

Amendment No. 969

Senate Amendment to Assembly Bill No. 373 First Reprint (BDR 25-388)

Proposed by: Senator Hardy

Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed 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 that is proposed to be retained in this amendment; and (6) ***green bold*** is newly added transitory language.

SJA/BJE



Date: 5/24/2007

A.B. No. 373—Revises provisions governing general improvement districts.
(BDR 25-388)



ASSEMBLY BILL NO. 373—ASSEMBLYMAN GRADY

MARCH 16, 2007

JOINT SPONSOR: SENATOR AMODEI

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing general improvement districts.
(BDR 25-388)

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 general improvement districts; revising the provisions governing the circumstances under which a board of county commissioners may serve ex officio as the board of trustees of a general improvement district; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill authorizes the board of county commissioners ~~[in a county whose population is less than 100,000 (currently counties other than Clark and Washoe Counties)]~~ to serve ex officio as the board of trustees of a general improvement district which is organized on or after July 1, 2007, and is authorized to ~~[furnish streets and alleys.]~~ **exercise any of the basic powers that a district may exercise under existing law.** This bill also provides that **, in a county whose population is less than 100,000 (currently counties other than Clark and Washoe Counties) and which is only authorized to furnish streets and alleys,** the territory of such a district may overlap the territory of another general improvement district. ~~[This bill also authorizes the board of county commissioners in any county to serve ex officio as the board of trustees of a general improvement district which is organized on or after July 1, 2007, and is authorized to exercise any of the basic powers that a district may exercise under existing law.]~~ (NRS 318.0953)

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

Section 1. NRS 318.0953 is hereby amended to read as follows:

318.0953 1. In every county whose population is 400,000 or more, the board of county commissioners is, and in counties whose population is less than 400,000 the board of county commissioners may be ~~H~~ ex officio ~~H~~ the board of trustees of each district organized or reorganized pursuant to this chapter and authorized to exercise the basic power of furnishing facilities for sewerage as

provided in NRS 318.140, without regard to whether the district is also authorized to furnish facilities for storm drainage, but excluding any district which is authorized, in addition to those basic powers, to exercise any one or more other basic powers designated in this chapter, except as *otherwise* provided in subsections 2 ~~and 4~~, *4 and 5*.

2. The board of county commissioners of any county may be, at its option, ex officio ~~the~~ the board of trustees of any district organized or reorganized pursuant to this chapter and authorized to exercise the basic power of furnishing facilities for water as provided in NRS 318.144, or ~~the~~ furnishing both facilities for water and facilities for sewerage as provided in NRS 318.144 and 318.140, respectively, without regard to whether the district is also authorized to furnish facilities for storm drainage, but excluding any district which:

(a) Is authorized, in addition to its basic powers, to exercise any one or more other basic powers designated in this chapter ~~the~~, *except as otherwise provided in subsection 4*.

(b) Is organized or reorganized pursuant to this chapter, the boundaries of which include all or a portion of any incorporated city or all or a portion of a district for water created by special law.

3. In every county whose population is less than 100,000, the board of county commissioners may be ~~the~~ ex officio ~~the~~ the board of trustees of ~~each~~ ~~the~~ ~~(a) Each~~ district organized or reorganized pursuant to this chapter and authorized to exercise the basic power of furnishing emergency medical services as provided in NRS 318.1185, which district may overlap the territory of any district authorized to exercise any one or more other basic powers designated in this chapter.

~~the~~ ~~(b) Each district organized pursuant to this chapter on or after July 1, 2007, and authorized to exercise the basic power of furnishing streets and alleys as provided in NRS 318.120, which district may overlap the territory of any district authorized to exercise any one or more other basic powers designated in this chapter.~~

4. The board of county commissioners of any county may be, at its option, ex officio the board of trustees of any district organized on or after July 1, 2007, and authorized to exercise one or more of the basic powers designated in this chapter. In a county whose population is less than 100,000, a district for which the board of county commissioners is ex officio the board of trustees pursuant to this subsection and which is authorized only to exercise the basic power of furnishing streets and alleys as provided in NRS 318.120 may overlap the territory of any district authorized to exercise any one or more other basic powers designated in this chapter.

5. A board of county commissioners may exercise the options provided in subsections 1 ~~1, 2 and 3~~ *to 4, inclusive*, by providing in the ordinance creating the district or in an ordinance thereafter adopted at any time that the board is ~~the~~ ex officio ~~the~~ the board of trustees of the district. The board of county commissioners shall, in the former case, be the board of trustees of the district when the ordinance creating the district becomes effective, or in the latter case, become the board of the district 30 days after the effective date of the ordinance adopted after the creation of the district. In the latter case within the 30-day period the county clerk shall promptly cause a copy of the ordinance to be:

(a) Filed in his office;

(b) Transmitted to the secretary of the district; and

(c) Filed in the Office of the Secretary of State without the payment of any fee and otherwise in the same manner as articles of incorporation are required to be filed under chapter 78 of NRS.

1 **Sec. 2.** This act becomes effective on July 1, 2007.