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# 2007 SUMMARY OF LEGISLATION



*Legislation affecting the  
Nevada System of Higher Education  
enacted during the 74<sup>th</sup> regular Session  
and 23<sup>rd</sup> Special Session of the Nevada Legislature*

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## Introduction

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This report is prepared by the Nevada System of Higher Education to summarize legislation from the 74<sup>th</sup> regular and 23<sup>rd</sup> Special Session of the Nevada State Legislature that impacts Nevada's public system of higher education.

The Nevada System of Higher Education worked closely with Governor Jim Gibbons and members of the Nevada Legislature to ensure that the diverse needs of a growing postsecondary system were adequately addressed. A number of bills were brought forward for consideration by the Legislature including measures on the Open Meeting Law, the Governor Guinn Millennium Scholarship, and the P-16 Advisory Council, to name but a few.

I hope this summary will assist you in reviewing the key legislation that affects the institutions, faculty, and students of the Nevada System of Higher Education.

Sincerely,

A handwritten signature in black ink that reads "James E. Rogers". The signature is written in a cursive, flowing style.

James E. Rogers  
Chancellor

# 74<sup>TH</sup> REGULAR SESSION OF THE NEVADA STATE LEGISLATURE

*Overview of Enacted Legislation Impacting the  
Nevada System of Higher Education (NSHE)*



Measure	Topic	Description	<i>Statutes of Nevada 2007</i>
<b><i>Assembly Bills</i></b>			
AB18*	Medical Review Committees (UNSOM)	Expanding the confidentiality provisions pertaining to certain review committees to include NSHE institutions or organizations that provide clinical programs or provide medical treatment	Chapter 18
AB75	Anatomical Gift Account	Revising the provisions governing the use of money in the Anatomical Gift Account	Chapter 25
AB146	State Health Program Evaluation	Requiring the Department of Health and Human Services to establish programs to increase public awareness of health care information and allowing the Department to contract with the Nevada System of Higher Education under certain circumstances	Chapter 447
AB158	Study of the Registry of Advance Directives for Health Care	Requiring a study of the Registry of Advance Directives for Health Care in consultation with the Nevada Center for Ethics and Health Policy of the University of Nevada, Reno	Chapter 473
AB178	Task Force for Renewable Energy	Revising the membership of the Task Force for Renewable Energy to include representative from Nevada System of Higher Education	Chapter 510

<b>Measure</b>	<b>Topic</b>	<b>Description</b>	<i>Statutes of Nevada 2007</i>
AB354	Health Care Students	Requiring certain physical examinations of pupils and authorizing the board of trustees of a school district to adopt a policy encouraging the school district and schools within the district to collaborate with qualified health care providers and students enrolled in health care programs in postsecondary institutions to assist in physical examinations	Chapter 414
AB385	Special Medical Programs	Authorizing the Board of Medical Examiners to issue restricted licenses under certain circumstances	Chapter 514
AB433	Open Meeting Law	Providing additional limitations on the authority of public bodies to close meetings	Chapter 296
AB469	Feasibility Study for Las Vegas Park	Requiring the Division of State Parks, in cooperation with the University of Nevada, Las Vegas, to conduct a study of the feasibility of establishing and developing a park in Upper Las Vegas Wash	Chapter 369
AB483	Tort Claims Cap	Increasing the amount of damages that may be awarded in certain tort actions brought against a governmental entity or its officers or employees	Chapter 512
AB512	Student Teachers	Requiring the board of trustees of a school district to employ certain student teachers as substitute teachers under certain circumstances	Chapter 300
AB567	University Schools for Gifted Students	Revising provisions governing the apportionment and allowances from the State Distributive School Account to include pupils who are enrolled in a university school for profoundly gifted pupils; and requiring university school to adopt certain rules concerning students	Chapter 304
AB591	University Sponsored Charter Schools	Revising provisions governing the sponsorship of charter schools	Chapter 477

<b>Measure</b>	<b>Topic</b>	<b>Description</b>	<b>Statutes of Nevada 2007</b>
AB626	Group Insurance	Establishing for the next biennium the amount to be paid to the Public Employees' Benefits Program for group insurance for certain active and retired public officers and employees	Chapter 378
AB628	Appropriations Act	Making various changes regarding state financial administration and appropriating funds for the support of civil government of the State	Chapter 350
AB629	Assembly "Pork" Bill	Making appropriations for various projects and programs that benefit the residents of this State	Chapter 348

### ***Assembly Concurrent Resolutions***

ACR6	Career and Technical Education	Urging the boards of trustees of the school districts and the Nevada System of Higher Education to expand the availability and scope of programs of career and technical education offered in high schools for which pupils receive college credit	File No. 82
ACR28	UNR Center for Basque Studies	Congratulating the Center for Basque Studies at the University of Nevada, Reno, on the occasion of its 40 <sup>th</sup> anniversary	File No. 61

### ***Senate Bills***

SB5**	Millennium Scholarship	Revising provisions governing eligibility for the Governor Guinn Millennium Scholarship	Chapter 5 23 <sup>rd</sup> Special Session
SB70	Uniform Prudent Management of Institutional Funds Act	Enacting the Uniform Prudent Management of Institutional Funds Act to provide guidance and authority concerning the management and investment of certain funds, including endowments	Chapter 55

