

ASSEMBLY BILL NO. 451—COMMITTEE ON TAXATION

MARCH 23, 2015

Referred to Committee on Taxation

SUMMARY—Revises provisions relating to the University of Nevada, Las Vegas, Campus Improvement Authority. (BDR S-1075)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 public improvements; extending the prospective dissolution of the University of Nevada, Las Vegas, Campus Improvement Authority; extending the terms of the members of the Board of Directors of the Authority; enlarging the boundaries of the Authority area; revising the date on which the Board of Directors must submit for transmittal to the Legislature a report of the study concerning the need for, feasibility of and financing alternatives for a large events center and other required infrastructure and supporting improvements; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Assembly Bill No. 335 of the 2013 Legislative Session creates the University of Nevada, Las Vegas, Campus Improvement Authority as a political subdivision of this State. Assembly Bill No. 335 prescribes the boundaries of the Authority area and provides the qualifications and the procedure for the appointment of the members of the Board of Directors of the Authority. The duties of the Board of Directors include: (1) studying the need for, feasibility of and financing alternatives for a large events center and other required infrastructure and supporting improvements in the Authority area; and (2) preparing and submitting for transmittal to the Legislature a report of the study, including any recommendations for legislation. Assembly Bill No. 335 provides for the dissolution of the Authority on October 1, 2015. (Chapter 507, Statutes of Nevada 2013, p. 3299) **Section 1** of this bill enlarges the boundaries of the Authority area to include all parcels of property that are located not more than 1 1/2 miles from any property currently located within the boundaries of the Authority area. **Section 6** of this bill extends the prospective dissolution of the Authority from October 1, 2015, to October 1, 2017. **Section 2** of this bill extends the terms of the members of the Board of



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Directors from 2 years to 4 years. **Section 4** of this bill retroactively extends the date by which the Board of Directors is required to submit its report for transmittal to the Legislature from September 30, 2014, to September 30, 2016. **Section 3** of this bill authorizes the Board of Directors to hold its meetings in the county in which the Authority area is located.

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

Section 1. Section 4.5 of chapter 507, Statutes of Nevada 2013, at page 3300, is hereby amended to read as follows:

Sec. 4.5. "Authority area" means the area that consists of:

1. All of the property within the area bounded by Maryland Parkway, Tropicana Avenue, Swenson Street and Flamingo Avenue in Clark County which is either:

(a) Owned by the System or a related entity on the effective date of this act; or

(b) Being leased to the System or a related entity on the effective date of this act under a lease with a term of at least 20 years remaining after the effective date of this act;

2. All other parcels of property that are administered by the University or constitute a part of the campus of the University which are:

(a) Contiguous, except for any public or utility rights-of-way, to the property described in subsection 1; and

(b) Either:

(1) Owned by the System or a related entity on the effective date of this act; or

(2) Being leased to the System or a related entity on the effective date of this act under a lease with a term of at least 20 years remaining after the effective date of this act;

~~and~~

3. Any public or utility rights-of-way located within or immediately adjacent to any of the property described in subsections 1 and 2 ~~H~~; and

4. All other parcels of property any portion of which is located not more than 1 1/2 miles from any property described in subsections 1, 2 and 3.

Sec. 2. Section 18 of chapter 507, Statutes of Nevada 2013, at page 3302, is hereby amended to read as follows:

Sec. 18. 1. On or before August 31, 2013, the Board of Regents may appoint four of the members of the Board of Directors pursuant to paragraph (a) of subsection 1 of section 17 of this act to terms that commence on October 1, 2013,



and expire on September 30, ~~2015;~~ 2017. The provisions of this subsection do not require the Board of Regents to make the appointments authorized by this subsection. Any determination by the Board of Regents to make those appointments is in the sole discretion of the Board of Regents.

2. If the Board of Regents makes the appointments authorized by subsection 1:

(a) The Governor shall, on or before September 30, 2013, appoint the member of the Board of Directors pursuant to paragraph (b) of subsection 1 of section 17 of this act to a term that commences on October 1, 2013, and expires on September 30, ~~2015;~~ 2017;

(b) The Majority Leader of the Senate shall, on or before September 30, 2013, appoint the member of the Board of Directors pursuant to paragraph (c) of subsection 1 of section 17 of this act to a term that commences on October 1, 2013, and expires on September 30, ~~2015;~~ 2017;

(c) The Speaker of the Assembly shall, on or before September 30, 2013, appoint the member of the Board of Directors pursuant to paragraph (d) of subsection 1 of section 17 of this act to a term that commences on October 1, 2013, and expires on September 30, ~~2015;~~ 2017;

(d) The Board of County Commissioners of the County shall, on or before September 30, 2013, appoint the member of the Board of Directors pursuant to paragraph (e) of subsection 1 of section 17 of this act to an initial term that commences on October 1, 2013, and expires on September 30, ~~2015;~~ 2017; and

(e) The County Fair and Recreation Board of the County shall, on or before September 30, 2013:

(1) Appoint the member of the Board of Directors pursuant to paragraph (f) of subsection 1 of section 17 of this act to an initial term that commences on October 1, 2013, and expires on September 30, ~~2015;~~ 2017; and

(2) Prepare a list of not less than two nominees to be appointed pursuant to paragraph (g) of subsection 1 of section 17 of this act and submit the list to the members of the Board of Directors appointed pursuant to subsection 1 and paragraphs (a) to (d), inclusive, of subsection 2.

