

Amendment No. 435

Senate Amendment to Senate Bill No. 287	(BDR 34-933)
Proposed by: Senate Committee on Education	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



SENATE BILL NO. 287—SENATOR D. HARRIS

MARCH 22, 2021

Referred to Committee on Education

SUMMARY—Revises provisions relating to higher education. (BDR 34-933)

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 education; **requiring the Chancellor of the Nevada System of Higher Education to develop a plan to manage the assets and resources of the state land grant institutions;** designating certain institutions within the Nevada System of Higher Education as the state land grant institutions; ~~{designating the Board of Regents of the University of Nevada as the governing authority of the University of Nevada; establishing provisions relating to the assets of state land grant institutions; establishing northern and southern regions of the State for the purposes of cooperative extension programs; placing the operation of the programs in the regions under the control, respectively, of the President of the University of Nevada, Reno, and the President of University of Nevada, Las Vegas, or their designees;}~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 8 of Article 11 of the Nevada Constitution designates certain proceeds from public lands to be used for certain colleges in this State. **Section 6** of this bill designates the University of Nevada, Las Vegas, the University of Nevada, Reno, and the Desert Research Institute as the state land grant institutions. ~~{Section 7 of Article 11 of the Nevada Constitution requires a Board of Regents to control and manage the affairs and funds of the University of Nevada. Section 2 of this bill designates the Board of Regents as the governing authority of the University of Nevada.}~~ **Section 3** of this bill provides that the Chancellor of the Nevada System of Higher Education shall ~~{administer}~~ **develop a plan to manage** the assets **and resources** of the state land grant institutions. ~~{Section 4 of this bill provides that the material assets of the state land grant institutions are the collective property of the state land grant institutions and any profits derived from the sale of such assets are to be distributed evenly among the state land grant institutions.}~~

—Existing law provides for certain educational, research, outreach and service programs pertaining to agriculture, community development, health and nutrition, horticulture, personal and family development and natural resources in this State, conducted in accordance with cooperative agreements between the boards of county commissioners of participating counties and the Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education. The money for such programs is provided, in part, by property taxes levied in each participating county and legislative appropriations. (NRS 549.010, 549.020, 549.040) **Section 7** of this bill establishes the northern and southern regions

of this State and provides that the budgets and expenditures of those programs must be approved and directed by the President, or a person designated by the President, of the University of Nevada, Reno, in the northern region of the State, and the president, or a person designated by the president, of the University of Nevada, Las Vegas, in the southern region of the State. Sections 8-11 of this bill make conforming changes to implement section 7.]

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

Section 1. ~~[Chapter 396 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.] (Deleted by amendment.)~~

Sec. 2. ~~[The Board of Regents is hereby designated as the governing authority of the University of Nevada in accordance with Section 7 of Article 11 of the Constitution of the State of Nevada.] (Deleted by amendment.)~~

Sec. 3. Chapter 396 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Chancellor shall ~~[administer]~~ develop a plan to manage the assets ~~[off]~~ and resources held by or afforded to the state land grant institutions designated pursuant to section 6 of this act . ~~[, including, without limitation, the Agricultural Extension Department and the Agricultural Experiment Station of the Public Service Division of the System, and provide other administrative functions as necessary to support the University of Nevada.]~~ The plan may be based in whole or in part on agreements negotiated and reached among the land grant institutions. The Chancellor may establish one or more advisory or technical committees and employ any staff , including, without limitation, consultants, necessary to assist the Chancellor in performing his or her duties pursuant to this section . ~~[and as prescribed]~~

2. After receiving approval of the plan by the Board of Regents ~~[pursuant to NRS 396.230.]~~ , the Chancellor shall submit the plan to the Governor and the Director of the Legislative Counsel Bureau.

3. If the Chancellor establishes an advisory or technical committee pursuant to subsection 1, the membership of the committee must include the primary administrators of the Agricultural Extension Department and the Agricultural Experiment Station.

Sec. 4. ~~[The material assets of the state land grant institutions designated pursuant to section 6 of this act are the collective property of the state land grant institutions. Any profits derived from the sale of the material assets of the state land grant institutions must be divided equally among the state land grant institutions.] (Deleted by amendment.)~~

Sec. 5. ~~[Chapter 549 of NRS is hereby amended by adding thereto the provisions set forth as sections 6 and 7 of this act.] (Deleted by amendment.)~~

Sec. 6. Chapter 549 of NRS is hereby amended by adding thereto a new section to read as follows:

The state land grant institutions of the University of Nevada are the University of Nevada, Las Vegas, the University of Nevada, Reno, and the Desert Research Institute.

Sec. 7. ~~[1. Except as otherwise prohibited by federal law, the proceeds of the tax collected pursuant to NRS 549.020 in each participating county in the relevant region of this State, any money appropriated pursuant to NRS 549.020 and any other money available from any source to carry out the provisions of this chapter must be expended as directed for the relevant region of this State in accordance with subsection 2 or 3, as applicable.~~

~~2. For any cooperative extension work performed in a participating county in the northern region of this State, consisting of Carson City, Churchill County, Douglas County, Elko County, Esmeralda County, Eureka County, Humboldt County, Lander County, Lyon County, Mineral County, Pershing County, Storey County, Washoe County and White Pine County, the money described in subsection 1 must be expended as directed by the President of the University of Nevada, Reno, or a person designated by the President.~~

~~3. For any cooperative extension work performed in a participating county in the southern region of this State, consisting of Clark County, Lincoln County and Nye County, the money described in subsection 1 must be expended as directed by the President of the University of Nevada, Las Vegas, or a person designated by the President.~~ **(Deleted by amendment.)**

