

# Western Regional Water Commission

## STAFF REPORT

**DATE:** June 13, 2019  
**TO:** Chair and members, Western Regional Water Commission (“WRWC”)  
**FROM:** John B. Rhodes, Legal Counsel  
**SUBJECT:** Report on legislative activities, including Bills passed in the 2019 session of the Nevada Legislature that may affect or are of interest to the WRWC and Northern Nevada Water Planning Commission (“NNWPC”).

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The attached list summarizes Bills tracked by WRWC staff and the WRWC Legislative Subcommittee during the 2019 session of the Nevada Legislature. Bills are noted with an Assembly ("AB") or Senate ("SB") designation, and the complete language of each Bill is available by clicking on the corresponding link contained in the electronic version of this report posted on the WRWC website. The dates in parentheses indicate the date the Bill was introduced. Staff and the Subcommittee followed these Bills throughout the legislative session, recommended positions to be taken, provided periodic updates to the NNWPC, and submitted staff and/or the Subcommittee's recommendations to the WRWC, at its regular meetings, for approval and adoption, or revision. The 2019 Legislature adjourned on June 3. The final status of each Bill, and WRWC positions on Bills, other than “Neutral/Watch”, are **highlighted in yellow**. Dates following an “approved by Governor” designation indicate the effective date of the Bill.

## Bills Introduced

### Water Issues

| Bill                  | Sponsor                                                                                                                                                                                                                                               | Subcommittee Position |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| <a href="#">AB30</a>  | <b>Committee on Natural Resources, Agriculture, and Mining</b><br>Expands authority of State Engineer through 3M Plans.<br>(BDR 48-214, 11/16/18) <b>Died on Senate Floor</b>                                                                         | Neutral/Watch         |
| <a href="#">AB51</a>  | <b>Committee on Natural Resources, Agriculture, and Mining</b><br>Expands authority of State Engineer over conjunctive management of groundwater and surface water.<br>(BDR 48-213, 11/18/18) <b>Died in Committee</b>                                | Neutral/Watch         |
| <a href="#">AB62</a>  | <b>Committee on Natural Resources, Agriculture, and Mining</b><br>Expands authority of State Engineer to extend time for improvements required for Permits.<br>(BDR 48-215, 11/19/18) <b>Amended, approved by Governor 6/5</b>                        | Neutral/Watch         |
| <a href="#">AB84</a>  | <b>Assembly Committee on Ways and Means</b><br>Provides bonding to protect and preserve natural resources, including the lower Truckee River.<br>(BDR S-326, 11/21/18) <b>Passed, approved by Governor 6/7; 7/1</b>                                   | <b>Support</b>        |
| <a href="#">AB95</a>  | <b>Legislative Committee on Public Lands (NRS 218E.510)</b><br>Requires State Engineer to allow domestic well pumping under certain circumstances after restriction of withdrawals.<br>(BDR 48-504, 1/24/19) <b>Amended, approved by Governor 7/1</b> | Neutral/Watch         |
| <a href="#">AB163</a> | <b>Assemblyman Watts and Senator Brooks</b><br>Revises minimum standards for plumbing fixtures in new construction and renovations.<br>(BDR 48-798, 2/15/19) <b>Amended, app by Governor 6/3; 7/1/20</b>                                              | Neutral/Watch         |
| <a href="#">AB220</a> | <b>Legislative Committee for Oversight of TRPA and Marlette Lake (NRS 218E.555)</b><br>Provides bonding for environmental improvement projects in the Tahoe Basin. (BDR S-435, 2/21/19)<br><b>Passed, approved by Governor 7/1</b>                    | <b>Support</b>        |
| <a href="#">AB233</a> | <b>Assemblyman Kramer, Assemblywoman Hardy; Senators Goicoechea and Parks</b><br>Allows counties to pay state water assessments from general fund. (BDR 48-45, 3/1/19) <b>Amended, approved by Governor 7/1</b>                                       | Neutral/Watch         |
| <a href="#">AB265</a> | <b>Assemblymen Peters, Swank, and Watts</b><br>Requires the Desert Research Institute to conduct a study on water treatment and recycling.<br>(BDR S-901, 3/14/19) <b>Died in Committee</b>                                                           | Neutral/Watch         |
| <a href="#">SB140</a> | <b>Senate Committee on Natural Resources</b><br>Requires the State Engineer to reserve 10% of any unappropriated water for temporary use in emergencies.<br>(BDR 48-541, 2/11/19) <b>Amended, approved by Governor 6/5</b>                            | Neutral/Watch         |

