

ASSEMBLY BILL NO. 197—ASSEMBLYMEN DE BRAGA,
DINI, HETTRICK AND PARNELL

FEBRUARY 10, 1999

JOINT SPONSORS: SENATORS MCGINNESS, JACOBSEN AND AMODEI

Referred to Committee on Natural Resources, Agriculture and Mining

SUMMARY—Expands Carson Water Subconservancy District and increases authorized compensation for boards of directors of water conservancy districts and irrigation districts. (BDR 48-609)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: 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 water; including a portion of Churchill County within the Carson Water Subconservancy District; including representatives of Churchill County as members of the board of directors of the Carson Water Subconservancy District; increasing the authorized compensation for members of the board of directors of a water conservancy district; increasing the authorized compensation for members of the board of directors of an irrigation district; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 539.080 is hereby amended to read as follows:
2 539.080 1. A member of the board of directors is entitled to receive
3 not more than ~~[\$50]~~ **\$80** per day and actual traveling expenses for each day
4 spent attending meetings of the board or while engaged in official business
5 under the order of the board.
6 2. The board shall fix the compensation to be paid to the other officers
7 named in this chapter; but the board shall, upon the petition of a majority
8 of the electors within the district, submit to the electors at any general
9 election of the district a schedule of salaries and fees to be paid the
10 directors and

1 officers thereof. The petition must be presented to the board 20 days before
2 the general election. The schedule of salaries and fees must be put into
3 effect upon the first of the month after the election if it was approved by a
4 two-thirds vote.

5 **Sec. 2.** NRS 541.110 is hereby amended to read as follows:

6 541.110 1. Each director before entering upon his official duties
7 shall take and subscribe to an oath, before a person authorized to
8 administer oaths, that he will support the constitutions of the United States
9 and the State of Nevada and will honestly, faithfully and impartially
10 perform the duties of his office.

11 2. Upon taking oath, the board shall choose one of their number
12 chairman of the board and president of the district, and shall elect some
13 suitable person secretary of the board and of the district, who may or may
14 not be a member of the board. The board shall adopt a seal and shall keep
15 in a well-bound book a record of all its proceedings, minutes of all
16 meetings, certificates, contracts, bonds given by employees and all
17 corporate acts, which must be open to inspection of all owners of property
18 in the district, as well as to all other interested persons.

19 3. Each member of the board is entitled to receive as compensation for
20 his service such sum as ~~{shall}~~ **may** be ordered by the board, not in excess
21 of the sum of ~~{ \$25 per diem for any meeting of the board, and necessary~~
22 ~~traveling expenses actually expended while engaged in the performance of~~
23 ~~his duties. }~~ **\$80 per day and actual traveling expenses for each day spent**
24 **attending meetings of the board or while engaged in official business**
25 **under the order of the board.**

26 **Sec. 3.** Section 10 of chapter 621, Statutes of Nevada 1989, as
27 amended by chapter 319, Statutes of Nevada 1997, at page 1200, is hereby
28 amended to read as follows:

29 Sec. 10. 1. The Carson Water Subconservancy District ~~{is~~
30 ~~hereby}~~, **as** expanded to include the urban area of Carson City ~~{-}~~,
31 **is hereby expanded to include that portion of Churchill County**
32 **within the Carson River hydrologic basin.** The assets and
33 liabilities of the existing district become the assets and liabilities of
34 the newly formed district on ~~{the effective date of this act.}~~ **July 1,**
35 **1999.**

36 2. **The Carson Water Subconservancy District shall be**
37 **deemed to have been created pursuant to chapter 541 of NRS,**
38 **with the same powers and duties, and subject to the same**
39 **limitations as a water conservancy district created pursuant to**
40 **that chapter except that the provisions of this act supersede the**
41 **provisions of chapter 541 of NRS where the provisions of that**
42 **chapter conflict with the express provisions of this act.**

1 **3.** The board of directors of the Carson Water Subconservancy
2 District consists of ~~nine~~ **11** members to be appointed as follows:

3 (a) Two members who are residents of Carson City appointed
4 by the board of supervisors of Carson City;

5 (b) Two members who are residents of Lyon County appointed
6 by the board of county commissioners of Lyon County; ~~and~~

7 (c) Five members who are residents of Douglas County, at least
8 two of whom must represent agricultural interests in the county,
9 appointed by the board of county commissioners of Douglas
10 County ~~;~~ **and**

11 ***(d) Two members who are residents of Churchill County***
12 ***appointed by the board of county commissioners of Churchill***
13 ***County.***