<b>Measure</b>	<b>Topic</b>	<b>Description</b>	<i>Statutes of Nevada 2007</i>
SB123	Public Records Requests	Requiring a governmental entity to take certain action in response to a written request to inspect or copy a public book or record	Chapter 436
SB163	Building Official for Public Works	Providing for the Manager of the State Public Works Board to serve as the building official for certain improvements constructed, altered, repaired or remodeled pursuant to a lease purchase or installment-purchase agreement	Chapter 207
SB169	Revised Uniform Anatomical Gift Act	Adopting the Revised Uniform Anatomical Gift Act setting forth the requirements and procedures for making, amending, revoking and refusing to make anatomical gifts	Chapter 232
SB171	Nevada Academy of Health	Creating the Nevada Academy of Health	Chapter 452
SB192	iNtegrate Funding	Appropriating funds to the Nevada System of Higher Education for a portion of the cost of the integration of computing resources (iNtegrate project)	Chapter 381
SB198	NSHE Lease-Purchase Agreements	Revising provisions governing installment-purchase and lease-purchase agreements by the Nevada System of Higher Education	Chapter 244
SB239	P-16 Advisory Council	Creating the P-16 Advisory Council to assist in the coordination between elementary, secondary and higher education in this State	Chapter 522
SB331	NSHE Solid Waste Research	Requiring the Division of Environmental Protection to encourage the Nevada System of Higher Education to research and develop methods for the reduction, reclamation, and conservation of solid waste	Chapter 511

<b>Measure</b>	<b>Topic</b>	<b>Description</b>	
SB354	Firearms on NSHE Property	Providing that a person shall not carry or possess any device used to mark a person with paint on property of the Nevada System of Higher Education, requiring children who are taken into custody for possession of a firearm while on school property to submit to an evaluation by a qualified professional and a drug test	Chapter 418
SB357	WICHE Student Loans	Revising provisions relating to student loans administered by the Western Interstate Commission for Higher Education for students enrolled in certain educational programs	Chapter 176
SB374	Tax Increment Area	Authorizing the creation of tax increment areas by cooperative agreement between a city and the Board of Regents under certain circumstances	Chapter 459
SB412	Nursing Instructors	Providing new requirements for certain nursing instructors	Chapter 413
SB455*	NSHE Bonding Authorization	Increasing the total authorized amount of revenue bonds that the Board of Regents may issue for certain projects and facilities within the Nevada System of Higher Education	Chapter 416
SB490	Board Requested Bill Drafts	Temporarily eliminating the number of bill drafts that may be requested by the Board of Regents	Chapter 524
SB515	Lease-Purchase Agreements	Providing a declaration of legislative intent regarding the use of lease-purchase and installment-purchase agreements by state and local governmental entities	Chapter 241
SB520	Lease-Purchase Agreements	Requiring that certain changes in the scope of installment-purchase and lease-purchase agreements entered into by the State or one of its agencies be approved by the Legislature or Interim Finance Committee	Chapter 262
SB575	Pay Bill	Increasing the salaries of certain state employees	Chapter 349

<b>Measure</b>	<b>Topic</b>	<b>Description</b>	<i>Statutes of Nevada 2007</i>
SB576	Authorizations Act	Authorizing expenditures by agencies of state government	Chapter 346
SB578	Capital Improvement Projects	Relating to capital improvement projects of the Nevada System of Higher Education	Chapter 347
SB579	Senate “Pork” Bill	Making various appropriations	Chapter 345

### ***Senate Concurrent Resolutions***

SCR27	Nutrition Education	Encouraging development of a coordinated collaboration among agencies that provide nutrition education to Nevadans	File No. 57
SCR38	UNR Men’s Basketball Team	Congratulating the University of Nevada, Reno, men’s basketball team on an outstanding season	File No. 80
SCR46	William S. Boyd School of Law	Honoring Richard J. Morgan on his retirement as the Dean of the William S. Boyd School of Law at the University of Nevada, Las Vegas	File No. 87

### ***Senate Joint Resolutions***

SJR4	Appointed Board of Regents	Proposing to amend the Nevada Constitution to require the Legislature to provide for the organization and duties of the Board of Regents and the appointment of its members by the Governor	File No. 92
SJR17	Resident Physician Shortage	Urging Congress to enact the Resident Physician Shortage Reduction Act of 2007	File No. 100

\*Board-requested measure

\*\*Measure approved during the 23<sup>rd</sup> Special Session

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## Summary of Legislation

*Following are summary reviews of the bills and resolutions enacted during the 74th regular and 23<sup>rd</sup> Special Session of the Nevada Legislature that in some manner impact the Nevada System of Higher Education (NSHE). The provisions of a bill impacting the System or higher education in general are discussed. These summaries do not constitute a legal analysis and are not intended to be used in place of Nevada Revised Statutes. For additional information on any of the measures summarized herein, please contact the NSHE System Administration Office.*

### Assembly Bills

**Assembly Bill 18** (Chapter 18, *Statutes of Nevada 2007*) is a measure that was requested by the Board of Regents. Existing law provides that a committee that is responsible for evaluating and improving the quality of medical care rendered by certain organizations has a privilege to refuse to disclose its proceedings and records and the testimony given to it. Assembly Bill 18 extends the privilege to review committees of NSHE institutions that provide clinical programs and practices related to the medical care or treatment of patients.

This measure is effective on July 1, 2007.

