

SENATE BILL NO. 255—SENATORS GOICOECHEA
AND GUSTAVSON (BY REQUEST)

MARCH 15, 2013

JOINT SPONSORS: ASSEMBLYMEN ELLISON AND GRADY

Referred to Committee on Education

SUMMARY—Limits the use of certain property or the proceeds of certain property by the Board of Regents of the University of Nevada. (BDR 34-632)

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 the Nevada System of Higher Education; limiting the use of certain property or the proceeds of certain property by the Board of Regents of the University of Nevada; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes the Board of Regents of the University of Nevada to
2 accept property for the benefit of any branch or facility of the Nevada System of
3 Higher Education and authorizes the Board of Regents to sell or lease the property
4 under certain conditions. (NRS 396.420, 396.430) This bill authorizes the Board of
5 Regents to use the proceeds from the sale of, or any property received in exchange
6 for, agricultural research property to support, expand and develop research and
7 other educational programs in agriculture within the Nevada Agricultural Research
8 System or an institution within the System or any other purpose proposed by the
9 Board of Regents and approved by the Legislature, or the Interim Finance
10 Committee if the Legislature is not in session.

1 WHEREAS, The Nevada Legislature is directed by the Nevada
2 Constitution to establish a state university which embraces a
3 department of agriculture; and

4 WHEREAS, Agriculture is one of the most important industries in
5 this State, providing a cornerstone for the economies of rural



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1 Nevada and the State as a whole, and employing a large number of
2 workers in this State; and

3 WHEREAS, The federal requirements governing federally funded
4 agricultural property require the reinvestment of the proceeds from
5 agricultural research assets back into agricultural programs placing
6 the State of Nevada in jeopardy of being required to repay federal
7 funding; and

8 WHEREAS, Property and related assets which are part of the
9 Nevada Agricultural Research System and proceeds from such
10 property should be preserved for exclusive use by the Nevada
11 Agricultural Research System or other institutions of the Nevada
12 System of Higher Education to support, expand and develop
13 programs in agriculture; now, therefore,

14
15 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
16 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
17

18 **Section 1.** NRS 396.430 is hereby amended to read as follows:

19 396.430 1. The Board of Regents may sell or lease any
20 property granted, donated, devised or bequeathed to the System
21 if:

22 (a) The sale or lease is not prohibited by or inconsistent with the
23 provisions or conditions prescribed by the grant, gift, devise or
24 bequest; and

25 (b) The sale or lease is approved by the Governor.

26 2. ~~The~~ *Except as otherwise provided by subsection 3, the*
27 *proceeds and rents from the sale or lease must be held, managed,*
28 *invested, used, bestowed and applied by the Board of Regents*
29 *for the purposes, provisions and conditions prescribed by the*
30 *original grant, gift, devise or bequest of the property so sold or*
31 *leased.*

32 3. *The proceeds and rents from the sale or lease of, or any*
33 *property or other asset received in exchange for, property or a*
34 *related asset that has been owned and used or operated in*
35 *conjunction with the Nevada Agricultural Research System may*
36 *be used for:*

37 (a) *Current production agricultural education or applied*
38 *research programs or the development of new programs of this*
39 *type in agriculture within the Nevada Agricultural Research*
40 *System;*

41 (b) *The development or expansion of production agricultural*
42 *education programs at any other institution within the System;*
43 *or*



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- 1 *(c) Any other purpose which, upon a proposal submitted by the*
- 2 *Board of Regents, is approved by the Legislature, or the Interim*
- 3 *Finance Committee if the Legislature is not in session.*
- 4 **Sec. 2.** This act becomes effective upon passage and approval.

