

## Amendment No. 921

Assembly Amendment to Senate Bill No. 175

(BDR 20-239)

**Proposed by:** Assemblywoman Leslie**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

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 dashed underlining* is newly added transitory language.

JRS/TMC



Date: 5/22/2009

S.B. No. 175—Enacts provisions governing flood management projects.  
(BDR 20-239)



## SENATE BILL NO. 175—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE LEGISLATIVE COMMITTEE TO OVERSEE THE  
WESTERN REGIONAL WATER COMMISSION)

MARCH 5, 2009

Referred to Committee on Government Affairs

SUMMARY—Enacts provisions governing flood management projects. ~~F~~ and other related activities. (BDR 20-239)FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

~

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

AN ACT relating to ~~floods;~~ water; authorizing a board of county commissioners to acquire, improve, equip, operate and maintain a flood management project in certain counties; authorizing any revenues derived from such a flood management project to be pledged for the payment of certain bonds; authorizing the governing body of a municipality in certain counties to acquire, improve, equip, operate and maintain a flood management project under certain circumstances; requiring the comprehensive regional plan in certain counties to include provisions concerning the sustainability of certain water resources; revising provisions governing the acquisition of bonds issued by a flood management authority; expanding the duties of the Legislative Committee to Oversee the Western Regional Water Commission; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes a board of county commissioners to acquire and maintain within the county various projects, including building projects, drainage and flood control projects, lending projects, off-street parking projects, overpass projects, park projects, sewerage projects, street projects and water projects. In connection with those projects, a board of county commissioners may issue general obligation bonds to support and defray the cost of the project and take certain other related actions concerning the project. (NRS 244A.011-244A.065) Existing law confers similar authority upon the governing body of a municipality. (NRS 268.672-268.740) **Sections 3-15** of this bill expand the authority of a board of county commissioners in a county whose population is 100,000 or more but less than 400,000 (currently Washoe County) by authorizing the board to acquire and maintain a flood management project in the same manner as any other project authorized under existing law. **Sections 16-22** of this bill provide similar provisions for a governing body of a municipality within such a county. **Sections 24-27** of this bill revise the provisions of existing law governing the making of loans and the issuance of state securities by this State to assist

municipalities in the construction of public improvements by including within those provisions a flood management authority.

Existing law requires the regional planning commission of a county whose population is 100,000 or more but less than 400,000 (currently Washoe County) to develop a comprehensive regional plan for the physical development and orderly growth of the region. (NRS 278.0272). The comprehensive regional plan must include goals, policies, maps and other documents relating to population, conservation, limitation of premature expansion, land use, transportation, public facilities and services, annexation, intergovernmental coordination and certain utility projects. (NRS 278.0274). Existing law also provides for the development by the Northern Nevada Water Planning Commission of a comprehensive plan concerning supplies of water within the planning area for the comprehensive plan and for the adoption of such a plan by the Western Regional Water Commission. (NRS 540A.010; Chapter 531, Statutes of Nevada 2007, pp. 3285-3304). Section 23.5 of this bill requires the comprehensive regional plan to include several provisions concerning the availability of water resources for growth and development, including a statement setting forth the total population of the region that may be supported by the sustainable water resources identified in the comprehensive plan adopted by the Western Regional Water Commission.

Existing law creates the Legislative Committee to Oversee the Western Regional Water Commission and requires the Committee to review the programs and activities of the Western Regional Water Commission. (Chapter 531, Statutes of Nevada 2007, p. 3302). Section 27.5 of this bill requires the Committee to include in its review of the programs and activities of the Commission an analysis of the potential acquisition, control and management by the Commission of a flood management project that is located within the planning area of the Commission.

---

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

**Section 1.** The Legislature hereby declares that flood management projects provide a benefit to residents and owners of property by:

1. Preventing the loss of life and property;
  2. Preventing the disruption of essential services for the safety of the public and the disruption of commerce, transportation, communication and essential services which have adverse economic impacts;
  3. Preventing the waste of water resulting from floods;
  4. Providing for the conservation, development, use and disposal of water and improved quality of water;
  5. Providing for ecosystem restoration and enhanced recreational facilities;
- and
6. Providing for the safeguarding of the public health.

