
ASSEMBLY BILL NO. 350—ASSEMBLYWOMEN BILBRAY-AXELROD;
AND NGUYEN

MARCH 18, 2019

Referred to Committee on Education

SUMMARY—Revises provisions relating to higher education.
(BDR 34-1054)

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 higher education; creating the Administrative Services Office within the Nevada System of Higher Education; replacing the position of Chancellor of the System with the Director of the Office; requiring the Board of Regents to establish an advisory board at each state college and community college to provide certain feedback concerning matters relating to the state college or community college; establishing the Articulation and Transfer Board to perform certain duties relating to the transition of pupils to educational institutions within the System; clarifying the composition of the System; revising provisions relating to the duties and responsibilities of certain officers within the System; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Article 11 of the Nevada Constitution, which is known as the Education
2 Article, requires the Nevada Legislature to provide for the establishment of a State
3 University that is controlled by a Board of Regents whose duties are prescribed by
4 law. (Nev. Const. Art. 11, § 4) As required by the Education Article, the
5 Legislature has provided by law for the establishment of the State University.
6 Additionally, the Legislature provided by law for the establishment of the Nevada
7 System of Higher Education, which consists of the State University, state colleges,
8 community colleges, administrative services, departments within the Public Service
9 Division and certain research facilities. (NRS 396.020) **Section 2** of this bill creates
10 the Administrative Services Office within the System, which consists of a Director,
11 a Deputy Director and certain divisions.



12 **Section 3** of this bill requires the Office to provide administrative and technical
13 support to the Board of Regents, any research facility within the System and the
14 presidents of each university, state college or community college within the
15 System. **Section 4** of this bill prescribes certain requirements governing
16 the operation of the Office.

17 **Section 5** of this bill requires the Board of Regents to establish an advisory
18 board at each state college and community college. **Section 5** requires an advisory
19 board to: (1) evaluate the president of the state college or community college for
20 which the advisory board was established and provide feedback to the Board of
21 Regents; and (2) review budget requests of the state college or community college
22 for which the advisory board was established and provide feedback to the president
23 of the state college or community college concerning the requests.

24 **Section 6** of this bill creates the Articulation and Transfer Board and provides
25 for the appointment by the Governor of members of the Board. **Section 7** of this
26 bill establishes procedures for the Board to conduct its business. **Section 8** of this
27 bill requires the Board to: (1) coordinate and facilitate the ability of pupils enrolled
28 in public high schools in this State to successfully make the transition to
29 educational institutions within the System; and (2) submit annual reports
30 concerning the activities of the Board to the Governor and the Director of the
31 Legislative Counsel Bureau.

32 **Section 10** of this bill clarifies that the State University described in the
33 Education Article consists of the University of Nevada, Las Vegas and the
34 University of Nevada, Reno. **Section 10** also: (1) provides that the Administrative
35 Services Office established by **section 2** is part of the System; and (2) removes
36 references to specific research facilities, therefore providing that any research
37 facility established at the State University is part of the System.

38 Existing law prescribes certain qualifications for the Chancellor of the System
39 and requires the Board of Regents to appoint a Chancellor. (NRS 396.210) **Section**
40 **12** of this bill eliminates the Chancellor position and replaces it with the Director of
41 the Administrative Services Office. **Section 12** requires the Governor to appoint:
42 (1) the Director of the Administrative Services Office; (2) the Deputy Director of
43 the Office; and (3) an assistant director for each division in the Office, who is the
44 head of the division. **Section 12** also prescribes qualifications for the Director.
45 **Section 13** of this bill requires the Governor to fix the salary of the Director in an
46 amount not to exceed 95 percent of the salary of the office of the Governor during
47 the same period. **Section 14** of this bill requires the Governor to prescribe the duties
48 of the officers of the Office.

49 Existing law requires the Chancellor and other officers of the system to make
50 certain reports to the Board of Regents. (NRS 396.240) **Section 15** of this bill
51 instead requires the Director, Deputy Director of the Office and the assistant
52 directors of each division of the Office to make these reports.

53 Existing law prescribes grounds for the dismissal or removal of certain persons
54 from a position within the System. (NRS 396.320) **Section 16** of this bill makes
55 these grounds for dismissal or removal from a position applicable to the Director,
56 the Deputy Director of the Office and any assistant director of a division of the
57 Office.

