



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** March 7, 2019

Staff Contact: Adriana Fralick, Deputy City Manager

Agenda Title: For Possible Action: Discussion and possible action on legislative bills sponsored and co-sponsored by Assemblyman Al Kramer, specifically, Assembly Bill (AB) 191, AB 214, Bill Draft Request (BDR) S-50 and BDR 48-45. (Adriana Fralick, AFralick@carson.org)

Staff Summary: Assemblyman Kramer will present and answer questions on bills he is sponsoring and co-sponsoring this legislative session and for which he is requesting the Board's vote in support. AB 191 makes appropriations to award grants to provide Mobile Outreach Safety Team services in certain counties. AB 214 makes an appropriation for a feasibility study for further development of a museum at the Nevada State Prison. BDR S-50 revises provisions governing the Carson City Airport Authority Act. BDR 48-45 authorizes counties to make appropriations from their respective general funds to cover annual special assessments on water use if the amount assessed on a property owner is less than the cost of collecting the assessment. Assemblyman Al Kramer is requesting a vote from the Board in support of these bills.

Agenda Action: Formal Action / Motion **Time Requested:** 10 minutes

Proposed Motion

I move to (support, oppose, remain neutral) on AB 191, AB 214, BDR S-50 and BDR 48-45.

Board's Strategic Goal

Efficient Government

Previous Action

None

Background/Issues & Analysis

AB 191 (Legislative Counsel's Digest):

This bill makes an appropriation to the Division of Public and Behavioral Health of the Department of Health and Human Services to award grants of money to counties whose population is less than 100,000 (currently all counties other than Clark and Washoe Counties), federally recognized Indian tribes whose tribal land is located in a county whose population is less than 100,000 and certain other persons or entities for the purpose of providing Mobile Outreach Safety Team services to persons in a behavioral or mental health crisis. This bill defines "Mobile Outreach Safety Team services" to mean a program in which first responders collaborate with mental health clinicians, community health workers, persons who are determined to be qualified by the Administrator of the Division to provide peer support services or mental health case managers to respond to persons in a behavioral or mental health crisis. This bill also requires the Administrator to: (1) base the amount of the grants entirely on the need for Mobile Outreach Safety Team services in the county; and (2) prepare a written report concerning the grant program and submit the

report to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the 81st Session of the Nevada Legislature.

AB 214 (Legislative Counsel's Digest):

Under existing law, the Division of Museums and History of the Department of Tourism and Cultural Affairs, working with the Nevada State Prison Preservation Society, local government and other state agencies, has been directed to study and develop a museum to preserve and develop the historic structures, buildings and other property at the Nevada State Prison as a historical, cultural, educational and scientific destination. (NRS 321.004, 381.239, 381.243; chapter 28, Statutes of Nevada 2013, at p. 75) This bill provides an appropriation to complete a feasibility study for the project and requires the submission of a report on the findings and recommendations of the completed study to the 81st Session of the Nevada Legislature.

BDR S-50:

Revises provisions governing the Carson City Airport Authority Act.

No language is available at this time on this proposed bill. However, Assemblyman Kramer will provide information at the Board meeting. Additionally, if language is available prior to the Board meeting, that language will be provided as late material.

BDR 48-45 (Legislative Counsel's Digest):

Under current law, a county is required to levy a special assessment annually, or at such time as needed, upon all taxable property situated within the confines of a particular water basin designated by the State Engineer to pay certain salaries and expenses of well supervisors, assistants and the Well Drillers' Advisory Board if certain license fees are not sufficient. (NRS 534.040) This bill authorizes a county to instead pay those salaries and expenses by appropriating money from the general fund of the county if the amount of the special assessment upon a property owner is less than the cost of collecting the assessment.

Applicable Statute, Code, Policy, Rule or Regulation

NRS 244.146; Carson City Charter, Art. 2, Sec. 2.090

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Take a position to support, oppose or remain neutral on these bills;

Not take a position;

Mayor remand back to staff with instructions based on discussion on the record.