**Sec. 2.** Chapter 244A of NRS is hereby amended by adding thereto the provisions set forth as sections 3 and 4 of this act.

**Sec. 3.** *“Flood management authority” means any entity that is created by cooperative agreement pursuant to chapter 277 of NRS, the functions of which include the acquisition, construction, improvement, operation and maintenance of a flood management project.*

**Sec. 4.** *“Flood management project” or any phrase of similar import, means a project or improvement that is located within or without a county whose population is 100,000 or more but less than 400,000 and is established for the control or management of any flood or storm waters of the county or any flood or storm waters of a stream of which the source is located outside of the county. The term includes, without limitation:*

1. *A drainage and flood control project;*

2. A project to construct, repair or restore an ecosystem;
3. A project to mitigate any adverse effect of flooding or flood management activity or improvement;
4. A project to conserve any flood or storm waters for any beneficial and useful purpose by spreading, storing, reusing or retaining those waters or causing those waters to percolate into the ground to improve water quality;
5. A project that alters or diverts or proposes to alter or divert a natural watercourse, including any improvement for the passage of fish;
6. A park project that is related to a flood management project;
7. Any landscaping or similar amenity that is constructed:
  - (a) To increase the usefulness of a flood management project to any community or to provide aesthetic compatibility with any surrounding community; or
  - (b) To mitigate any adverse effect on the environment relating to a flood management project;
8. A project to relocate or replace a utility, transmission line, conduit, bridge or similar feature or structure that exacerbates any flooding or is located in an area that is susceptible to flooding;
9. A project to protect and manage a floodplain;
10. A project that is designed to improve the quality of any flood or storm waters or the operation of any flood management system, including, without limitation, any monitoring, measurement or assessment of that system; and
11. Any real property or interest in real property that is acquired to support the carrying out of a flood management project, including, without limitation, any property that may become flooded because of any improvement for flood management,  
↳ or any combination thereof and any other structure, fixture, equipment or property required for a flood management project.

Sec. 5. NRS 244A.011 is hereby amended to read as follows:

244A.011 NRS 244A.011 to 244A.065, inclusive, ~~shall~~ **and sections 3 and 4 of this act may be known cited** as the County Bond Law.

Sec. 6. NRS 244A.013 is hereby amended to read as follows:

244A.013 Except where the context otherwise requires, the definitions in NRS 244A.015 to 244A.056, inclusive, **and sections 3 and 4 of this act** govern the construction hereof.

Sec. 7. NRS 244A.025 is hereby amended to read as follows:

244A.025 "County" means any county in ~~the~~ **this** State. For the purposes of NRS 244A.011 to 244A.065, inclusive, **and sections 3 and 4 of this act**, Carson City is considered as a county.

Sec. 8. NRS 244A.027 is hereby amended to read as follows:

244A.027 "Drainage and flood control project" means any natural and artificial water facilities for the collection, transportation, impoundment and disposal of rainfall, storm, flood or surface drainage waters, including, without limitation, ditches, lakes, reservoirs, revetments, levees, dikes, walls, embankments, bridges, sewers, culverts, inlets, connections, laterals, collection lines, outfalls, outfall sewers, trunk sewers, intercepting sewers, transmission lines, conduits, syphons, sluices, flumes, canals, ditches, natural and artificial watercourses, ponds, dams, retarding basins, and other water diversion and storage facilities, pumping stations, stream gauges, rain gauges, meters, flood warning service and appurtenant telephone, telegraph, radio and television service, engines, valves, pumps, apparatus, fixtures, structures and buildings, or any combination thereof, and all appurtenances and incidentals necessary, useful or desirable for any such facilities,

including, without limitation, all types of property therefor. *The term includes a flood management project.*

**Sec. 9.** NRS 244A.034 is hereby amended to read as follows:

244A.034 "Infrastructure project" means:

1. A capital improvement for fire protection, a library, a building, a park or police protection that a municipality is authorized to improve, acquire or equip pursuant to a law other than the County Bond Law; or

2. For a water authority, wastewater authority, *flood management authority* or any municipality whose governing body is composed of only the members of the board, a capital improvement for ~~for~~:

(a) A water system ~~for~~;

(b) A water reclamation system ;

(c) A *flood management project*; or

(d) A sanitary sewer ,

that the municipality is authorized to improve, acquire or equip pursuant to a law other than the County Bond Law.