58 **Section 17** of this bill revises provisions of law authorizing certain entities and
59 persons within the System to issue subpoenas relating to disciplinary hearings to
60 only allow the Board of Regents and the presidents of the branches and facilities
61 within the System to issue such subpoenas. (NRS 396.323)

62 Existing law: (1) prescribes certain duties and responsibilities of the Chancellor
63 and the Vice Chancellor for Finance relating to the finances of the System; and (2)
64 authorizes a holder of a security or trustee to take certain action to enforce his or
65 her rights against the Chancellor of the University. (NRS 396.381, 396.8455,
66 396.853, 396.864) **Sections 18, 20 and 21** of this bill impose the duties and



67 responsibilities relating to the finances of the System on the Assistant Director of
68 the General Services Division of the Office. **Section 22** of this bill removes the
69 right of a holder of a security or trustee to take certain action to enforce his or her
70 rights against the Chancellor of the University. **Section 26** of this bill makes a
71 conforming change.

72 Existing law requires the presidents of educational institutions within the
73 System, the Chancellor and the Board of Regents to make all rules and regulations
74 necessary for the administration and enforcement of the Public Services Division.
75 (NRS 396.610) **Section 19** of this bill transfers the responsibility to make such
76 rules and regulations to the presidents of educational institutions and the Board of
77 Regents.

78 **Section 26** of this bill eliminates the provision in existing law locating the seat
79 of the State University at the Office of the Chancellor of the System.
80 (NRS 396.010)

81 Assembly Joint Resolution No. 5 of the 79th Session of the Nevada Legislature
82 proposes to amend the Nevada Constitution to eliminate the provisions concerning
83 the Board of Regents and to authorize the Legislature to provide by statute for the
84 governance, control and management of the State University. (File No. 34, Statutes
85 of Nevada 2017, p. 4580) This bill becomes effective upon passage of this
86 resolution by the 2019 Legislature and approval and ratification of the voters at the
87 2020 general election.

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
2 thereto the provisions set forth as sections 2 to 8, inclusive, of this
3 act.

4 **Sec. 2. 1.** *There is hereby created an Administrative*
5 *Services Office.*

6 **2.** *The Office consists of a Director, a Deputy Director and*
7 *the following divisions:*

8 *(a) General Services Division.*

9 *(b) University and Research Institutions Division.*

10 *(c) State College and Community College Division.*

11 *(d) Public Service Division.*

12 **3.** *The head of a division is an assistant director.*

13 **Sec. 3.** *The Office shall provide administrative and technical*
14 *support to the Board of Regents, any research facility within the*
15 *System and the presidents of each university, state college or*
16 *community college within the System for the purpose of increasing*
17 *the ability of each such entity to:*

18 *1. Provide extension instruction on the collegiate level; and*

19 *2. Conduct research and service activities throughout this*
20 *State.*

21 **Sec. 4.** *The Office shall maintain its principal offices at*
22 *Carson City, Nevada. The offices must be kept open at such times*
23 *as the business of the Office and the convenience or the interest of*



1 *the public may require. The offices are under the supervision of*
2 *the Director.*

3 **Sec. 5. 1.** *The Board of Regents shall establish an advisory*
4 *board at each state college and community college.*

5 *2. The Board of Regents shall appoint five members to serve*
6 *on each advisory board. If a vacancy occurs in the membership of*
7 *an advisory board, the Board of Regents shall appoint a person to*
8 *fill the vacancy.*

9 *3. An advisory board established pursuant to subsection 1*
10 *shall, for the state college or community college at which the*
11 *advisory board has been established:*

12 *(a) Evaluate the performance of the president of the state*
13 *college or community college and provide feedback concerning the*
14 *president to the Board of Regents; and*

15 *(b) Before a budget request for the state college or community*
16 *college is submitted to the Board of Regents, review the request*
17 *and provide feedback concerning the request to the president of*
18 *the state college or community college.*

19 **Sec. 6. 1.** *The Articulation and Transfer Board, consisting*
20 *of 15 members appointed by the Governor, is hereby created.*

21 *2. The Governor shall appoint the members to the Board as*
22 *follows:*

23 *(a) Five members from a list of candidates submitted by the*
24 *State Board of Education;*

25 *(b) Five members from a list of candidates submitted by the*
26 *State College and Community College Division of the Office; and*

