

ASSEMBLY BILL NO. 310—ASSEMBLYMEN
GRADY; AND HANSEN

MARCH 18, 2013

JOINT SPONSORS: SENATORS SETTELMAYER,
GOICOECHEA; AND GUSTAVSON

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Revises provisions governing irrigation districts.
(BDR 48-941)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 irrigation districts; authorizing an irrigation district to purchase and maintain insurance or make other financial arrangements for any liability asserted against an officer of the irrigation district and certain other persons; increasing the maximum amount of certain indebtedness that the board of directors of an irrigation district may incur; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for the formation and operation of irrigation districts in this State. (Chapter 539 of NRS) The officers of each irrigation district must consist of a president, vice president, secretary, treasurer and three, five or seven directors. (NRS 539.063) The board of directors of each irrigation district may appoint or employ agents, officers, employees, delegates to conventions and other representatives as the board may require in the interest of the irrigation district. (NRS 539.193) **Section 2** of this bill authorizes the board to purchase insurance or make other financial arrangements on behalf of any such agent, officer, employee, delegate or representative for any liability asserted against the agent, officer, employee, delegate or representative in his or her capacity as such an agent, officer, employee, delegate or representative of the irrigation district.

Existing law authorizes a board of directors of an irrigation district to incur an indebtedness not exceeding in the aggregate the sum of \$500,000. (NRS 539.480)



14 **Section 5** of this bill increases the amount of indebtedness that the board may incur
15 to \$1,000,000.

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

1 **Section 1.** Chapter 539 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2.** *An irrigation district may purchase and maintain*
4 *insurance or make other financial arrangements on behalf of any*
5 *person who is or was an officer of the irrigation district specified*
6 *in NRS 539.063 or an agent, officer, employee, delegate or*
7 *representative appointed or employed pursuant to NRS 539.193*
8 *for any liability asserted against the person and liability and*
9 *expenses incurred by the person in his or her capacity or arising*
10 *out of his or her status as such an agent, officer, employee,*
11 *delegate or representative of the irrigation district.*

12 **Sec. 3.** (Deleted by amendment.)

13 **Sec. 4.** (Deleted by amendment.)

14 **Sec. 5.** NRS 539.480 is hereby amended to read as follows:

15 539.480 1. For the purpose of organization or any of the
16 purposes of this chapter, the board of directors may incur an
17 indebtedness not exceeding in the aggregate the sum of ~~1500,000~~
18 **\$1,000,000** and may cause warrants or negotiable notes of the
19 district to issue therefor, bearing interest which must not exceed by
20 more than 5 percent the Index of Revenue Bonds which was most
21 recently published before the bids are received or a negotiated offer
22 is accepted. The board may levy an assessment on all lands in the
23 district for the payment of those expenses.

24 2. Subject to the provisions of subsections 3, 4 and 5, thereafter
25 the board may levy:

26 (a) An annual assessment, in the absence, except as otherwise
27 provided in paragraph (b), of assessments therefor pursuant to any
28 of the other provisions of this chapter, of not more than \$1.50 per
29 acre on all lands in the district for the payment of the ordinary and
30 current expenses of the district, including the salaries of officers and
31 other incidental expenses; and

32 (b) An annual assessment of not more than \$5 per acre on all the
33 lands in the district for deposit in a capital improvement fund for the
34 construction, reconstruction or maintenance of the irrigation system
35 of the district and any appurtenances necessary thereto.

36 3. Annual assessments levied pursuant to the provisions of
37 subsection 2 may not cumulatively exceed \$5 per acre.

38 4. No portion of the amount collected from the assessment
39 levied pursuant to the provisions of paragraph (b) of subsection 2



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1 may be used for the payment of the ordinary and current expenses of
2 the district, including the salaries of officers and other incidental
3 expenses.

4 5. The assessments authorized pursuant to the provisions of
5 subsection 2 must be collected as provided in this chapter for the
6 collection of other assessments.

7 **Sec. 6.** This act becomes effective on July 1, 2013.