**Sec. 10.** NRS 244A.0345 is hereby amended to read as follows:

244A.0345 "Municipal securities" means notes, warrants, interim debentures, bonds and temporary bonds issued by a municipality pursuant to a law other than the County Bond Law which are:

1. General obligations payable from ad valorem taxes that are approved by the voters of the municipality issued for a capital improvement of a library or park;

2. General obligations payable from ad valorem taxes that are approved by the voters of the municipality or are approved pursuant to subsection 3 of NRS 350.020 issued for a capital improvement of an infrastructure project other than a library or park;

3. Revenue obligations of a water authority that are payable from revenues of:

(a) The water system of the water authority;

(b) One or more of the municipalities that are members of the water authority; or

(c) Any combination of the entities described in paragraphs (a) and (b); ~~for~~

4. Revenue obligations of a wastewater authority that are payable from revenues of:

(a) The water reclamation system of the wastewater authority;

(b) One or more of the municipalities that are members of the wastewater authority; or

(c) Any combination of the entities described in paragraphs (a) and (b) ~~for~~ ; or

*5. Revenue obligations of a flood management authority that are payable from the revenues of:*

*(a) A flood management project of the flood management authority;*

*(b) One or more of the municipalities that are members of the flood management authority; or*

*(c) Any combination of the entities described in paragraphs (a) and (b).*

**Sec. 11.** NRS 244A.0347 is hereby amended to read as follows:

244A.0347 "Municipality" means any city, town, school district, library district, consolidated library district, fire protection district, district for a fire department, park district, general improvement district organized pursuant to chapter 318 of NRS, wastewater authority, *flood management authority*, water district organized pursuant to a special act or water authority organized as a political subdivision created by cooperative agreement.

**Sec. 12.** NRS 244A.057 is hereby amended to read as follows:

244A.057 Any board, upon behalf of the county and in its name, may acquire, improve, equip, operate and maintain, within the county:

1. A building project;  
 2. A drainage and flood control project;  
 3. A *flood management project*;  
 4. A lending project if the county has adopted an ordinance pursuant to subsection 3 of NRS 244A.064;

~~4.~~ 5. An off-street parking project;

~~5.~~ 6. An overpass project;

~~6.~~ 7. A park project;

~~7.~~ 8. A sewerage project;

~~8.~~ 9. A street project;

~~9.~~ 10. An underpass project; and

~~10.~~ 11. A water project.

**Sec. 13.** NRS 244A.061 is hereby amended to read as follows:

244A.061 The payment of any bonds issued hereunder may be additionally secured by a pledge of all or part of any revenues derived from ~~the~~ :

1. The operation of any project herein authorized and from any other income-producing project of the county ~~and derived from any~~ ;

2. A *flood management project*; or

3. Any license or other excise taxes levied for revenue and available for such a pledge, ~~or~~

~~or any combination thereof.~~

**Sec. 14.** NRS 244A.063 is hereby amended to read as follows:

244A.063 In order to ~~insure~~ *acquire, improve, equip, operate and maintain a project specified in NRS 244A.057 and to ensure* the payment, wholly or in part, of the general obligation bonds or revenue bonds of the county the payment of which bonds is additionally secured by a pledge of the revenues derived from any such income-producing project ~~and from any such~~, *flood management project* or excise taxes, *or any combination thereof*, the board may establish and maintain, and the board may from time to time revise, a schedule or schedules of fees, rates and charges for services or facilities, or both services and facilities, rendered by or through the *income-producing project or flood management* project, within the corporate limits of the county, and a schedule or schedules of license or other excise taxes, in an amount sufficient for that purpose and also sufficient to discharge any covenant in the proceedings of the board authorizing the issuance of any of such bonds, including any covenant for the establishment of reasonable reserve funds.

**Sec. 15.** NRS 244A.065 is hereby amended to read as follows:

244A.065 1. No other act or law with regard to the authorization or issuance of bonds that requires an approval, or in any way impedes or restricts the carrying out of the acts herein authorized to be done, shall be construed as applying to any proceedings taken hereunder or acts done pursuant hereto, except as herein otherwise provided.