**Assembly Bill 75** (Chapter 25, *Statutes of Nevada 2007*) concerns the Anatomical Gift Account, which is established for deposit of gifts, grants, appropriations, and donations used to assist the University of Nevada School of Medicine in carrying out programs relating to anatomical gifts. Assembly Bill 75 increases the maximum percentage of the average balance of the Anatomic Gift Account that may be used for administrative costs from five percent of the average balance for each fiscal year to 20 percent of the average balance from the immediately preceding fiscal year.

This measure is effective on July 1, 2007.

**Assembly Bill 146** (Chapter 447, *Statutes of Nevada 2007*) requires the Department of Health and Human Services to establish programs to increase public awareness of health care information concerning hospitals and surgical centers for ambulatory patients in Nevada. In doing so, the Department must collect and maintain certain information on hospitals and surgical centers, and further maintain a Web site that provides information to the public on charges imposed and quality of services at hospitals and surgical centers. The measure authorizes the Department to contract with the Nevada System of Higher Education or any appropriate, independent or qualified person to analyze the aforementioned information that is collected and maintained by the Department.

This measure is effective on July 1, 2007.

**Assembly Bill 158** (Chapter 473, *Statutes of Nevada 2007*) requires the Secretary of State to establish and maintain the Registry of Advance Directives for Health Care on the Secretary's Web site. To the extent that money is available and authorized for use, the Secretary of State must conduct a study of the Registry of Advance Directives for Health Care in consultation with the Nevada Center for Ethics and Health Policy of the University of Nevada, Reno.

The provisions of the act concerning the study are effective on July 1, 2007.

**Assembly Bill 178** (Chapter 510, *Statutes of Nevada 2007*) relates to energy. Among its provisions, the measure amends the appointed members of the Task Force for Renewable Energy to include one member appointed by the Chancellor of the Nevada System of Higher Education to represent the interests of education and academic research in this State. The appointment of the additional member must be made as soon as practicable on or after passage and approval of the act, but will not begin to serve until July 1, 2007.

The provisions of the bill concerning the membership of the Task Force are effective upon passage and approval.

**Assembly Bill 354** (Chapter 414, *Statutes of Nevada 2007*) requires that a physical examination to determine if a child has scoliosis, any visual or auditory problem, or any gross physical defect must be completed before the child completes the first year of enrollment in elementary school. This bill authorizes the board of trustees of a school district to adopt a policy encouraging the school district and schools within the district to collaborate with qualified health care providers and students enrolled in health care programs in postsecondary institutions to assist in physical examinations.

This measure is effective on July 1, 2007.

**Assembly Bill 385** (Chapter 514, *Statutes of Nevada 2007*) authorizes the Board of Medical Examiners to issue restricted licenses to graduates of foreign medical schools who wish to engage in research, teaching or the practice of clinical medicine at a medical research facility or medical school in Nevada.

This measure is effective on October 1, 2007.

**Assembly Bill 433** (Chapter 296, *Statutes of Nevada 2007*) provides that a meeting of a public body that is closed pursuant to a specific statute may only be closed to the extent specified in the statute allowing the meeting to be closed. All other portions of the meeting must be open and public.

This measure is effective on July 1, 2007.

**Assembly Bill 469** (Chapter 369, *Statutes of Nevada 2007*) resolves that Upper Las Vegas Wash is one of the last remnants of untouched desert immediately adjacent to the City of Las Vegas, and is an important resource for the Nevada. The measure further resolves that Upper Las Vegas Wash should be preserved to ensure the resource is not lost. Assembly Bill 469 requires the Division of State Parks, in cooperation with the University of Nevada, Las Vegas, to the extent that money is available, to conduct a study to consider the feasibility of establishing and developing a park in Upper Las Vegas Wash. The study must consider the feasibility of developing a museum and a live dig site that is available for the public to visit.

The measure is effective on July 1, 2007.

**Assembly Bill 483** (Chapter 512, *Statutes of Nevada 2007*) increases from \$50,000 to \$75,000 the amount of damages that may be awarded in certain tort actions brought against a governmental entity or its officers or employees through October 1, 2011. Effective October 2011, the cap on tort claims will increase again from \$75,000 to \$100,000. The increase in the maximum damages will result in higher premiums to be paid by NSHE institutions for liability insurance including medical malpractice coverage.

The measure provides that the increased limitation on damages applies to a cause of action that “accrues” on or after October 1, 2007.

**Assembly Bill 512** (Chapter 300, *Statutes of Nevada 2007*) relates to education. Under existing law, a school district may enter into an agreement for the assignment of student teachers within the district for training purposes. The measure provides that a student teacher who has completed at least four weeks of student teaching in a school district may apply to the board of trustees of the school district for employment as a substitute teacher. The application must include written approval of the teacher who supervises the student teacher through the Nevada System of Higher Education or accredited postsecondary educational institution and the teacher who is responsible for supervising the student teacher in the classroom.

This measure is effective on July 1, 2007.

**Assembly Bill 567** (Chapter 304, *Statutes of Nevada 2007*) concerns university schools for profoundly gifted pupils such as the Davidson Academy of Nevada, which is located on the campus of the University of Nevada, Reno. The bill provides that students enrolled in a university school for profoundly gifted students must be in the count of pupils of the school district in which the university school is located for the purposes of apportionments and allowances from the State Distributive School Account. A university school is entitled to receive its proportionate share of any other money available from federal, state, or local sources that the university school or students enrolled in the school are eligible to receive.

