Nevada Farm Bureau Legislative Update

(Prepared - March 20, 2025)

AB 9 – This bill was introduced by the Joint Interim Standing Committee on Natural Resources and seeks to expand the timeframe for the "temporary" transfer of agricultural water rights into a non-use status for wildlife purposes. Under current law transfer is allowed for 3 years, but it can also be extended, if allowed by the State Engineer indefinitely. It was heard by the Assembly Natural Resources Committee on February 24th and Nevada Farm Bureau testified in support of the proposed amended version of the bill. The proposed amended version is intended to extend the time for the water right being transferred for a period of 5 years, but it would limit the number of possible extensions to a total of 15 years.

AB 80 – This bill was another bill that came by way of the Joint Interim Standing Committee on Natural Resources and deals with soil health, proposing to establish a Healthy Soils Initiative by setting up a Soil Health Advisory Board within the State Conservation Commission in the State Department of Conservation and Natural Resources. It was heard by the Assembly Natural Resources Committee on February 19th and Nevada Farm Bureau testified in support of the bill, by virtue of our policy on increasing education on regenerative agricultural practices.

AB 81 – This bill is not a bill that we have participated in. It seeks to do away with Daylight Saving Time in Nevada. We once had policy that would have supported the bill, but that position was deleted from our policy book in 2023 when the voting delegates were told that Daylight Saving Time was going to be discontinued. It wasn't discontinued, but could be, if the Nevada Legislature votes to approve the change and the Governor signs it into law. If it were to become Nevada law, the change away from Daylight Saving Time on November 2nd would be the final end of this time change process in Nevada.

AB 104 – Is also known as the "omnibus water bill" because it incorporates a group of water-related items into the major component of the bill, dealing with a voluntary water right buy-back and retirement program. Nevada Farm Bureau and other water interests have been working together to fashion this proposal for the past 18 months. It was brought forward by the Joint Interim Standing Committee on Natural Resources. Nevada Farm Bureau testified in support of the bill, with a major set of amendments, when it was heard by the Assembly Natural Resources Committee on February 24th. There is a **Senate bill (SB 36)** which seeks to do nearly all of the same things, in terms of a buy-back and retirement program, but doesn't include the portions of AB 104 which goes beyond the buy-back and retirement program.

AB 109 – Is a water related bill which we've been watching, but do not intend to testify on. The bill is proposing to increase the level of requirements for geothermal wells, which technically aren't using water except for the heat of the water. Geothermal wells pump heated water but then reinjects it back into the ground – after extracting the heat. This bill would like to see the State Engineer be responsible for reviewing the proposed geothermal well and "permit" it even though it isn't a water right. We have been approached over supporting the bill but have not agreed to be involved because we don't have policy that covers the matter.

AB 134 – Is also a water related bill that came from the Joint Interim Standing Committee on Natural Resources. It attempts to allow for a perfected water right to be included in a conservation plan and then not need to be used if the proposed conservation plan for non-use was approved by the State Engineer. At this point the Assembly Natural Resources Committee has not heard the bill and ideally won't bring it forward for any further consideration.

AB 171 – Involves the emergency measures for eggs that have already taken place after the bill was rushed through passage in both legislative bodies and signed by the Governor. With the emergency order from the State Quarantine Officer (the Director of Ag.) Nevada egg buyers aren't required to purchase cage-free eggs. This non-requirement for cage free eggs is allowed to happen twice per-year for 120 days. Nevada Farm Bureau testified in support of the bill before the Assembly and Senate Natural Resources committees, when they held their respective hearings (February 10th and February 11th). It was signed into law by the Governor on February 13th.

AB 180 – This bill is introduced by Clark County Assemblymember Reuben D'Silva. We do not have a policy position on the bill, as it is written, and deals with multijurisdictional business licenses for sidewalk vendors and food establishments. We have been approached with a proposal that might try to amend the concept of also covering cottage food businesses into the bill. It has been sent to the Assembly Government Affairs Committee for consideration.