2. The powers conferred by NRS 244A.011 to 244A.065, inclusive, ~~shall be~~ *and sections 3 and 4 of this act are* in addition and supplemental to, and not in substitution for, and the limitations imposed by NRS 244A.011 to 244A.065, inclusive, ~~shall~~ *and sections 3 and 4 of this act do* not affect the powers conferred by, any other law.

3. No part of NRS 244A.011 to 244A.065, inclusive, ~~shall repeal or affect~~ *and sections 3 and 4 of this act repeals or affects* any other law or part thereof, it being intended that NRS 244A.011 to 244A.065, inclusive, ~~shall~~ *and sections 3 and 4 of this act must* provide a separate method of accomplishing its objectives, and not an exclusive one, ~~or~~ and NRS 244A.011 to 244A.065, inclusive, ~~shall~~

1 *and sections 3 and 4 of this act must* not be construed as repealing, amending or  
2 changing any such other law.

3 **Sec. 16.** Chapter 268 of NRS is hereby amended by adding thereto a new  
4 section to read as follows:

5 *“Flood management project” or any phrase of similar import, means a*  
6 *project or improvement that is located within or without a city in a county whose*  
7 *population is 100,000 or more but less than 400,000 and is established for the*  
8 *control or management of any flood or storm waters of the city or any flood or*  
9 *storm waters of a stream of which the source is located outside of the city. The*  
10 *term includes, without limitation:*

11 1. *A drainage project or flood control project;*  
12 2. *A project to construct, repair or restore an ecosystem;*  
13 3. *A project to mitigate any adverse effect of flooding or flood management*  
14 *activity or improvement;*

15 4. *A project to conserve any flood or storm waters for any beneficial and*  
16 *useful purpose by spreading, storing, reusing or retaining those waters or*  
17 *causing those waters to percolate into the ground to improve water quality;*

18 5. *A project that alters or diverts or proposes to alter or divert a natural*  
19 *watercourse, including any improvement for the passage of fish;*

20 6. *A recreational project that is related to a flood management project;*

21 7. *Any landscaping or similar amenity that is constructed:*

22 (a) *To increase the usefulness of a flood management project to any*  
23 *community or to provide aesthetic compatibility with any surrounding*  
24 *community; or*

25 (b) *To mitigate any adverse effect on the environment relating to a flood*  
26 *management project;*

27 8. *A project to relocate or replace a utility, transmission line, conduit,*  
28 *bridge or similar feature or structure that exacerbates any flooding or is located*  
29 *in an area that is susceptible to flooding;*

30 9. *A project to protect and manage a floodplain;*

31 10. *A project that is designed to improve the quality of any flood or storm*  
32 *waters or the operation of any flood management system, including, without*  
33 *limitation, any monitoring, measurement or assessment of that system; and*

34 11. *The acquisition of any real property or interest in real property to*  
35 *support the carrying out of a flood management project, including, without*  
36 *limitation, any property that may become flooded because of any improvement for*  
37 *flood management,*

38 *or any combination thereof and any other structure, fixture, equipment or*  
39 *property required for a flood management project.*

40 **Sec. 17.** NRS 268.672 is hereby amended to read as follows:

41 268.672 NRS 268.672 to 268.740, inclusive, *and section 16 of this act* may  
42 be cited as the City Bond Law.

43 **Sec. 18.** NRS 268.674 is hereby amended to read as follows:

44 268.674 Except as otherwise provided in NRS 268.672 to 268.740, inclusive,  
45 *and section 16 of this act, the* terms used or referred to herein are as defined in the  
46 Local Government Securities Law , ~~§~~ but the definitions in NRS 268.676 to  
47 268.728, inclusive, *and section 16 of this act*, except where the context otherwise  
48 requires, govern the construction hereof.

