

ASSEMBLY BILL NO. 456—COMMITTEE ON WAYS AND MEANS

MARCH 28, 2005

Referred to Committee on Ways and Means

SUMMARY—Revises certain provisions relating to facility for vocational training for culinary skills in southern Nevada and performing arts centers in certain larger counties. (BDR 20-1063)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 county financing; authorizing the board of county commissioners in certain larger counties to transfer responsibility for the operation of the performing arts center in such a county to another governmental entity by cooperative agreement under certain circumstances; authorizing such a governmental entity to delegate to a nonprofit organization some or all of its responsibilities relating to such a center; providing that such a center may be designed and constructed pursuant to a contract with a design-build team; requiring that a contract for the construction of such a center include a provision requiring compliance with the provisions relating to the payment of prevailing wages; revising the provisions governing the planning, design and construction of a facility for vocational training for culinary skills in southern Nevada; 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 244A.860 is hereby amended to read as follows:

244A.860 1. Except as otherwise provided in subsection 2, the board of county commissioners of a county whose population is 400,000 or more may by ordinance impose a fee upon the lease of a passenger car by a short-term lessor in the county in the amount of not more than 2 percent of the total amount for which the passenger car was leased, excluding any taxes or other fees imposed by a governmental entity.

2. The fee imposed pursuant to subsection 1 must not apply to replacement vehicles. As used in this subsection, "replacement vehicle" means a vehicle that is:

(a) Rented temporarily by or on behalf of a person or leased to a person by a facility that repairs motor vehicles or a motor vehicle dealer; and

(b) Used by the person in place of a motor vehicle owned by the person that is unavailable for use because of mechanical breakdown, repair, service, damage or loss as defined in the owner's policy of liability insurance for the motor vehicle.

3. After reimbursement of the Department pursuant to paragraph (a) of subsection 1 of NRS 244A.870 for its expense in collecting and administering a fee imposed pursuant to this section, the remaining proceeds of the fee which are received by a county must be used to pay the costs to acquire, improve, equip, operate and maintain within the county a performing arts center, or to pay the principal of, interest on or other payments due with respect to bonds issued to pay ~~such~~ those costs, including bonds issued to refund bonds issued to pay ~~such~~ those costs, or any combination thereof.

4. *The board of county commissioners of a county that imposes the fee authorized by subsection 1 may enter into a cooperative agreement with another governmental entity in which the other governmental entity agrees to receive the proceeds of the fee from the county if the cooperative agreement includes a provision that requires the other governmental entity to assume all responsibility for the operation of the performing arts center and to use the proceeds of the fee it receives from the county to pay the costs to acquire, improve, equip, operate and maintain within the county a performing arts center, and to pay the principal of, interest on or other payments due with respect to bonds issued to pay those costs, including bonds issued to refund bonds issued to pay those costs, or any combination thereof. A governmental entity*



1 *that enters into a cooperative agreement with the board of county*
2 *commissioners pursuant to this subsection may delegate to a*
3 *nonprofit organization one or more of the responsibilities that the*
4 *governmental entity assumed pursuant to the cooperative*
5 *agreement, including, without limitation, the acquisition, design,*
6 *construction, improvement, equipment, operation and*
7 *maintenance of the center.*

8 5. The board of county commissioners shall not repeal or
9 amend or otherwise directly or indirectly modify an ordinance
10 imposing a fee pursuant to subsection 1 in such a manner as to
11 impair any outstanding bonds issued by or other obligations
12 incurred by the county until all obligations for which revenue from
13 the ordinance have been pledged or otherwise made payable from
14 such revenue have been discharged in full or provision for full
15 payment and redemption has been made.

16 ~~5.1~~ 6. *A performing arts center to be acquired, improved,*
17 *equipped, operated and maintained pursuant to this section may,*
18 *regardless of the estimated cost of the center, be designed and*
19 *constructed pursuant to a contract with a design-build team in*
20 *accordance with NRS 338.1711 to 338.1727, inclusive.*

21 7. *A contract for the construction of a performing arts center*
22 *to be acquired, improved, equipped, operated and maintained*
23 *pursuant to this section must include a provision that requires*
24 *compliance with the provisions of NRS 338.010 to 338.090,*
25 *inclusive, for construction work performed on the center.*

26 8. As used in this section, the words and terms defined in NRS
27 482.053 and 482.087 have the meanings ascribed to them in those
28 sections.

29 **Sec. 2.** Section 13 of chapter 15, Statutes of Nevada 2003,
30 20th Special Session, at page 298, is hereby amended to read as
31 follows:

32 Sec. 13. Notwithstanding the provisions of section 3 of
33 this act, the Board of County Commissioners of Clark County
34 shall distribute the initial \$3,000,000 collected from the fee
35 imposed pursuant to section 3 of this act to the Culinary and
36 Hospitality Academy of Las Vegas for the planning , ~~and~~
37 design *and construction* of a facility for vocational training
38 in southern Nevada.

39 **Sec. 3.** This act becomes effective upon passage and approval.



