
ASSEMBLY BILL NO. 285—ASSEMBLYMEN KRAMER;
AND WHEELER (BY REQUEST)

MARCH 14, 2017

JOINT SPONSOR: SENATOR SETTELMEYER

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the repair of certain roads. (BDR 18-704)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 roads; revising provisions governing the disposition of money from the sale of certain parcels of land by the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources; requiring the Department of Transportation to use money from that sale to repair and improve certain roads; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under the Nevada Constitution, the Legislature is authorized to pass a special
2 or local law if the subject matter of the law does not fall within one of certain
3 enumerated circumstances and a general law cannot be made applicable. (Nev.
4 Const. Art. 4, §§ 20, 21) Under existing law, the Administrator of the Division of
5 State Lands of the State Department of Conservation and Natural Resources is
6 authorized to make a direct sale of two parcels of land located within Carson City.
7 The money from the sale, less any costs related to the sale, is required to be
8 deposited in the Account for the Protection and Rehabilitation of the Stewart Indian
9 School, and used for repairing and maintaining the historic state buildings and
10 grounds of the School. (NRS 232.159) **Section 2** of this bill authorizes an
11 additional use of the proceeds from the sale of the parcels of land by requiring that
12 one-half of the proceeds be deposited into the State Highway Fund for use by the
13 Department of Transportation to make repairs and improvements to certain portions
14 of Old Clear Creek Road in Carson City to improve access to the parcels to be sold.
15 **Section 3** of this bill directs the Department of Transportation to use the money in
16 the State Highway Fund from the sale of the land to make those repairs and



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17 improvements. Any of the money that is remaining in the State Highway Fund after
18 the repairs and improvements have been made is required by **section 2** to be
19 transferred to the Account for the Protection and Rehabilitation of the Stewart
20 Indian School.

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

1 **Section 1.** NRS 232.159 is hereby amended to read as follows:

2 232.159 1. The Account for the Protection and Rehabilitation
3 of the Stewart Indian School is hereby created in the State General
4 Fund. The interest and income earned on the money in the Account,
5 after deducting any applicable charges, must be credited to the
6 Account. The money in the Account does not revert to the State
7 General Fund at the end of any fiscal year, and the balance in the
8 Account must be carried forward to the next fiscal year.

9 2. ~~In addition to any money deposited into the Account from~~
10 ~~the sale of real property pursuant to subsection 5, the~~ **The** Director
11 may apply for and accept any available grants and may accept any
12 bequests, devises, donations or gifts from any public or private
13 source for the purpose of funding the Account.

14 3. The Director may expend the money in the Account only for
15 the purposes of repairing and maintaining the historic state buildings
16 and grounds of the Stewart Indian School.

17 4. The Director shall, before expending any money pursuant to
18 subsection 3, consult with an advisory committee that provides a
19 prioritized list of projects that may be funded from the Account. The
20 advisory committee consists of:

21 (a) The Administrator of the Division of State Lands of the
22 Department;

23 (b) The Administrator of the Office of Historic Preservation of
24 the Department;

25 (c) The Administrator of the State Public Works Division of the
26 Department of Administration; and

27 (d) The Executive Director of the Nevada Indian Commission.

28 ~~5. The Administrator of the Division of State Lands of the~~
29 ~~Department may make a direct sale of two parcels of land of~~
30 ~~approximately 100 acres located within Carson City, and generally~~
31 ~~described as follows:~~

32 ~~(a) The northeast quarter (NE 1/4) of the southeast quarter~~
33 ~~(SE 1/4) of Section 33, Township 15 N., Range 19 E., M.D.B. & M.~~

34 ~~(b) The southeast quarter (SE 1/4) of the southeast quarter~~
35 ~~(SE 1/4) of Section 33 and the southwest quarter (SW 1/4) of the~~
36 ~~southwest quarter (SW 1/4) of Section 34, Township 15 N., Range~~
37 ~~19 E., M.D.B. & M.~~



1 ~~→ Money received from the sale, less any costs related to the sale,~~
2 ~~must be deposited in the Account.]~~