27 *(c) Five members from a list of candidates submitted by the*
28 *Board of Regents of the University of Nevada.*

29 *3. The Governor shall appoint the Chair of the Board from*
30 *among its members.*

31 *4. After the initial terms, each member appointed to the*
32 *Board pursuant to subsection 2 serves a term of 4 years, except*
33 *that each member continues to serve until a successor is*
34 *appointed. A member of the Board may be reappointed.*

35 *5. If a vacancy occurs during the term of a member of the*
36 *Board appointed pursuant to subsection 2, the Governor shall*
37 *appoint a person to fill the vacancy for the remainder of the*
38 *unexpired term.*

39 **Sec. 7. 1.** *The Articulation and Transfer Board created by*
40 *section 6 of this act shall meet at the call of the Chair.*

41 *2. Each member of the Board is entitled to receive a salary of*
42 *\$80 for each meeting of the Board that he or she attends.*

43 *3. Each member of the Board is entitled to receive in*
44 *attending meetings of the Board, or while on the business of the*
45 *Board within the State:*



- 1 (a) *A per diem expense allowance not to exceed the greater of:*
2 (1) *The rate of \$60; or*
3 (2) *The maximum rate established by the Federal*
4 *Government for the locality in which the travel is performed.*

5 (b) *The travel allowance provided for state officers and*
6 *employees generally.*

7 4. *The Office shall provide such:*

8 (a) *Administrative support;*

9 (b) *Equipment; and*

10 (c) *Office space,*

11 *↪ as is necessary for the Board to carry out its duties.*

12 **Sec. 8.** *The Articulation and Transfer Board created by*
13 *section 6 of this act shall:*

14 1. *Coordinate and facilitate the ability of pupils enrolled in*
15 *public high schools in this State to successfully make the*
16 *transition from high school to community college and from*
17 *community college to a state college or university within the*
18 *Nevada System of Higher Education and consider other similar*
19 *issues.*

20 2. *On or before December 31 of each year, submit a written*
21 *report concerning the activities of the Board to the Governor and*
22 *to the Director of the Legislative Counsel Bureau for transmittal*
23 *to the Legislative Committee on Education, if the report is received*
24 *during an odd-numbered year, or to the next session of the*
25 *Legislature, if the report is received during an even-numbered*
26 *year.*

27 **Sec. 9.** NRS 396.005 is hereby amended to read as follows:

28 396.005 As used in this chapter, unless the context otherwise
29 requires:

30 1. "Board of Regents" means the Board of Regents of the
31 University of Nevada.

32 2. "Community college" means all of the community colleges
33 within the Nevada System of Higher Education.

34 3. ***"Director" means the Director of the Office.***

35 4. ***"Office" means the Administrative Services Office created***
36 ***by section 2 of this act.***

37 5. "State college" means all of the state colleges within the
38 Nevada System of Higher Education.

39 ~~14~~ 6. "System" means the Nevada System of Higher
40 Education.

41 ~~15~~ 7. "University" means all of the universities within the
42 Nevada System of Higher Education.

43 **Sec. 10.** NRS 396.020 is hereby amended to read as follows:

44 396.020 The legal and corporate name of the State University
45 is the University of Nevada. The System of:



1 1. ~~[Universities;]~~ *The State University, as described in Section*
2 *4 of Article II of the Nevada Constitution, which consists of:*

- 3 (a) *The University of Nevada, Las Vegas; and*
4 (b) *The University of Nevada, Reno.*

5 2. State colleges;

6 3. Community colleges;

7 4. ~~[Administrative services;]~~ *The Administrative Services*
8 *Office;*

9 5. ~~[Research facilities, including, without limitation:~~

10 ~~—(a)] The Desert Research Institute;~~

11 ~~[(b) The Ethics Institute; and~~

12 ~~—(c) The Center for the Analysis of Crime Statistics,]~~

13 6. *Any research facility* established ~~[within the Department of~~
14 ~~Criminal Justice]~~ at the *State* University ; ~~[of Nevada, Las Vegas;]~~
15 and

16 ~~[6.]~~ 7. Departments within the Public Service Division,

17 ↪ administered under the direction of the Board of Regents is
18 hereby collectively known as the Nevada System of Higher
19 Education. The System is comprised of such branches and facilities
20 as the Board of Regents deems appropriate.