AB 242 – This bill was brought forward by Assemblymembers Richard DeLong of Reno; Bert Gurr of Elko; and Greg Koenig of Fallon. It deals with requirements being put on the Nevada Sagebrush Ecosystem Council to adopt regulations for various points of sagebrush management, especially as it relates to the state's mitigation credit program. The bill was sent to the Assembly Government Affairs Committee and it was heard on March 11th.

AB 251 – This bill was brought forward by Assemblymembers Greg Koenig and Bert Gurr. It seeks to remove the prohibition of mobile slaughter units from qualifying as an "official establishment" under the state's meat inspection program. It was sent to the Assembly Natural Resources Committee where it was heard on March 12th. Nevada Farm Bureau testified in support of the bill.

AB 333 – This bill is a proposal to return the oversight for the Washoe County "State Fair Grounds" in Reno to the Nevada Department of Agriculture. The bill spells out the details for terminating the lease for the property that has been leased to Washoe County and puts the Department of Agriculture into the role of having the responsibility for the operation and maintenance for the State Fair Grounds.

The bill was heard by the Nevada Assembly Committee on Government Affairs on March 14th.

AB 352 – This bill covers cottage food and other cottage businesses. It was introduced by Assemblymember Natha Anderson from Sparks. She is also the chair of the Assembly Natural Resources. The bill places Food-to-Fork activities under the responsibility of the Department of Agriculture. Following the introduction of the proposed legislation it was sent to the Assembly Committee on Health and Human Services, where it was heard on March 14. Nevada Farm Bureau testified in support of the bill. We appreciate the feedback that we've received from Farm Bureau members who have reviewed the language.

AB 363 – Another of the water related bills this session which came through the Joint Interim Standing Committee on Natural Resources. It is also similar to other legislative proposals having attempted to be passed in past sessions. This bill seeks to provide the authority for County Commissions to set up groundwater advisory board who would be appointed by the State Engineer. It would put in place the system for engaging local citizens with providing their input on possible recommendations for dealing with such matters as reduction of pumping in over-appropriated/over-pumped basins. The Assembly Natural Resources Committee heard the bill on March 3rd and Nevada Farm Bureau spoke in support of the proposal.

AB 405 – This bill just gained introduction. It is aimed at requiring the Director of the State Department of Agriculture to establish a program to assist in the development of community gardens and urban farms in areas of this State with high levels of food insecurity. This allows for the Director to accept funds from various sources to carry out the program. It has been introduced by a group of legislators and has been sent to the Assembly Natural Resources Committee.

AB 419 – This is a fairly comprehensive bill covering requirements on the State Engineer for adoption of a pre-application process for water applications and bringing about a number of timeframes for the State Engineer to take action on with respect to water applications and the process of determining a final decision. It also puts the State Engineer into the responsibility of being subject to the Nevada Administrative Procedure Act in adopting regulations and specific provisions of governing the adjudication of contested cases. There is a group of sponsors proposing the bill mostly lead by Assemblyman Richard DeLong of Reno. Joining him in sponsoring the bill is Assemblymembers Lisa Cole of Clark County; Bert Gurr of Elko; Jill Dickman of Reno and PK O'Neill of Carson City. It has been referred to the Assembly Natural Resources Committee.

AB 429 – Was a committee introduction by the Assembly Natural Resources Committee. It seeks to amend Nevada Revised Statutes (NRS) 111.420 and provides that any person, including a state or local government or any agency or instrumentality thereof, is authorized to create, convey, record, assign, release, modify, terminate or otherwise alter or affect an easement for conservation in the same manner as other easements. It has been referred to the Assembly Natural Resources Committee for further consideration.

SB 6 – Like a number of other bills before the 2025 Nevada Legislature, this bill came from the Joint Interim Standing Committee on Natural Resources. It deals with funding for the Desert Research Institute to be funded with $600,000 in each year of the next two fiscal years for carrying out cloud seeding. Nevada Farm Bureau testified in support of the bill when it was heard by the Senate Natural Resources Committee on February 27th.

