

SENATE BILL NO. 196—SENATOR WASHINGTON

MARCH 17, 2005

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing boards of directors of certain water authorities created by interlocal cooperative agreement. (BDR 22-88)

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 water authorities; requiring the boards of directors of certain water authorities created pursuant to the Interlocal Cooperation Act to include a Legislator appointed by the Governor; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Interlocal Cooperation Act to enable local governments and public agencies to be more efficient through cooperation with other local governments. The Act allows local governments or public agencies to enter into cooperative agreements to consolidate services provided by those local governments and public agencies. (NRS 277.080-277.180) The Act further allows two or more public agencies to enter into a cooperative agreement to exercise jointly any power, privilege or authority that an agency is authorized by law to exercise individually. (NRS 277.110)

This bill establishes certain requirements for a water authority created by cooperative agreement between one or more cities and a county with a population of 100,000 or more (currently the Southern Nevada Water Authority and the Truckee Meadows Water Authority). This bill requires the board of directors of such a water authority to conduct the business and affairs of the water authority. At least one member of the board of directors must be a Legislator whose district includes at least a portion of the area served by the water authority. The Legislator must serve as a nonvoting member and must be appointed by the Governor.



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

Section 1. Chapter 277 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A water authority created pursuant to NRS 277.080 to 277.180, inclusive, by an agreement entered into by one or more cities and a county whose population is 100,000 or more, and which is the largest retail purveyor of water in that county, must have its business and affairs conducted by a board of directors. At least one of the members of the board of directors must be a Legislator appointed pursuant to subsection 2.

2. Upon the creation of a water authority described in subsection 1, the Governor shall appoint a Legislator whose district includes at least a portion of the area served by the water authority to serve as a nonvoting member of the board of directors of the water authority.

Sec. 2. NRS 277.080 is hereby amended to read as follows:

277.080 NRS 277.080 to 277.180, inclusive, *and section 1 of this act* may be cited as the Interlocal Cooperation Act.

Sec. 3. NRS 277.090 is hereby amended to read as follows:

277.090 It is the purpose of NRS 277.080 to 277.180, inclusive, *and section 1 of this act* to permit local governments to make the most efficient use of their powers by enabling them to cooperate with other local governments on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization which will best accord with geographic, economic, population and other factors influencing the needs and development of local communities.

Sec. 4. NRS 277.100 is hereby amended to read as follows:

277.100 As used in NRS 277.080 to 277.180, inclusive, *and section 1 of this act*, unless the context otherwise requires:

1. "Public agency" means:

(a) Any political subdivision of this State, including , without limitation , counties, incorporated cities and towns, including Carson City, unincorporated towns, school districts and other districts.

(b) Any agency of this State or of the United States.

(c) Any political subdivision of another state.

(d) Any Indian tribe, group of tribes, organized segment of a tribe, or any organization representing two or more such entities.

2. "State" includes any of the United States and the District of Columbia.

Sec. 5. 1. A water authority in existence on the effective date of this act that is subject to the provisions of section 1 of this act



1 shall, as soon as practicable on or after the effective date of this act,
2 take such actions as necessary to modify the structure of its board of
3 directors to comply with the provisions of section 1 of this act, and
4 notify the Governor in writing as to the effective date of the
5 modification.

6 2. Upon receiving notice pursuant to subsection 1, the
7 Governor shall, as soon as practicable, appoint a Legislator to the
8 board of directors of the water authority in accordance with
9 subsection 2 of section 1 of this act.

10 **Sec. 6.** This act becomes effective upon passage and approval.



