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# LAS VEGAS INTERNATIONAL SCOUTING MUSEUM

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PAGE 171

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## TESTIMONY OF ROBERT LYNN HORNE, M.D. BEFORE THE ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS ON BEHALF OF THE LAS VEGAS INTERNATIONAL SCOUTING MUSEUM

Mister Chairman and Members of the Committee:

I am Dr. Robert Lynn Horne of Las Vegas, Nevada. I appear today in my capacity as President of the Las Vegas International Scouting Museum, a 501(c)(3) charitable organization. I am testifying today in favor of S.B. 103.

Approximately two years ago, the Legislature amended this statute to give counties the power to donate excess county property to corporations for public benefit to be used for charitable or civic purposes. On behalf of all such organizations in Nevada, we would like to thank the Legislature and especially those members of this committee that supported the prior amendment to N.R.S. §224.284.

Unfortunately, that amendment did not take into consideration the situation where the property to be given for charitable uses was obtained by a county through the use of its eminent domain powers.

As currently written N.R.S. §224.284(a) allows counties to either donate excess property or lease it for a term not exceeding 30 years. This creates a potential problem when such property was obtained through eminent domain proceedings. If the county attempts to donate the property it may trigger certain rights of the prior owner to repurchase it. If, on the other hand, the county grants a 30 year lease, the charitable organization faces an uphill struggle to obtain funding since the duration of the lease is so relatively short.

S.B. 103 is intended to correct this problem by extending the period of time that a county can grant a lease from 30 years to 99 years.

We believe the amendment achieves two important objectives.

First, it gives counties greater flexibility to make excess county property available to charities. By allowing counties to grant 99 year leases, it avoids the need to give the prior owner the opportunity to repurchase the property since typically such rights are only triggered by sales, not the granting of leases. As a result, the local government can achieve its goal of making excess property available for charitable or civic purposes while at the same time maintaining its ownership interest in the property.

Second, having a 99 year lease - as opposed to one for 30 years - significantly enhances a charity's ability to obtain funding for major capital improvements through donations and/or long-term financing. Few individuals or organizations are willing to provide significant funding for the construction of facilities - especially custom designed and built ones - if they know that in a few years the property and the buildings could revert to the county at the expiration of the lease. This is especially true in our post 9/11 world when we are faced with an uncertain economy and reduced levels of charitable giving.

For these reasons, we ask that you please support S.B. 103.

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ASSEMBLY GOVERNMENT AFFAIRS

DATE: 5/8/03 ROOM: 3143 EXHIBIT D. 141  
SUBMITTED BY: Dr. Robert Horne