

ASSEMBLY BILL NO. 285—COMMITTEE ON NATURAL RESOURCES, AGRICULTURE
AND MINING

(ON BEHALF OF ENVIRONMENTAL IMPROVEMENT PROGRAM OF
THE TAHOE REGIONAL PLANNING AGENCY)

FEBRUARY 19, 1999

Referred to Concurrent Committees on Natural Resources,
Agriculture and Mining and Ways and Means

SUMMARY—Establishes program to protect Lake Tahoe Basin. (BDR S-459)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: 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 the Lake Tahoe Basin; requiring the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources to establish and administer a program for the protection of the Lake Tahoe Basin; authorizing the issuance of general obligation bonds and providing for legislative appropriations to carry out the program; creating the fund to protect the Lake Tahoe Basin; authorizing the Administrator of the Division of State Lands to issue grants to carry out the program; and providing other matters properly relating thereto.

- 1 WHEREAS, In 1997, the Federal Government, the States of Nevada and
2 California, the Tahoe Regional Planning Agency, local governments of the
3 States of Nevada and California and many other interested parties held a
4 series of meetings which are referred to collectively as the Presidential
5 Forum; and
6 WHEREAS, The meetings culminated in July 1997, with visits to Lake
7 Tahoe from the President and Vice President of the United States and with
8 the release of a Presidential Executive Order to protect the unique and
9 irreplaceable natural, recreational and ecological resources in the Lake
10 Tahoe Basin; and
11 WHEREAS, In October 1997, Governor Bob Miller, on behalf of the
12 State of Nevada, signed a Memorandum of Agreement between the Federal
13 Interagency Partnership on the Lake Tahoe Ecosystem, the States of

1 Nevada and California, the Washoe Tribe, the Tahoe Regional Planning
2 Agency and interested local governments, in which the parties affirmed
3 their commitment to the Tahoe Regional Planning Compact, to the sound
4 management and protection of the resources within the Lake Tahoe Basin
5 and the support of a healthy, sustainable economy and to achieve
6 environmental thresholds for Lake Tahoe, and agreed to cooperate to carry
7 out, including, without limitation, providing money for, the Environmental
8 Improvement Program; and

9 WHEREAS, The costs of carrying out the Environmental Improvement
10 Program have been apportioned between the Federal Government, the
11 States of Nevada and California and local governments within both states;
12 and

13 WHEREAS, The cost of carrying out the Environmental Improvement
14 Program apportioned to the State of Nevada and its political subdivisions is
15 \$82,000,000 for a period of 10 years, commencing with fiscal year 1997-
16 98 and ending in fiscal year 2006-07; and

17 WHEREAS, The State of Nevada and its political subdivisions have
18 already raised approximately \$25,600,000 to meet their commitment,
19 which includes \$20,000,000 from bonds issued to carry out projects for the
20 control of erosion and the restoration of natural watercourses in the Lake
21 Tahoe Basin, which were approved by the voters of this state in 1996;
22 now, therefore,
23

24 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
25 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
26

27 **Section 1.** 1. The Administrator of the Division of State Lands of
28 the State Department of Conservation and Natural Resources shall
29 establish a program for the protection of the Lake Tahoe Basin, including,
30 without limitation:

- 31 (a) The protection and enhancement of the quality of the air and water;
32 (b) The protection and restoration of natural watercourses, wetlands,
33 wildlife habitat, fisheries, vegetation and forests;
34 (c) Prevention and control of erosion; and
35 (d) Enhancement of recreational and tourism opportunities,
36 in the Lake Tahoe Basin.

37 2. Money to carry out the program in an amount not to exceed
38 \$56,400,000 must be provided for the period between the fiscal year
39 beginning on July 1, 1999, and the fiscal year ending on June 30, 2007, by
40 the issuance by the State Board of Finance of general obligation bonds of
41 the State of Nevada in a total face amount of not more than \$56,400,000.

1 The bonds may be issued from time to time pursuant to a schedule
2 established by the Administrator of the Division of State Lands. The
3 provisions of NRS 349.150 to 349.364, inclusive, apply to the issuance of
4 bonds pursuant to this subsection.

5 3. The amount of bonds authorized by subsection 2 must be reduced
6 by the amount of any money appropriated by the Legislature for the same
7 purpose upon certification by the Administrator of the Division of State
8 Lands of the amount of each such appropriation to the State Board of
9 Finance. The Administrator of the Division of State Lands shall submit a
10 request to the Legislature each biennium, as necessary, for an
11 appropriation for the program.

12 4. The Administrator of the Division of State Lands may adopt such
13 regulations as are necessary to carry out the program.

14 **Sec. 2.** 1. The fund to protect the Lake Tahoe Basin is hereby
15 created in the state general fund. The Administrator of the Division of
16 State Lands shall administer the fund.

17 2. All money that is collected for the use of the program established
18 pursuant to section 1 of this act, including, without limitation, an
19 appropriation made by the Legislature and the proceeds of any bonds
20 issued pursuant to section 1 of this act, after deducting any applicable
21 charges, must be deposited in the fund.

22 3. Any interest or income earned on the money in the fund must be
23 credited to the fund. Any money remaining in the fund at the end of the
24 fiscal year does not lapse to the state general fund but must be carried over
25 into the next fiscal year.

26 4. All claims against the fund must be paid as other claims against the
27 state are paid.

28 5. The Administrator of the Division of State Lands may use the
29 proceeds from any bonds issued pursuant to section 1 of this act or may
30 request an appropriation to defray the costs of administering the program if
31 the money in the fund is not sufficient.

32 6. The Administrator of the Division of State Lands shall report
33 semiannually to the Interim Finance Committee concerning the
34 establishment and administration of the program and the expenditure of
35 money from the fund for the program.

36 **Sec. 3.** The Administrator of the Division of State Lands may issue
37 grants to state agencies and local governments to carry out the program
38 established pursuant to section 1 of this act. The Administrator shall adopt
39 such regulations as are necessary for awarding the grants. The regulations
40 must:

41 1. Set forth the procedure for applying for a grant;

42 2. Set forth the criteria that will be considered in awarding a grant; and

1 3. State whether and the extent to which an applicant must match any
2 money awarded.

3 **Sec. 4.** The Legislature finds and declares that the issuance of
4 securities and the incurrence of indebtedness pursuant to this act:

5 1. Are necessary for the protection and preservation of the natural
6 resources of this state and for the purpose of obtaining the benefits thereof;
7 and

8 2. Constitute an exercise of the authority conferred by the second
9 paragraph of section 3 of article 9 of the Constitution of the State of
10 Nevada.

11 **Sec. 5.** This act becomes effective on July 1, 1999.

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