

Amendment No. 893

Assembly Amendment to Senate Bill No. 487 Second Reprint (BDR 48-183)

Proposed by: Assembly Committee on Government Affairs**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold*** is newly added transitory language.

MSM/KMG



Date: 5/21/2007

S.B. No. 487—Revises provisions relating to water resources in certain counties.
(BDR 48-183)



SENATE BILL NO. 487—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE LEGISLATIVE COMMISSION'S SUBCOMMITTEE TO STUDY THE
FEASIBILITY AND ADVISABILITY OF CONSOLIDATING WATER-RELATED SERVICES IN
WASHOE COUNTY)

MARCH 26, 2007

Referred to Committee on Natural Resources

SUMMARY—Revises provisions relating to water resources in certain counties.
(BDR ~~[48-183]~~ **S-183**)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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; ~~providing for the regional acquisition, development, management and conservation of water resources in certain portions of Washoe County; creating the Northern Nevada Water Authority; setting forth the powers and duties of the Authority; creating the Northern Nevada Water Planning Commission to advise and assist the Authority; repealing provisions relating to regional planning and management of water in certain counties;~~ **creating an Advisory Subcommittee of the Washoe County Regional Water Planning Commission; requiring the Commission, in conjunction with the Subcommittee, to assess and examine certain matters pertaining to the availability and responsible use of water within Washoe County and to submit a report to the Legislature in connection therewith;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing general law provides for regional planning and management of water by a water planning commission in counties whose population is 100,000 or more but less than 400,000 (currently Washoe County). Under that general law, a board of county commissioners is required to adopt a comprehensive plan for the supply of municipal and industrial water, quality of water, sanitary sewerage, treatment of sewage, drainage of storm water and control of floods and is required to take action by a two-thirds majority. This general law also provides for a water planning commission, which reports to and advises the board of county commissioners concerning issues relating to water resources. (NRS 540A.010-540A.310)
~~This bill repeals that general law and creates by special legislation a new structure for regional planning and management of water resources in certain portions of Washoe County based on the unique conditions and circumstances existing in those areas. Under the Nevada Constitution, the Legislature may pass a special or local law if the subject matter of the law does not fall within one of certain enumerated categories and a general law cannot be made applicable because of special circumstances and conditions. (Nev. Const. Art. 4, §§ 20, 21)~~

~~Section 5 of this bill specifies the unique conditions and circumstances in these portions of Washoe County that justify special legislation for the purpose of regional planning and management of water resources.~~

~~Sections 22 and 24-29 of this bill create the Northern Nevada Water Authority, which is governed by a Board of Trustees consisting of representatives of Washoe County, the cities of Reno and Sparks and various public entities that provide services relating to water and wastewater in Washoe County. Sections 27-42 of this bill create the Northern Nevada Water Planning Commission, which reports to and advises the Board of Trustees of the Authority.~~

~~In lieu of creating the Northern Nevada Water Authority pursuant to section 23 of this bill, section 22.5 of this bill authorizes the City of Reno, City of Sparks, Washoe County, Sun Valley General Improvement District and Truckee Meadows Water Authority to create the Northern Nevada Water Authority by cooperative agreement. The cooperative agreement must be entered into and become effective before January 1, 2009.~~

~~Sections 35-53 of this bill require the development and adoption of a comprehensive plan for the area over which the Authority has jurisdiction, which must address the supply of municipal and industrial water, quality of water, sanitary sewerage, treatment of sewage, drainage of storm water and control of floods. Sections 29-36 and 54-57 of this bill authorize the Board of Trustees to: (1) subject to certain exceptions, acquire and dispose of, in any manner, water rights, water supplies and related facilities; (2) schedule the delivery of water supplies held by certain water purveyors before January 1, 2009; (3) establish service territories of those purveyors for new water service provided on and after January 1, 2009; (4) establish, charge and collect various fees for services relating to the provision of water supplies; (5) provide for water conservation by various means; (6) subject to certain exceptions, exercise the power of eminent domain as necessary to acquire private property; and (7) issue bonds and other obligations.~~

~~Section 61 of this bill creates a temporary statutory legislative committee to oversee the programs and activities of the Authority.]~~

Section 2 of this bill creates an Advisory Subcommittee of the Washoe County Regional Water Planning Commission. The Subcommittee consists of six members, including two Legislators appointed, respectively, by the Majority Leader of the Senate and the Speaker of the Assembly and four members of the general public who are appointed by the four purveyors of water in Washoe County: (1) the South Truckee Meadows General Improvement District; (2) the Sun Valley General Improvement District; (3) the Truckee Meadows Water Authority; and (4) Washoe County.