SB 31 – This bill was introduced on behalf of the Nevada Division of Water Resources. It explicitly seeks to exempt agencies of the federal government from filing proofs of claims for vested water rights, which others are required to submit their proofs of vested water right claims before December 31, 2027 – or have vested right claims be abandoned. Nevada Farm Bureau testified in opposition to the bill before the Senate Natural Resources Committee when they heard the bill on March 6th. There is some confusion over this bill, with assertions given that the federal government agencies were not included in the requirement going back to the 2017 Legislative Session when the December 31, 2027, deadline was put into law. Likewise, there are concerns after an Oregon suit was dealt with in the 9th District Courts pertaining to that state's vested water rights requirements. Nevada Farm Bureau's testimony was on the basis of the unfair treatment that was being applied to private sector vested water right claims. Amendments might be proposed to resolve the conflicts of those opposing the bill.

SB 36 – We've covered this bill earlier, in conjunction with the details for AB 104. This bill, which was brought from the Joint Interim Standing Committee on Natural Resources, deals specifically with setting up a water rights buy-back program (from willing sellers) and having those water rights retired. The difference between the Senate and the Assembly version is that SB 36 only deals with the buy-back/retirement program and doesn't include the other elements of water law changes that are included in the "omnibus bill" (AB 104). Nevada Farm Bureau did testify in support of SB 36 when it was presented on March 6th before the Senate Natural Resources Committee.

SB 55 – This bill was brought forward at the request of the Lieutenant Governor and deals with Agritourism. If adopted the Department of Agriculture would be responsible for assisting with developing a program which would spell out what qualifies as an agritourism operation and also opens up opportunities for working with the state's Commission on Tourism. It was sent to the Senate Committee on Revenue and Economic Development which has struggled to deal with any of the legislative proposals sent to them, following a health issue that has taken the committee chairman out of commission. Nevada Farm Bureau is prepared to testify in support of passage -- if and when the committee provides a hearing on the bill.

SB 78 – This bill was brought forward by the Department of Business and Industry and originally proposed massive changes in all of the Boards and Commissions in Nevada, including changes to the makeup of the Nevada Board of Agriculture. Supposedly, facing the rough sledding that seemed on the horizon it was only going to apply to the various Boards and Commissions within the Department of Business and Industry. The legislative history for the proposal has evolved into an interesting labyrinth. It was originally sent to the Senate Committee on Revenue and Economic Development, but didn't seem to belong there (at least by the assertion by the committee that they didn't have jurisdiction on this bill. More than a half dozen legislative committees in both the Assembly and the Senate (some more than once) have said that the bill has been mentioned, but all have claimed that they have no jurisdiction.

SB 104 – This legislative proposal is from Senator Julie Pazina of Las Vegas, who also brought forward the same type of bill last session. It deals with funding for a school gardens program. The bill from last session didn't pass, but the primary target for receiving the funds of about $3 million for the biennium, ***Green Our Planet***, did gain the funding through other means. They picked up the $3 million as part of the Christmas Tree money hand-out that was passed at the end of the session. SB 104, this session has higher aspirations, seeking to pocket a total of $4 million ($2 million for each fiscal year). There are some possibilities that other organizations than ***Green Our Planet*** might be included in obtaining some of the funds for school gardens. Nevada Farm Bureau has been involved in working with school garden advocates in Northern Nevada who would like to also be in the mix for gaining such funding – if it becomes available. The bill is held in the Senate Finance Committee where closer to the end of the session, considerations will be given to funding measures like this.

