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Office of the Governor

June 12, 2017

The Honorable Barbara Cegavske
Nevada Secretary of State
101 North Carson Street
Carson City, NV 89701

RE: Assembly Bill 407 of the 79th Legislative Session

Dear Secretary of State Cegavske:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Assembly Bill 407 ("AB 407"), which is entitled:

AN ACT relating to the Nevada System of Higher Education; designating certain institutions within the Nevada System of Higher Education as the state land grant institutions; requiring the Legislative Auditor to conduct a performance and compliance audit of the cooperative extension program of the System; and providing other matters properly relating thereto.

AB 407 seeks to add the University of Nevada, Las Vegas ("UNLV") and the Desert Research Institute ("DRI") to the list of institutions of higher learning that are designated "land grant institutions" pursuant to state and federal law. Currently (and for over 100 years), the University of Nevada, Reno ("UNR") has been the only "land grant" university in the State. It is a system that has worked exceptionally well, and such a dramatic disruption to that system, as proposed by AB 407, is not justified, especially in light of the significant risks the bill presents to successful, longstanding university programs and critical federal funding. Because AB 407's risks substantially outweigh its potential benefits, I cannot support the bill.

The Nevada Constitution calls for the creation of a State University "which shall embrace departments for Agriculture, Mechanic Arts, and Mining," and provides that "all proceeds of the public lands donated by Act of Congress . . . for a college for the benefit of Agriculture, the Mechanic Arts . . . shall be invested by the Board of Regents in a separate fund to be appropriated exclusively for the benefit of the first named departments to the University as set forth [in the Nevada Constitution." *Nev. Const.*, Art. XI, Sec.'s 4 and 8.

There is no question that UNR is the land grant institution contemplated by the Nevada Constitution. Funds received from the original federal Morrill Act for land grant universities were used as the Act intended to establish UNR and the College of Agriculture (now College of Agriculture, Biotechnology, and Natural Resources [CABNR]), required for land grant eligibility. The USDA National Institute of Food and Agriculture, which currently administers the capacity grants at land grant institutions, recognizes UNR as Nevada's only land grant institution. UNR CABNR, together with the University of Nevada Cooperative Extension Services (UNCE) and the Nevada Agricultural Experiment Station (NAES) at UNR, have been fulfilling the mission and mandate of federal law for more than 100 years.

AB 407 would put the future of these vital programs in jeopardy. In particular, designating UNLV and DRI as land grant institutions could lead to a three-way split in federal appropriations, without bringing any additional funding. This would leave UNR with only 25-30% of the normal annual appropriations it currently receives from the federal government based on Nevada's rural and farm population size. The three-way split in funding would not be enough to continue to support existing education and research programs at UNR or to recreate these programs at UNLV or DRI.

CABNR and the NAES are intrinsically linked through their history and their faculty, researchers, and infrastructure. NAES has been an integral part of CABNR at UNR since its establishment as a land grant institution in 1888. Through its land grant designation, CABNR has built its undergraduate and graduate degree programs using these capacity grants to support faculty, staff, students, field labs and operating costs associated with the NAES and agricultural programs.

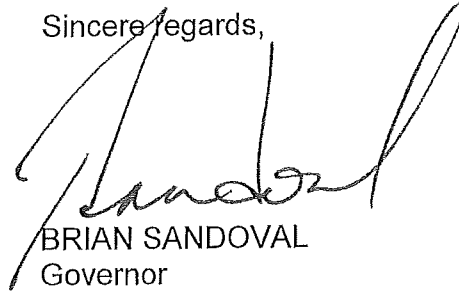
The cut in funding to NAES would decimate the faculty needed to teach the majors in CABNR (Wildlife Ecology and Conservation, Veterinary Science, Rangeland Ecology and Management, Nutritional Science, Forest Management and Ecology, Environmental Science, Ecohydrology, Biotechnology, Biochemistry and Molecular Biology, and Agricultural Science). CABNR faculty support teaching with their non-research appointment. Virtually all NAES scientists have a split appointment with teaching and research which allows researchers/professors to study a greater diversity of issues and teach a greater diversity of classes.

It is unclear what AB 407 would achieve other than a division of scarce federal funding. There is even some dispute as to whether individual states, rather than Congress, can make any determinations with respect to land grant designation. As such, if AB 407 were approved, Nevada could risk harming a system that has been working for over a century without any guarantee that such a seismic change would improve programs and not dilute them.

Given the above concerns, AB 407 received widespread opposition from groups such as the Nevada Association of Counties, Eureka County, Elko County, Humboldt County, White Pine County, the Nevada Farm Bureau Federation, Nevada Bighorns Unlimited, and the Fire Prevention Association of Nevada.

For these reasons, I veto Assembly Bill 407 and return it without my signature or approval.

Sincere regards,

A handwritten signature in black ink, appearing to read "B. Sandoval", is written over the printed name and title.

BRIAN SANDOVAL
Governor

Enclosure

cc: *The Honorable Mark Hutchison, President of the Senate (without enclosure)*
 The Honorable Jason Frierson, Speaker of the Assembly (without enclosure)
 The Honorable Aaron Ford, Senate Majority Leader (without enclosure)
 Claire J. Clift, Secretary of the Senate (without enclosure)
 Susan Furlong, Chief Clerk of the Assembly (without enclosure)
 Brenda Erdoes, Esq., Legislative Counsel (without enclosure)