Attachments:

[AB191.pdf](#)

[AB214.pdf](#)

[BDR 48-45.pdf](#)

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

ASSEMBLY BILL NO. 191—ASSEMBLYMEN KRAMER, TITUS;
BENITEZ-THOMPSON, CARRILLO, HAFEN, HAMBRICK,
HANSEN, LEAVITT AND ROBERTS

FEBRUARY 18, 2019

JOINT SPONSOR: SENATOR HARDY

Referred to Committee on Ways and Means

SUMMARY—Makes an appropriation to the Division of Public and Behavioral Health of the Department of Health and Human Services to award grants to provide Mobile Outreach Safety Team services in certain counties. (BDR S-667)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Contains Appropriation not included in Executive Budget.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT making an appropriation to the Division of Public and Behavioral Health of the Department of Health and Human Services to award grants of money to certain counties, federally recognized Indian tribes or other persons or entities for the purpose of providing Mobile Outreach Safety Team services; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill makes an appropriation to the Division of Public and Behavioral
2 Health of the Department of Health and Human Services to award grants of money
3 to counties whose population is less than 100,000 (currently all counties other than
4 Clark and Washoe Counties), federally recognized Indian tribes whose tribal land is
5 located in a county whose population is less than 100,000 and certain other persons
6 or entities for the purpose of providing Mobile Outreach Safety Team services to
7 persons in a behavioral or mental health crisis. This bill defines “Mobile Outreach
8 Safety Team services” to mean a program in which first responders collaborate
9 with mental health clinicians, community health workers, persons who are
10 determined to be qualified by the Administrator of the Division to provide peer
11 support services or mental health case managers to respond to persons in a



12 behavioral or mental health crisis. This bill also requires the Administrator to: (1)
13 base the amount of the grants entirely on the need for Mobile Outreach Safety
14 Team services in the county; and (2) prepare a written report concerning the grant
15 program and submit the report to the Governor and the Director of the Legislative
16 Counsel Bureau for transmittal to the 81st Session of the Nevada Legislature.

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

1 **Section 1.** 1. There is hereby appropriated from the State
2 General Fund to the Division of Public and Behavioral Health of the
3 Department of Health and Human Services for the grant program
4 described in subsection 2 the following sums:

5 For the Fiscal Year 2019-2020 \$1,000,000
6 For the Fiscal Year 2020-2021 \$1,000,000

7 2. Except as otherwise provided in subsection 5, the
8 Administrator of the Division shall use the money appropriated by
9 subsection 1 to award grants of money to the following persons or
10 entities to provide Mobile Outreach Safety Team services to persons
11 who are in a behavioral or mental health crisis and reside in a county
12 whose population is less than 100,000:

13 (a) Counties whose population is less than 100,000;

14 (b) Federally recognized Indian tribes whose tribal land is
15 located in a county whose population is less than 100,000; and

16 (c) Private persons or entities that have the written approval of
17 the board of county commissioners of a county described in
18 paragraph (a) or an Indian tribe described in paragraph (b) to apply
19 for such a grant on behalf of the county or Indian tribe.

20 3. Mobile Outreach Safety Team services funded by a county
21 or federally recognized Indian tribe using a grant awarded pursuant
22 to this section may be provided wholly or partially pursuant to a
23 contract between the county or tribe and a governmental entity or
24 private person or entity.

25 4. In awarding grants pursuant to this section, the
26 Administrator shall:

27 (a) Solicit the input of:

28 (1) The regional behavioral health policy boards created by
29 NRS 433.429 for the Northern Behavioral Health Region, the Rural
30 Behavioral Health Region and the Southern Behavioral Health
31 Region; and

32 (2) The Commission on Behavioral Health created by
33 NRS 232.361.

34 (b) Base the amount of the grants entirely on the need for
35 Mobile Outreach Safety Team services in the county.



