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SENATE BILL NO. 216—COMMITTEE ON LEGISLATIVE
AFFAIRS AND OPERATIONS

(ON BEHALF OF STUDY OF TAHOE REGIONAL
PLANNING COMPACT (A.C.R. 5))

FEBRUARY 26, 2003

Referred to Committee on Legislative Affairs and Operations

SUMMARY—Creates interim legislative committee to review
Tahoe Regional Planning Compact and oversee
Tahoe Regional Planning Agency and other federal,
state, interregional and interstate governmental
entities within State of Nevada. (BDR 17-175)

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

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

AN ACT relating to the Legislature; creating an interim legislative
committee to review the Tahoe Regional Planning
Compact and to oversee the Tahoe Regional Planning
Agency and other federal, state, interregional and
interstate governmental entities within the State of
Nevada; providing the powers and duties of the
Committee; and providing other matters properly relating
thereto.

- 1 WHEREAS, Various federal, state, interregional and interstate
- 2 governmental entities within the State of Nevada play an important
- 3 role in the management of the natural resources and economic
- 4 security of the residents of this state; and
- 5 WHEREAS, The Tahoe Regional Planning Compact provides for
- 6 the maintenance of the scenic, recreational, educational, scientific,
- 7 natural and public health values of the entire Lake Tahoe Basin; and
- 8 WHEREAS, The Tahoe Regional Planning Agency adopts and
- 9 enforces a regional plan and provides opportunities for the orderly
- 10 growth and development of the Lake Tahoe Basin; and



1 WHEREAS, The Legislature of the State of Nevada is vitally
2 concerned with achieving regional goals in conserving the natural
3 resources of the entire Lake Tahoe Basin and with the programs and
4 activities of the Tahoe Regional Planning Agency that affect these
5 goals; and

6 WHEREAS, As a necessary corollary to this vital concern and for
7 the protection of Lake Tahoe, the Legislature of the State of Nevada
8 is also concerned with the role and efforts of those federal and state
9 agencies that have authority to regulate activities in the Lake Tahoe
10 Basin and their interactions with and effect upon the Tahoe
11 Regional Planning Agency and the Lake Tahoe Basin; and

12 WHEREAS, The Legislature of the State of Nevada is also vitally
13 concerned with the governmental entities that manage the other
14 water resources of the State, such as the Colorado River
15 Commission of Nevada which holds and protects the rights of the
16 State of Nevada to its share of Colorado River water under federal
17 law and contracts and represents the State of Nevada at all federal,
18 interstate and international discussions regarding the management
19 and operations of the Colorado River; and

20 WHEREAS, More than 85 percent of Southern Nevada's water
21 supply comes from the Colorado River via Lake Mead, a man-made
22 lake which can store up to 26 million acre feet of water, giving this
23 Legislature a strong interest in the functions of the Colorado River
24 Commission of Nevada in optimizing, through prudent management
25 practices, the benefits and uses of the Colorado River water as a
26 cooperative effort with the U.S. Bureau of Reclamation and the
27 other six Colorado River Basin states of Arizona, California,
28 Colorado, New Mexico, Utah and Wyoming; and

29 WHEREAS, The Colorado River Commission of Nevada works
30 closely with the Southern Nevada Water Authority which was
31 formed by local agencies in 1991 to address Southern Nevada's
32 unique water needs on a regional basis in the management of the
33 region's water resources and the development of solutions that will
34 ensure adequate future water supplies for the Las Vegas Valley; and

35 WHEREAS, Legislative committees have successfully reviewed
36 the programs and activities of the Tahoe Regional Planning Agency
37 on previous occasions and at various times have provided valuable
38 review and oversight for other agencies to ensure efficient
39 cooperation and proper functioning of those agencies; now,
40 therefore,

41

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



1 **Section 1.** Chapter 218 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 8, inclusive, of this
3 act.

4 **Sec. 2.** *As used in sections 2 to 8, inclusive, of this act, unless*
5 *the context otherwise requires, "Committee" means the Legislative*
6 *Committee for the Review and Oversight of Interstate and*
7 *Interregional Compacts and Entities created by section 3 of this*
8 *act.*

9 **Sec. 3. 1.** *There is hereby created the Legislative*
10 *Committee for the Review and Oversight of Interstate and*
11 *Interregional Compacts and Entities consisting of three members*
12 *of the Senate and three members of the Assembly, appointed by*
13 *the Legislative Commission with appropriate regard for their*
14 *experience with and knowledge of matters relating to the*
15 *management of natural resources and to interstate and*
16 *interregional compacts and entities. The members must be*
17 *appointed to provide representation from the various geographical*
18 *regions of the State.*

19 **2.** *The members of the Committee shall elect a Chairman*
20 *from one house of the Legislature and a Vice Chairman from the*
21 *other house. Each Chairman and Vice Chairman holds office for*
22 *a term of 2 years commencing on July 1 of each odd-numbered*
23 *year.*

24 **3.** *Any member of the Committee who is not a candidate for*
25 *reelection or who is defeated for reelection continues to serve until*
26 *the next session of the Legislature convenes.*

27 **4.** *Vacancies on the Committee must be filled in the same*
28 *manner as original appointments.*

29 **5.** *The Committee shall report annually to the Legislative*
30 *Commission concerning its activities and any recommendations.*

