

Senate Bill No. 496—Committee on Finance

CHAPTER.....

AN ACT relating to the University and Community College System of Nevada; authorizing the issuance of revenue bonds to pay a portion of the cost of constructing buildings for student housing and dining at the Great Basin College; 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. 1. Except as otherwise provided in this section, the terms used or referred to in this section have the meanings ascribed to them in the University Securities Law. As used in this section, unless the context otherwise requires:

(a) “Net pledged revenues” means all the pledged revenues, without any deduction of any operation and maintenance expenses, except as otherwise provided in the definition of “pledged revenues.”

(b) “Pledged revenues”:

(1) Means, in connection with securities issued pursuant to this section to finance in part the project designated in paragraph (c):

(I) The gross revenues derived from or otherwise pertaining to the operation of any one, all, or any combination of facilities enumerated in NRS 396.828 and situated on the campuses of the community colleges, including, without limitation, the Great Basin College, of the University and Community College System of Nevada, including, without limitation, the project, which revenues the board, by the resolution authorizing the securities issued pursuant to this section, determines to pledge for the payment of the securities, after the deduction of the expenses of operation and maintenance of those facilities pertaining to those pledged revenues; and

(II) The gross revenues derived from the imposition and collection of the fees designated in NRS 396.8395, payable by the students attending any of the community colleges, including, without limitation, the Great Basin College, of the University and Community College System of Nevada, subject to the limitation provided in subsection 5 of NRS 396.840;

(2) Includes, in connection with students attending those community colleges, any fees of students authorized by law after the effective date of this section, all grants, conditional or unconditional, from the Federal Government for the payment of any securities requirements, if any, and net revenues, if any, to be derived from the operations of income-producing facilities of the community colleges, including, without limitation, the Great Basin College, the board or from other available sources, and to which fees, grants and revenues, the pledge and lien provided for the payment of the securities authorized in this section and any other securities payable therefrom are extended after the effective date of this section; and

(3) Indicates a source of revenues and does not necessarily indicate all or any portion of such revenues in the absence of further qualification.

(c) “Project” means the construction, other acquisition and improvement, or any combination thereof, of a building or buildings for student housing and dining at the Great Basin College, equipment and furnishings therefor, and other appurtenances relating thereto.

2. The board, on behalf and in the name of the university, is authorized by this section, as supplemented by the provisions of the University Securities Law:

(a) To finance the project by the issuance of bonds and other securities of the university in a total principal amount not exceeding \$3,000,000, except that if the board sells any of the bonds or other securities at a discount, the total principal amount of the bonds and other securities the board is authorized to issue increases by an amount equal to the amount of the discount at which the bonds or other securities are sold;

(b) To issue the bonds and other securities in connection with the project in one series or more at any time or from time to time, but not later than 5 years after the effective date of this section, as the board determines, and consisting of special obligations of the university payable from the net pledged revenues authorized by this section and which may subsequently be payable from other net pledged revenues, secured by a pledge thereof and a lien thereon, subject to existing contractual limitations, and subject to the limitations in paragraph (a);

(c) To employ legal, fiscal and other expert services and to defray the costs thereof with any money available therefor, including, without limitation, proceeds of securities authorized by this section; and

(d) To exercise the incidental powers provided in the University Securities Law in connection with the powers authorized by this section except as otherwise expressly provided in this section.

3. This section does not prevent the board from funding, refunding or reissuing any securities of the university or the board at any time as provided in the University Securities Law.

4. The powers conferred by this section are in addition to and supplemental to, and the limitations imposed by this section do not affect the powers conferred by any other law, general or special. Securities may be issued under this section without regard to the procedure required by any other such law except as otherwise provided in this section or in the University Securities Law. Insofar as the provisions of this section are inconsistent with the provisions of any other law, general or special, the provisions of this section control.

5. The legislature intends that this section, being necessary to secure and preserve the public health, safety, convenience and welfare, be liberally construed to effect its purposes.

6. If any provision of this section or the application thereof to any person, thing or circumstances is held invalid, that invalidity does not affect the provisions or application of this section that can be given effect without the invalid provisions or application, and to this end the provisions of this section are declared to be severable.

Sec. 2. This act becomes effective upon passage and approval.