

ASSEMBLY BILL NO. 441—ASSEMBLYMAN PERKINS

MARCH 19, 2001

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to library districts. (BDR 33-980)

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 libraries; establishing a procedure for the alteration of the boundaries of certain library districts; ratifying certain previously made alterations of the boundaries of certain library districts; 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.** Chapter 379 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 1. *If the trustees of a county library district desire to provide library*
4 *services in territory which is contiguous to its boundaries but is within*
5 *the boundaries of another county library district, a consolidated library*
6 *district or a county, city or town which has a library, the trustees of the*
7 *county library district may submit a request to the trustees of such a*
8 *library or library district to provide library services within that territory.*
9 2. *If the trustees of a library or library district that receives a request*
10 *pursuant to subsection 1 desire that the library or library district receive*
11 *such library services, the trustees shall conduct a joint study with the*
12 *county library district to determine whether the county library district has*
13 *the financial capability to provide the library services. If the results of the*
14 *study demonstrate that the county library district has such financial*
15 *capability, the county library district may alter its boundaries to include*
16 *the territory.*
17 3. *If;*
18 (a) *The trustees of a library or library district that receives a request*
19 *pursuant to subsection 1 do not desire that the library or library district*
20 *receive such library services; or*
21 (b) *The results of a study conducted pursuant to subsection 2*
22 *demonstrated that the county library district did not have the financial*
23 *capability to provide the library services,*



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1 *the county library district may submit the matter to the board of county*
2 *commissioners of the county for its determination. The board of county*
3 *commissioners may request such information from the county library*
4 *district and library or library district as necessary to make its*
5 *determination. If the board of county commissioners determines it is in*
6 *the best interest of the residents of the territory to receive library services*
7 *from the county library district, the board of county commissioners shall*
8 *by resolution authorize the county library district to alter its boundaries*
9 *to include the territory. In making such a determination, the board of*
10 *county commissioners may solicit public comment from residents who*
11 *are affected by the proposed alteration of the boundaries of the county*
12 *library district through polling, public hearings, submission of an*
13 *advisory question at an election or any other form of public comment.*

14 *4. The provisions of this section do not apply to alter the boundaries*
15 *of any library or library district for the purposes of taxes levied for the*
16 *repayment, when due, of the principal of and interest on bonds, notes or*
17 *other indebtedness issued before the effective date of the alteration.*

18 **Sec. 2.** NRS 379.0224 is hereby amended to read as follows:
19 379.0224 The boundaries of a consolidated library district include all
20 of the area of:

21 1. Each city that is consolidated into the county library district;
22 2. The county library district at the time of the establishment of the
23 consolidated library district, except for an area annexed by another city
24 which:

25 (a) Is not consolidated into the county library district; ~~land~~
26 (b) Has established a city library pursuant to NRS 379.105 or created a
27 municipal library district pursuant to the provisions of its charter; and

28 *(c) Is included in a county library district, that has not merged with*
29 *the consolidated library district, pursuant to an interlocal agreement*
30 *before the effective date of this act or pursuant to section 1 of this act;*
31 *and*

32 3. Any other county library district which has merged with the county
33 library district being consolidated.

34 **Sec. 3.** 1. Any alteration of the boundaries of a county library
35 district to which the board of trustees of the county library district and the
36 board of trustees of the consolidated library district agreed pursuant to an
37 interlocal agreement before the effective date of this act is hereby ratified
38 and becomes effective on the effective date of this act. The amendatory
39 provisions of section 2 of this act apply retroactively to an alteration of the
40 boundaries of a consolidated library district to which the board of trustees
41 of the consolidated library district and the board of trustees of the county
42 library district agreed pursuant to an interlocal agreement before the
43 effective date of this act.

44 2. The altered boundaries resulting from any interlocal agreement
45 described in subsection 1 must be used for any election to authorize the
46 issuance of bonds or other form of indebtedness for the consolidated or
47 county library district that is held after the effective date of this act.

48 3. The amendatory provisions of this section do not apply to alter the
49 boundaries of a consolidated or county library district for the purposes of



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- 1 taxes levied for the repayment, when due, of the principal of and interest
- 2 on bonds, notes or other indebtedness issued before the effective date of
- 3 this act.
- 4 **Sec. 4.** This act becomes effective upon passage and approval.

