
SENATE BILL NO. 320—SENATOR WASHINGTON

MARCH 24, 2005

Referred to Committee on Legislative Operations and Elections

SUMMARY—Creates Legislative Committee on Water Resources.
(BDR 17-619)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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; creating the Legislative Committee on Water Resources; prescribing its powers and duties; and providing other matters properly relating thereto.

- 1 WHEREAS, The waters of the State of Nevada are among its
2 most precious and vital resources; and
3 WHEREAS, Nevada is the most arid state in the country, a
4 condition which is periodically exacerbated by severe drought
5 conditions throughout the western states; and
6 WHEREAS, Adequate, long-term supplies of water are essential
7 for maintaining stable economic growth and the development of
8 rural and urban areas of this State; and
9 WHEREAS, The rapid growth in the population and economy of
10 Nevada has placed growing demands on its limited water supplies
11 and has resulted in an increasing number of projects for the
12 reallocation of water resources from areas of supply to areas of
13 demand; and
14 WHEREAS, The residents of this State are vitally interested in the
15 decisions made concerning the allocation of Nevada’s scarce water
16 resources; and
17 WHEREAS, the Legislature is ultimately responsible for enacting
18 laws that will ensure the prudent planning, development and
19 management of water resources in this State; now, therefore,



1 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
2 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
3

4 **Section 1.** Chapter 218 of NRS is hereby amended by adding
5 thereto the provisions set forth as sections 2 to 8, inclusive, of this
6 act.

7 **Sec. 2.** *As used in sections 2 to 8, inclusive, of this act, unless*
8 *the context otherwise requires, "Committee" means the Legislative*
9 *Committee on Water Resources.*

10 **Sec. 3. 1.** *The Legislative Committee on Water Resources,*
11 *consisting of eight legislative members, is hereby created. The*
12 *membership of the Committee consists of:*

13 (a) *Four members appointed by the Majority Leader of the*
14 *Senate, at least one of whom must be a member of the minority*
15 *political party.*

16 (b) *Four members appointed by the Speaker of the Assembly,*
17 *at least one of whom must be a member of the minority political*
18 *party.*

19 2. *After the initial selection, the Legislative Commission shall*
20 *select the Chairman and Vice Chairman of the Committee from*
21 *among the members of the Committee. After the initial selection of*
22 *those officers, each of those officers holds the position for a term*
23 *of 2 years commencing on July 1 of each odd-numbered year. The*
24 *chairmanship of the Committee must alternate each biennium*
25 *between the houses of the Legislature. If a vacancy occurs in the*
26 *chairmanship or vice chairmanship, the vacancy must be filled in*
27 *the same manner as the original selection for the remainder of the*
28 *unexpired term.*

29 3. *A member of the Committee who is not a candidate for*
30 *reelection or who is defeated for reelection continues to serve until*
31 *the convening of the next regular session of the Legislature.*

32 4. *A vacancy on the Committee must be filled in the same*
33 *manner as the original appointment.*

34 **Sec. 4. 1.** *The members of the Committee shall meet*
35 *throughout the year at the times and places specified by a call of*
36 *the Chairman or a majority of the Committee.*

37 2. *The Director of the Legislative Counsel Bureau or his*
38 *designee shall act as the nonvoting recording Secretary of the*
39 *Committee.*

40 3. *The Committee shall prescribe regulations for its*
41 *management and government.*

42 4. *Five members of the Committee constitute a quorum, and a*
43 *quorum may exercise all the power and authority conferred on the*
44 *Committee.*



1 5. *Except during a regular or special session of the*
2 *Legislature, for each day or portion of a day during which a*
3 *member of the Committee attends a meeting of the Committee or is*
4 *otherwise engaged in the work of the Committee, the member is*
5 *entitled to receive the:*

6 (a) *Compensation provided for a majority of the members of*
7 *the Legislature during the first 60 days of the preceding regular*
8 *session;*

9 (b) *Per diem allowance provided for state officers and*
10 *employees generally; and*

11 (c) *Travel expenses provided pursuant to NRS 218.2207.*

12 ↪ *The compensation, per diem allowances and travel expenses of*
13 *the members of the Committee must be paid from the Legislative*
14 *Fund.*

15 **Sec. 5.** *The Committee shall study and evaluate issues*
16 *relating to the use, allocation and management of water in*
17 *Nevada, including:*

18 1. *The use of ground-water basins in Nevada and the manner*
19 *in which they are defined and monitored;*

20 2. *Any existing or proposed interbasin and interregional*
21 *transfers or exchanges of water resources in Nevada and any*
22 *existing or proposed interbasin and interregional transfers or*
23 *exchanges of water resources between Nevada and other states;*

24 3. *The laws, regulations and policies of other western states*
25 *as they relate to interbasin and interregional transfers of water*
26 *that affect water resources in this State;*

27 4. *The authority of the State of Nevada to manage its water*
28 *resources, especially as it relates to federal laws and regulations;*

29 5. *The water resources that are available in Nevada,*
30 *including a determination of the current per capita consumption*
31 *of water resources in various areas of the State;*

32 6. *The methods used to protect and carry out the public's*
33 *interest in the allocation and management of water resources;*

34 7. *The methods used by the State of Nevada and local*
35 *governments to plan and develop water resources, including*
36 *proposals for water storage;*

37 8. *The availability and adequacy of data relating to the*
38 *quality of ground water in Nevada; and*

39 9. *Any other issues relating to the use, allocation and*
40 *management of water resources that may affect the economy or*
41 *environment of Nevada that the Committee considers appropriate.*

42 **Sec. 6.** *The Committee may:*

43 1. *Conduct investigations and hold hearings in connection*
44 *with its duties pursuant to section 5 of this act.*



1 2. *Request that the Legislative Counsel Bureau assist in the*
2 *research, investigations, hearings and reviews of the Committee.*

3 3. *Recommend any appropriate legislation to the Legislature.*

4 **Sec. 7. 1.** *If the Committee conducts investigations or holds*
5 *hearings pursuant to section 6 of this act:*

6 (a) *The Secretary of the Committee or, in his absence, a*
7 *member designated by the Committee may administer oaths.*

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

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

15 2. *If a witness refuses to attend or testify or produce books or*
16 *papers as required by the subpoena, the Chairman of the*
17 *Committee may report to the district court by a petition which sets*
18 *forth that:*

19 (a) *Notice has been given of the time and place of attendance*
20 *of the witness or the production of the books or papers;*

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

23 (c) *The witness has failed or refused to attend or produce the*
24 *books or papers required by the subpoena before the Committee*
25 *that is named in the subpoena, or has refused to answer questions*
26 *propounded to him.*

27 ↳ *The petition may request an order of the court compelling the*
28 *witness to attend and testify or produce the books and papers*
29 *before the Committee.*

30 3. *Upon such a petition, the court shall enter an order*
31 *directing the witness to appear before the court at a time and place*
32 *to be fixed by the court in its order, the time to be not more than*
33 *10 days after the date of the order, and to show cause why he has*
34 *not attended or testified or produced the books or papers before*
35 *the Committee. A certified copy of the order must be served upon*
36 *the witness.*

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

42 **Sec. 8.** *Each witness who appears before the Committee by*
43 *its order, except a state officer or employee, is entitled to receive*
44 *for his attendance the fees and mileage provided for witnesses in*
45 *civil cases in the courts of record of this State. The fees and*



1 *mileage must be audited and paid upon the presentation of proper*
2 *claims sworn to by the witness and approved by the Secretary and*
3 *Chairman of the Committee.*

4 **Sec. 9.** This act becomes effective on July 1, 2005.



