

SENATE BILL NO. 117—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF DEPARTMENT OF CONSERVATION AND NATURAL
RESOURCES—STATE LANDS)

FEBRUARY 13, 2001

Referred to Committee on Natural Resources

SUMMARY—Revises provisions relating to carrying out certain programs in Lake Tahoe Basin. (BDR 26-395)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 public lands; revising provisions relating to the authority of the state land registrar to make grants and enter into certain agreements to carry out certain programs in the Lake Tahoe Basin; authorizing local governments to enter into certain agreements for the use of grant money received from such programs; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 321.5956 is hereby amended to read as follows:
2 321.5956 In carrying out the provisions of NRS 321.5952 to 321.5957,
3 inclusive:
4 1. The division may, as the state land registrar deems appropriate,
5 cooperate and enter into agreements with state and federal agencies, local
6 governments, nonprofit organizations and other persons or entities
7 ~~involved in the preservation and restoration of~~ *to carry out programs to*
8 *preserve, restore and enhance* the natural environment of the Lake Tahoe
9 Basin ~~on public land and on privately owned property with the consent~~
10 *of the owner of the property.*
11 2. The state land registrar may, within the limits of available money,
12 make grants to other state agencies, local governments and nonprofit
13 organizations ~~formed for educational or charitable purposes. A local~~
14 *government that receives grant money pursuant to this subsection may,*
15 *with the approval of the state land registrar, enter into a contract or other*
16 *agreement with another local government, a nonprofit organization or*
17 *another person or entity pursuant to which the local government*



1 *disburses the grant money to the other local government, nonprofit*
2 *organization or other person or entity to carry out a program to preserve,*
3 *restore and enhance the natural environment of the Lake Tahoe Basin.*

4 3. *The state land registrar may, within the limits of available*
5 *money, enter into a contract or other agreement with a nonprofit*
6 *organization that is not formed for educational or charitable purposes or*
7 *another person or entity to pay the reasonable costs incurred by the*
8 *nonprofit organization or other person or entity to carry out a program to*
9 *preserve, restore and enhance the natural environment of the Lake*
10 *Tahoe Basin. In entering such a contract or agreement, the state land*
11 *registrar shall ensure that:*

12 (a) *Public money is only expended for public purposes; and*

13 (b) *The public interest is protected adequately.*

14 **Sec. 2.** NRS 244.1505 is hereby amended to read as follows:

15 244.1505 1. A board of county commissioners may expend money
16 for any purpose which will provide a substantial benefit to the inhabitants
17 of the county. ~~It shall~~ *Except as otherwise provided in subsection 4, the*
18 *board may grant all or part of the money to a nonprofit organization*
19 *created for religious, charitable or educational purposes to be expended for*
20 *the selected purpose.*

21 2. A board of county commissioners or its authorized representative
22 may donate:

23 (a) Commodities, supplies, materials and equipment that the board
24 determines to have reached the end of their useful lives; and

25 (b) Stolen or embezzled property for which the county treasurer has
26 obtained an order authorizing him to donate the property pursuant to
27 subsection 6 of NRS 179.165,

28 to a nonprofit organization created for religious, charitable or educational
29 purposes or to another governmental entity, to be used for any purpose
30 which will provide a substantial benefit to the inhabitants of the county.

31 3. A grant or donation to a nonprofit organization created for religious,
32 charitable or educational purposes and a donation to a governmental entity
33 pursuant to this section must be made by resolution. The resolution must
34 specify:

35 (a) The purpose of the grant or donation;

36 (b) If applicable, the maximum amount to be expended from the grant;
37 and

38 (c) Any conditions or other limitations upon the expenditure of the grant
39 or the use of the donated property.

40 4. *The provisions of this section do not limit the ability of a board of*
41 *county commissioners or its authorized representative to disburse money*
42 *pursuant to NRS 321.5956 or any other specific statutory authority.*

43 5. As used in this section:

44 (a) "Authorized representative" has the meaning ascribed to it in NRS
45 332.025.

46 (b) "Nonprofit organization created for religious, charitable or
47 educational purposes" means an organization that meets the requirements
48 set forth in NRS 372.3261.



