

ASSEMBLY BILL NO. 237—ASSEMBLYMEN DINI, DE BRAGA AND HETTRICK

FEBRUARY 15, 1999

JOINT SPONSORS: SENATORS AMODEI, MCGINNESS AND JACOBSEN

Referred to Committee on Government Affairs

SUMMARY—Authorizes grants for certain improvements to conserve water. (BDR 30-951)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to water; authorizing grants for certain improvements to conserve water; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 349.980 is hereby amended to read as follows:
2 349.980 As used in NRS 349.980 to 349.987, inclusive, unless the
3 context otherwise requires:
4 1. “Board” means the board for financing water projects created
5 pursuant to NRS 349.957.
6 2. “Community water system” means a public water system which:
7 (a) Has 15 or more service connections; or
8 (b) Serves 25 or more persons,
9 at places which are intended for year-round occupancy.
10 3. “Costs of capital improvements to community water systems and
11 nontransient water systems” means the costs traditionally associated with
12 capital improvements to such systems and includes costs associated with
13 the:
14 (a) Consolidation of existing systems; and
15 (b) Transfer and connection of a public water system to a system owned
16 by a purveyor of water or a public utility.

4. "Fund" means the fund for grants ~~[to certain purveyors of water.]~~
for water conservation and capital improvements to certain water systems.

5. "Nontransient water system" means a public water system that regularly serves 25 or more of the same persons for more than 6 months per year, but which is not a community water system.

6. "Public water system" has the meaning ascribed to it in NRS 445A.840.

7. "Purveyor of water" means a political subdivision *of this state* engaged in the business of furnishing water, for compensation, to persons within the political subdivision.

Sec. 2. NRS 349.981 is hereby amended to read as follows:

349.981 *1.* There is hereby established a program to provide grants of money to ~~[purveyors]~~ :

(a) A purveyor of water to pay for costs of capital improvements to publicly owned community water systems and publicly owned nontransient water systems required or made necessary by the state board of health pursuant to NRS 445A.800 to 445A.955, inclusive, or made necessary by the Safe Drinking Water Act , ~~[H]~~ 42 U.S.C. §§ 300f et seq. , ~~[H]~~ and the regulations adopted pursuant thereto.

(b) An eligible recipient to pay for the cost of improvements to conserve water, including, without limitation:

(1) Piping or lining of an irrigation canal;

(2) Recovery or recycling of wastewater or tailwater;

(3) Scheduling of irrigation;

(4) Measurement or metering of the use of water; and

(5) Improving the efficiency of irrigation.

2. Except as otherwise provided in NRS 349.983, the determination of who is to receive a grant is solely within the discretion of the board.

3. As used in this section, "eligible recipient" means:

(a) A political subdivision of this state, including, without limitation, a city, county, irrigation district, water district or water conservancy district; or

(b) An Indian tribal organization, nonprofit organization or lending institution.

Sec. 3. NRS 349.982 is hereby amended to read as follows:

349.982 *1.* The board shall administer the program and shall adopt regulations necessary for that purpose.

2. The regulations must provide such requirements for participation in the program as the board deems necessary.

3. The money in the fund may be used to defray, in whole or in part, the costs of administering the fund and the expenses of the board in administering the program.

1 **4.** The board may, by regulation, impose an administrative fee which
2 must be collected from each recipient of a grant from the fund. If such a
3 fee is imposed, all revenue derived from the fee must be used to defray, *in*
4 *whole or in part*, the costs of administering the fund and the expenses of
5 the board in administering the program.

6 **Sec. 4.** NRS 349.983 is hereby amended to read as follows:

7 349.983 1. Grants may be made ~~to purveyors of water under the~~
8 ~~program~~ *pursuant to paragraph (a) of subsection 1 of NRS 349.981* only
9 for those community and nontransient water systems that:

10 (a) Were in existence on January 1, 1995; and

11 (b) Are currently publicly owned.

12 2. In making its determination of which purveyors of water are to
13 receive grants ~~to~~ *pursuant to paragraph (a) of subsection 1 of NRS*
14 *349.981*, the board shall give preference to those purveyors of water whose
15 public water systems regularly serve fewer than 6,000 persons.

16 3. Each recipient of a grant *pursuant to paragraph (a) of subsection 1*
17 *of NRS 349.981* shall provide an amount of money for the same purpose.
18 The board shall develop a scale to be used to determine that amount, but
19 the recipient must not be required to provide an amount less than 15
20 percent or more than 75 percent of the amount of the grant. The scale must
21 be based upon the average household income of the customers of the
22 recipient, and provide adjustments for the demonstrated economic hardship
23 of those customers, the existence of an imminent risk to public health and
24 any other factor that the board determines to be relevant.

25 ~~{4.—Except as otherwise provided in subsections 1 and 2, the~~
26 ~~determination of which purveyors of water are to receive grants is solely~~
27 ~~within the discretion of the board.}~~

28 **Sec. 5.** NRS 349.984 is hereby amended to read as follows:

29 349.984 1. The fund for grants ~~to certain purveyors of water~~ *for*
30 *water conservation and capital improvements to certain water systems* is
31 hereby created.

32 2. Except as otherwise provided by ~~subsection~~ *subsections 3 and 4*
33 of NRS 349.982, the money in the fund must be used only to make grants
34 in furtherance of the program.

35 3. All claims against the fund must be paid as other claims against the
36 state are paid.