49 **Sec. 19.** NRS 268.682 is hereby amended to read as follows:

50 268.682 “Drainage project” or “flood control project,” or any phrase of  
51 similar import, means any natural and artificial water facilities for the collection,  
52 channeling, impoundment and disposal of rainfall, other surface and subsurface  
53 drainage waters, and storm and floodwaters, including , without limitation ditches,

ponds, dams, spillways, retarding basins, detention basins, lakes, reservoirs, canals, channels, levees, revetments, dikes, walls, embankments, bridges, inlets, outlets, connections, laterals, other collection lines, intercepting sewers, outfalls, outfall sewers, trunk sewers, force mains, submains, water lines, sluices, flumes, syphons, sewer lines, pipes, conduits, culverts, other transmission lines, pumping stations, gauging stations, ventilating facilities, stream gauges, rain gauges, engines, valves, pumps, meters, junction boxes, manholes, other inlet and outlet structures, bucket machines, inlet and outlet cleaners, backhoes, draglines, graders, other equipment, apparatus, fixtures, structures and buildings, flood warning service and appurtenant telephone, telegraph, radio and television apparatus and other water diversion, drainage and flood control facilities, ~~or~~ or any combination thereof. ~~or~~ *The term includes a flood management project.*

**Sec. 20.** NRS 268.730 is hereby amended to read as follows:

268.730 Except as otherwise provided in NRS 268.086 and 268.088, any governing body of a municipality, upon its behalf and in its name, may at any time or from time to time acquire, improve, equip, operate and maintain, within or without or both within and without the municipality:

1. A building project;
2. A cemetery project;
3. A communications project;
4. A drainage project or flood control project;
5. An electric project;
6. A fire protection project;
7. *A flood management project;*
8. An off-street parking project;
- ~~8.~~ 9. An overpass project;
- ~~9.~~ 10. A park project;
- ~~10.~~ 11. A recreational project;
- ~~11.~~ 12. A refuse project;
- ~~12.~~ 13. A sewerage project;
- ~~13.~~ 14. A sidewalk project;
- ~~14.~~ 15. A street project;
- ~~15.~~ 16. A transportation project;
- ~~16.~~ 17. An underpass project; and
- ~~17.~~ 18. A water project.

**Sec. 21.** NRS 268.738 is hereby amended to read as follows:

268.738 In order to ~~insure~~ *acquire, improve, equip, operate and maintain a project specified in NRS 268.730 and to ensure* the payment, wholly or in part, of the general obligation securities *or revenue securities* of the municipality the payment of which bonds is additionally secured by a pledge of the revenues derived from any such income-producing project ~~and from any such~~, *flood management project or* excise taxes, *or any combination thereof*, the governing body of the municipality may establish and maintain, and the governing body may from time to time revise, a schedule or schedules of fees, rates and charges for services or facilities, or both services and facilities, rendered by or through the *income-producing project or flood management* project and a schedule or schedules of license or other excise taxes, in an amount sufficient for that purpose and also sufficient to discharge any covenant in the proceedings of the governing body authorizing the issuance of any of such bonds, including any covenant for the establishment of reasonable reserve funds.

**Sec. 22.** NRS 268.740 is hereby amended to read as follows:

268.740 1. No other act or law with regard to the authorization or issuance of bonds that requires an approval, or in any way impedes or restricts the carrying



1 out of the acts herein authorized to be done, shall be construed as applying to any  
2 proceedings taken hereunder or acts done pursuant hereto, except as herein  
3 otherwise provided.

4 2. The powers conferred by NRS 268.672 to 268.740, inclusive, ~~shall be~~  
5 *and section 16 of this act are* in addition and supplemental to, and not in  
6 substitution for, and the limitations imposed by NRS 268.672 to 268.740, inclusive,  
7 ~~shall~~ *and section 16 of this act do* not affect the powers conferred by, any other  
8 law.

9 3. No part of NRS 268.672 to 268.740, inclusive, ~~shall repeal or affect~~ *and*  
10 *section 16 of this act repeals or affects* any other law or part thereof, it being  
11 intended that NRS 268.672 to 268.740, inclusive, ~~shall~~ *and section 16 of this act*  
12 *must* provide a separate method of accomplishing its objectives, and not an  
13 exclusive one, ~~+~~ and NRS 268.672 to 268.740, inclusive, ~~shall~~ *and section 16 of*  
14 *this act must* not be construed as repealing, amending or changing any such other  
15 law.

