

CHAPTER 46A-3D

WATER DEVELOPMENT DISTRICTS--POWERS AND DUTIES

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46A-3D-1. Office of district--Employees. A water development district board of directors may equip, maintain, and operate an office within the water development district as its principal place of business and establish other offices as necessary. The board of directors may appoint and fix compensation of any employees deemed necessary by the board of directors to conduct the business and affairs of the water development district and to carry out the intent of chapters 46A-3A to 46A-3E, inclusive. No employee of the water development district may hold office as a water development district director while so employed.

Source: SL 1984 (SS), ch 1, § 32.

46A-3D-2. Group insurance for employees. A water development district board of directors may enter into group hospital and medical insurance contracts for protection and benefit of their employees and the immediate families of such employees. The board may pay all or part of the necessary premiums for its employees.

Source: SL 1984 (SS), ch 1, § 33; SL 1987, ch 332, § 1.

46A-3D-3. Records required of districts--Public inspection. A water development district board of directors shall keep accurate minutes of its meetings and accurate records and books of account clearly setting forth and reflecting the operations, management, and business of the district. The minutes, records, and books shall be kept at the principal place of business of the water development district and shall be open to public inspection during reasonable business hours. The minutes shall be mailed to the official newspapers of the water development district.

Source: SL 1984 (SS), ch 1, § 35.

46A-3D-4. Fiscal year--Audit--Report--Publication of notice. The fiscal year of the water development district shall coincide with the calendar year. At the close of each year of business in which the district's revenues exceed two hundred fifty thousand dollars, the district board shall obtain an audit by the Department of Legislative Audit, or an auditor approved by the Department of Legislative Audit, of the books, records, and financial affairs of the water development district. A written report of the audit shall be kept on file in the principal place of business of the water development district and a copy of the report shall be filed in the Office

of the Secretary of State. Notice of availability of the audit report shall be promptly published in the official newspapers of the water development district. A water development district with two hundred fifty thousand dollars or less in annual revenue may submit an annual report in lieu of a formal audit. The report shall be submitted to the auditor-general on forms prescribed by the Department of Legislative Audit. The auditor-general may audit the books and records of any office or officer of any water development district if it is requested by the district's board of directors or if the auditor-general finds that special reasons exist.

Source: SL 1984 (SS), ch 1, § 36; SL 2012, ch 218, § 1.

46A-3D-5. Actions by and against boards of directors. The water development district board of directors may sue and be sued in the name of the water development district.

Source: SL 1984 (SS), ch 1, § 37.

46A-3D-6. Contracting power of boards. The water development district board of directors may cooperate or contract with any individual, state, or subdivision thereof or federal agency or private or public corporation to carry out the intent and purposes of chapters 46A-3A to 46A-3E, inclusive.

Source: SL 1984 (SS), ch 1, § 38.

46A-3D-7. Insurance authorized. A water development district board of directors may carry public liability insurance protecting the directors and employees against liability suits brought against them for acts or omissions while performing their duties as directors or employees. The board may carry other insurance as deemed necessary by the board to protect the water development district and its property.

Source: SL 1984 (SS), ch 1, § 39.

46A-3D-8. Property acquisition and disposition. A water development district board of directors may acquire by purchase or lease all real and other property as may be necessary to carry out the purposes and intent of chapters 46A-3A to 46A-3E, inclusive. The board may hold and use the property, lease or otherwise dispose of any part or parcel thereof, or sell the property if it is no longer needed. The water development district board shall follow the procedures in chapters 6-13 and 7-30 for the sale, exchange, leasing, and disposal of property.

Source: SL 1984 (SS), ch 1, § 40; SL 1989, ch 30, § 75.

46A-3D-9. Eminent domain. A water development district board of directors may exercise the power of eminent domain for acquiring and securing any right, title, interest, estate, or easement necessary to carry out the purposes and intent of chapters 46A-3A to 46A-3E, inclusive, if the district is unable to acquire it by negotiation.

Source: SL 1984 (SS), ch 1, § 41.

46A-3D-10. Acceptance of funds, property, and services. A water development district board of directors may accept funds, property, and services or other assistance, financial or otherwise, from federal, state, and other public or private sources to carry out the purposes and intent of chapters 46A-3A to 46A-3E, inclusive.

Source: SL 1984 (SS), ch 1, § 42.

46A-3D-11. Designation of legal newspapers. Each year each water development district board shall designate legal newspapers of general circulation published within the water development district as official newspapers of the water development district.

Source: SL 1984 (SS), ch 1, § 43.

46A-3D-12. Accumulation of capital reserve fund. To carry out the purposes and intent of chapters 46A-3A to 46A-3E, inclusive, a water development district may accumulate funds in a capital reserve fund established by resolution by the directors. The accumulated funds may not revert at the end of a fiscal year and the water development district directors may make expenditures from the capital reserve fund as they deem necessary, consistent with the purposes and intent of chapters 46A-3A to 46A-3E, inclusive.

Source: SL 1984 (SS), ch 1, § 44.

46A-3D-13. Federal wildlife mitigation requirements. It is the intent of chapters 46A-3A to 46A-3E, inclusive, that any land used to satisfy federal wildlife mitigation requirements for a project shall be within the water development district benefiting from that project.

Source: SL 1984 (SS), ch 1, § 66.

46A-3D-14, 46A-3D-15. Repealed by SL 1996, ch 265, §§ 16, 17

46A-3D-16. Repealed by SL 1987, ch 29, § 61

46A-3D-17, 46A-3D-18. Repealed by SL 1996, ch 265, §§ 18, 19