In addition, AB567 requires the governing body of a university school for profoundly gifted pupils to adopt rules for the academic advancement of pupils, including the development of a four-year academic plan for each pupil. The university school must submit certain information to the Department of Education for the purposes of accountability reporting. Further, the measure requires the governing body of the university school to adopt written rules of behavior for the pupils enrolled in the university school.

This measure is effective on July 1, 2007.

**Assembly Bill 591** (Chapter 477, *Statutes of Nevada 2007*) authorizes a college or university within the Nevada System of Higher Education to sponsor charter schools. Under existing law, the Board of Trustees of a school district and the State Board of Education may sponsor charter schools.

The provisions of the Act applicable to university-sponsored charter schools are effective on July 1, 2007.

**Assembly Bill 626** (Chapter 378, *Statutes of Nevada 2007*) establishes for the 2007-2009 biennium the amount to be paid to the Public Employees' Benefits Program for group medical insurance for active and retired public officers and employees. The monthly premiums for active employees are \$557.30 during FY 2008, and increases to \$626.16 per month in FY 2009. For retirees, the monthly premiums are \$365.34 in FY 2008 and \$410.48 in FY 2009.

The provisions of the act are effective July 1, 2007.

**Assembly Bill 628** (Chapter 350, *Statutes of Nevada 2007*) contains the Legislatively-approved budget appropriation for all state agencies for the 2007-2009 biennium. For the Nevada System of Higher Education, the measure provides State General Fund monies totaling \$630.63 million in FY 2008, and \$650.19 million in FY 2009, to support the System's personnel and operating costs. In addition, the measure maintains the language established during the 2003 Legislative Session that allows the institutions to balance forward for a maximum period of two fiscal years the state funds associated with documented research grants.

The measure appropriates to the Interim Finance Committee \$1.3 million in FY 2008, and \$2.7 million in FY 2009, to assist state agencies, including the System, in paying electricity, heating, and cooling costs that exceed the amounts appropriated in section 2 to 31, inclusive. The Interim Finance Committee requires documentation and reporting by the requesting agency to ensure the productive use of the money. The funds are available for allocation during either fiscal year.

The primary provisions of this act are effective July 1, 2007.

**Assembly Bill 629** (Chapter 348, *Statutes of Nevada 2007*) modifies funding for financial administration and appropriates funding for various programs and projects that benefit the residents of the state. The measure specifically prohibits state agencies from using the appropriated funds to finance ongoing expenditures and from including the expenditures in the proposed Executive Branch budget for the 2009-2011 biennium.

For the Nevada System of Higher Education, the measure appropriates \$400,000 to the University of Nevada, Las Vegas, to fund operational expenses for the Women's Research Institute of Nevada and the National Education for Women's Leadership Programs that develop civic leaders among college women. The measure also appropriates \$250,000 to the Boyd School of Law within the University of Nevada, Las Vegas, to support the expansion of operations in the Saltman Center of Conflict Resolution. The appropriated funds are available upon passage and approval of this act. The appropriations must be committed for expenditure no later than June 30, 2009, and unexpended funds must be reverted by September 18, 2009.

The provisions of the measure applicable to the System are effective upon passage and approval.

### **Assembly Concurrent Resolutions**

**Assembly Concurrent Resolution 6** (File No. 82, *Statutes of Nevada 2007*) urges the boards of trustees of the school districts and the Nevada System of Higher Education to expand the availability and scope of programs of career and technical education offered in high schools for which pupils receive college credit. The resolution notes that career and technical education represents a significant contribution to the education of pupils enrolled in Nevada public schools by providing pupils with gains in academic achievement, expanded career choices and the opportunity to start their education at the postsecondary level while in high school. A report by the Nevada Department of Education indicates that approximately 50 percent of pupils attending high school in Nevada take at least one course of career and technical education.

**Assembly Concurrent Resolution 28** (File No. 61, *Statutes of Nevada 2007*) congratulates the Center of Basque Studies at the University of Nevada, Reno, on the occasion of its 40<sup>th</sup> anniversary. The resolution notes that the Center for Basque Studies is a research center whose primary mission is to further Basque-related study by conducting, facilitating and publishing original Basque-related research in the humanities and social sciences. It further notes that the Center includes instruction as part of its mission and offers courses that allow undergraduates to minor in Basque studies and more mature scholars to earn the degree of doctor of philosophy at the University of Nevada, Reno, in collaboration with other universities.

### **Senate Bills**

**Senate Bill 5** (Chapter 5, *Statutes of Nevada 23<sup>rd</sup> Special Session*) is a measure considered during the 23<sup>rd</sup> Special Session, which immediately followed the 74<sup>th</sup> regular Session for measures that were passed after the June 4, 2007, deadline only. Senate Bill 5 was originally considered as Assembly 434 during the regular Session. The measure amends the criteria for initial eligibility for the Governor Guinn Millennium Scholarship by providing an exception

from the two-year residency requirement for students who have a Nevada parent or legal guardian on active duty serving in the Armed Forces of the United States. In addition, the measure requires the Board of Regents to adopt procedures by which an applicant for the Millennium Scholarship would be required to execute an affidavit declaring his eligibility for the scholarship and his citizenship or immigration status.

This measure is effective on July 1, 2008.

