

Assembly Bill No. 499—Assemblymen Williams, Arberry,
Chowning and Manendo

CHAPTER.....

AN ACT relating to public schools; revising provisions governing the policy for the renovation or reconstruction of schools required of certain school districts; revising provisions governing the use of certain proceeds of bonds for a pilot program of a certain school district for the replacement of schools; requiring Clark County school district to continue its pilot program for the replacement of schools; authorizing a certain school district to use a certain amount of money from its fund for capital projects to finance the replacement of schools designated for its pilot program; and providing other matters properly relating thereto.

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

Section 1. NRS 393.103 is hereby amended to read as follows:

393.103 A school district that has more than 150,000 pupils enrolled shall develop and adopt a policy concerning the renovation or reconstruction of older buildings for schools or related facilities. As part of the policy, consideration must be given to the relative advantages and disadvantages of the renovation or reconstruction of older buildings for schools or related facilities as compared to the design, construction or purchase of new buildings for schools or related facilities **H**, *including, without limitation, an analysis of the costs to renovate or reconstruct existing buildings and facilities to comply with the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., in comparison with the costs to construct or purchase new buildings and facilities.* The policy must include, without limitation, guidelines for use by the board of trustees in determining:

1. Whether older buildings should be renovated or reconstructed or whether new buildings to replace those older buildings should be constructed or purchased **H**, *including, without limitation, a determination of the costs to renovate or reconstruct existing buildings and facilities to comply with the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., in comparison with the costs to construct or purchase new buildings and facilities.*

2. The manner in which the board of trustees will expend or disburse money that the board did not otherwise anticipate would be available to finance the renovation or reconstruction of older buildings and the construction or purchase of new buildings, if such money, in fact, becomes available.

Sec. 2. Section 3 of chapter 562, Statutes of Nevada 1999, at page 2947, is hereby amended to read as follows:

Sec. 3. 1. The legislature hereby finds and declares that:

(a) The deterioration of school facilities has become a grave concern in this state;

(b) The local governments in the various portions of the state are currently faced with unique financial problems resulting from a variety of situations because in some local governments the population is rapidly increasing whereas in others the population is generally declining;

(c) Some local governments are still attempting to rehabilitate schools that were built around the turn of the last century and others cannot build new schools quickly enough to meet the needs of the children in the district; and

(d) Because of the unique variety of problems facing the local governments of this state a general law cannot be made applicable to ensure that children in more densely populated urban areas are provided with a safe environment which encourages learning.

2. The board of trustees of the Clark County School District shall establish a pilot program to replace schools. The school district may use an amount not to exceed ~~15~~ \$18 million from the proceeds of the bonds issued pursuant to subsection 3 or 4 of NRS 350.020 to:

(a) Evaluate older schools within the district to determine the need for renovation or reconstruction of those schools in furtherance of section 2 of this act; and

(b) Reconstruct one existing elementary school designated by the board of trustees from among the three schools analyzed in 1998 by the board of trustees in the study entitled "Rehab vs. Replacement Study/Phase Analysis." The board of trustees, upon designating the school to be reconstructed, shall with all deliberate speed commence the reconstruction of the designated school with a planned completion date ~~of July 1, 2001.~~ *as soon as is practicable.*

3. The purpose of this section is to provide authority to expend the proceeds of the bonds issued pursuant to subsection 3 or 4 of NRS 350.020 for reconstruction that is additional to and does not replace, repeal or limit any existing authority to so expend such proceeds.

4. On or before February 1, 2001, the Clark County School District shall submit to the director of the legislative counsel bureau for transmission to the 71st session of the Nevada legislature an interim report regarding the pilot program to replace schools. The report must include, without limitation, the progress of the effort to evaluate the older schools conducted pursuant to paragraph (a) of subsection 2 of this section and the progress of the reconstruction of the designated elementary school.

Sec. 3. 1. The board of trustees of the Clark County School District shall continue the pilot program established pursuant to section 3 of chapter 562, Statutes of Nevada 1999, at page 2947.

2. Notwithstanding the provisions of NRS 387.328 to the contrary, the board of trustees of the Clark County School District may use an amount not to exceed \$90 million from the fund for capital projects created pursuant to NRS 387.328 to reconstruct at least five existing schools within the school district. The board of trustees shall select the schools designated for reconstruction in accordance with the policy adopted pursuant to NRS 393.103 concerning the renovation or reconstruction of older buildings for schools or related facilities and any priorities for reconstruction set forth in that policy. The board of trustees, upon designating the schools to be reconstructed, shall with all deliberate speed commence the reconstruction of the designated schools with a planned completion date of July 1, 2005.

3. On or before February 1, 2003, the board of trustees of the Clark County School District shall submit to the director of the legislative

counsel bureau for transmission to the 72nd session of the Nevada legislature an interim report regarding the pilot program to replace schools. The report must include, without limitation, the progress of the reconstruction of the designated schools.

Sec. 4. 1. This section and sections 2 and 3 of this act become effective on July 1, 2001.

2. Section 1 of this act becomes effective at 12:01 a.m. on July 1, 2001.