

Amendment No. 455

Senate Amendment to Senate Bill No. 462

(BDR 20-496)

Proposed by: Senate Committee on Government Affairs**Amends:** Summary: No Title: Yes 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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

EMR/HAC



Date: 4/20/2017

S.B. No. 462—Authorizes a board of county commissioners to create a committee to review general improvement districts. (BDR 20-496)



SENATE BILL NO. 462—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
FOR THE REVIEW AND OVERSIGHT OF THE
TAHOE REGIONAL PLANNING AGENCY AND
THE MARLETTE LAKE WATER SYSTEM)

MARCH 27, 2017

Referred to Committee on Government Affairs

SUMMARY—Authorizes a board of county commissioners to create a committee to review general improvement districts. (BDR 20-496)

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; authorizing a board of county commissioners to create a committee to review ~~each~~ general improvement ~~district~~ *districts* in the county; establishing certain requirements for such a committee; requiring a general improvement district to submit certain requested information to such a committee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law governs the creation and administration of general improvement districts in this State. (Chapter 318 of NRS) **Section 2** of this bill authorizes a board of county commissioners to create a committee to review the existing general improvement districts in the county to determine if the districts should be continued, modified, consolidated, merged or dissolved. **Section 2** also provides that such a committee must consist of ~~five~~ *;(1) three* members appointed by the board of county commissioners, including a member of the Senate who represents the county and a member of the Assembly who represents the county ~~;~~ *;(2) two additional members, one appointed by the member of the Senate and one appointed by the member of the Assembly. Section 2 further establishes procedures and qualifications relating to the members of the committee other than the member of the Senate and member of the Assembly, including that: (1) the board of county commissioners must solicit and accept applications for such members of the committee; (2) the members will serve for 1 year, but may be reappointed; (3) the members must be a resident of the county; and (4) not more than one member of a committee may be a member of the same board of trustees of a general improvement district.*

Section 3 of this bill requires such a committee to conduct public hearings on whether a general improvement district should be continued, modified, consolidated, merged or dissolved and places the burden of proof on the general improvement district to establish that there is a public need for its continued existence. **Section 3** *also limits such a committee to reviewing not more than six general improvement districts in a county per year. Section 3* ~~further~~ requires each committee to submit a report to the Legislative Commission

each year regarding the activities and findings of the committee. **Section 4** of this bill sets forth certain information that each general improvement district under review by a committee may be required to provide to the committee.

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

Section 1. Chapter 244 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. 1. *A board of county commissioners may create a committee to review ~~each~~ existing general improvement ~~district~~ districts in the county to determine if ~~the~~ any district should be continued, modified, consolidated, merged or dissolved.*

2. A committee created pursuant to subsection 1 must consist of five members, ~~appointed by the board of county commissioners~~, which must include:

(a) A member of the Senate who represents the county, who shall serve as the chair of the committee ~~and~~ and must be appointed by the board of county commissioners;

(b) A member of the Assembly who represents the county, who shall serve as the vice chair of the committee ~~and~~ and must be appointed by the board of county commissioners;

(c) ~~Three~~ One other ~~members chosen~~ member appointed by the board of county commissioners ~~and~~;

(d) One member appointed by the member of the Senate appointed to the committee pursuant to paragraph (a); and

(e) One member appointed by the member of the Assembly appointed to the committee pursuant to paragraph (b).

3. If a board of county commissioners creates a committee pursuant to subsection 1, the board must solicit and accept applications for persons to apply for appointment pursuant to paragraphs (c), (d) and (e) of subsection 2. A person who is appointed to the committee pursuant to paragraph (c), (d) or (e) of subsection 2 serves on the committee for 1 year, but may submit an application to be reappointed.

4. To be eligible to serve on a committee as a member appointed pursuant to paragraph (c), (d) or (e) of subsection 2, a person must:

(a) Submit an application to the board of county commissioners; and

(b) Be a resident of the county.

5. Except as otherwise provided in this subsection, a resident of the county who is a member of the board of trustees of a general improvement district in the county may be appointed to the committee pursuant to paragraph (c), (d) or (e) of subsection 2. Not more than one member of a committee created pursuant to subsection 1 may be a member of the board of trustees of the same general improvement district.

6. A member of the committee is not entitled to be compensated or reimbursed for travel or other expenses relating to any duties as a member of the committee.

~~7.~~ 7. The membership of any member of the committee who is a Legislator and who is not a candidate for reelection or who is defeated for reelection terminates on the day next after the general election.

~~(5.)~~ 8. A vacancy on the committee must be filled in the same manner as the original appointment.

Sec. 3. 1. A committee created pursuant to section 2 of this act shall:

(a) Meet at the times and places specified by a call of the Chair;

(b) Conduct public hearings for the purpose of reviewing and obtaining comments on the need for the continuance, modification, consolidation, merger or dissolution of one or more general improvement districts in the county; ~~and~~

(c) Review not more than six general improvement districts in the county per year; and

(d) On or before July 1 of each year, submit a report to the Legislative Commission concerning the activities and findings of the committee during that year.

2. A general improvement district has the burden of proving that there is a public need for its continued existence.

3. If a general improvement district includes territory within two or more counties, a committee created by the board of county commissioners with the authority to supervise the district pursuant to NRS 318.050 has the authority to review that general improvement district pursuant to subsection 1.

Sec. 4. Each general improvement district subject to review by a committee created pursuant to section 2 of this act shall submit any information requested to the committee. The information requested by the committee may include, without limitation:

1. The name of the general improvement district;

2. The name of each member of the board of trustees of the general improvement district;

3. The address of the Internet website established and maintained by the general improvement district, if any;

4. A list of the staff of the general improvement district;

5. The governing structure of the general improvement district, including, without limitation, information concerning the method, terms, qualifications and conditions of appointment and removal of the members of the board trustees;

6. The operating budget of the general improvement district;

7. A statement setting forth the incomes and expenses of the general improvement district for at least 3 years immediately preceding the date on which the district submits the information required by this section;

8. The most recent audit conducted of the general improvement district, if any;

9. The dates of the immediately preceding six meetings held by the board of trustees of the general improvement district; and

10. Any other information the committee may require.

Sec. 5. 1. This act becomes effective on July 1, 2017.

2. This act expires by limitation on June 30, 2021.