14 No action may be taken by the board without the affirmative vote
15 of at least six **members**.

16 ~~3.~~ **4.** The board of directors may levy a tax upon all taxable
17 property within the Carson Water Subconservancy District at a rate
18 of not more than 3 cents on each \$100 of assessed valuation for
19 carrying out the activities of the district. The tax must be collected
20 in the manner provided in chapter 541 of NRS. **The limitations in**
21 **chapter 354 of NRS upon revenue from taxes ad valorem do not**
22 **apply to revenue received from a tax levied pursuant to this**
23 **subsection.**

24 ~~4.~~ **5.** The board of directors may issue general or special
25 obligations to carry out the activities of the district, including,
26 without limitation, the acquisition of water rights and the
27 acquisition, construction or completion of waterworks, facilities,
28 flood control or drainage projects or other projects in accordance
29 with NRS 350.500 to 350.720, inclusive. Any general obligations
30 issued pursuant to this subsection must comply with the provisions
31 of NRS 350.020. The provisions of NRS 541.340 to 541.370,
32 inclusive, do not apply to obligations issued pursuant to this
33 subsection.

34 ~~5.~~ **6.** The board of directors may pledge:

35 (a) Any money received from the proceeds of the tax imposed
36 pursuant to subsection ~~3.~~ **4;**

37 (b) The gross or net revenues derived from water rights,
38 waterworks, facilities, flood control or drainage projects or other
39 projects; and

40 (c) The special assessments collected by the district for
41 maintaining and operating waterworks, facilities, flood control or
42 drainage projects and other projects,

1 for the payment of general or special obligations issued pursuant to
2 subsection ~~4.1~~ 5. For the purposes of subsection 3 of NRS 350.020
3 and NRS 350.500 to 350.720, inclusive, money pledged by the
4 board pursuant to this subsection shall be deemed to be pledged
5 revenue of the project.

6 ~~6.1~~ 7. The Carson Water Subconservancy District shall not
7 acquire water rights, or other property for the purpose of obtaining
8 the appurtenant water rights, through the exercise of the power of
9 eminent domain.

10 ~~7.1~~ 8. Carson City and each county located in part or in whole
11 within the Carson Water Subconservancy District may establish a
12 special district consisting of all or any portion of the land within the
13 boundaries of the local government. The governing body of the
14 local government is ex officio the board of directors of the district.
15 Each special district may levy a tax upon all taxable property
16 within its boundaries at a rate of not more than 7 cents on each
17 \$100 of assessed valuation. The tax must be collected in the same
18 manner as other taxes ad valorem collected by the local
19 government. The revenue from the tax must be used to allow the
20 district to plan, construct, maintain and operate waterworks,
21 facilities, flood control or drainage projects or other projects, and to
22 obtain water and water rights for the benefit of the district. The
23 limitations in chapter 354 of NRS upon revenue from taxes ad
24 valorem do not apply to revenue received from a tax levied
25 pursuant to this subsection. A district for which a tax is levied
26 pursuant to this subsection is not entitled to receive any distribution
27 of supplemental city-county relief tax. Districts established
28 pursuant to this subsection may enter into cooperative agreements
29 pursuant to chapter 277 of NRS concerning the management of the
30 waterworks or resources.

31 ~~8.1~~ 9. The Carson Water Subconservancy District may, for
32 the payment of general or special obligations issued pursuant to
33 subsection ~~4.1~~ 5, pledge any money received from the proceeds of
34 a tax imposed by a special district established pursuant to
35 subsection ~~7.1~~ 8 if:

36 (a) The Carson Water Subconservancy District and the special
37 district established pursuant to subsection ~~7.1~~ 8 have entered into a
38 cooperative agreement pursuant to chapter 277 of NRS; and

39 (b) The cooperative agreement authorizes the Carson Water
40 Subconservancy District to pledge the money received from the
41 proceeds of that tax.

42 **Sec. 4.** 1. As soon as practicable after July 1, 1999, the board of
43 county commissioners of Churchill County shall appoint its initial

- 1 members to the board of directors of the Carson Water Subconservancy
- 2 District. One member initially appointed by Churchill County shall serve
- 3 until the end of

1 the second calendar year next succeeding his appointment. The other
2 member initially appointed by Churchill County shall serve until the end of
3 the fourth calendar year next succeeding his appointment.

4 2. After their initial terms of office as set forth in subsection 1, the
5 members of the board of directors of the Carson Water Subconservancy
6 District appointed by Churchill County hold office for 4 years or until their
7 successors have been appointed, as required by section 11 of chapter 621,
8 Statutes of Nevada 1989, at page 1409.

9 **Sec. 5.** This act becomes effective on July 1, 1999.

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