16 **Sec. 23.** NRS 271A.050 is hereby amended to read as follows:

17 271A.050 "Project" means:

18 1. With respect to a county whose population is 400,000 or more:

19 (a) An art project, as defined in NRS 271.037;

20 (b) A tourism and entertainment project, as defined in NRS 271.234; or

21 (c) A sports stadium which can be used for the home games of a Major League  
22 Baseball or National Football League team and for other purposes, including  
23 structures, buildings and other improvements and equipment therefor, parking  
24 facilities, and all other appurtenances necessary, useful or desirable for a Major  
25 League Baseball or National Football League stadium, including, without  
26 limitation, all types of property therefor and immediately adjacent facilities for  
27 retail sales, dining and entertainment.

28 2. With respect to a city in a county whose population is 400,000 or more:

29 (a) A project described in paragraph (a), (b) or (c) of subsection 1; or

30 (b) A recreational project, as defined in NRS 268.710.

31 3. With respect to a municipality other than a municipality described in  
32 subsection 1 or 2, any project that the municipality is authorized to acquire,  
33 improve, equip, operate and maintain pursuant to subsections 1, 2, **3** and ~~4~~ **5** to  
34 10, inclusive, of NRS 244A.057 or NRS 268.730 or 271.265, as applicable.

35 4. Any real or personal property suitable for retail, tourism or entertainment  
36 purposes.

37 5. Any real or personal property necessary, useful or desirable in connection  
38 with any of the projects set forth in this section.

39 6. Any combination of the projects set forth in this section.

40 **Sec. 23.5. NRS 278.0274 is hereby amended to read as follows:**

41 278.0274 The comprehensive regional plan must include goals, policies, maps  
42 and other documents relating to:

43 1. Population, including a projection of population growth in the region and  
44 the resources that will be necessary to support that population. *This portion of the*  
45 *plan must set forth the total population of the region that may be supported by the*  
46 *sustainable water resources identified in the comprehensive plan adopted by the*  
47 *Western Regional Water Commission pursuant to section 34 of chapter 531,*  
48 *Statutes of Nevada 2007, at page 3293, if applicable to the region. The provisions*  
49 *of this subsection do not limit or otherwise affect any authority or duty of the*  
50 *State Engineer.*

51 2. Conservation, including policies relating to the use and protection of air,  
52 land, water and other natural resources, ambient air quality, natural recharge areas,

1 floodplains and wetlands, and a map showing the areas that are best suited for  
2 development based on those policies.

3 3. The limitation of the premature expansion of development into  
4 undeveloped areas, preservation of neighborhoods and revitalization of urban areas,  
5 including, without limitation, policies that relate to the interspersing of new housing  
6 and businesses in established neighborhoods and set forth principles by which  
7 growth will be directed to older urban areas.

8 4. Land use and transportation, including the classification of future land uses  
9 by density or intensity of development based upon the projected necessity and  
10 availability of public facilities, including, without limitation, schools, and services  
11 and natural resources, and the compatibility of development in one area with that of  
12 other areas in the region. This portion of the plan must:

13 (a) Address, if applicable:

14 (1) Mixed-use development, transit-oriented development, master-planned  
15 communities and gaming enterprise districts; and

16 (2) The coordination and compatibility of land uses with each military  
17 installation in the region, taking into account the location, purpose and stated  
18 mission of the military installation;

19 (b) Allow for a variety of uses;

20 (c) Set forth a pattern of development consistent with the total population of  
21 the region that may be supported by the sustainable water resources described in  
22 subsection 1;

23 (d) Describe the transportation facilities that will be necessary to satisfy the  
24 requirements created by those future uses; ~~and~~

25 ~~(d)~~ (e) Be based upon the policies and map relating to conservation that are  
26 developed pursuant to subsection 2, surveys, studies and data relating to the area,  
27 the amount of land required to accommodate planned growth, the population of the  
28 area projected pursuant to subsection 1, and the characteristics of undeveloped land  
29 in the area ~~and~~ and

30 (f) Set forth policies that require each applicable master plan of a local  
31 government to be consistent with the pattern of development and total population  
32 specified in paragraph (c).

