

SENATE BILL NO. 203—SENATOR WASHINGTON

MARCH 5, 2007

Referred to Committee on Government Affairs

SUMMARY—Revises provisions concerning local financial administration. (BDR 20-711)

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 local financial administration; making various changes to provisions authorizing certain counties to pay for baseball stadium projects; extending the dates for the reversion of certain money previously transferred and appropriated to the Interim Finance Committee to be allocated for Truckee River improvement related projects; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Under existing law, the board of county commissioners of a county whose population is 100,000 or more but less than 400,000 (currently Washoe County) may impose a fee upon the rental of passenger vehicles and issue revenue bonds of the county to acquire, improve, equip, operate and maintain a minor league baseball stadium project. (NRS 244A.058, 244A.800-244A.830) Existing law defines the term “minor league baseball stadium project” so as to require that the stadium be used for the home games of a Double-A or Triple-A affiliate of a Major League Baseball team. (NRS 244A.0344) **Sections 1-6** of this bill replace the term “minor league baseball stadium project” with the term “professional baseball stadium project,” thereby allowing the proceeds of the applicable fees and bonds to be used to acquire, improve, equip, operate and maintain a baseball stadium that can be used for the home games of any professional baseball team, and for certain other purposes, regardless of whether the professional baseball team is affiliated with a Major League Baseball team.

For the 2005-2007 biennium, \$650,000 was transferred from the Fund for the Promotion of Tourism to the Interim Finance Committee for allocation to the Reno-Sparks Convention and Visitors Authority to carry out a maximum of four projects relating to the improvement of the Truckee River. (Section 5 of chapter 454, Statutes of Nevada 2005, p. 2088) For the same biennium, \$600,000 was appropriated from the State General Fund to the Interim Finance Committee for allocation to the Reno-Sparks Convention and Visitors Authority for the same purpose. (Section 32 of chapter 7, Statutes of Nevada 2005, 22nd Special Session,



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23 p. 120) **Sections 7 and 8** of this bill extend the dates by which the remaining
24 balance of this money reverts to the applicable Funds by 2 years.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 244A of NRS is hereby amended by
2 adding thereto a new section to read as follows:

3 ***“Professional baseball stadium project” means a baseball***
4 ***stadium which can be used for the home games of a professional***
5 ***baseball team and for other purposes, including structures,***
6 ***buildings and other improvements and equipment therefor,***
7 ***parking facilities, and all other appurtenances necessary, useful or***
8 ***desirable for a professional baseball stadium, including, without***
9 ***limitation, all types of property therefor.***

10 **Sec. 2.** NRS 244A.013 is hereby amended to read as follows:
11 244A.013 Except where the context otherwise requires, the
12 definitions in NRS 244A.015 to 244A.056, inclusive, ***and section 1***
13 ***of this act*** govern the construction hereof.

14 **Sec. 3.** NRS 244A.058 is hereby amended to read as follows:
15 244A.058 1. A board that has adopted an ordinance imposing
16 a fee pursuant to NRS 244A.810 may, on behalf of the county and in
17 its name:

18 (a) Acquire, improve, equip, operate and maintain within the
19 county a ~~{minor league}~~ ***professional*** baseball stadium project.

20 (b) Subject to the provisions of chapter 350 of NRS, issue
21 revenue bonds of the county to acquire, improve or equip, or any
22 combination thereof, within the county a ~~{minor league}~~
23 ***professional*** baseball stadium project.

24 2. Bonds issued pursuant to this section must be payable from
25 the proceeds of the fee imposed by the county pursuant to NRS
26 244A.810 and may be additionally secured by and payable from the
27 gross or net revenues of the ~~{minor league}~~ ***professional*** baseball
28 stadium project, including, without limitation, amounts received
29 from any ~~{minor league}~~ ***professional*** baseball team pursuant to a
30 contract with that team, fees, rates and charges for the use of the
31 stadium by a ~~{minor league}~~ ***professional*** baseball team or any other
32 uses of the stadium, and related uses, including, without limitation,
33 parking and concessions, surcharges on tickets in an amount
34 approved by the board, grants, whether conditional or unconditional,
35 made for the payment of debt service or otherwise for the purposes
36 of the ~~{minor league}~~ ***professional*** baseball stadium project, and any
37 and all other sources of revenue attributable to the ~~{minor league}~~
38 ***professional*** baseball stadium project as provided by the board in



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1 the ordinance authorizing the issuance of bonds or any instrument
2 supplemental or appertaining thereto.

