

ASSEMBLY BILL NO. 299—ASSEMBLYMAN MARVEL

MARCH 21, 2005

Referred to Committee on Government Affairs

SUMMARY—Authorizes exchange of land with Reno-Sparks Indian Colony and construction of new restitution center for Department of Corrections. (BDR S-820)

FISCAL NOTE: Effect on Local Government: No.
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 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:

- 1 **Section 1.** 1. The State, with the approval of the Interim
2 Finance Committee, may enter into a contract with the Reno-Sparks
3 Indian Colony to carry out the provisions of this act. The State shall
4 not commit to any portion of the transaction authorized by this act
5 unless an agreement has been reached to carry out all of the
6 provisions.
7 2. The contract authorized pursuant to this act must include the
8 following:
9 (a) The construction and lease-purchase by the State of a new
10 restitution center for the Department of Corrections on property
11 owned by the Reno-Sparks Indian Colony;
12 (b) An agreement with respect to the sharing of revenue from
13 sales tax resulting from a retail project on property owned by the
14 Reno-Sparks Indian Colony to finance the construction of the



1 restitution center and to benefit the Washoe County School District
2 School Renewals Program; and

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

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

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

23 (b) Upon completion of the construction of the restitution center
24 pursuant to paragraph (a), an agreement between the State and the
25 Reno-Sparks Indian Colony for the lease-purchase of the facility by
26 the State. To the extent that they do not conflict with the provisions
27 of this act, the provisions of NRS 353.500 to 353.630, inclusive,
28 apply to a lease-purchase agreement entered into pursuant to this
29 paragraph.

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

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

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

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

40 5. The agreement pursuant to paragraph (c) of subsection 2
41 must provide for the exchange of the property on which the
42 restitution center is constructed for the property owned by the State
43 on which the Northern Nevada Restitution Center is currently
44 located, 2595 East Second Street in Reno, Nevada, Assessor's
45 Parcel Number 12-301-02. The State must agree, upon completion



1 of the exchange, to support an application by the Colony to place the
2 former State land in Federal Trust.

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

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

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

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