1 5. The Administrator may not use more than 10 percent of the
2 money appropriated by subsection 1 to administer the grant program
3 established by this section.

4 6. Upon acceptance of a grant from the money appropriated by
5 subsection 1, the recipient of a grant agrees to:

6 (a) Prepare and transmit a report to the Interim Finance
7 Committee on or before December 18, 2020, that describes each
8 expenditure made from the money appropriated by subsection 1
9 from the date on which the money was received through
10 December 1, 2020;

11 (b) Prepare and transmit a final report to the Interim Finance
12 Committee on or before September 17, 2021, that describes each
13 expenditure made from the money appropriated by subsection 1
14 from the date on which the money was received through June 30,
15 2021; and

16 (c) Upon request of the Legislative Commission, make available
17 to the Legislative Auditor any of the books, accounts, claims,
18 reports, vouchers or other records of information, confidential or
19 otherwise, of the recipient of a grant, regardless of their form or
20 location, that the Legislative Auditor deems necessary to conduct an
21 audit of the use of the money appropriated pursuant to subsection 1.

22 7. The Administrator shall, on or before February 1, 2021,
23 prepare a written report concerning the grant program established by
24 this section and submit a copy of the written report to:

25 (a) The Governor; and

26 (b) The Director of the Legislative Counsel Bureau for
27 transmittal to the 81st Session of the Nevada Legislature.

28 8. As used in this section:

29 (a) "Community health worker" has the meaning ascribed to it
30 in NRS 449.0027.

31 (b) "Mobile Outreach Safety Team services" means a program
32 in which first responders, including, without limitation, police, fire
33 and emergency medical personnel, collaborate with mental health
34 clinicians, community health workers, persons who are determined
35 to be qualified by the Administrator to provide peer support services
36 or mental health case managers to respond to persons in a behavioral
37 or mental health crisis.

38 (c) "Peer support services" has the meaning ascribed to it in
39 NRS 449.01566.

40 **Sec. 2.** The sums appropriated by section 1 of this act are
41 available for either fiscal year. Any remaining balance of those sums
42 must not be committed for expenditure after June 30, 2021, by the
43 entity to which the appropriation is made or any entity to which
44 money from the appropriation is granted or otherwise transferred in
45 any manner, and any portion of the appropriated money remaining



1 must not be spent for any purpose after September 17, 2021, by
2 either the entity to which the money was appropriated or the entity
3 to which the money was subsequently granted or transferred, and
4 must be reverted to the State General Fund on or before
5 September 17, 2021.

6 **Sec. 3.** This act becomes effective on July 1, 2019.

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ASSEMBLY BILL NO. 214—ASSEMBLYMEN KRAMER; BILBRAY-AXELROD, COHEN, EDWARDS, HAFEN, ROBERTS, SWANK AND TOLLES

FEBRUARY 18, 2019

JOINT SPONSORS: SENATORS KIECKHEFER,
PARKS; AND SETTELMEYER

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Makes an appropriation for a feasibility study relating to further development of a museum at the Nevada State Prison. (BDR S-535)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Contains Appropriation not included in Executive Budget.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT making an appropriation to the Division of Museums and History of the Department of Tourism and Cultural Affairs to complete a feasibility study for development of a museum at the Nevada State Prison; requiring a report of the study findings and recommendations to the 81st Session of the Nevada Legislature; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, the Division of Museums and History of the Department of
2 Tourism and Cultural Affairs, working with the Nevada State Prison Preservation
3 Society, local government and other state agencies, has been directed to study and
4 develop a museum to preserve and develop the historic structures, buildings
5 and other property at the Nevada State Prison as a historical, cultural, educational
6 and scientific destination. (NRS 321.004, 381.239, 381.243; chapter 28, Statutes of
7 Nevada 2013, at p. 75) This bill provides an appropriation to complete a feasibility
8 study for the project and requires the submission of a report on the findings and
9 recommendations of the completed study to the 81st Session of the Nevada
10 Legislature.



