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

MARCH 16, 2009

Referred to Committee on Government Affairs

SUMMARY—Authorizes the creation of certain special districts.
(BDR 25-733)

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 special districts; authorizing the 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; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

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

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

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

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

5 *(a) To manage any money that is:*

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



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

3 (b) With a governing body:

4 (1) Of which not more than half of the members are also
5 members of the governing body or bodies of the county or counties
6 within which lies the territory covered by the special district; and

7 (2) Which is authorized to act independently of the
8 governing body or bodies of the county or counties within which
9 lies the territory covered by the special district.

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

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

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

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

19 354.140 1. ~~[The]~~ Except as otherwise provided in subsection
20 2, the money paid to the State of Nevada by the Secretary of the
21 Treasury under the provisions of 16 U.S.C. § 500, providing for the
22 payment to states and territories of a fixed percentage of the money
23 received by the Government of the United States from the forest
24 reserves established therein, must be distributed respectively to the
25 county or counties in which the forest reserves are situated. ~~[, to]~~

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

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

40 ~~[2-]~~ 4. When any forest reserve is in more than one state or
41 county, the distributive share to each must be proportional to its area
42 therein, following as near as may be the figures submitted to the
43 State of Nevada respecting net forest area and county acreage
44 therein by the Forest Service, United States Department of
45 Agriculture.



1 ~~3.1~~ 5. The agency which is responsible for completing any
2 audit required for the continuation of the payments must be
3 reimbursed for the cost of the audit from the funds to which the
4 payments were distributed proportionately according to the
5 percentage of the payment which was distributed to each fund.

6 **Sec. 3.** This act becomes effective on July 1, 2009.

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