

ASSEMBLY BILL NO. 473—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 24, 2003

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Referred to Committee on Ways and Means

SUMMARY—Transfers authority to administer certain accounts that provide financial assistance to public water systems from Health Division of Department of Human Resources to Division of Environmental Protection of State Department of Conservation and Natural Resources. (BDR 40-1252)

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.

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AN ACT relating to water systems; transferring the authority to administer certain accounts that provide financial assistance to public water systems from the Health Division of the Department of Human Resources to the Division of Environmental Protection of the State Department of Conservation and Natural Resources; 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 445A.210 is hereby amended to read as  
2 follows:  
3     445A.210 ~~["Board"]~~ ***"Commission"*** means the State ~~[Board of~~  
4 ~~Health.]~~ ***Environmental Commission.***  
5     **Sec. 2.** NRS 445A.220 is hereby amended to read as follows:  
6     445A.220 "Division" means the ~~[Health]~~ Division of  
7 ***Environmental Protection of the State*** Department of ~~[Human~~  
8 ~~Resources.]~~ ***Conservation and Natural Resources.***



\* A B 4 7 3 R 3 \*

1     **Sec. 3.** NRS 445A.265 is hereby amended to read as follows:  
2     445A.265   1. The Division shall:  
3       (a) Use the money in the Account for the Revolving Fund and  
4       the Account for Set-Aside Programs for the purposes set forth in the  
5       Safe Drinking Water Act.  
6       (b) Determine whether public water systems which receive  
7       money or other assistance from the Account for the Revolving Fund  
8       or the Account for Set-Aside Programs comply with the Safe  
9       Drinking Water Act and regulations adopted pursuant thereto.  
10     2. The Division may:  
11       (a) Prepare and enter into required agreements with the Federal  
12       Government for the acceptance of grants of money for the Account  
13       for the Revolving Fund and the Account for Set-Aside Programs.  
14       (b) Bind itself to terms of the required agreements.  
15       (c) Accept grants made pursuant to the Safe Drinking Water  
16       Act.  
17       (d) Manage the Account for the Revolving Fund and the  
18       Account for Set-Aside Programs in accordance with the  
19       requirements and objectives of the Safe Drinking Water Act.  
20       (e) Provide services relating to management and administration  
21       of the Account for the Revolving Fund and the Account for Set-  
22       Aside Programs, including the preparation of any agreement, plan or  
23       report.  
24       (f) Perform, or cause to be performed by the Nevada Rural  
25       Water Association or other persons, agencies or organizations  
26       through interagency agreement, contract or memorandum of  
27       understanding, set-aside programs pursuant to 42 U.S.C. § 300j-12  
28       of the Safe Drinking Water Act.  
29     3. The Division shall not:  
30       (a) Commit any money in the Account for the Revolving Fund  
31       for expenditure for the purposes set forth in NRS 445A.275; or  
32       (b) Establish the priorities for determining which public water  
33       systems will receive money or other assistance from the Account for  
34       the Revolving Fund,  
35       without obtaining the prior approval of the Board for Financing  
36       Water Projects.  
37     **Sec. 4.** NRS 445A.270 is hereby amended to read as follows:  
38     445A.270 The ~~{Board}~~ **Commission** may adopt such  
39     regulations as are necessary to carry out the provisions of NRS  
40     445A.200 to 445A.295, inclusive.  
41     **Sec. 5.** NRS 445A.280 is hereby amended to read as follows:  
42     445A.280   1. The Administrator shall not:  
43       (a) Spend more than 4 percent of the federal grant for a set-aside  
44       program for administration pursuant to 42 U.S.C. § 300j-12(g)(2) of  
45       the Safe Drinking Water Act;



1 (b) Spend more than 10 percent of the federal grant for a set-  
2 aside program for activities authorized pursuant to 42 U.S.C. § 300j-  
3 12(g)(2) of the Safe Drinking Water Act if matched equally by the  
4 State;

5 (c) Spend more than 2 percent of the federal grant for a set-aside  
6 program for technical assistance to small water systems pursuant to  
7 42 U.S.C. § 300j-12(g)(2) of the Safe Drinking Water Act; or

8 (d) Spend more than 15 percent of the federal grant for a set-  
9 aside program for activities authorized pursuant to 42 U.S.C. § 300j-  
10 12(k) of the Safe Drinking Water Act.

11 2. The Administrator may impose and collect a fee from each  
12 public water system that receives a loan or other financial assistance  
13 from the Account for the Revolving Fund or the Account for Set-  
14 Aside Programs. The fee must be used to defray the costs of  
15 administering the Account for the Revolving Fund or the Account  
16 for Set-Aside Programs.

17 3. If the Administrator imposes a fee pursuant to subsection 2,  
18 the ~~{Board}~~ *Commission* shall adopt regulations establishing the  
19 amount of the fee to be collected.

20 **Sec. 6.** NRS 445A.295 is hereby amended to read as follows:

21 445A.295 1. The ~~{Board}~~ *Commission* shall adopt such  
22 regulations as are necessary relating to the environmental review  
23 required by the Safe Drinking Water Act.

24 2. Each public water system which receives money from the  
25 Account for the Revolving Fund shall prepare an environmental  
26 assessment which complies with the regulations adopted by the  
27 ~~{Board}~~ *Commission* and submit it to the Division for review.

28 3. The Division shall review each such assessment.

29 **Sec. 7.** This act becomes effective on July 1, 2003.

