

Amendment No. 50

Assembly Amendment to Assembly Bill No. 74	(BDR 34-377)
Proposed by: Assembly Committee on Education	
Amends: Summary: No Title: No 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.



ASSEMBLY BILL NO. 74—COMMITTEE ON EDUCATION

(ON BEHALF OF THE JOINT INTERIM STANDING
COMMITTEE ON EDUCATION)

PREFILED JANUARY 30, 2023

Referred to Committee on Education

SUMMARY—Revises provisions relating to higher education. (BDR 34-377)

FISCAL NOTE: Effect on Local Government: No.
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 higher education; authorizing the Board of Regents of the University of Nevada to enter into an agreement to affiliate with a public or private entity for certain purposes; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Board of Regents of the University of Nevada to establish policies governing the contracts that faculty members and employees of the Nevada System of Higher Education may enter into or benefit from. (NRS 396.255) Existing law also authorizes certain faculty members of the System to bid or enter into a contract with a governmental agency if the contract complies with the policies established by the Board of Regents. (NRS 281.221)

Existing law requires that mechanics and workers employed on certain public construction projects be paid at least the wage then prevailing for the type of work that the mechanic or worker performs in the region in which the public work is located. (NRS 338.020) Under existing law, any contract for construction work of the System for which the estimated cost exceeds \$100,000 is subject to the prevailing wage requirements. (NRS 338.075)

Section 1 of this bill authorizes the Board of Regents to enter into an agreement with a public or private entity, whether for profit or not for profit, to promote and enhance an educational program or student life at ~~fa-university-} an institution within the System.~~ Section 1 requires that such an agreement include certain provisions }, including, without limitation, a provision stating that the prevailing wage requirements apply to any construction work performed under the agreement. Section 2 of this bill establishes that any such agreement is subject to the policies established by the Board of Regents governing contracts that faculty members and employees of the System may enter into or benefit from.

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

1 **Section 1.** Chapter 396 of NRS is hereby amended by adding thereto a new
2 section to read as follows:

3 1. *The Board of Regents may enter into an agreement to affiliate with a*
4 *publicly or privately owned entity, whether for profit or not for profit, to further*
5 *promote and enhance an educational program or student life at ~~the university,~~ an*
6 *institution within the System.*

7 2. *An agreement entered into pursuant to this section must include, without*
8 *limitation:*

9 (a) *Standards that must be met by the entity; ~~and~~*

10 (b) *An allocation of any costs or profits that must be shared between the*
11 *entity and the ~~university,~~ institution;*

12 (c) *Identification of shared goals and responsibilities;*

13 (d) *Provisions governing the joint employment and supervision of employees,*
14 *if applicable;*

15 (e) *Provisions governing the shared review and allocation of the use of*
16 *facilities, resources and employees, if applicable; and*

17 (f) *A provision stating that the requirements of NRS 338.020 to 338.090,*
18 *inclusive, apply to any construction work performed under the agreement even if*
19 *the construction work does not qualify as a public work, as defined in NRS*
20 *338.010.*

21 **Sec. 2.** NRS 396.255 is hereby amended to read as follows:

22 396.255 The Board of Regents shall, to carry out the purposes of subsection 3
23 of NRS 281.221, subsection 3 of NRS 281.230, subsection 3 of NRS 281A.430 and
24 NRS 396.1215, *and section 1 of this act*, establish policies governing the contracts
25 that faculty members and employees of the System may enter into or benefit from.

26 **Sec. 3.** This act becomes effective on July 1, 2023.