**Senate Bill 70** (Chapter 55, *Statutes of Nevada 2007*) replaces the existing Uniform Management of Institutional Funds Act with the Uniform Prudent Management of Institutional Funds Act. Existing law requires members of the governing body of a charitable institution to exercise ordinary care and prudence in the management and investment of funds held by the institution. The new Act provides modern articulations of the prudence standards for the management and investment of charitable funds and for endowment spending.

This measure is effective on October 1, 2007.

**Senate Bill 123** (Chapter 436, *Statutes of Nevada 2007*) provides that if a governmental entity receives a written request to inspect or copy a public book or record, the governmental entity must, within 5 business days of receiving the request: (1) allow the requester to inspect or copy the public book or record; (2) if the governmental entity does not have legal custody or control of the public book or record, notify the requester of that fact and where, if known, the public book or record is located; (3) if the governmental entity cannot make the public book or record available within 5 business days, notify the requester of the date and time when the book or record will be available; or (4) if the public book or record is confidential, notify the requester of that fact in writing, including a citation to the legal authority that makes the book or record confidential.

This measure is effective on October 1, 2007.

**Senate Bill 163** (Chapter 207, *Statutes of Nevada 2007*) is a measure requested on behalf of the Advisory Group to Conduct Interim Study on Lease-Purchase and Installment-Purchase Agreements by Public Entities. The measure provides that in addition to the existing provision of state law that requires the Manager of the State Public Works Board to be the building official for all buildings and structures on property of the State or held in trust for any division of state government, the Manager shall act as the building official for improvements, construction, altered, repaired or remodeled by a state agency pursuant to a lease-purchase or installment-purchase agreement.

This measure is effective on October 1, 2007.

**Senate Bill 169** (Chapter 232, *Statutes of Nevada 2007*) replaces the existing Uniform Anatomical Gift Act with the Revised Uniform Anatomical Gift Act. While the bill retains many of the provisions of the existing Uniform Act, AB169 reorganizes and updates various provisions from the existing Act and adds certain new provisions to better facilitate the process of making

anatomical gifts. This measure impacts the University of Nevada School of Medicine and its anatomical gift program.

Among the new provisions of the Act, a person who may make an anatomical gift is expanded to include an agent or guardian of a person under certain circumstances and an emancipated minor under certain circumstances. The bill also expands the methods for making an anatomical gift to include making the gift on a state-issued identification card, through a donor registry or, during a terminal illness or injury, through any oral or physical communication witnessed by at least two adults. Further the bill updates and clarifies the provisions governing a person's right to refuse to make an anatomical gift and the procedures a person must follow to amend or revoke such a refusal.

This measure is effective on October 1, 2007.

**Senate Bill 171** (Chapter 452, *Statutes of Nevada 2007*) creates the Nevada Academy of Health and authorizes the Legislative Committee on Health Care to prescribe certain duties and make various requests of the Academy. The Academy consists of 14 members: the Director of the Department of Health and Human Services, one member appointed by the Board of Regents representing the Nevada System of Higher Education, six members appointed by the Governor, two members appointed by the Majority Leader of the Senate, two members appointed by the Speaker of the Assembly, one member appointed by the Minority Leader of the Senate, and one member appointed by the Minority Leader of the Assembly.

The Academy shall perform duties prescribed by the Legislative Committee on Health Care. In addition, the Academy will study issues relating to health care in Nevada, including medical and clinical research and the education and training of health care providers, establish standards and goals concerning the provision of health care which are measurable and regularly evaluated, and analyze and evaluate certain data relating to health care. The Academy must promote cooperation between the public and private sectors, including the transfer of technology used to provide health care and the establishment of business partnerships that promote economic development in the state. Further, the Academy will provide recommendations to the Governor and the Legislature concerning the establishment of a statewide biomedical and health research program.

The measure is effective on July 1, 2007, and expires by limitation on June 30, 2009.

**Senate Bill 192** (Chapter 381, *Statutes of Nevada 2007*) appropriates from the State General Fund to the Nevada System of Higher Education the sum of \$10 million to fund the integration of computing resources known as the iNtegrate project. The measure prohibits the System from expending any portion of the amount appropriated until it has expended \$15 million [from investment reserves] for this purpose. Appropriated funds that are unspent funds must revert to the General Fund on September 16, 2011.

This measure is effective upon passage and approval.

**Senate Bill 198** (Chapter 244, *Statutes of Nevada 2007*) is a measure requested on behalf of the Advisory Group to Conduct Interim Study on Lease-Purchase and Installment-Purchase Agreements by Public Entities. The measure eliminates the previously established June 30, 2007, expiration date so that the Nevada System of Higher Education continues to be included in the definition of “state agency” for the purposes of installment-purchase and lease-purchase agreements paid with state appropriations.

This measure is effective on June 30, 2007.

**Senate Bill 239** (Chapter 522, *Statutes of Nevada 2007*) creates the P-16 Advisory Council to assist in the coordination between elementary, secondary and higher education in Nevada. The measure declares that the Board of Regents is empowered to control and manage the affairs of the Nevada System of Higher Education. It is further declared that matters relating to education are vitally important to the future of the State, its economy, and the general welfare of its residents. It is important that the Nevada Legislature, Board of Regents, the State Board, and the Executive Branch of State Government work together as partners in developing a needed public agenda to advance education in Nevada.