Section 3 of this bill requires the Commission, in conjunction with the Subcommittee, to make assessments, determinations and recommendations regarding several issues pertaining to the availability and responsible use of water within Washoe County.

Section 4 of this bill requires the Commission, in conjunction with the Subcommittee, to report on the activities carried out pursuant to section 3 and submit that report, accompanied by any recommendations for legislation, to the 75th Session of the Nevada Legislature.

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

Delete existing sections 1 through 62 of this bill and replace with the following new sections 1 through 6:

Section 1. As used in sections 1 to 4, inclusive, of this act, unless the context otherwise requires:

1. "Commission" means the Washoe County Regional Water Planning Commission.

2. "Purveyor of water" means:

(a) The South Truckee Meadows General Improvement District;

(b) The Sun Valley General Improvement District;

(c) The Truckee Meadows Water Authority; and

(d) Washoe County.

3. "Subcommittee" means the Advisory Subcommittee created pursuant to section 2 of this act.

Sec. 2. 1. There is hereby created an Advisory Subcommittee of the Washoe County Regional Water Planning Commission.

2. The Subcommittee consists of six members as follows:

(a) One member of the Senate, appointed by the Majority Leader of the Senate;

(b) One member of the Assembly, appointed by the Speaker of the Assembly; and

(c) Four members of the general public who are consumers of water services, one appointed by each of the four purveyors of water.

3. The Commission shall provide the Subcommittee with any necessary staff and administrative support.

Sec. 3. The Commission, in conjunction with the Subcommittee, shall:

1. Assess conjunctive use by the purveyors of water to determine if those purveyors are maximizing conjunctive use and, if not, recommend ways in which maximized conjunctive use may be achieved. As used in this subsection, "conjunctive use" means the combined use of surface water and groundwater systems to optimize resource use.

2. Determine the amount of water required to accommodate the substantial completion of development of land as anticipated in the Truckee Meadows Regional Plan, and assess how much of that required amount of water is available within Washoe County.

3. If the amount of water required to accommodate the substantial completion of development of land as anticipated in the Truckee Meadows Regional Plan, as determined pursuant to subsection 2, is not available within Washoe County:

(a) Examine other potential locations from which additional water may be obtained; and

(b) Prepare a reasonably detailed estimate of the cost of obtaining that additional water from other locations.

4. Determine the extent to which there is a duplication of water facilities and recommend a course of action to eliminate or minimize such duplication.

5. Identify sources of funding to pay for the water required to accommodate the substantial completion of development of land as anticipated in the Truckee Meadows Regional Plan, including, without limitation, sources of funding to pay for:

(a) Water that is available within Washoe County; and

(b) Water that will need to be obtained from other locations.

6. Assess the adequacy of any water conservation plans developed or adopted by the purveyors of water and, if it is determined that those plans are inadequate, make recommendations as to the specific manner in which those plans may be improved.

Sec. 4. On or before July 1, 2008, the Commission, in conjunction with the Subcommittee, shall prepare a written report of the matters considered and the actions taken pursuant to section 3 of this act and shall submit the report, accompanied by any recommendations for legislation, to the Director of the Legislative Counsel Bureau for transmittal to the 75th Session of the Nevada Legislature.

Sec. 5. As soon as practicable after the effective date of this act, the Majority Leader of the Senate, the Speaker of the Assembly and the purveyors

1 of water, as defined in section 1 of this act, shall appoint to the Advisory
2 Subcommittee of the Washoe County Regional Water Planning Commission
3 the members described in section 2 of this act.

4 **Sec. 6.** This act becomes effective upon passage and approval and
5 expires by limitation on June 30, 2009.