monorail from the prevailing wage requirements. ~~[(1) and (2) provides that a monorail is not a public utility.]~~ (NRS 705.690) **Section 2** of this bill removes ~~[these exemptions.]~~ **this exemption**, and as a result, the work of or incident to the installation and operation of a monorail may be subject to the prevailing wage requirements.

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

Section 1. NRS 338.080 is hereby amended to read as follows:

338.080 Except as otherwise provided in NRS 408.55086, none of the provisions of NRS 338.020 to 338.090, inclusive, apply to:

1 1. ~~[Any work, construction, alteration, repair or other employment performed,~~
2 ~~undertaken or carried out, by or for any railroad company or any person operating~~
3 ~~the same, whether such work, construction, alteration or repair is incident to or in~~
4 ~~conjunction with a contract to which a public body is a party, or otherwise.~~

5 ~~— 2.]~~ Apprentices recorded under the provisions of chapter 610 of NRS.

6 ~~[3.]~~ 2. Any contract for a public work whose estimated cost is less than
7 \$100,000. A unit of the project must not be separated from the total project, even if
8 that unit is to be completed at a later time, in order to lower the estimated cost of
9 the project below \$100,000.

10 **Sec. 2.** NRS 705.690 is hereby amended to read as follows:

11 705.690 1. ~~[The work of or incident to the installation and operation of a~~
12 ~~monorail is not a public work within the meaning of chapter 338 of NRS.~~

13 ~~— 2.] A monorail is not a public utility within the meaning of chapter 704 of~~
14 ~~NRS.~~

15 ~~[3.]~~ 2. The Department of Transportation, the county in which a monorail is
16 located or proposed to be located and a city within that county may exercise a
17 power it holds related to transportation to facilitate the installation and operation of
18 a monorail, and may contribute to or assist in the financing of the monorail.

19 **Sec. 3.** The amendatory provisions of this act do not apply to any contract
20 entered into before October 1, 2023.