3 **Sec. 4.** NRS 244A.800 is hereby amended to read as follows:

4 244A.800 As used in NRS 244A.800 to 244A.830, inclusive:

5 1. "Department" means the Department of Taxation.

6 2. ~~["Minor league"]~~ ***Professional*** baseball stadium project" has
7 the meaning ascribed to it in ~~[NRS 244A.0344.]~~ ***section 1 of this***
8 ***act.***

9 **Sec. 5.** NRS 244A.810 is hereby amended to read as follows:

10 244A.810 1. Except as otherwise provided in subsection 2,
11 the board of county commissioners of a county whose population is
12 100,000 or more but less than 400,000 may by ordinance impose a
13 fee upon the lease of a passenger car by a short-term lessor in the
14 county in the amount of not more than 2 percent of the total amount
15 for which the passenger car was leased, excluding any taxes or other
16 fees imposed by a governmental entity.

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

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

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

27 3. Any proceeds of a fee imposed pursuant to this section
28 which are received by a county must be used solely to pay the costs
29 to acquire, improve, equip, operate and maintain within the county a
30 ~~["minor league"]~~ ***professional*** baseball stadium project, or to pay the
31 principal of, interest on or other payments due with respect to bonds
32 issued to pay such costs, including bonds issued to refund bonds
33 issued to pay such costs, or any combination thereof.

34 4. The board of county commissioners shall not repeal or
35 amend or otherwise directly or indirectly modify an ordinance
36 imposing a fee pursuant to subsection 1 in such a manner as to
37 impair any outstanding bonds issued by or other obligations
38 incurred by the county until all obligations for which revenue from
39 the ordinance have been pledged or otherwise made payable from
40 such revenue have been discharged in full or provision for full
41 payment and redemption has been made.

42 5. As used in this section, the words and terms defined in NRS
43 482.053 and 482.087 have the meanings ascribed to them in those
44 sections.



Sec. 6. NRS 244A.830 is hereby amended to read as follows:

244A.830 1. A board of county commissioners that adopts an ordinance imposing a fee pursuant to NRS 244A.810 shall create a stadium authority to operate the ~~minor league~~ *professional* baseball stadium project. The stadium authority must consist of:

(a) One member of the board of county commissioners appointed by the board;

(b) One member from the governing body of each city in the county whose population is 60,000 or more, appointed by that governing body; and

(c) If the stadium authority enters into an agreement with ~~an AA or AAA minor league~~ *a professional* baseball team pursuant to which the team agrees to play its home games in the stadium, two persons appointed by the owner of the team.

2. The members of the stadium authority serve at the pleasure of the governmental entity or person who appointed them to serve in that capacity.

3. The stadium authority shall:

(a) Be responsible for the normal operations of the ~~minor league~~ *professional* baseball stadium project; and

(b) Enter into an agreement with the board of county commissioners that sets forth the specific rights, obligations and duties of the stadium authority regarding those operations.

Sec. 7. Section 5 of chapter 454, Statutes of Nevada 2005, at page 2088, is hereby amended to read as follows:

Sec. 5. 1. The Commission on Tourism shall, as soon as practicable after July 1, 2005, and July 1, 2006, respectively, without depleting the funds necessary for day-to-day operations, transfer the following amounts from the proceeds from the taxes imposed on the revenue from the rental of transient lodging which have been credited to the Fund for the Promotion of Tourism, created by NRS 231.250, to the Interim Finance Committee:

For the Fiscal Year 2005-2006 \$600,000

For the Fiscal Year 2006-2007 \$50,000

2. The money transferred pursuant to subsection 1 shall be allocated to the Reno-Sparks Convention and Visitors Authority to implement the Truckee River Recreational Master Plan as adopted by the City of Reno, the City of Sparks and Washoe County through a public review process. The money must be used to plan, obtain permits for, design and construct not more than four projects along the Truckee River that would enhance the recreational enjoyment, aquatic habitat and water quality of the Truckee River. The money must be expended on the following projects but is not limited



1 to Rock Park, Pioneer Diversion Dam, Ambrose Park and
2 Idlewild Park.

3 3. The Interim Finance Committee shall allocate the
4 money transferred pursuant to subsection 1 upon notification
5 that the City of Reno, the City of Sparks and Washoe County
6 have committed to expend, in total, an equal amount of
7 money on Truckee River improvement related projects. For
8 the purpose of this section, Truckee River improvement
9 related projects include any public project to improve the
10 Truckee River for watershed protection, watershed
11 restoration, recreation or flood control.