| Bill                  | Sponsor                                                                                                                                                                                                                                                             | Subcommittee Position         |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| <a href="#">SB150</a> | <b>Senator Goicoechea</b><br>Requires governing bodies to develop water resource plans analyzing whether identified sources of water are sufficient to meet future demands. (BDR 22-775, 2/12/19)<br><b>Amended, approved by Governor 7/1</b>                       | Neutral/Watch                 |
| <a href="#">SB236</a> | <b>Senators Goicoechea, Brooks, and Hansen</b><br>Eliminates requirement for a change application where a new point of diversion is within 300' of original point of diversion on same property. (BDR 48-635, 2/27/19)<br><b>Amended, approved by Governor 10/1</b> | Neutral/Watch                 |
| <a href="#">SB250</a> | <b>Senator Settelmeyer</b><br>Requires that any water rights dedicated to a public entity to support development must remain so dedicated.<br>(BDR 48-664, 3/5/19) <b>Amended, approved by Governor 6/5</b>                                                         | <b>Support TMWA Amendment</b> |
| <a href="#">SB280</a> | <b>Senators Settelmeyer, Kieckhefer, and Goicoechea</b><br>Revises definition of "navigable river / body of water."<br>(BDR 26-975, 3/14/19) <b>Died in Committee</b>                                                                                               | Neutral/Watch                 |
| <a href="#">SB499</a> | <b>Office of Finance in the Office of the Governor</b><br>Creates the advisory Board of Water Resources Planning and Drought Resiliency.<br>(BDR 48-1243, 4/1/19) <b>Died in Committee</b>                                                                          | Neutral/Watch                 |

### Ethics Issues

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|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <a href="#">SB129</a> | <b>Senate Committee on Legislative Operations and Elections</b><br>Makes numerous revisions to the Nevada Ethics in Government Law. (BDR 23-191, 2/1/19) <b>Died on Assembly Floor</b> | Neutral/Watch |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|

### Public Records Issues

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|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <a href="#">AB371</a> | <b>Assemblyman Daly</b><br>Redefines the term "public record" for public access to state and local government records. (BDR 19-16, 3/20/19)<br><b>Amended in Assembly, died in Senate Committee</b>    | <b>Oppose as Written</b> |
| <a href="#">SB224</a> | <b>Senators Ratti, Parks, and Woodhouse</b><br>Provides that the names of individuals receiving PERS benefits shall be confidential. (BDR 19-598, 2/18/19)<br><b>Amended, approved by Governor 7/1</b> | Neutral/Watch            |
| <a href="#">SB287</a> | <b>Senator Parks</b><br>Revises numerous provisions relating to public access to public records. (BDR 19-648, 3/15/19)<br><b>Amended, passed, delivered to Governor</b>                                | Neutral/Watch            |
| <a href="#">SB302</a> | <b>Senators Seevers and Gansert</b><br>Revises provisions regarding personal information collected by government agencies. (BDR 52-547, 3/18/19)<br><b>Amended, approved by Governor 6/5; /1/1/21</b>  | Neutral/Watch            |

### Open Meeting Issues

| Bill                  | Sponsor                                                                                                                                                                                                   | Subcommittee Position |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| <a href="#">AB70</a>  | <b>Attorney General</b><br>Makes numerous revisions to the Nevada Open Meeting Law. (BDR 19-421, 11/20/18) <b>Amended, delivered to Governor</b>                                                          | Neutral/Watch         |
| <a href="#">AB127</a> | <b>Assemblywoman Cohen</b><br>Requires any person who receives compensation for testifying before a public body to disclose that fact prior to testifying. (BDR 19-272, 2/12/19) <b>Died in Committee</b> | Neutral/Watch         |
| <a href="#">SB183</a> | <b>Senators Gansert, Hardy, and Hammond</b><br>Makes numerous revisions to the Nevada Open Meeting Law, including notice provisions. (BDR 19-537, 2/18/19)<br><b>Died in Committee</b>                    | Neutral/Watch         |

### Other Areas of Interest

|                       |                                                                                                                                                                                                                                     |               |
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| <a href="#">AB101</a> | <b>Assemblyman Daly</b><br>Authorizes a private plaintiff to bring an action for declaratory relief against a governmental entity for violation of state or local law. (BDR 3-26, 1/28/19) <b>Died in Committee</b>                 | Neutral/Watch |
| <a href="#">SB96</a>  | <b>Senate Committee on Natural Resources</b><br>Creates a program for grants to local governments for matching funds to secure federal grants for projects relating to public lands. (BDR 26-510, 1/24/19) <b>Died in Committee</b> | Support       |
| <a href="#">SB245</a> | <b>Senator Ohrenschall</b><br>Increases cap on tort actions against governmental entities from \$100,000 to \$250,000. (BDR 3-965, 3/1/19) <b>Amended, approved by Governor 7/1/20 (\$150,000) and 7/1/22 (\$200,000)</b>           | Neutral/Watch |