21 **Sec. 11.** NRS 396.070 is hereby amended to read as follows:

22 396.070 1. Each member of the Board of Regents is entitled
23 to receive a salary of \$80 for each meeting of the Board that he or
24 she attends.

25 2. Each member of the Board of Regents is entitled to receive
26 in attending meetings of the Board, or while on Board of Regents'
27 business within the State:

28 (a) A per diem expense allowance not to exceed the greater of:

29 (1) The rate of \$60; or

30 (2) The maximum rate established by the Federal
31 Government for the locality in which the travel is performed.

32 (b) The travel allowance provided for state officers and
33 employees generally.

34 3. If an account is established for a member of the Board of
35 Regents to pay for hosting expenditures of the member:

36 (a) The annual expenditures from the account may not exceed
37 \$2,500.

38 (b) The account may be used only to pay for activities that are
39 directly related to the duties of the member of the Board of Regents,
40 including reasonable expenses for meals, beverages and small gifts.
41 The account must not be used to pay for expenses associated with
42 attending a sporting event or a political fundraising event.

43 (c) The member of the Board of Regents must submit a monthly
44 report of expenditures from the account to the ~~[Chancellor]~~
45 *Assistant Director* of the ~~[System.]~~ *General Services Division of*



1 *the Office.* The report must include, without limitation, the amount
2 of money expended from the account, the specific purpose and
3 activity for which the money was expended and, if applicable, the
4 person for whom the money was expended.

5 (d) The ~~[Chancellor]~~ *Assistant Director* of the ~~[System]~~ *General*
6 *Services Division of the Office* shall compile the monthly reports
7 into an annual report on or before January 30 of each year. The
8 monthly reports and annual reports are public records and must be
9 made available for public inspection.

10 4. As used in this section, “hosting expenditures” means
11 reasonable expenses by or on behalf of a member of the Board of
12 Regents who is conducting business activities necessary to provide a
13 benefit to the System by establishing goodwill, promoting programs
14 of the System or otherwise advancing the mission of the System.

15 **Sec. 12.** NRS 396.210 is hereby amended to read as follows:

16 396.210 1. ~~[After consultation with the faculty, the Board of~~
17 ~~Regents]~~ *The Governor* shall appoint ~~[a Chancellor of the System.]~~
18 :

19 (a) *A Director;*

20 (b) *A Deputy Director of the Office; and*

21 (c) *An assistant director for each division of the Office.*

22 2. The ~~[Chancellor shall]~~ *Director must* have ~~[a]~~ :

23 (a) *A degree from a college or university recognized as equal in*
24 *rank to those having membership in the Association of American*
25 *Universities [H];*

26 (b) *At least 5 years of responsible experience in the field of*
27 *higher education administration; and*

28 (c) *Broad management skills in areas related to functions of*
29 *the position.*

30 3. *The Director shall devote his or her entire time and*
31 *attention to the business of his or her office and shall not engage*
32 *in other gainful employment or occupation.*

33 **Sec. 13.** NRS 396.220 is hereby amended to read as follows:

34 396.220 The ~~[Board of Regents]~~ *Governor* shall fix the salary
35 of the ~~[Chancellor]~~ *Director which must not exceed 95 percent* of
36 the ~~[System.]~~ *salary of the office of the Governor during the same*
37 *period.*

38 **Sec. 14.** NRS 396.230 is hereby amended to read as follows:

39 396.230 The ~~[Board of Regents]~~ *Governor* shall prescribe the
40 duties of the ~~[Chancellor and such other officers]~~ *Director, Deputy*
41 *Director* of the ~~[System as]~~ *Office* and the ~~[Board deems~~
42 ~~appropriate.]~~ *assistant directors of each division of the Office.*

43 **Sec. 15.** NRS 396.240 is hereby amended to read as follows:

44 396.240 The ~~[Chancellor and other officers]~~ *Director, Deputy*
45 *Director* of the ~~[System,]~~ *Office and the assistant directors of each*



1 *division of the Office* shall make such reports to the Board of
2 Regents as they deem appropriate or as the Board of Regents may
3 require.

4 **Sec. 16.** NRS 396.320 is hereby amended to read as follows:

5 396.320 1. The willful neglect or failure on the part of *the*
6 *Director, the Deputy Director of the Office,* any *assistant director*
7 *of a division of the Office or any* teacher, instructor, professor ~~[]~~ *or*
8 president ~~[or chancellor]~~ in the System to observe and carry out the
9 requirements of this chapter is sufficient cause for the dismissal or
10 removal of the person from his or her position.