33 5. Public facilities and services, including provisions relating to sanitary  
34 sewer facilities, solid waste, flood control, potable water and groundwater aquifer  
35 recharge which are correlated with principles and guidelines for future land uses,  
36 and which specify ways to satisfy the requirements created by those future uses.  
37 This portion of the plan must:

38 (a) Describe the problems and needs of the area relating to public facilities and  
39 services and the general facilities that will be required for their solution and  
40 satisfaction;

41 (b) Identify the providers of public services within the region and the area  
42 within which each must serve, including service territories set by the Public  
43 Utilities Commission of Nevada for public utilities;

44 (c) Establish the time within which those public facilities and services  
45 necessary to support the development relating to land use and transportation must  
46 be made available to satisfy the requirements created by that development; and

47 (d) Contain a summary prepared by the regional planning commission  
48 regarding the plans for capital improvements that:

49 (1) Are required to be prepared by each local government in the region  
50 pursuant to NRS 278.0226; and

51 (2) May be prepared by the water planning commission of the county, the  
52 regional transportation commission and the county school district.

6. Annexation, including the identification of spheres of influence for each unit of local government, improvement district or other service district and specifying standards and policies for changing the boundaries of a sphere of influence and procedures for the review of development within each sphere of influence. As used in this subsection, "sphere of influence" means an area into which a political subdivision may expand in the foreseeable future.

7. Intergovernmental coordination, including the establishment of guidelines for determining whether local master plans and facilities plans conform with the comprehensive regional plan.

8. Any utility project required to be reported pursuant to NRS 278.145.

**Sec. 24.** Chapter 350A of NRS is hereby amended by adding thereto a new section to read as follows:

*"Flood management authority" means any entity that is created by cooperative agreement pursuant to chapter 277 of NRS, the functions of which include the acquisition, construction, improvement, operation and maintenance of a flood management project.*

**Sec. 25.** NRS 350A.020 is hereby amended to read as follows:

350A.020 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 350A.025 to 350A.125, inclusive, *and section 24 of this act* have the meanings ascribed to them in those sections.

**Sec. 26.** NRS 350A.070 is hereby amended to read as follows:

350A.070 "Municipal securities" means notes, warrants, interim debentures, bonds and temporary bonds validly issued as obligations for a purpose related to natural resources which are payable:

1. From taxes whether or not additionally secured by any municipal revenues available therefor;

2. For bonds issued by an irrigation district, from assessments against real property;

3. For bonds issued by a water authority organized as a political subdivision created by cooperative agreement, from revenues of the water system of the water authority or one or more of the water purveyors who are members of the water authority or any combination thereof; ~~for~~

4. For bonds issued by a wastewater authority, from revenues of the water reclamation system of the wastewater authority or one or more of the municipalities that are members of the wastewater authority, or any combination thereof ~~for~~; *or*

*5. For bonds issued by a flood management authority, from revenues of the flood management authority or one or more of the municipalities that are members of the flood management authority, or any combination thereof.*

**Sec. 27.** NRS 350A.080 is hereby amended to read as follows:

350A.080 "Municipality" means any county, city, town, wastewater authority, *flood management authority*, water authority organized as a political subdivision created by cooperative agreement, school district, general improvement district or other district, including an irrigation district.

*Sec. 27.5. Section 56 of the Western Regional Water Commission Act, being chapter 531, Statutes of Nevada 2007, at page 3302, is hereby amended to read as follows:*

**Sec. 56.** 1. There is hereby created the Legislative Committee to Oversee the Western Regional Water Commission created pursuant to section 23 of this act. The Committee must:

(a) Consist of six Legislators as follows:

(1) One member of the Senate appointed by the Chairman of the Senate Committee on Natural Resources;

(2) One member of the Assembly appointed by the Chairman of the Assembly Committee on Natural Resources, Agriculture, and Mining;

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

(4) One member of the Senate appointed by the Minority Leader of the Senate;

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

(6) One member of the Assembly appointed by the Minority Leader of the Assembly.

(b) Insofar as practicable, represent the various areas within the planning area.

(c) Elect a Chairman and a Vice Chairman from among its members. The Chairman must be elected from one House of the Legislature and the Vice Chairman from the other House. After the initial selection of a Chairman and a Vice Chairman, each of those officers holds office for a term of 2 years commencing on July 1 of each odd-numbered year. If a vacancy occurs in the chairmanship or vice chairmanship, the members of the Committee shall select a replacement for the remainder of the unexpired term.