SB 172 – This bill has become Nevada Farm Bureau's top priority as it seeks to remove the current exemption that agriculture has in requirements for payment of overtime to agricultural workers. The bill also proposes to establish an "Agricultural Workers Bill of Rights" and incorporates authority for collective bargaining and other oversight provisions from the Nevada Labor Commissioner. The bill was brought forward by Senator Edgar Flores of Las Vegas and involves a couple of activist organizations as well as strong labor union interest. Nevada Farm Bureau testified in opposition to the bill when it was presented to the Senate Committee on Commerce and Labor. We greatly appreciate the strong showing for the opposition to the bill in personal testimony as well as emails sent to the committee members. Whether that will be sufficient remains rather doubtful as this point. Our best possible outcome would be in the form of a gubernatorial veto in the future, but this will depend on a unanimous opposition vote from Republicans in each body of the legislature…that may not be possible.

SB 180 – Another bill from Senator Edgar Flores of Las Vegas. This bill has been sent to the Senate Committee on Growth and Infrastructure. The language of the bill indicates that anyone transporting intra-state (within the state of Nevada) freight with a vehicle that has a rating of 26,000 pounds or more is going to need to file with the Department of Transportation as well as with the Department of Motor Vehicles a completed form which demonstrates that they have liability insurance or a bond with a surety company in an amount of $1.5 million. Not only does the language specify this requirement on common and contract carriers, but also "every private carrier" who is transporting intra-state freight. In other words, even farmers or ranchers hauling their own "freight" within the state would be required to have liability insurance of $1.5 million.

SB 204 – Is a bill that Nevada Farm Bureau supported when it was brought before the Senate Committee on Commerce and Labor, March 17th. Senator John Ellison from Elko brought this bill to the 2025 Legislature, seeking to authorize a temporary agricultural foreign worker who performs herding or production of livestock on the range under an H-2A visa and his or her employer to enter into a written agreement to exclude from the wages of the worker certain specified periods for meals, sleep and other free time. The bill, if passed, would exempt an employer of a temporary agricultural foreign worker who performs herding or production of livestock on the range under an H-2A visa from certain recordkeeping requirements; requiring the enforcement of certain provisions relating to payment of wages and prosecution of violations.

SB 233 – This bill, as it was introduced, has several components. The most important element in Nevada Farm Bureau's policy objectives deals with funding for the ***"Home Feeds Nevada"*** Program. There are anticipated amendments when the Senate Natural Resources Committee was scheduled to hear the bill on March 18th. Clark county Senators Fabian Donate and Edgar Flores have teamed up to introduce this bill.

SB 260 – This bill that will be worth keeping an eye on. It has a number of co-sponsors with Senator Edgar Flores as the primary backer of the legislation. SB 260 establishes requirements for certain employers relating to the exposure of employees to poor air quality in the workplace. The types of poor air quality which need to be monitored is specifically focused on determining **PM 2.5 levels** before and periodically during each employee's shift. This would include the smoke in the air from wildfires as well as other sources of PM 2.5 in the air. The bill has been referred to the Senate Commerce and Labor Committee.

SB 282 – This is a bill from Senator Nicole Cannizzaro who is the Senate Majority Leader. It requires the Department of Health and Human Services to establish and administer a program that is being called the Grocery Initiative to award grants of money and provide technical assistance and other information to qualified grocery stores in Nevada when there are specific situations involving food insecurity. It has been referred to the Senate Government Affairs Committee.

SB 342 – This bill has been introduced by Senator James Ohrenschall. It seeks to add another option for relinquishing water rights. In each area designated as a groundwater basin by the State Engineer pursuant to the provisions of NRS 534.030, the State Engineer may coordinate with persons who seek to relinquish, by contract or other legal agreement, a right to appropriate water. The State Engineer must retire any water right relinquished pursuant to such a contract or other legal agreement.

SB 355 – This bill has been introduced by Senator James Ohrenschall. It seeks to define Agrivoltaics and Ecovoltaics and then extends the existing abatements of taxes for the installation of these types of renewable energy. SB 355 has been referred to the Senate Committee on Growth and Infrastructure.