The P-16 Advisory Council will consist of 11 voting members. The Chancellor of the System and the Superintendent of Public Instruction shall serve as ex-officio non-voting members of the Council. The Council will include five members appointed by the Governor representing specific interests, two members each appointed by the Majority Leader of the Senate and the Speaker of the Assembly, and one member each appointed by the Minority Leader of the Senate and the Minority Leader of the Assembly.

The Council must meet at least once every calendar quarter, and is charged with various tasks including addressing methods to increase the number of students who will enroll in a teaching program within the Nevada System of Higher Education and methods to ensure the successful transition of pupils from elementary to middle school, middle school to high school, and high school to postsecondary education. On or before June 30 of each year, the Council will submit a written report of its activities and any recommendations to the Board of Regents, State Board, Director of the Legislative Counsel Bureau, the Legislative Committee on Education, and the Governor.

This measure is effective on July 1, 2007.

**Senate Bill 331** (Chapter 511, *Statutes of Nevada 2007*) makes various changes concerning research and other activities concerning solid waste. Currently, the Division of Conservation and Natural Resources is required to establish, sponsor, assist or otherwise conduct programs that encourage the reduction of waste and litter. Senate Bill 331 expands the number of those activities to include encouraging the Nevada System of Higher Education to research and develop methods for the reduction, reclamation, and conversion of solid waste, including encouraging the System to seek money from public and private sources for that purpose.

This measure is effective on July 1, 2007.

**Senate Bill 354** (Chapter 418, *Statutes of Nevada 2007*) revises the definition of “firearm” for the purposes of the provision of prohibiting the unlawful possession of a firearm while on the property of the Nevada System of Higher Education, a private or public school, or child care facility to include any device used to mark any part of a person with paint or any other substance [e.g. paint gun]. The measure also provides that at the detention hearing for a child in juvenile court, if the child was taken into custody for carrying or possessing a firearm while on the property of the Nevada System of Higher Education, a public or private school, or a child care facility, the child must be evaluated by a qualified professional and submit to a test to determine whether the child is using any controlled substance.

This measure is effective on October 1, 2007.

**Senate Bill 357** (Chapter 176, *Statutes of Nevada 2007*) concerns certain student loan programs administered by the Western Interstate Commission for Higher Education. The measure provides that the WICHE State Commissioners may establish the interest rate for certain WICHE student loans, and may further establish delinquency charges. The Commissioners, acting jointly, may delegate authority to establish the interest rates and delinquency charges to the Director of WICHE.

This measure is effective on July 1, 2007.

**Senate Bill 374** (Chapter 459, *Statutes of Nevada 2007*) provides that a tax increment area may be created by a cooperative agreement between a city in which the principal campus of the Nevada State College is located or intended to be located and the Nevada System of Higher Education under certain circumstances. Existing law authorizes the creation of tax increment areas by a county or city that may then dedicate the revenues from the imposed property tax in the tax increment area to financing, acquisition, improvement or equipment of certain specific undertakings.

This measure is effective on October 1, 2007.

**Senate Bill 412** (Chapter 413, *Statutes of Nevada 2007*) enacts various provisions relating to health care and nursing. Impacting the institutions of the Nevada System of Higher Education, SB412 provides that an accredited or approved school of nursing, practical nursing or professional nursing may hire as an instructor for clinical practice a person who holds a bachelor’s degree in nursing and has at least 5 years of nursing experience in patient care.

The provision of SB412 concerning nursing instructors is effective on January 1, 2008, and expires by limitation on January 1, 2012.

**Senate Bill 455** (Chapter 416, *Statutes of Nevada 2007*) is a measure that was requested by the Board of Regents. The bill authorizes the Board to issue up to \$15 million in revenue bonds to finance student housing at Nevada State College. The measure also authorizes the Board to issue up to \$5 million in revenue bonds to finance parking facilities at Nevada State College. Further, SB455 increases the maximum amount of revenue bonds that may be used for construction of certain facilities at the University of Nevada, Reno by \$35.84 million and by \$83.1 million for

certain facilities at the University of Nevada, Las Vegas. The bill increases the bonding authority by \$25 million for student service facilities, classrooms, and parking at the Community College of Southern Nevada. Further, the measure increases the bonding authority by \$10 million for a residence hall at the Western Nevada Community College.

In addition, the bill provides that the Board of Regents may delegate to the Chancellor of the Nevada System of Higher Education or the Vice Chancellor for Finance the authority to sign a contract for the sale or exchange of an obligation or to accept a binding bid for the obligation under certain circumstances.

This measure is effective upon passage and approval.

**Senate Bill 490** (Chapter 524, *Statutes of Nevada 2007*) eliminates the Board's authorization to request up to five bill drafts for consideration during each legislative session. Elimination of the current provision will expire by limitation on June 30, 2011.

This measure is effective upon passage and approval.

**Senate Bill 515** (Chapter 241, *Statutes of Nevada 2007*) is a measure requested on behalf of the Advisory Group to Conduct Interim Study on Lease-Purchase and Installment-Purchase Agreements by Public Entities and concerns lease-purchase and installment-purchase agreements utilized by state and local entities. With respect to the existing provisions of state law that authorize state and local entities to enter into lease-purchase and installment-purchase agreements, the Nevada Legislature declares that the use of such agreements provide great benefit to the State, and the use of such agreements should be as streamlined and efficient as possible. Further, the Legislature declares that such agreements should not be used to engage in or allow "bid-shopping" or to avoid or circumvent any requirement regarding the payment of prevailing wage for public works.

