



## STAFF REPORT

**TO:** Chairman and Board Members  
**THRU:** Mark Foree, General Manager  
**FROM:** John Erwin, Dir. Natural Resources  
**DATE:** 10 January 2011  
**SUBJECT:** **Request for Board direction to establish a Legislative Subcommittee and establish the process to review legislative activities**

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### **Recommendation**

Staff requests that the Board provide direction to staff on establishing a Legislative Subcommittee to the Board and the process of reviewing legislative activities on proposed bills during the session.

### **Discussion**

Beginning February, a standing item on legislative matters will become part of the Board's monthly agenda. A table summarizing Senate and Assembly bills along with the position the Board has taken on each will be provided to the Board similar to the *attachment* to this report. TMWA lobbyists will attend the Board meetings to answer questions and provide insights into the legislative intent.

Once the session gets underway, the timing of the TMWA Board meetings may not coincide with legislative activities as they affect TMWA's interests. The same may be true if the Board wishes to continue the formal Legislative Subcommittee process that has been used for the last three sessions. To monitor the Session, the Board has previously formed a Legislative Subcommittee consisting of the Chairman and Vice Chairman, meeting each Friday afternoon at 3:00 PM in a noticed public meeting with staff and TMWA lobbyists in attendance to discuss positions on the various bills. Occasionally the Subcommittee meeting is canceled when no action is required for the week. The process worked well in the past. Subject to Board modification, staff recommends the same procedure and process be implemented for the 2011 Session.

In addition, staff requests Board direction related to implementing a process regarding how staff and lobbyists should proceed on those occasions when timing does not allow a formal meeting of either the Board or the Legislative Subcommittee.



**TO:** Chairman and Board Members  
**FROM:** John Erwin, Dir. Natural Resources-Planning & Development  
**DATE:** 10 January 2011  
**SUBJECT:** **2011 Legislative Update Report**

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The *attached* table contains updated data through the date of this memo. Bills listed in the table below represent Bill Draft Requests issued in bill form by the Legislative Counsel Bureau to date. Staff will update the Board on the progress of these bills and positions taken by the Board or its Legislative Subcommittee at future meetings. The 2011 Legislature will begin February 7, 2011.