11 2. It is sufficient cause for the dismissal of *the Director, the*
12 *Deputy Director of the Office,* any *assistant directors of a division*
13 *of the Office or any* teacher, instructor, professor ~~[]~~ *or* president ~~[or~~
14 ~~chancellor]~~ in the System when the person advocates, or is a
15 member of an organization which advocates, overthrow of the
16 Government of the United States or of the State by force, violence
17 or other unlawful means.

18 **Sec. 17.** NRS 396.323 is hereby amended to read as follows:

19 396.323 1. The Board of Regents ~~[, the Chancellor of the~~
20 ~~System]~~ and the presidents of all the branches and facilities within
21 the System may issue subpoenas in all instances involving
22 disciplinary hearings of members of the System.

23 2. Those persons may issue subpoenas requiring the attendance
24 of witnesses before them together with all books, memoranda,
25 papers and other documents relative to the matters under
26 investigation or to be heard, administer oaths and take testimony
27 thereunder.

28 3. The district court in and for the county in which any hearing
29 is being conducted by any of the persons named in subsection 1 may
30 compel the attendance of witnesses, the giving of testimony and the
31 production of books and papers as required by any subpoena issued
32 by the person holding the hearing.

33 4. In case of the refusal of any witness to attend or testify or
34 produce any papers required by the subpoena, the person holding the
35 hearing may report to the district court in and for the county in
36 which the hearing is pending by petition, setting forth:

37 (a) That due notice has been given of the time and place of
38 attendance of the witness or the production of the books and papers;

39 (b) That the witness has been subpoenaed in the manner
40 prescribed in this chapter; and

41 (c) That the witness has failed and refused to attend or produce
42 the papers required by subpoena before the person holding the
43 hearing named in the subpoena, or has refused to answer questions
44 propounded to the witness in the course of the hearing,



1 ↪ and asking an order of the court compelling the witness to attend
2 and testify or produce the books or papers before the person.

3 5. The court, upon petition of the person holding the hearing,
4 shall enter an order directing the witness to appear before the court
5 at a time and place to be fixed by the court in the order, the time
6 must not be more than 10 days after the date of the order, and then
7 and there show cause why the witness has not attended or testified
8 or produced the books or papers before the person holding the
9 hearing. A certified copy of the order must be served upon the
10 witness. If it appears to the court that the subpoena was regularly
11 issued by the person holding the hearing, the court shall thereupon
12 enter an order that the witness appear before the person at the time
13 and place fixed in the order and testify or produce the required
14 books or papers, and upon failure to obey the order the witness must
15 be dealt with as for contempt of court.

16 **Sec. 18.** NRS 396.381 is hereby amended to read as follows:

17 396.381 1. Before the sale or delivery by the System of an
18 obligation to repay money in any form, other than an obligation
19 issued under the University Securities Law, the Board of Regents
20 may delegate to the ~~[Chancellor]~~ *Assistant Director* of the ~~[System~~
21 ~~or the Vice Chancellor for Finance]~~ *General Services Division* of
22 the ~~[System]~~ *Office* the authority to sign a contract for the sale or
23 exchange of the obligation or to accept a binding bid for the
24 obligation subject to the requirements specified by the Board of
25 Regents concerning:

- 26 (a) The rate or rates of interest on the obligation;
27 (b) The dates on which and the prices at which the obligation
28 may be prepaid before maturity;
29 (c) The price at which the obligation will be sold or the property
30 for which the obligation will be exchanged;
31 (d) The principal amount of the obligation and the amount of
32 principal and interest due on any specific dates; and
33 (e) Covenants to protect the owner of the obligation and the
34 System that the ~~[Chancellor or]~~ *Assistant Director of* the ~~[Vice~~
35 ~~Chancellor for Finance]~~ *General Services Division of the Office*
36 determines are necessary or desirable to obtain favorable terms for
37 the System. A determination made pursuant to this paragraph,
38 absent fraud or gross abuse of discretion, is conclusive.