This measure is effective on July 1, 2007.

**Senate Bill 520** (Chapter 262, *Statutes of Nevada 2007*) is a measure requested on behalf of the Advisory Group to Conduct Interim Study on Lease-Purchase and Installment-Purchase Agreements by Public Entities. The measure provides that, before the scope of a lease-purchase or installment-purchase agreement is changed, the change in scope must be approved by the Legislature or the Interim Finance Committee, depending upon whether the Legislature is in session. The bill defines a change in scope of an agreement based upon whether the square footage changes by ten percent or more, if the intended use for ten percent or more of the square footage changes, or if the number of users of the property will increase or decrease by ten percent.

This measure is effective on October 1, 2007.

**Senate Bill 575** (Chapter 349, *Statutes of Nevada 2007*) establishes the salary limits for employees working in unclassified service of the state. The measure appropriates a pool of funds to the State Board of Examiners designated to be justified by agencies (including the Nevada System of Higher Education) to fund a cost of living salary adjustment for all state workers at 2 percent in FY 2008, and 4 percent in FY 2009. For the System, the measure funds cost of living adjustments for the professional and classified employees in the amount of \$8.65 million in FY 2008, and \$26.89 million in FY 2009.

The provisions of the act are effective July 1, 2007.

**Senate Bill 576** (Chapter 346, *Statutes of Nevada 2007*) authorizes all non-appropriated expenditures for State agencies. With respect to the Nevada System of Higher Education, authorized funds are comprised primarily of Student Fee revenues and discretionary income used to support budgeted personnel and operational costs. In total, the act provides the institutions with \$198.61 million in FY 2008, and \$235.33 million in FY 2009. In addition, the measure maintains language established during the 2003 Legislative Session that allows the System to expend excess student fee revenues on salaries and benefits for additional faculty hired to provide additional class sections without the approval of the Interim Finance Committee.

The primary provisions of the act are effective July 1, 2007.

**Senate Bill 578** (Chapter 347, *Statutes of Nevada 2007*) provides funding for capital improvement projects through a combination of state General Fund appropriations and the issuance of General Obligation Bonds. The measure authorizes state agencies, including the Nevada System of Higher Education, to expend other funds, including private donations to supplement the state funds approved for capital projects. With respect to the Nevada System of Higher Education, the bill authorizes a total of \$246.7 million for capital projects (\$74.1 million in General Fund, \$119.2 million in General Obligation Bonds, and \$53.4 million in other funds).

The measure funds the completion of projects commenced in previous sessions, and also provides the furniture, fixtures, and equipment (FF&E) necessary to occupy and fully utilize certain buildings during the 2007-2009 biennium. Projects for which funding is provided to complete buildings include: UNLV's Greenspun College of Urban Affairs, DRI's CAVE Facility, UNR's Math and Science Building, and WNCC's ADA Retrofit Project. Projects for which FF&E is provided include: UNLV's Science/Engineering/Technology Building, UNR's Knowledge Center, UNR's Math and Science Center, NSC's Academic/Student Services Building, CCSN's Classroom Building, CCSN's Transportation Technology Building, and GBC's Electrical and Industrial Building.

In addition, included in the total authorization is \$15.0 million for NSHE's campus maintenance projects financed through HECC and SHECC funds (annual slot tax revenues). Of the total authorization, approximately 50 percent, or \$127.4 million, is designated to fund new facilities and renovations in southern and northern Nevada to establish the new Health Sciences System. Specific projects in southern Nevada include the renovation of the Shadow Lane Biomedical Research Building and the construction of a new Advanced Clinical Training and Research Facility located at Shadow Lane. For northern Nevada, the bill provides for the renovation of

Savitt Hall and Cain Hall for the School of Medicine and the School of Nursing, respectively, and constructs a new Medical Education Learning Lab Building.

The measure also modifies prior legislation related to capital improvements by redirecting to the Shadow Lane Biomedical Building for the University of Nevada Health Sciences System a total of \$9.73 million in funding previously approved for higher education. The measure also extends to 2009 the reversion dates for several of the NSHE's projects approved in the 1997, 2001, and 2003 CIP bills. The projects for which extension dates were approved include: UNLV's Lied Library, UNLV's Science/Engineering/Technology Building, UNLV's Wright Hall Project, UNR's library, NSC's Academic/Student Services Building, and DRI's Maxey Science Center Project.

The measure prohibits the State Public Works Board from executing a contract for the Medical Education Learning Lab Building (Project 07-C90a) and the Shadow Lane Advanced Clinical Training and Research Center (07-C91a) until the private funding is available for expenditure. The measure allows the NSHE, with the approval of the Interim Finance Committee, to transfer General Funds, General Obligation Bonds, and private donations from one project to another. The transfers contemplated for the Health Sciences System must maintain the overall ratio of revenue sources established by this act.

The measure exempts UNR from the competitive bidding requirements of Chapter 338 of NRS in acquiring the automated storage and retrieval system for the Knowledge Center (Project 07-C10). Further, the measure repeals NRS 338.190 and NRS 701.217 related to "green buildings" as enacted by the 2005 Legislature during the 22<sup>nd</sup> Special Session (Assembly Bill 3).

The measure maintains debt service within the current tax code of 15.85 cents in order to finance the capital improvement projects. Appropriations made by this act must not be committed for expenditure after June 30, 2011, and must be reverted to the fund of origin on or before September 16, 2011.