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1 **Sec. 3.** NRS 268.028 is hereby amended to read as follows:
2 268.028 1. The governing body of a city may expend money for any
3 purpose that will provide a substantial benefit to the inhabitants of the city.
4 ~~The~~ *Except as otherwise provided in subsection 4, the* governing body
5 may grant all or part of the money to a nonprofit organization created for
6 religious, charitable or educational purposes to be expended for a selected
7 purpose.
8 2. The governing body of a city or its authorized representative may
9 donate commodities, supplies, materials and equipment that the governing
10 body determines have reached the end of their useful lives to a nonprofit
11 organization created for religious, charitable or educational purposes or to
12 another governmental entity, to be used for any purpose which will provide
13 a substantial benefit to the inhabitants of the city.
14 3. A grant or donation to a nonprofit organization created for religious,
15 charitable or educational purposes and a donation to a governmental entity
16 pursuant to this section must be made by resolution. The resolution must
17 specify:
18 (a) The purpose of the grant or donation;
19 (b) If applicable, the maximum amount to be expended from the grant;
20 and
21 (c) Any conditions or other limitations on the expenditure of the grant
22 or the use of the donated property.
23 4. *The provisions of this section do not limit the ability of a*
24 *governing body of a city or its authorized representative to disburse*
25 *money pursuant to NRS 321.5956 or any other specific statutory*
26 *authority.*
27 5. As used in this section:
28 (a) "Authorized representative" has the meaning ascribed to it in NRS
29 332.025.
30 (b) "Nonprofit organization created for religious, charitable or
31 educational purposes" means an organization that meets the requirements
32 set forth in NRS 372.3261.
33 **Sec. 4.** Section 2 of chapter 361, Statutes of Nevada 1995, at page
34 907, is hereby amended to read as follows:
35 Sec. 2. 1. If the proposal is carried, the state land registrar shall:
36 ~~1.1~~ (a) Adopt regulations necessary to carry out a program for
37 awarding grants pursuant to the provisions of section 1 of this act. The
38 regulations must:
39 ~~(a)~~ (1) Set forth the procedure for applying for a grant;
40 ~~(b)~~ (2) Set forth the criteria that will be considered in awarding a
41 grant; and
42 ~~(c)~~ (3) State whether and to what degree an applicant must match
43 any money awarded.
44 ~~1.2~~ (b) Report semiannually to the interim finance committee
45 concerning the establishment and administration of the program and
46 the expenditure of money for the program.
47 2. *A local government that receives grant money pursuant to*
48 *section 1 of this act may, with the approval of the state land*
49 *registrar, enter into a contract or other agreement with another*



1 *local government, a nonprofit organization or another person or*
2 *entity pursuant to which the local government disburses the grant*
3 *money to the other local government, nonprofit organization or*
4 *other person or entity to carry out a project for the control of*
5 *erosion and the restoration of natural watercourses in the Lake*
6 *Tahoe Basin.*

7 **Sec. 5.** Section 3 of chapter 514, Statutes of Nevada 1999, at page
8 2629, is hereby amended to read as follows:

9 Sec. 3. *1. The Administrator of the Division of State Lands*
10 *may ~~issue~~ award grants to state agencies, ~~and~~ local governments*
11 *and nonprofit organizations formed for educational or charitable*
12 *purposes to carry out the program of environmental improvement*
13 *projects established pursuant to section 1 of this act ~~in the Lake~~*
14 *Tahoe Basin on public land and on privately owned property with*
15 *the consent of the owner of the property.* The Administrator shall
16 adopt such regulations as are necessary for awarding the grants. The
17 regulations must:

18 ~~1.1~~ (a) Set forth the procedure for applying for a grant;
19 ~~1.2~~ (b) Set forth the criteria that will be considered in awarding a
20 grant; and
21 ~~1.3~~ (c) State whether and the extent to which an applicant must
22 match any money awarded.

23 *2. A local government that receives grant money pursuant to*
24 *subsection 1 may, with the approval of the Administrator, enter into*
25 *a contract or other agreement with another local government, a*
26 *nonprofit organization or another person or entity pursuant to*
27 *which the local government disburses the grant money to the other*
28 *local government, nonprofit organization or other person or entity*
29 *to carry out an environmental improvement project in the Lake*
30 *Tahoe Basin pursuant to the program established in section 1 of this*
31 *act.*

32 *3. The Administrator may enter into a contract or other*
33 *agreement with a nonprofit organization that is not formed for*
34 *educational or charitable purposes or another person or entity to*
35 *pay the reasonable costs incurred by the nonprofit organization or*
36 *other person or entity to carry out an environmental improvement*
37 *project in the Lake Tahoe Basin pursuant to the program*
38 *established in section 1 of this act on public land and on privately*
39 *owned property with the consent of the owner of the property. In*
40 *entering such a contract or agreement, the Administrator shall*
41 *ensure that:*

42 (a) *Public money is expended only for public purposes; and*
43 (b) *The public interest is protected adequately.*

44 **Sec. 6.** This act becomes effective upon passage and approval.

