

SENATE BILL NO. 311—SENATOR KIECKHEFER

MARCH 16, 2015

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to irrigation districts.
(BDR 48-831)

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 irrigation districts; revising provisions relating to indebtedness and assessments by the board of directors of an irrigation district; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes a board of directors of an irrigation district to incur an
2 indebtedness not exceeding in the aggregate the sum of \$1,000,000 and to levy
3 certain assessments on all lands in the district. (NRS 539.480) This bill authorizes
4 the board of directors of an irrigation district that has entered into a contract with
5 the United States for the purpose of complying with the Reclamation Safety of
6 Dams Act of 1978, 43 U.S.C. §§ 506 et seq., to incur an indebtedness not exceeding
7 in the aggregate the sum of \$6,000,000. This bill also provides that for the purpose
8 of calculating assessments to pay the indebtedness of the district, fractional acres
9 may be rounded up to the nearest whole acre.

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

1 **Section 1.** NRS 539.480 is hereby amended to read as follows:
2 539.480 1. ~~For~~ *Except as otherwise provided in subsection*
3 *2, for* the purpose of organization or any of the purposes of this
4 chapter, the board of directors may incur an indebtedness not
5 exceeding in the aggregate the sum of \$1,000,000 , and may cause
6 warrants or negotiable notes of the district to issue therefor, bearing
7 interest which must not exceed by more than 5 percent the Index of
8 Revenue Bonds which was most recently published before the bids
9 are received or a negotiated offer is accepted. The board may levy



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1 an assessment on all lands in the district for the payment of those
2 expenses.

3 2. *A board of directors of a district that has entered into a*
4 *contract with the United States pursuant to NRS 539.270 for*
5 *purposes of complying with the federal Reclamation Safety of*
6 *Dams Act, 43 U.S.C. §§ 506 et seq., may incur an indebtedness not*
7 *exceeding in the aggregate the sum of \$6,000,000, and may cause*
8 *warrants or negotiable notes of the district to issue therefor,*
9 *bearing interest which must not exceed by more than 5 percent the*
10 *Index of Revenue Bonds which was most recently published*
11 *before the bids are received or a negotiated offer is accepted. The*
12 *board may levy an assessment on all lands in the district for the*
13 *payment of those expenses.*

14 3. Subject to the provisions of subsections ~~13, 4 and 5,~~ 4, 5
15 and 6, thereafter the board may levy:

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

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

26 ~~13-1~~ 4. Annual assessments levied pursuant to the provisions of
27 subsection ~~12-1~~ 3 may not cumulatively exceed \$5 per acre.

28 ~~14-1~~ 5. No portion of the amount collected from the assessment
29 levied pursuant to the provisions of paragraph (b) of subsection ~~12-1~~ 3
30 may be used for the payment of the ordinary and current expenses of
31 the district, including the salaries of officers and other incidental
32 expenses.

33 ~~15-1~~ 6. *An assessment authorized pursuant to this section may*
34 *be calculated by rounding up to the nearest whole acre.*

35 7. The assessments authorized pursuant to the provisions of
36 subsection ~~12-1~~ 3 must be collected as provided in this chapter for the
37 collection of other assessments.

38 **Sec. 2.** This act becomes effective upon passage and approval.