The primary provisions of this act are effective upon passage and approval. All other sections of the bill are effective on July 1, 2007.

**Senate Bill 579** (Chapter 345, *Statutes of Nevada 2007*) relates to the financial administration of the state, and provides specific appropriations to state entities outside the Appropriations Act. The measure specifically prohibits state agencies from using the appropriated funds to finance ongoing expenditures, and from including the expenditures in the proposed Executive Branch budget for the 2009-2011 biennium.

With respect to the Nevada System of Higher Education, the measure appropriates \$500,000 to the Interim Finance Committee for allocation to Truckee Meadows Community College for the design and planning of the Spanish Springs Education Center. The funds may only be allocated by the Interim Finance Committee upon receipt of a report that confirms the developer has extended the deadline for title transfer, and confirms the Board of Regents has provided equivalent matching funds. This provision is effective upon passage and approval of this measure.

In addition, the measure appropriates \$200,000 to the University of Nevada, Las Vegas for special programs and fellowships sponsored by the Black Mountain Institute. The measure also appropriates \$100,000 to the University of Nevada, Las Vegas to fund health education workshops through its Center of Health Disparities Research. These provisions are effective July, 1, 2007.

The appropriations must be committed for expenditure no later than June 30, 2009, and unexpended funds must be reverted by September 18, 2009.

### **Senate Concurrent Resolutions**

**Senate Concurrent Resolution 27** (File No. 57, *Statutes of Nevada 2007*) encourages the development of a coordinated collaboration among agencies that provide nutrition education to Nevadans. The resolution states that the prevalence of obesity in the United States is steadily rising, and obesity increases the risk of hypertension, high cholesterol, coronary heart disease, stroke, gallstones, osteoarthritis, sleep apnea, respiratory problems, several cancers and Type II diabetes, resulting in \$61 billion in direct health care costs and \$3.9 billion in lost productivity annually. The measure resolves that the Secretary of the Senate prepare and transmit a copy of this resolution to the Department of Health and Human Services for dissemination to its divisions and local health departments, the Department of Education for dissemination to each district superintendent and each public school principal, nurse and director or manager of food and nutritional services, the Nevada System of Higher Education for dissemination to all universities and community colleges and department chairs of health-related studies, the Nevada Public Health Foundation for dissemination to all food and nutrition program directors, the Inter-Tribal Council of Nevada, Inc., for dissemination to all tribal councils, the Dairy Council of Utah/Nevada, the Food Bank of Northern Nevada and the Community Food Bank in Southern Nevada, the Nevada Dietetic Association, the Nevada Public Health Association, Nevada Action for Healthy Kids, Partners for a Healthy Nevada, the Washoe County Obesity Coalition and the Carson Wellness Coalition.

**Senate Concurrent Resolution 38** (File No. 80, *Statutes of Nevada 2007*) congratulates the University of Nevada, Reno, men's basketball team on an outstanding season. The resolution notes the team reached a school-best ranking of 9 in the national polls and finished with a school-best record of 29-5, and further won the regular season championship of the Western Athletic Conference. In addition, the team earned a berth in the National Collegiate Athletic Association national championship tournament, winning its first-round game.

**Senate Concurrent Resolution 46** (File No. 87, *Statutes of Nevada 2007*) honors Richard J. Morgan on his retirement as the Dean of the William S. Boyd School of Law at the University of Nevada, Las Vegas. The resolution notes Dean Morgan's educational credentials including his bachelor of arts degree in political science from the University of California, Berkley, and his juris doctor degree at the University of California, Los Angeles. He was hired in 1997 as the Dean of the William S. Boyd School of Law before the school was developed. The resolution credits Dean Morgan's vision and commitment in making the law school an exceptional school, as evidenced by its recent ranking as one of the top 100 law schools in the country by *U.S. News & World Report*.

### **Senate Joint Resolutions**

**Senate Joint Resolution 4** (File No. 92, *Statutes of Nevada 2007*) proposes to revise Article 11 of the *Nevada Constitution* to provide for an appointed Board of Regents. Further, the measure provides that the Legislature shall provide for the organization of the Board, including regent qualifications and terms of office. In addition, the Legislature will provide for the duties of the Board and its members.

In order to amend the *Nevada Constitution*, such a measure must be approved in identical form by two consecutive sessions of the Nevada Legislature and then by a vote of the state's citizens. If SJR4 is approved in identical form by the 2009 Session of the Nevada Legislature, the measure will then be voted on by Nevada citizens at the November 2010 general election. The measure provides that if enacted in 2010, the Legislature may, in implementing the provisions of the constitutional amendment, terminate the terms of office of the current members of the Board if the Legislature determines such action is in the best interests of the people of the State.

**Senate Joint Resolution 17** (File No. 100, *Statutes of Nevada 2007*) urges Congress to enact the Resident Physician Shortage Reduction Act of 2007. The resolution notes that the Act was introduced in Congress as a tool to help states whose physician to population ratios are below that of the national median. The intent of the legislation is to increase the number of residency positions for which Medicare payments will be made to teaching hospitals in states with a shortage of resident physicians. The resolution indicates that as a result of the legislation, teaching hospitals in approximately 24 states would be eligible for an increase in their resident cap, including Nevada which currently has 199 physicians in training and is estimated to be eligible for an additional 93 positions.