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

1 **Section 1.** 1. There is hereby appropriated from the State
2 General Fund to the Division of Museums and History of the
3 Department of Tourism and Cultural Affairs the sum of \$250,000 to
4 complete a feasibility study of the development of a museum at the
5 Nevada State Prison.

6 2. In consultation with the Nevada State Prison Preservation
7 Society, the Division shall develop contracts and select one or more
8 consultants to complete the feasibility study.

9 3. The study must include:

10 (a) An evaluation of the Nevada State Prison structures and
11 artifact resources available for the museum;

12 (b) A marketing analysis;

13 (c) A client and audience analysis; and

14 (d) An interpretive plan.

15 **Sec. 2.** On or before January 1, 2021, the Division shall
16 present a report of the results of the feasibility study conducted
17 pursuant to section 1 of this act, including, without limitation, any
18 recommendations for legislation, to the Director of the Legislative
19 Counsel Bureau for transmission to the 81st Session of the Nevada
20 Legislature.

21 **Sec. 3.** Any remaining balance of the appropriation made by
22 section 1 of this act must not be committed for expenditure after
23 June 30, 2021, by the entity to which the appropriation is made or
24 any entity to which money from the appropriation is granted or
25 otherwise transferred in any manner, and any portion of the
26 appropriated money remaining must not be spent for any purpose
27 after September 17, 2021, by either the entity to which the money
28 was appropriated or the entity to which the money was subsequently
29 granted or transferred, and must be reverted to the State General
30 Fund on or before September 17, 2021.

31 **Sec. 4.** This act becomes effective on July 1, 2019.



SUMMARY—Revises provisions related to water. (BDR 48-45)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: No.

AN ACT relating to water; revising provisions governing certain assessments on water users; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under current law, a county is required to levy a special assessment annually, or at such time as needed, upon all taxable property situated within the confines of a particular water basin designated by the State Engineer to pay certain salaries and expenses of well supervisors, assistants and the Well Drillers' Advisory Board if certain license fees are not sufficient. (NRS 534.040) This bill authorizes a county to instead pay those salaries and expenses by appropriating money from the general fund of the county if the amount of the special assessment upon a property owner is less than the cost of collecting the assessment.



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

Section 1. NRS 534.035 is hereby amended to read as follows:

534.035 1. In each area designated as a groundwater basin by the State Engineer pursuant to the provisions of NRS 534.030, the board of county commissioners may recommend to the State Engineer that the State Engineer establish a groundwater board. The State Engineer shall determine whether or not a groundwater board is to be established and may direct its establishment by order.

2. If a groundwater board is established, the governing bodies of all the cities and towns within the designated area, the board of county commissioners of each county in which the area is located, and the governing body of any water district in which the area is included, or partly included, shall each submit a list of names of residents of the area to the Governor, who shall appoint seven members of the board. At least one member must be appointed from each list.

3. After the initial terms, the term of office of each member of the board is 4 years. The board shall elect one member as chair and one member as secretary to serve as such at the pleasure of the board.

4. The board shall maintain its headquarters at the county seat of the county in which the designated area is located, or if the area lies in more than one county, in the county seat of one of the counties in which the area is located. The board shall hold meetings at such times and places as it may determine. Special meetings may be called at any time by the secretary at the request of



any four members, or by the chair, upon notice specifying the matters to be acted upon at the meeting. No matters other than those specified in the notice may be acted upon at that meeting unless all members are present and consent thereto.

5. A majority of the board constitutes a quorum, and the board shall act only by a majority of those present.

6. For each day's attendance at each meeting of the groundwater board, or for each day when services are actually performed for the groundwater board, the members are entitled to receive per diem and travel allowances provided by law. Claims for those expenses must be paid as provided in subsection ~~6~~ 7 of NRS 534.040.

7. The State Engineer shall not approve any application or issue any permit to drill a well, appropriate groundwater, change the place or manner of use or the point of diversion of water within the designated area, adopt any related regulations or enter any related orders until the State Engineer has conferred with the board and obtained its written advice and recommendations.

