
SENATE BILL NO. 494—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE LEGISLATIVE COMMISSION’S
SUBCOMMITTEE TO STUDY WATER)

MARCH 27, 2017

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to grants for water conservation and capital improvements to certain water systems. (BDR 30-356)

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; authorizing grants of money to certain recipients for cloud seeding operations; authorizing the Board for Financing Water Projects to solicit and accept gifts, grants or donations for deposit in the Fund for Grants for Water Conservation, Capital Improvements to Certain Water Systems and Improvements to Certain Sewage Disposal Systems; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes a program to provide grants of money to purveyors of
2 water and eligible recipients to pay certain costs relating to water. (NRS 349.981)
3 **Section 1** of this bill provides that the program may also provide grants of money
4 to eligible recipients to establish or support cloud seeding operations in this State.
5 Existing law authorizes the Board for Financing Water Projects to administer
6 the program and establishes the Fund for Grants for Water Conservation, Capital
7 Improvements to Certain Water Systems and Improvements to Certain Sewage
8 Disposal Systems to support the program. (NRS 349.982, 349.984) **Section 2** of
9 this bill authorizes the Board to solicit and accept gifts, grants or donations for
10 deposit in the Fund.



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

1 **Section 1.** NRS 349.981 is hereby amended to read as follows:
2 349.981 1. There is hereby established a program to provide
3 grants of money to:

4 (a) A purveyor of water to pay for costs of capital improvements
5 to publicly owned community water systems and publicly owned
6 nontransient water systems required or made necessary by the State
7 Environmental Commission pursuant to NRS 445A.800 to
8 445A.955, inclusive, or made necessary by the Safe Drinking Water
9 Act, 42 U.S.C. §§ 300f et seq., and the regulations adopted pursuant
10 thereto.

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

- 13 (1) Piping or lining of an irrigation canal;
14 (2) Recovery or recycling of wastewater or tailwater;
15 (3) Scheduling of irrigation;
16 (4) Measurement or metering of the use of water;
17 (5) Improving the efficiency of irrigation operations; and
18 (6) Improving the efficiency of the operation of a facility for
19 the storage of water, including, without limitation, efficiency in
20 diverting water to such a facility.

21 (c) An eligible recipient to pay the following costs associated
22 with connecting a domestic well or well with a temporary permit to
23 a municipal water system, if the well was in existence on or before
24 October 1, 1999, and the well is located in an area designated by the
25 State Engineer pursuant to NRS 534.120 as an area where the
26 groundwater basin is being depleted:

- 27 (1) Any local or regional fee for connection to the municipal
28 water system.
29 (2) The cost of any capital improvement that is required to
30 comply with a decision or regulation of the State Engineer.

31 (d) An eligible recipient to pay the following costs associated
32 with abandoning an individual sewage disposal system and
33 connecting the property formerly served by the abandoned
34 individual sewage disposal system to a community sewage disposal
35 system, if the Division of Environmental Protection requires the
36 individual sewage disposal system to be abandoned and the property
37 upon which the individual sewage disposal system was located to be
38 connected to a community sewage disposal system pursuant to the
39 provisions of NRS 445A.300 to 445A.730, inclusive, or any
40 regulations adopted pursuant thereto:

- 41 (1) Any local or regional fee for connection to the
42 community sewage disposal system.



1 (2) The cost of any capital improvement that is required to
2 comply with a statute of this State or a decision, directive, order or
3 regulation of the Division of Environmental Protection.

4 (e) An eligible recipient to pay the following costs associated
5 with connecting a well to a municipal water system, if the quality of
6 the water of the well fails to comply with the standards of the Safe
7 Drinking Water Act, 42 U.S.C. §§ 300f et seq., and the regulations
8 adopted pursuant thereto:

9 (1) Any local or regional fee for connection to the municipal
10 water system.

11 (2) The cost of any capital improvement that is required for
12 the water quality in the area where the well is located to comply
13 with the standards of the Safe Drinking Water Act, 42 U.S.C. §§
14 300f et seq., and the regulations adopted pursuant thereto.

15 *(f) An eligible recipient to pay the costs of establishing or*
16 *supporting a weather modification research program or engaging*
17 *in activities for weather modification and control pursuant to*
18 *chapter 544 of NRS, including, without limitation, the costs of*
19 *equipment;*

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

23 3. For any construction work paid for in whole or in part by a
24 grant provided pursuant to this section to a nonprofit association or
25 nonprofit cooperative corporation that is an eligible recipient, the
26 provisions of NRS 338.013 to 338.090, inclusive, apply to:

27 (a) Require the nonprofit association or nonprofit cooperative
28 corporation to include in the contract for the construction work the
29 contractual provisions and stipulations that are required to be
30 included in a contract for a public work pursuant to those statutory
31 provisions.

32 (b) Require the nonprofit association or nonprofit cooperative
33 corporation to comply with those statutory provisions in the same
34 manner as if it was a public body that had undertaken the project or
35 had awarded the contract.

36 (c) Require the contractor who is awarded the contract for the
37 construction work, or a subcontractor on the project, to comply with
38 those statutory provisions in the same manner as if he or she was a
39 contractor or subcontractor, as applicable, engaged on a public
40 work.

41 4. As used in this section ~~f, "eligible"~~ :

42 (a) "Eligible recipient" means:

43 ~~(a)~~ (1) A political subdivision of this State, including, without
44 limitation, a city, county, unincorporated town, water authority,



1 conservation district, irrigation district, water district or water
2 conservancy district.

3 ~~(b)~~ (2) A nonprofit association or nonprofit cooperative
4 corporation that provides water service only to its members.

5 (b) *“Weather modification and control” has the meaning*
6 *ascribed to it in NRS 544.070.*

7 **Sec. 2.** NRS 349.982 is hereby amended to read as follows:

8 349.982 1. The Board shall administer the program and shall
9 adopt regulations necessary for that purpose.

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

12 3. The money in the Fund may be used to defray, in whole or
13 in part, the costs of administering the Fund and the expenses of the
14 Board in administering the program.

15 4. The Board may, by regulation, impose an administrative fee
16 which must be collected from each recipient of a grant from the
17 Fund. If such a fee is imposed, all revenue derived from the fee must
18 be used to defray, in whole or in part, the costs of administering the
19 Fund and the expenses of the Board in administering the program.

20 5. *The Board may solicit and accept any gifts, grants or*
21 *donations for deposit in the Fund.*

22 **Sec. 3.** This act becomes effective on July 1, 2017.