39 2. All terms of the obligation other than:

- 40 (a) The rate or rates of interest;
41 (b) The dates and prices for the prepayment of the obligation;
42 (c) The price for the sale of the obligation or property for which
43 it will be exchanged;
44 (d) The principal amount of the obligation;



1 (e) The requirements for the payment of principal and interest
2 on specific dates; and

3 (f) Covenants to protect the owner of the obligation and the
4 System that the ~~{Chancellor or}~~ *Assistant Director of the {Vice*
5 ~~Chancellor for Finance}~~ *General Services Division of the Office*
6 determines are necessary or desirable to obtain favorable terms for
7 the System as provided in paragraph (e) of subsection 1,
8 ↪ must be approved by the Board of Regents before the obligation
9 is delivered.

10 3. The final rate or rates of interest, dates and prices of
11 prepayments, price for the sale of the obligation or property for
12 which it is exchanged, principal amount, requirements for payment
13 of principal and interest on specific dates, and covenants as
14 described in paragraph (e) of subsection 1, are not required to be
15 approved by the Board of Regents if each of those terms complies
16 with the requirements specified by the Board of Regents before the
17 contract for the purchase or delivery of the obligation is signed or
18 the bid for the obligation is accepted.

19 4. The proceeds of any money borrowed pursuant to this
20 section may be invested as provided in NRS 396.861 and 396.8615.

21 **Sec. 19.** NRS 396.610 is hereby amended to read as follows:

22 396.610 All rules and regulations necessary for the proper
23 administration and enforcement of the Public Service Division of
24 the System must be made by the presidents ~~{, the Chancellor}~~ and
25 the Board of Regents.

26 **Sec. 20.** NRS 396.8455 is hereby amended to read as follows:

27 396.8455 1. The Board may, before any sale of securities,
28 whether by competitive bid or negotiated sale, delegate to the
29 ~~{Chancellor}~~ *Assistant Director* of the ~~{University or the Vice~~
30 ~~Chancellor for Finance}~~ *General Services Division* of the
31 ~~{University}~~ *Office* the authority to sign a contract for the purchase
32 of the securities or to accept a binding bid for the securities subject
33 to the requirements specified by the Board concerning:

- 34 (a) The rate of interest on the securities;
35 (b) The dates on which and the prices at which the securities
36 may be called for redemption before maturity;
37 (c) The price at which the securities will be sold; and
38 (d) The principal amount of the securities and the amount of
39 principal maturing in any particular year.

40 2. All terms of the securities other than:

- 41 (a) The rate of interest;
42 (b) The dates and prices for the redemption of the securities;
43 (c) The price for the sale of the securities;
44 (d) The principal amount of the securities; and



1 (e) The requirements for the principal maturing in particular
2 years,
3 must be approved by the Board before the securities are
4 delivered.

5 3. The final rate of interest, dates and prices of redemption,
6 price for the sale of the securities, principal amount and the
7 requirements for the principal amount maturing in particular years
8 are not required to be approved by the Board if each of those terms
9 complies with the requirements specified by the Board before the
10 contract for the purchase of the securities is signed or the bid for the
11 securities is accepted.

12 **Sec. 21.** NRS 396.853 is hereby amended to read as follows:
13 396.853 1. Bonds and other securities issued hereunder shall
14 be executed in the name of the University or the Board, shall be
15 signed by the Chair of the Board, shall be attested by the Secretary
16 of the Board, shall be countersigned by the ~~Chancellor~~ *Assistant*
17 *Director* of the ~~University~~ *General Services Division of the*
18 *Office* and shall be countersigned by the Treasurer of the
19 University; and the bonds or other securities shall be authenticated
20 by the official seal of the University or the Board. Any coupons
21 shall be signed by the Treasurer of the University. Facsimile
22 signatures may be used on any coupons.

23 2. Any bonds or other securities, including without limitation
24 any certificates endorsed thereon, may be executed as provided in
25 the Uniform Facsimile Signatures of Public Officials Act, cited as
26 chapter 351 of NRS. (A compliance therewith is not a condition
27 precedent to the execution of any coupon with a facsimile
28 signature.)

29 3. The bonds, any coupons appertaining thereto, and other
30 securities, bearing the signatures of the officers in office at the time
31 of the signing thereof, shall be the valid and binding obligations of
32 the University or the Board, as the case may be, notwithstanding
33 that before the delivery thereof and payment therefor, any or all of
34 the persons whose signatures appear thereon have ceased to fill their
35 respective offices.

