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AN ACT relating to state lands; authorizing the exchange of certain parcels of land with the Reno-Sparks Indian Colony; authorizing the construction of a new restitution center for the Department of Corrections; authorizing an agreement to share sales tax revenue from a proposed retail project on property owned by the Reno-Sparks Indian Colony; 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. The State, with the approval of the Interim Finance Committee, may enter into a contract with the Reno-Sparks Indian Colony to carry out the provisions of this act. The State shall not commit to any portion of the transaction authorized by this act unless an agreement has been reached to carry out all of the provisions.

2. The contract authorized pursuant to this act must include the following:

(a) The construction and lease-purchase by the State of a new restitution center for the Department of Corrections on property owned by the Reno-Sparks Indian Colony;

(b) An agreement with respect to the sharing of revenue from sales tax resulting from a retail project on property owned by the Reno-Sparks Indian Colony to finance the construction of the restitution center and to benefit the Washoe County School District School Renewals Program; and

(c) The exchange of certain land owned by the State of Nevada for the parcel on which the restitution center is constructed.

3. The provisions of paragraph (a) of subsection 2 require:

(a) The Reno-Sparks Indian Colony to agree to contract for the construction of a restitution center for the Department of Corrections on property owned by the Colony at Kietzke Lane and East Second Street in Reno, Nevada, specifically Assessor's Parcels numbers 12-182-02 and 12-182-03. The contract for the construction of the restitution center must be a turn-key contract that provides that the contractor will complete the design, engineering, procurement and construction of the restitution center so that the restitution center is ready for occupancy at the conclusion of the contract and that the contractor assumes all risks associated with the contract. The contract must include a provision that requires payment of prevailing wages pursuant to NRS 338.020 to 338.090, inclusive, to all skilled mechanics, skilled workmen, semiskilled mechanics, semiskilled workmen or unskilled labor who perform

work on the construction of the restitution center. The design of the restitution center and the contract for construction must be approved by the Department of Corrections.

(b) Upon completion of the construction of the restitution center pursuant to paragraph (a), an agreement between the State and the Reno-Sparks Indian Colony for the lease-purchase of the facility by the State. To the extent that they do not conflict with the provisions of this act, the provisions of NRS 353.500 to 353,630, inclusive, apply to a lease-purchase agreement entered into pursuant to this paragraph.

4. The agreement pursuant to the provisions of paragraph (b) of subsection 2 must provide for:

(a) A portion of the sales tax revenue from the proposed retail project on property of the Reno-Sparks Indian Colony to be used to offset the State's annual lease payments for the restitution center.

(b) A portion of the sales tax revenue from the proposed retail project to be paid to the Washoe County School District.

(c) Upon completion of the payments for the restitution center, a revised amount to be paid on a continuing basis to the Washoe County School District.

5. The agreement pursuant to paragraph (c) of subsection 2 must provide for the exchange of the property on which the restitution center is constructed for the property owned by the State on which the Northern Nevada Restitution Center is currently located, 2595 East Second Street in Reno, Nevada, Assessor's Parcel Number 12-301-02. The State must agree, upon completion of the exchange, to support an application by the Colony to place the former State land in Federal Trust.

6. The State and the Reno-Sparks Indian Colony must comply with all applicable local, state and federal law and obtain any necessary approvals from local, state and federal agencies with respect to the provisions of this act. The Reno-Sparks Indian Colony must obtain letters of support or resolutions from the City of Reno and Washoe County that approve the exchange of land pursuant to paragraph (c) of subsection 2.

7. The State and the Reno-Sparks Indian Colony may include in a contract entered into pursuant to this act any other provisions necessary or convenient to carry out the contract that are not inconsistent with the provisions of this act.

8. The provisions of NRS 323.100 do not apply to a contract entered into pursuant to this act.

Sec. 2. This act becomes effective on July 1, 2005.