

Amendment No. 708

Senate Amendment to Assembly Bill No. 360 First Reprint (BDR 25-733)

Proposed by: Senate Committee on Government Affairs**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No

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 dashed underlining*** is newly added transitory language.

HAC/MSM



Date: 5/15/2009

A.B. No. 360—Authorizes the temporary creation of certain special districts.
(BDR 25-733)



ASSEMBLY BILL NO. 360—ASSEMBLYMEN GOICOECHEA; GUSTAVSON AND
SETTELMAYER (BY REQUEST)

MARCH 16, 2009

Referred to Committee on Government Affairs

SUMMARY—Authorizes the temporary creation of certain special districts.
(BDR 25-733)FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to special districts; authorizing the temporary creation of certain special districts to manage certain federal funds provided to the State; requiring that certain federal funds be distributed directly to certain special districts; requiring certain reporting in connection with such special districts; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Chapter 308 of NRS provides for the creation of various types of special districts for various purposes. This bill authorizes the creation of special districts to manage money that is: (1) paid to the State by the Federal Government; and (2) designated for the territory covered by the district. To qualify, the number of county commissioners serving on the governing board of the special district cannot constitute a majority and the special district must be authorized to act independently of the county when managing the district. This bill also requires that, if a special district has been created, federal money be paid directly to the district and not to the county or counties within which the district lies.

Under the provisions of this bill, the governing body of any special district created pursuant thereto must, on or before January 1, 2011, submit a one-time report to the Director of the Legislative Counsel Bureau for transmittal to the 76th Session of the Nevada Legislature.

The provisions of this bill expire by limitation on June 30, 2013.

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

Section 1. Chapter 308 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A special district may be formed subject to the provisions of this chapter:

(a) To manage any money that is:

(1) Paid to the State of Nevada or to a county by the Federal Government; and

(2) Designated for the territory covered by the special district; and

(b) *With a governing body:*

(1) *Of which not more than half of the members are also members of the ~~governing body or bodies~~ board of county commissioners of the county ~~for counties~~ within which lies the territory covered by the special district; and*

(2) *Which is authorized to act independently of the ~~governing body or bodies~~ board of county commissioners of the county ~~for counties~~ within which lies the territory covered by the special district.*

2. *If a special district is formed pursuant to the provisions of this section to manage money that is:*

(a) *Paid to the State of Nevada or to a county by the Federal Government pursuant to a specified bill or measure of the Federal Government; and*

(b) *Designated for the territory covered by the special district, any such money must be distributed directly to the special district for expenditure.*

Sec. 2. NRS 354.140 is hereby amended to read as follows:

354.140 1. ~~[[The]]~~ *Except as otherwise provided in subsection 2, the* money paid to the State of Nevada by the Secretary of the Treasury under the provisions of 16 U.S.C. § 500, providing for the payment to states and territories of a fixed percentage of the money received by the Government of the United States from the forest reserves established therein, must be distributed respectively to the county or counties in which the forest reserves are situated. ~~[[to]]~~

2. *If a special district has been formed pursuant to the provisions of section 1 of this act to manage money paid to the State of Nevada by the Secretary of the Treasury under the provisions of 16 U.S.C. § 500 from forest reserves established within the territory covered by the special district, any such money must be distributed directly to the special district.*

3. *Money distributed pursuant to subsections 1 and 2 must* be expended for the benefit of the public schools and the public roads of the county or counties in equal proportion for each object. The proportion for schools must be paid into the county school district fund. If there is a county road fund, the proportion for roads must be paid into the county road fund. If there is no county road fund, the proportion for roads must be paid into the county general fund for public road purposes.

~~[[2-]]~~ 4. When any forest reserve is in more than one state or county, the distributive share to each must be proportional to its area therein, following as near as may be the figures submitted to the State of Nevada respecting net forest area and county acreage therein by the Forest Service, United States Department of Agriculture.

~~[[3-]]~~ 5. The agency which is responsible for completing any audit required for the continuation of the payments must be reimbursed for the cost of the audit from the funds to which the payments were distributed proportionately according to the percentage of the payment which was distributed to each fund.

Sec. 3. 1. On or before January 1, 2011, the governing body of any special district formed pursuant to the provisions of section 1 of this act shall submit a report to the Director of the Legislative Counsel Bureau for transmittal to the 76th Session of the Nevada Legislature.

2. The report required to be submitted in accordance with subsection 1 must include, without limitation:

(a) A description of the boundaries of the special district.

(b) The form and composition of the governance of the special district.

(c) The total number of dollars received by the special district, directly or indirectly, from the Federal Government.

1 (d) The purposes for which the money described in paragraph (c) was spent
2 and will be spent.

3 (e) A description of the activities engaged in by the special district.

4 (f) Any other information that is requested by the Director of the Legislative
5 Counsel Bureau which the Director determines would be helpful to the Legislature
6 in evaluating the efficacy, efficiency and usefulness of the special district.

7 **Sec. 4.** This act becomes effective on July 1, 2009, and expires by limitation
8 on June 30, 2013.