36 4. Any officer authorized or permitted to sign any bonds, any
37 coupons, or any other securities, at the time of their execution and of
38 a signature certificate appertaining thereto, may adopt as and for his
39 or her own facsimile signature the facsimile signature of his or her
40 predecessor in office in the event that such facsimile signature
41 appears upon the bonds, coupons and other securities appertaining
42 thereto, or any combination thereof.

43 **Sec. 22.** NRS 396.864 is hereby amended to read as follows:
44 396.864 Subject to any contractual limitations binding upon
45 the holders of any issue or series of securities, or trustee therefor,



1 including but not limited to the restriction of the exercise of any
2 remedy to a specified proportion, percentage or number of such
3 holders, and subject to any prior or superior rights of others, any
4 holder of securities, or trustee therefor, shall have the right and
5 power, for the equal benefit and protection of all holders of
6 securities similarly situated:

7 1. By mandamus or other suit, action or proceeding at law or in
8 equity to enforce his or her rights against the Board or University, or
9 both, ~~{the Chancellor of the University,}~~ and any other of the
10 officers, agents and employees of the Board or University, or both,
11 to require and compel the Board or University, or both, or any such
12 officers, agents or employees to perform and carry out their
13 respective duties, obligations or other commitments hereunder and
14 their respective covenants and agreements with the holder of any
15 security;

16 2. By action or suit in equity to require the Board or
17 University, or both, to account as if they were the trustee of an
18 express trust;

19 3. By action or suit in equity to have appointed a receiver,
20 which receiver may enter and take possession of any facilities and
21 any pledged revenues for the payment of the securities, prescribe
22 sufficient fees derived from the facilities, and collect, receive and
23 apply all pledged revenues or other moneys pledged for the payment
24 of the securities in the same manner as the Board itself might do in
25 accordance with the obligations of the University or the Board; and

26 4. By action or suit in equity to enjoin any acts or things which
27 may be unlawful or in violation of the rights of the holder of any
28 securities and to bring suit thereupon.

29 **Sec. 23.** As soon as practicable on or after July 1, 2019, the
30 Governor shall appoint the members of the Articulation and
31 Transfer Board created by section 6 of this act. In appointing such
32 members, the Governor shall, by lot, select:

- 33 1. Eight members to serve an initial term of 2 years; and
- 34 2. Seven members to serve an initial term of 3 years.

35 **Sec. 24.** The provisions of subsection 1 of NRS 218D.380 do
36 not apply to any provision of this act which adds or revises a
37 requirement to submit a report to the Legislature.

38 **Sec. 25.** The Legislative Counsel shall, in preparing the reprint
39 and supplements to the Nevada Revised Statutes, appropriately
40 replace:

41 1. The term “Chancellor of the Nevada System of Higher
42 Education” with the term “Director of the Administrative Services
43 Office.”

44 2. The term “Vice Chancellor for Finance of the Nevada
45 System of Higher Education” with the term “Assistant Director of



1 the General Services Division of the Administrative Services
2 Office.”

3 **Sec. 26.** NRS 396.010 and 396.8145 are hereby repealed.

4 **Sec. 27.** This act becomes effective on November 24, 2020,
5 only if the provisions of Assembly Joint Resolution No. 5 of the
6 79th Session of the Nevada Legislature are agreed to and passed by
7 the 2019 Legislature and approved and ratified by the voters at the
8 2020 General Election.

TEXT OF REPEALED SECTIONS

**396.010 Seat of University; extension instruction, research
and service activities conducted throughout State.**

1. The seat of the State University, as described in Section 4 of Article 11 of the Constitution of the State of Nevada, is hereby located at the Office of the Chancellor of the System.

2. Extension instruction on the collegiate level, research and service activities may be conducted throughout the State.

396.8145 “Chancellor of the University” defined.
“Chancellor of the University” means the de facto or de jure presiding officer of the System and its Chief Administrative Officer, now designated as the Chancellor of the System, and formerly designated as the Chancellor of the University of Nevada System and the President of the University of Nevada, or his or her successor in functions, if any. “Chancellor of the University” does not mean the chief administrative officer of either the branch of the University in Washoe County or the branch of the University in Clark County, now designated respectively as the “President of the University of Nevada, Reno” and the “President of the University of Nevada, Las Vegas.” The latter officer was formerly designated as the “Chancellor of Nevada Southern University.” Both of these officers are responsible and subordinate to the Chancellor of the System.