31 **Sec. 4. 1.** *The members of the Committee shall meet*
32 *throughout each year at the times and places specified by a call of*
33 *the Chairman or a majority of the Committee.*

34 **2.** *The Director of the Legislative Counsel Bureau or a*
35 *person he designates shall act as the nonvoting recording*
36 *Secretary.*

37 **3.** *The Committee shall adopts rules for its own management*
38 *and government.*

39 **4.** *Except as otherwise provided in subsection 5, four*
40 *members of the Committee constitute a quorum.*

41 **5.** *Any recommended legislation proposed by the Committee*
42 *must be approved by a majority of the members of the Senate and*
43 *by a majority of the members of the Assembly appointed to the*
44 *Committee.*



1 6. Each member of the Committee, except during a regular or
2 special session of the Legislature, is entitled to receive the
3 compensation provided for a majority of the members of the
4 Legislature during the first 60 days of the preceding regular
5 session for each day or portion of a day during which he attends a
6 meeting of the Committee or is otherwise engaged in the business
7 of the Committee plus the per diem allowance provided for state
8 officers and employees generally and the travel expenses provided
9 pursuant to NRS 218.2207. The salaries and expenses paid
10 pursuant to this subsection and any other expenses of the
11 Committee must be paid from the Legislative Fund.

12 Sec. 5. The Committee shall:

13 1. Continue the review of the Tahoe Regional Planning
14 Compact and oversee the Tahoe Regional Planning Agency and
15 such other federal, state, interregional and interstate
16 governmental entities within the State of Nevada as the Committee
17 deems desirable and appropriate, such as the Colorado River
18 Commission of Nevada and the Southern Nevada Water
19 Authority;

20 2. Review the budget, programs, activities, responsiveness
21 and accountability of the Tahoe Regional Planning Agency, the
22 Colorado River Commission of Nevada, the Southern Nevada
23 Water Authority and any other entities deemed necessary and
24 appropriate by the Committee;

25 3. Study the role and activities of each federal, state,
26 interregional and interstate governmental entity having authority
27 to regulate activities in the Lake Tahoe Basin, the Colorado River
28 or at Lake Mead, or having other authority over the management
29 of the natural resources and economic security of the residents of
30 this state;

31 4. Continue to communicate with members of the Legislature
32 of the State of California to achieve the goals set forth in the
33 Tahoe Regional Planning Compact; and

34 5. Make such recommendations to the Legislative
35 Commission, the Interim Finance Committee, the Department of
36 Administration, the State Department of Conservation and
37 Natural Resources and the Governor concerning any matters
38 relating to the Marlette Lake Water System or any part thereof, as
39 the Committee deems necessary and appropriate.

40 Sec. 6. The Committee may:

41 1. Conduct investigations and hold hearings in connection
42 with its review and study;

43 2. Apply for any available grants and accept any gifts, grants
44 or donations and use any such gifts, grants or donations to aid the



1 committee in carrying out its duties pursuant to sections 2 to 8,
2 inclusive, of this act.

3 3. Direct the Legislative Counsel Bureau to assist in its
4 research, investigations, review and study; and

5 4. Recommend to the Legislature, as a result of its review and
6 study, any appropriate legislation.

7 Sec. 7. 1. In conducting the investigations and hearings of
8 the Committee:

9 (a) Any member of the Committee may administer oaths.

10 (b) The Chairman of the Committee may cause the deposition
11 of witnesses, residing either within or outside of the State, to be
12 taken in the manner prescribed by rule of court for taking
13 depositions in civil actions in the district courts.

14 (c) The Chairman may issue subpoenas to compel the
15 attendance of witnesses and the production of books, papers or
16 documents.

17 2. If a witness refuses to attend or testify or to produce books,
18 papers or documents as required by the subpoena, the Chairman
19 may report to the district court by petition, setting forth:

20 (a) That due notice has been given of the time and place of
21 attendance of the witness or the production of the books, papers or
22 documents;

23 (b) That the witness has been subpoenaed by the Committee
24 pursuant to this section; and

25 (c) That the witness has failed or refused to attend or to
26 produce the books, papers or documents required by the subpoena
27 before the Committee that is named in the subpoena, or has
28 refused to answer questions propounded to him,
29 and asking for an order of the court compelling the witness to
30 attend and testify or to produce the books, papers or documents
31 before the Committee.

32 3. Upon such a petition, the court shall enter an order
33 directing the witness to appear before the court at a time and place
34 to be fixed by the court in its order, the time to be not more than
35 10 days after the date of the order, and to show cause why he has
36 not attended or testified or produced the books, papers or
37 documents before the Committee. A certified copy of the order
38 must be served upon the witness.

39 4. If it appears to the court that the subpoena was regularly
40 issued by the Committee, the court shall enter an order that the
41 witness appear before the Committee at the time and place fixed in
42 the order and testify or produce the required books, papers or
43 documents. Failure to obey the order constitutes contempt of
44 court.



1 **Sec. 8.** *Each witness who appears before the Committee by*
2 *its order, except a state officer or employee, is entitled to receive*
3 *for his attendance the fees and mileage provided for witnesses in*
4 *civil cases in the courts of record of this state. The fees and*
5 *mileage must be audited and paid upon the presentation of proper*
6 *claims sworn to by the witness and approved by the Secretary and*
7 *the Chairman of the Committee.*

8 **Sec. 9.** This act becomes effective on July 1, 2003.

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