2. Any member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve until the next session of the Legislature convenes.

3. Vacancies on the Committee must be filled in the same manner as original appointments.

4. The members of the Committee shall meet throughout each year at the times and places specified by a call of the Chairman or a majority of the Committee.

5. The Director of the Legislative Counsel Bureau or his designee shall act as the nonvoting recording Secretary.

6. The Committee shall prescribe regulations for its own management and government.

7. Except as otherwise provided in subsection 8, four members of the Committee constitute a quorum, and a quorum may exercise all the powers conferred on the Committee.

8. Any recommended legislation proposed by the Committee must be approved by a majority of the members of the Senate and by a majority of the members of the Assembly appointed to the Committee.

9. Except during a regular or special session of the Legislature, the members of the Committee are entitled to receive the compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding regular session, the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to NRS 218.2207 for each day or portion of a day of attendance at a meeting of the Committee and while engaged in the business of the Committee. The salaries and expenses paid pursuant to this subsection and the expenses of the Committee must be paid from the Legislative Fund.

10. The Committee shall review the programs and activities of the Western Regional Water Commission. The review must include an analysis of ~~potential~~ ;

(a) Potential consolidation of the retail distribution systems and facilities of all public purveyors in the planning area, which is described in section 22 of this act. ~~and~~ ; and

(b) Potential acquisition, control and management by the Commission of a flood management project that is located entirely or partially within the planning area. As used in this paragraph, "flood management project" has the meaning ascribed to it in section 4 of this act.

11. The Committee may:

(a) Conduct investigations and hold hearings in connection with its powers pursuant to this section.

(b) Direct the Legislative Counsel Bureau to assist in the study of issues related to oversight of the Western Regional Water Commission.

12. In conducting the investigations and hearings of the Committee:

(a) The Secretary of the Committee or, in his absence, any member of the Committee may administer oaths.

(b) The Secretary or Chairman of the Committee may cause the deposition of witnesses, residing either within or outside of the State, to be taken in the manner prescribed by rule of court for taking depositions in civil actions in the district courts.

(c) The Chairman of the Committee may issue subpoenas to compel the attendance of witnesses and the production of books and papers.

13. If any witness refuses to attend or testify or produce any books and papers as required by the subpoena issued pursuant to this section, the Chairman of the Committee may report to the district court by petition, setting forth that:

(a) Due notice has been given of the time and place of attendance of the witness or the production of the books and papers;

(b) The witness has been subpoenaed by the Committee pursuant to this section; and

(c) The witness has failed or refused to attend or produce the books and papers required by the subpoena before the Committee which is named in the subpoena, or has refused to answer questions propounded to him,

➤ and asking for an order of the court compelling the witness to attend and testify or produce the books and papers before the Committee.

14. Upon a petition pursuant to subsection 13, the court shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days after the date of the order, and to show cause why he has not attended or testified or produced the books or papers before the Committee. A certified copy of the order must be served upon the witness.

15. If it appears to the court that the subpoena was regularly issued by the Committee, the court shall enter an order that the witness appear before the Committee at the time and place fixed in the order and testify or produce the required books or papers. Failure to obey the order constitutes contempt of court.

16. Each witness who appears before the Committee by its order, except a state officer or employee, is entitled to receive for his attendance the fees and mileage provided for witnesses in civil cases in the courts of record of this State. The fees and mileage must be audited and paid upon the presentation of proper claims sworn to by the witness and approved by the Secretary and Chairman of the Committee.

17. On or before January 15 of each odd-numbered year, the Committee shall submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report concerning the review conducted pursuant to subsection 10 and any recommendations for legislation.

1       Sec. 28. 1. This section and sections 1 to 23, inclusive, and 24 to 27.5,  
2 ~~inclusive, of this act~~ ~~becomes~~ become effective upon passage and approval.

3       2. Section 23.5 of this act becomes effective upon passage and approval  
4 only if section 2 of Assembly Bill No. 119 of this session has not become  
5 effective on or before that date.

6       3. Section 27.5 of this act expires by limitation on July 1, 2013.