12 4. Upon acceptance of the money allocated pursuant to
13 subsection 2, the Reno-Sparks Convention and Visitors
14 Authority shall prepare and transmit a report to the Interim
15 Finance Committee on or before December 15, ~~2006,~~ 2008,
16 that describes each expenditure made from the money
17 allocated pursuant to subsection 2 from the date on which the
18 money was received by the Reno-Sparks Convention and
19 Visitors Authority through December 1, ~~2006,~~ 2008.

20 5. The Reno-Sparks Convention and Visitors Authority
21 shall not assess an administrative fee or fine upon any local
22 governing bodies relating to compliance with the provisions
23 of subsections 3 and 4.

24 6. A public review and approval process, as determined
25 by the City of Reno, the City of Sparks and Washoe County,
26 must be completed before the commencement of construction
27 of any project that uses money allocated pursuant to this
28 section. Project design, construction documents and funding
29 processes related to any such project must be approved by
30 each local governing body having jurisdiction over the
31 project. Each such project must conform to the parameters of
32 the Truckee River Flood Control Project and the Truckee
33 River Operating Agreement.

34 7. Any remaining balance of the sums transferred
35 pursuant to subsection 1 must not be committed for
36 expenditure after June 30, ~~2007,~~ 2009, and must be reverted
37 to the Fund for the Promotion of Tourism on or before
38 September ~~21, 2007,~~ 18, 2009.

39 **Sec. 8.** Section 32 of chapter 7, Statutes of Nevada 2005, 22nd
40 Special Session, at page 120, is hereby amended to read as follows:

41 Sec. 32. 1. There is hereby appropriated from the
42 State General Fund to the Interim Finance Committee the
43 sum of \$600,000 for allocation to the Reno-Sparks
44 Convention and Visitors Authority to implement the Truckee
45 River Recreational Master Plan as adopted by the City of



1 Reno, the City of Sparks and Washoe County through a
2 public review process. The money must be used to plan,
3 obtain permits for, design and construct not more than four
4 projects along the Truckee River that would enhance the
5 recreational enjoyment, aquatic habitat and water quality of
6 the Truckee River. The money must be expended on the
7 following projects but is not limited to Rock Park, Pioneer
8 Diversion Dam, Ambrose Park and Idlewild Park.

9 2. The Interim Finance Committee shall allocate the
10 money appropriated pursuant to subsection 1 upon
11 notification that the City of Reno, the City of Sparks and
12 Washoe County have committed to expend, in total, an equal
13 amount of money on Truckee River improvement related
14 projects. For the purpose of this section, Truckee River
15 improvement related projects include any public project to
16 improve the Truckee River for watershed protection,
17 watershed restoration, recreation or flood control.

18 3. Upon acceptance of the money allocated pursuant to
19 subsection 2, the Reno-Sparks Convention and Visitors
20 Authority shall prepare and transmit a report to the Interim
21 Finance Committee on or before December 15, ~~2006,~~ 2008,
22 that describes each expenditure made from the money
23 allocated pursuant to subsection 2 from the date on which the
24 money was received by the Reno-Sparks Convention and
25 Visitors Authority through December 1, ~~2006,~~ 2008.

26 4. The Reno-Sparks Convention and Visitors Authority
27 shall not assess an administrative fee or fine upon any local
28 governing bodies relating to compliance with the provisions
29 of subsections 2 and 3.

30 5. A public review and approval process, as determined
31 by the City of Reno, the City of Sparks and Washoe County,
32 must be completed before the commencement of construction
33 of any project that uses money allocated pursuant to this
34 section. Project design, construction documents and funding
35 processes related to any such project must be approved by
36 each local governing body having jurisdiction over the
37 project. Each such project must conform to the parameters of
38 the Truckee River Flood Control Project and the Truckee
39 River Operating Agreement.

40 6. Any remaining balance of the sums appropriated
41 pursuant to subsection 1 must not be committed for
42 expenditure after June 30, ~~2007,~~ 2009, and must be reverted
43 to the State General Fund on or before September ~~24,~~
44 ~~2007,~~ 18, 2009.

45 **Sec. 9.** NRS 244A.0344 is hereby repealed.



1 **Sec. 10.** This act becomes effective upon passage and
2 approval.

TEXT OF REPEALED SECTION

244A.0344 “Minor league baseball stadium project” defined. “Minor league baseball stadium project” means a baseball stadium which can be used for the home games of an AA or AAA minor league professional baseball team and for other purposes, including structures, buildings and other improvements and equipment therefor, parking facilities, and all other appurtenances necessary, useful or desirable for a minor league baseball stadium, including, without limitation, all types of property therefor.

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