3 **Sec. 2.** Section 5 of chapter 157, Statutes of Nevada 2015, at
4 page 700, is hereby amended to read as follows:

5 Sec. 5. 1. *The Legislature hereby finds and declares*
6 *that:*

7 (a) *The Stewart Indian School, which was operated*
8 *between 1890 and 1980, was one of only 23 non-reservation*
9 *boarding schools established by the Federal Government to*
10 *educate American Indian children;*

11 (b) *During the course of its operation, the Stewart*
12 *Indian School educated approximately 30,000 American*
13 *Indian children from across the western United States and*
14 *is one of the few remaining intact Indian schools in the*
15 *United States;*

16 (c) *The Stewart Indian School complex includes over 50*
17 *buildings on a 109-acre campus and is listed on the*
18 *National Register of Historic Places as a historic district as*
19 *a result of its significance in the areas of architecture,*
20 *education and American Indian culture;*

21 (d) *Many of the buildings were constructed in the early*
22 *1900s and are deteriorating rapidly;*

23 (e) *The number of remaining alumni who attended*
24 *Stewart Indian School continues to decline and preservation*
25 *of their memories is critical to maintaining the historical*
26 *and cultural context of the property;*

27 (f) *The Stewart Indian School property was transferred*
28 *to the State of Nevada by the Federal Government in the*
29 *1980s and the quitclaim deed for the property requires*
30 *the State of Nevada to maintain the historic integrity of the*
31 *property and provides for the reversion of the title to the*
32 *Federal Government for noncompliance with that*
33 *requirement; and*

34 (g) *Given that a law of local and special application is*
35 *necessary to protect the historical integrity of the Stewart*
36 *Indian School and secure the advantages of the local and*
37 *special characteristics and circumstances relating to the*
38 *Stewart Indian School, which is of such unique*
39 *architectural, cultural, educational and historical*
40 *significance, a general law cannot be made applicable to the*
41 *purposes, objects, powers, rights, privileges, immunities,*
42 *liabilities, duties and disabilities set forth in this act.*

43 2. The Administrator of the Division of State Lands of
44 the State Department of Conservation and Natural Resources
45 may make a direct sale of two parcels of land of



1 approximately 100 acres located within Carson City, and
2 generally described as follows:

3 (a) The northeast quarter (NE 1/4) of the southeast quarter
4 (SE 1/4) of Section 33, Township 15 N., Range 19 E., M.D.B.
5 & M.

6 (b) The southeast quarter (SE 1/4) of the southeast quarter
7 (SE 1/4) of Section 33 and the southwest quarter (SW 1/4) of
8 the southwest quarter (SW 1/4) of Section 34, Township 15
9 N., Range 19 E., M.D.B. & M.

10 ~~2~~ 3. Money received from the sale, less any costs
11 related to the sale, must be deposited *as follows*:

12 (a) *Fifty percent in the State Highway Fund for use by*
13 *the Department of Transportation to make repairs and*
14 *improvements to Old Clear Creek Road in Carson City,*
15 *from the intersection with Vista Grande Boulevard westerly*
16 *to the terminus of Old Clear Creek Road. After such repairs*
17 *and improvements have been made, the State Controller*
18 *shall transfer any money remaining in the State Highway*
19 *Fund that was deposited from a sale pursuant to subsection*
20 *2 to the Account for the Protection and Rehabilitation of the*
21 *Stewart Indian School created by NRS 232.159.*

22 (b) *Fifty percent* in the Account for the Protection and
23 Rehabilitation of the Stewart Indian School created by
24 ~~section 1 of this act.~~ *NRS 232.159.*

25 **Sec. 3.** The Department of Transportation, to the extent of
26 money deposited in the State Highway Fund pursuant to the
27 provisions of section 2 of this act for this purpose, shall make
28 repairs and improvements to Old Clear Creek Road in Carson City,
29 from the intersection with Vista Grande Boulevard westerly to the
30 terminus of Old Clear Creek Road.

31 **Sec. 4.** This act becomes effective upon passage and approval.