3. The members of the Board of Directors appointed pursuant to subsection 1 and paragraphs (a) to (e), inclusive, of subsection 2 shall, on or before October 31, 2013, appoint two of the members of the Board of Directors pursuant to



1 paragraph (g) of subsection 1 of section 17 of this act to an
2 initial term that expires on September 30, ~~2015.~~ 2017.

3 **Sec. 3.** Section 19 of chapter 507, Statutes of Nevada 2013, at
4 page 3303, is hereby amended to read as follows:

5 Sec. 19. 1. The Board of Directors shall hold an
6 organizational meeting during October of 2013. At that
7 meeting:

8 (a) The members of the Board appointed pursuant to
9 paragraphs (a) to (f), inclusive, of subsection 1 of section 17
10 of this act shall appoint any other members required to be
11 appointed by those members; and

12 (b) After the provisions of paragraph (a) have been
13 carried out, the Board shall appoint:

14 (1) One of its members as Chair;

15 (2) One of its members as Vice Chair; and

16 (3) A Secretary and a Treasurer, who may be members
17 of the Board and may be one person.

18 2. The Vice Chair of the Board of Directors shall serve
19 as Chair when the position of Chair is vacant or when the
20 Chair is absent from any meeting.

21 3. The Board of Directors shall meet regularly in the
22 *county in which the Authority area is located* at such times
23 and places as it designates. Special meetings may be held at
24 the call of the Chair, upon notice to each member of the
25 Board, as often as the needs of the Board require.

26 4. Except as otherwise provided in subsection 5 of
27 NRS 281A.420:

28 (a) Eight of the members of the Board of Directors
29 constitute a quorum at any meeting of the Board.

30 (b) The Board of Directors may take action only by a
31 motion or resolution adopted with the approval of at least
32 eight members of the Board.

33 5. The Board of Directors constitutes a public body for
34 the purposes of chapter 241 of NRS.

35 **Sec. 4.** Section 24.5 of chapter 507, Statutes of Nevada 2013,
36 at page 3304, is hereby amended to read as follows:

37 Sec. 24.5. The Board of Directors:

38 1. Shall study the need for, feasibility of and financing
39 alternatives for a large events center and other required
40 infrastructure and supporting improvements in the Authority
41 area.

42 2. Upon determination pursuant to subsection 1 that a
43 large events center is needed and feasible, the Board may
44 develop recommendations for such a large events center
45 including, without limitation, the type and general design of



the center and the approximate seats to be included in the center. To the extent money is available for this purpose, the Board may also calculate a preliminary cost for construction of such a center and other required infrastructure and supporting improvements, basing such a calculation on the use of the State Public Works Board as the building official having jurisdiction over the project.

3. May study the need for, feasibility of and financing alternatives for any other undertaking.

4. Shall prepare a report which provides the results, conclusions and recommendations of its study or studies conducted pursuant to subsections 1 and 2. The report must be submitted to the Director of the Legislative Counsel Bureau by September 30, ~~{2014,}~~ 2016, for transmittal to and consideration by the ~~{78th}~~ 79th Session of the Nevada Legislature. The report may include recommendations for legislation to carry out the recommendations of the Board.

5. May, if so provided in an agreement with the System, assist the System in planning and designing any improvements to the Thomas and Mack Center that are financed:

(a) Wholly or in part with state general obligation bonds payable from the tax on slot machines imposed by NRS 463.385; and

(b) Before the dissolution of the Authority.

6. May accept gifts, grants and other contributions from any source, including, without limitation, the Federal Government, the State and any local government for the purposes of carrying out the provisions of this section and defraying the expenses of the Board. If so provided in an agreement between the Authority and the System, contributions pursuant to this subsection may be made through a university foundation which is organized to support the University pursuant to NRS 396.405.

Sec. 5. Section 35 of chapter 507, Statutes of Nevada 2013, at page 3305, is hereby amended to read as follows:

Sec. 35. 1. Except as otherwise provided in subsection 2, the Board of Directors shall wind up the affairs of the Authority and dissolve the Authority on September 30, ~~{2015,}~~ 2017.

2. The Board of Directors may, by an affirmative vote of at least eight members, wind up the affairs of the Authority and dissolve the Authority before September 30, ~~{2015,}~~ 2017, if the Authority has no outstanding obligations as of the date of dissolution.



3. Upon the dissolution of the Authority:

(a) All money and other assets of the Authority, to the extent such money and other assets are not needed to satisfy outstanding obligations of the Authority, become the property of the System.

(b) All obligations of the Authority that cannot be satisfied with the money and other assets of the Authority on the date of its dissolution are void as of the date of dissolution and are not liabilities of the System or this State.

Sec. 6. Section 40 of chapter 507, Statutes of Nevada 2013, at page 3306, is hereby amended to read as follows:

Sec. 40. ~~1-1~~ This act becomes effective upon passage and approval ~~1-~~

~~2. Except as otherwise provided in subsection 3, this act~~
~~and~~ expires by limitation on October 1, ~~2015.~~

~~3. This act expires by limitation on August 31, 2013, unless, on or before that date, the Board of Regents of the University of Nevada makes the appointments authorized by subsection 1 of section 18 of this act.~~ **2017.**

Sec. 7. This act becomes effective upon passage and approval.