8. It is the intention of the Legislature that the State Engineer and the board be in agreement whenever possible, but, for the purpose of fixing responsibility to the Governor, if there is any disagreement between the State Engineer and the board, the views of the State Engineer prevail. A written report of any such disagreement must be made immediately to the Governor by the State Engineer and the board.

9. Any groundwater board may request from the State Engineer or any other state, county, city or district agency such technical information, data and advice as it may require to perform its



functions, and the State Engineer and such other agencies shall, within the resources available to them, furnish such assistance as may be requested.

10. The Governor may dissolve the groundwater board by order if the Governor determines that the future activities of the board are likely to be insubstantial.

Sec. 2. NRS 534.040 is hereby amended to read as follows:

534.040 1. Upon the initiation of the administration of this chapter in any particular basin, and where the investigations of the State Engineer have shown the necessity for the supervision over the waters of that basin, the State Engineer may employ a well supervisor and other necessary assistants, who shall execute the duties as provided in this chapter under the direction of the State Engineer. The salaries of the well supervisor and the assistants of the well supervisor must be fixed by the State Engineer. The well supervisor and assistants are exempt from the provisions of chapter 284 of NRS.

2. ~~The~~ *If the money available from the license fees provided for in NRS 534.140 is not sufficient to pay those salaries, together with necessary expenses, including the compensation and other expenses of the Well Drillers' Advisory Board, the* board of county commissioners shall, *except as otherwise provided in this subsection,* levy a special assessment annually, or at such time as the assessment is needed, upon all taxable property situated within the confines of the area designated by the State Engineer to come under the provisions of this chapter in an amount as is necessary to pay ~~those salaries, together with necessary expenses, including the compensation and other expenses of the Well Drillers' Advisory Board if the money available from the license fees provided for in NRS 534.140 is not sufficient to pay those costs. In~~ *such*



salaries and expenses. If the board of county commissioners determines that the amount of a special assessment levied upon a property owner pursuant to this section is less than the cost of collecting the assessment, the board of county commissioners may exempt the property owner from the assessment and appropriate money from the general fund of the county to pay the cost of the assessment.

3. *Except as otherwise provided in subsection 2, in* designated areas within which the use of groundwater is predominantly for agricultural purposes ~~the levy~~, *any special assessment levied pursuant to this section* must be charged against each water user who has a permit to appropriate water or a perfected water right, and the charge against each water user must be based upon the proportion which his or her water right bears to the aggregate water rights in the designated area. The minimum charge is \$1.

~~3.~~ 4. The salaries and expenses may be paid by the State Engineer from the Water Distribution Revolving Account pending the levy and collection of ~~the~~ *an* assessment ~~as provided in~~ *levied pursuant to* this section.

~~4. The~~

5. *Except as otherwise provided in subsection 2, if a special assessment is levied pursuant to this section, the* proper officers of the county shall levy and collect the special assessment as other special assessments are levied and collected, and the assessment is a lien upon the property.

~~5. The assessment provided for, when collected,~~



6. *Any special assessment collected pursuant to this section* must be deposited with the State Treasurer for credit to the Water District Account to be accounted for in basin well accounts.

~~6.1~~ 7. Upon determination and certification by the State Engineer of the amount to be budgeted for the current or ensuing fiscal year for the purpose of paying the per diem and travel allowances of the groundwater board and employing consultants or other help needed to fulfill its responsibilities, the State Controller shall transfer that amount to a separate operating account for that fiscal year for the groundwater basin. Claims against the account must be approved by the groundwater board and paid as other claims against the State are paid. The State Engineer may use money in a particular basin well account to support an activity outside the basin in which the money is collected if the activity bears a direct relationship to the responsibilities or activities of the State Engineer regarding the particular groundwater basin.

Sec. 3. This act becomes effective on July 1, 2019.