	Bill No.	TOPIC	ASSEMBLY BILLS Heard Ways and Means 5/4 no action - exempt SUMMARY	COMMENTS	Board Position	TMWA Position	Date Action Taken	Link
		F-Financial G-Governance L-Property O-Opening meeting, records PE-PERS, employment PW-Public works WQ-Water quality, NDEP WR-rights, resources, conservation			S- Support SA- Support if amended W-Watch O- Opposed N-Neutral			
1	AB 10	O	Revises provisions governing certain funds and the destruction of public records. (BDR 33-441)					<a href="http://leg.state.nv.us/Session/76th2011/Bills/AB/AB10.pdf">http://leg.state.nv.us/Session/76th2011/Bills/AB/AB10.pdf</a>
2	AB 46	O	Clarifies the inapplicability of certain partial tax abatements to various assessments relating to the adjudication of water rights and management of water resources. (BDR 32-468)					<a href="http://leg.state.nv.us/Session/76th2011/Bills/AB/AB46.pdf">http://leg.state.nv.us/Session/76th2011/Bills/AB/AB46.pdf</a>
3	AB 59	O	Makes various changes to the Open Meeting Law. (BDR 19-288)					<a href="http://leg.state.nv.us/Session/76th2011/Bills/AB/AB59.pdf">http://leg.state.nv.us/Session/76th2011/Bills/AB/AB59.pdf</a>
4	AB 60	PW	Revises requirements pertaining to preferences in bidding on public works. (BDR 28-255)					<a href="http://leg.state.nv.us/Session/76th2011/Bills/AB/AB60.pdf">http://leg.state.nv.us/Session/76th2011/Bills/AB/AB60.pdf</a>
5	AB 68	L	AN ACT relating to cities; exempting certain leases of real property from requirements relating to appraisal and auction; reducing the number of independent appraisals of fair market value required in certain circumstances for the sale or lease of real property by cities; and providing other matters properly relating thereto					<a href="http://leg.state.nv.us/Session/76th2011/Bills/AB/AB68.pdf">http://leg.state.nv.us/Session/76th2011/Bills/AB/AB68.pdf</a>
6	AB 73	WR	AN ACT relating to water; authorizing the State Engineer or any assistant or authorized agent of the State Engineer to enter certain premises to investigate and carry out the duties of the State Engineer; requiring the State Engineer to cancel a permit to appropriate water for a beneficial use if the holder of the permit fails to file certain information within a certain period after the date of the notice to file that information; revising provisions relating to the forfeiture of certain water rights; removing provisions requiring the					<a href="http://leg.state.nv.us/Session/76th2011/Bills/AB/AB73.pdf">http://leg.state.nv.us/Session/76th2011/Bills/AB/AB73.pdf</a>
7	AB 76	PE	AN ACT relating to the Public Employees' Benefits Program; revising provisions concerning reinstatement of insurance under the Program; authorizing the Board of the Program and certain advisory committees to meet in closed session under certain circumstances; and providing other matters properly relating thereto.					<a href="http://leg.state.nv.us/Session/76th2011/Bills/AB/AB76.pdf">http://leg.state.nv.us/Session/76th2011/Bills/AB/AB76.pdf</a>
8	AB 80	PE	AN ACT relating to the Public Employees' Benefits Program; making various changes relating to the Program; and providing other matters properly relating thereto.					<a href="http://leg.state.nv.us/Session/76th2011/Bills/AB/AB80.pdf">http://leg.state.nv.us/Session/76th2011/Bills/AB/AB80.pdf</a>
9	AB							

SENATE BILLS				COMMENTS	Board Position	TMWA Position	Date Action Taken	Link
Bill No.	TOPIC	SUMMARY						
		<b>F-Financial</b> <b>G-Governance</b> <b>L-Property</b> <b>O-Opening meeting, records</b> <b>PE-PERS, employment</b> <b>PW-Public works</b> <b>WQ-Water quality, NDEP</b> <b>WR-rights, resources, conservation</b>						
1	SB 41	F	<i>Eliminates mandatory collective bargaining for local government employers. (BDR 23-412)</i>					<a href="http://leg.state.nv.us/Session/76th2011/Bills/SB/SB41.pdf">http://leg.state.nv.us/Session/76th2011/Bills/SB/SB41.pdf</a>
2	SB 68	WR	<i>Requires the State Engineer to allow a city, county or other political subdivision to participate in developing and carrying out a plan or conducting a study relating to the appropriation of water for beneficial use under certain circumstances. (BDR 48-525)</i>					<a href="http://leg.state.nv.us/Session/76th2011/Bills/SB/SB68.pdf">http://leg.state.nv.us/Session/76th2011/Bills/SB/SB68.pdf</a>
3	SB 76	PE	<i>Prohibits the use of a cellular telephone or other handheld wireless communications device while operating a motor vehicle in certain circumstances. (BDR 43-461)</i>					<a href="http://leg.state.nv.us/Session/76th2011/Bills/SB/SB76.pdf">http://leg.state.nv.us/Session/76th2011/Bills/SB/SB76.pdf</a>
4	SB 77	O	<i>Revises provisions relating to notaries public. (BDR 19-404)</i>					<a href="http://leg.state.nv.us/Session/76th2011/Bills/SB/SB77.pdf">http://leg.state.nv.us/Session/76th2011/Bills/SB/SB77.pdf</a>
5	SB 78	F	<i>Revises provisions governing collective bargaining between local government employers and local government employees. (BDR 23-316)</i>					<a href="http://leg.state.nv.us/Session/76th2011/Bills/SB/SB78.pdf">http://leg.state.nv.us/Session/76th2011/Bills/SB/SB78.pdf</a>
6	SB							