

CHAPTER.....

AN ACT relating to water systems; transferring the authority to administer certain accounts that provide financial assistance to public water systems from the Health Division of the Department of Human Resources to the Division of Environmental Protection of the State Department of Conservation and Natural Resources; and providing other matters properly relating thereto.

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

Section 1. NRS 445A.210 is hereby amended to read as follows:

445A.210 ~~["Board"]~~ ***"Commission"*** means the State ~~[Board of Health.]~~ ***Environmental Commission.***

Sec. 2. NRS 445A.220 is hereby amended to read as follows:

445A.220 "Division" means the ~~[Health]~~ ***Environmental Protection of the State*** Department of ~~[Human Resources.]~~ ***Conservation and Natural Resources.***

Sec. 3. NRS 445A.265 is hereby amended to read as follows:

445A.265 1. The Division shall:

(a) Use the money in the Account for the Revolving Fund and the Account for Set-Aside Programs for the purposes set forth in the Safe Drinking Water Act.

(b) Determine whether public water systems which receive money or other assistance from the Account for the Revolving Fund or the Account for Set-Aside Programs comply with the Safe Drinking Water Act and regulations adopted pursuant thereto.

2. The Division may:

(a) Prepare and enter into required agreements with the Federal Government for the acceptance of grants of money for the Account for the Revolving Fund and the Account for Set-Aside Programs.

(b) Bind itself to terms of the required agreements.

(c) Accept grants made pursuant to the Safe Drinking Water Act.

(d) Manage the Account for the Revolving Fund and the Account for Set-Aside Programs in accordance with the requirements and objectives of the Safe Drinking Water Act.

(e) Provide services relating to management and administration of the Account for the Revolving Fund and the Account for Set-Aside Programs, including the preparation of any agreement, plan or report.

(f) Perform, or cause to be performed by the Nevada Rural Water Association or other persons, agencies or organizations

through interagency agreement, contract or memorandum of understanding, set-aside programs pursuant to 42 U.S.C. § 300j-12 of the Safe Drinking Water Act.

3. The Division shall not:

(a) Commit any money in the Account for the Revolving Fund for expenditure for the purposes set forth in NRS 445A.275; or

(b) Establish the priorities for determining which public water systems will receive money or other assistance from the Account for the Revolving Fund,

without obtaining the prior approval of the Board for Financing Water Projects.

Sec. 4. NRS 445A.270 is hereby amended to read as follows:

445A.270 The ~~{Board}~~ *Commission* may adopt such regulations as are necessary to carry out the provisions of NRS 445A.200 to 445A.295, inclusive.

Sec. 5. NRS 445A.280 is hereby amended to read as follows:

445A.280 1. The Administrator shall not:

(a) Spend more than 4 percent of the federal grant for a set-aside program for administration pursuant to 42 U.S.C. § 300j-12(g)(2) of the Safe Drinking Water Act;

(b) Spend more than 10 percent of the federal grant for a set-aside program for activities authorized pursuant to 42 U.S.C. § 300j-12(g)(2) of the Safe Drinking Water Act if matched equally by the State;

(c) Spend more than 2 percent of the federal grant for a set-aside program for technical assistance to small water systems pursuant to 42 U.S.C. § 300j-12(g)(2) of the Safe Drinking Water Act; or

(d) Spend more than 15 percent of the federal grant for a set-aside program for activities authorized pursuant to 42 U.S.C. § 300j-12(k) of the Safe Drinking Water Act.

2. The Administrator may impose and collect a fee from each public water system that receives a loan or other financial assistance from the Account for the Revolving Fund or the Account for Set-Aside Programs. The fee must be used to defray the costs of administering the Account for the Revolving Fund or the Account for Set-Aside Programs.

3. If the Administrator imposes a fee pursuant to subsection 2, the ~~{Board}~~ *Commission* shall adopt regulations establishing the amount of the fee to be collected.

Sec. 6. NRS 445A.295 is hereby amended to read as follows:

445A.295 1. The ~~{Board}~~ *Commission* shall adopt such regulations as are necessary relating to the environmental review required by the Safe Drinking Water Act.

2. Each public water system which receives money from the Account for the Revolving Fund shall prepare an environmental

assessment which complies with the regulations adopted by the ~~Board~~ *Commission* and submit it to the Division for review.

3. The Division shall review each such assessment.

Sec. 7. This act becomes effective on July 1, 2003.