Sec. 8. ~~[NRS 549.010 is hereby amended to read as follows:~~

~~549.010 To provide for continued educational, research, outreach and service programs pertaining to agriculture, community development, health and nutrition, horticulture, personal and family development, and natural resources in the rural and urban communities in the State of Nevada, the Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education and the boards of county commissioners of any or all of the respective counties of the State of Nevada may enter into cooperative agreements and activities subject to the provisions of this chapter. Any such agreement must be approved by the President, or a person designated by the President, of the University of Nevada, Reno, or the University of Nevada, Las Vegas, for the applicable region of this State as described in section 7 of this act.]~~ **(Deleted by amendment.)**

Sec. 9. ~~[NRS 549.020 is hereby amended to read as follows:~~

~~549.020 1. The Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education shall prepare and submit to the board of county commissioners, for each county participating, an annual financial budget [covering].~~

~~(a) Approved by the President, or a person designated by the President, of the University of Nevada, Reno, or the University of Nevada, Las Vegas, for the applicable region of this State as described in section 7 of this act.~~

~~(b) Covering the county, state and federal funds cooperating in the cost of educational, research, outreach and service programs pertaining to agriculture, community development, health and nutrition, horticulture, personal and family development, and natural resources in the rural and urban communities in the State of Nevada.~~

~~2. The budget must be adopted by the board of county commissioners and certified as a part of the annual county budget, and the county tax levy provided for agricultural extension work in the annual county budget must include a levy of not less than 1 cent on each \$100 of taxable property. If the proceeds of the county tax levy of 1 cent are insufficient to meet the county's share of the cooperative agricultural extension work, as provided in the combined annual financial budget, the board of county commissioners may, by unanimous vote, levy an additional tax so that the total in no instance exceeds 5 cents on each \$100 of the county tax rate.~~

~~3. The proceeds of such a tax must be placed in the agricultural extension fund in each county treasury and must be paid out on claims drawn by the agricultural extension agent of the county as [designated by the Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education, when approved by the Director and] directed by the President, or a person designated by the President, of the University of Nevada, Reno, or the University of Nevada, Las Vegas, for the applicable region of this~~

~~State as described in section 7 of this act, and countersigned by the Treasurer of the Nevada System of Higher Education.~~

~~4. A record of all such claims approved and paid, segregated by counties, must be kept by the Treasurer of the Nevada System of Higher Education. The cost of maintaining the record must be paid from state funds provided for by this chapter.~~

~~5. The State's cooperative share of the cost of such agricultural extension work, as entered in the budget described in this section, must not be more than a sum equal to the proceeds of 1 cent of such county tax rate; but when the proceeds of a 1-cent tax rate are insufficient to carry out the provisions of the budget previously adopted, the Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education is authorized to supplement the State's cooperative share from the funds as may be made available in the Public Service Division Fund of the Nevada System of Higher Education.]~~

~~(Deleted by amendment.)~~

Sec. 10. [NRS 549.030 is hereby amended to read as follows:]

~~549.030 1. [A] Within 10 days after its approval by the board of county commissioners, a certified copy of the county extension work budget as adopted and approved pursuant to NRS 549.020 must be filed with [the]:~~

~~(a) The President, or a person designated by the President, of the University of Nevada, Reno, or the University of Nevada, Las Vegas, for the applicable region of this State as described in section 7 of this act; and~~

~~(b) The Treasurer of the Nevada System of Higher Education, [within 10 days after its approval by the board of county commissioners.]~~

~~2. Necessary modifications thereof, involving county and state funds, resulting from leaves of absence without pay, resignations, changes in salary, dismissals or employment of any cooperative agent, variations in expense accounts or otherwise, not involving an increase in the total expenditures provided to be paid from the funds and consistent with the purposes of this chapter, may be made by filing with [the]:~~

~~(a) The President, or a person designated by the President, of the University of Nevada, Reno, or the University of Nevada, Las Vegas, for the applicable region of this State as described in section 7 of this act;~~

~~(b) The Treasurer of the Nevada System of Higher Education; and [the]~~

~~(c) The board of county commissioners;~~

~~→ a revised budget, approved by the [Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education] President, or a person designated by the President, of the University of Nevada, Reno, or the University of Nevada, Las Vegas, for the applicable region of this State as described in section 7 of this act, and countersigned by the Treasurer of the Nevada System of Higher Education.] (Deleted by amendment.)~~

Sec. 11. [NRS 549.050 is hereby amended to read as follows:]

~~549.050 All moneys appropriated pursuant to NRS 549.040 must be expended [under the direction of the Director of the Agricultural Extension Department of the Public Service Division of the Nevada System of Higher Education] as provided in section 7 of this act to the extent of the financial budget for cooperation between the State and the respective counties provided for in NRS 549.020.] (Deleted by amendment.)~~

Sec. 11.3. The Chancellor of the Nevada System of Higher Education shall first submit the plan to manage the assets and resources held by or afforded to the state land grant institutions developed pursuant to section 3 of this act to the Governor and the Director of the Legislative Counsel Bureau on or before February 1, 2023.

1 *Sec. 11.7. The provisions of section 3 of this act do not affect any*
2 *appropriations to the Agricultural Extension Department or the Agricultural*
3 *Experiment Station of the Public Service Division of the Nevada System of*
4 *Higher Education as they exist on July 1, 2021.*
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Sec. 12. This act becomes effective on July 1, 2021.