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SB 216 Amendments

Proposed by the Southern Nevada Water Authority and the Colorado River Commission
April 1, 2003

EXPLANATION – Matter in *blue bolded italics* is new language in the original bill; *green bold italic underlining* is new language proposed in this amendment; ~~red-strikethrough~~ is deleted material in the original bill; ~~green bold double-strikethrough~~ is language proposed to be deleted in this amendment.

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.

Whereas, Various federal, state, interregional and interstate governmental entities within the State of Nevada play an important role in the management of the natural resources and economic security of the residents of this state; and

Whereas, The Tahoe Regional Planning Compact provides for the maintenance of the scenic, recreational, educational, scientific, natural and public health values of the entire Lake Tahoe Basin; and

Whereas, The Tahoe Regional Planning Agency adopts and enforces a regional plan and provides opportunities for the orderly growth and development of the Lake Tahoe Basin; and

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

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

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

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

~~Whereas, The Colorado River Commission of Nevada works closely with the Southern Nevada Water Authority which was formed by local agencies in 1991 to address Southern~~

~~Nevada's unique water needs on a regional basis in the management of the region's water resources and the development of solutions that will ensure adequate future water supplies for the Las Vegas Valley; and~~

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

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

2-1 Section 1. Chapter 218 of NRS is hereby amended by adding

2-2 thereto the provisions set forth as sections 2 to 8, inclusive, of this

2-3 act.

2-4 Sec. 2. *As used in sections 2 to 8, inclusive, of this act, unless*

2-5 *the context otherwise requires, "Committee" means the Legislative*

2-6 *Committee for the Review and Oversight of Interstate and*

2-7 *Interregional Compacts and Entities created by section 3 of this*

2-8 *act.*

2-9 Sec. 3. 1. *There is hereby created the Legislative*

2-10 *Committee for the Review and Oversight of Interstate and*

2-11 *Interregional Compacts and Entities consisting of three members*

2-12 *of the Senate and three members of the Assembly, appointed by*

2-13 *the Legislative Commission with appropriate regard for their*

2-14 *experience with and knowledge of matters relating to the*

2-15 *management of natural resources and to interstate and*

2-16 *interregional compacts and entities. The members must be*

2-17 *appointed to provide representation from the various geographical*

2-18 *regions of the State.*

2-19 2. *The members of the Committee shall elect a Chairman*

2-20 *from one house of the Legislature and a Vice Chairman from the*

2-21 *other house. Each Chairman and Vice Chairman holds office for*

2-22 *a term of 2 years commencing on July 1 of each odd-numbered*

2-23 *year.*

2-24 3. *Any member of the Committee who is not a candidate for*

2-25 *reelection or who is defeated for reelection continues to serve until*

2-26 *the next session of the Legislature convenes.*

2-27 4. *Vacancies on the Committee must be filled in the same*

2-28 *manner as original appointments.*

2-29 5. *The Committee shall report annually to the Legislative*

2-30 *Commission concerning its activities and any recommendations.*

2-31 Sec. 4. 1. *The members of the Committee shall meet*

2-32 *throughout each year at the times and places specified by a call of*

2-33 *the Chairman or a majority of the Committee.*

2-34 2. *The Director of the Legislative Counsel Bureau or a*

2-35 *person he designates shall act as the nonvoting recording*

2-36 *Secretary.*

2-37 3. *The Committee shall adopt rules for its own management*

2-38 and government.

2-39 4. Except as otherwise provided in subsection 5, four

2-40 members of the Committee constitute a quorum.

2-41 5. Any recommended legislation proposed by the Committee

2-42 must be approved by a majority of the members of the Senate and

2-43 by a majority of the members of the Assembly appointed to the

2-44 Committee.

3-1 6. Each member of the Committee, except during a regular or

3-2 special session of the Legislature, is entitled to receive the

3-3 compensation provided for a majority of the members of the

3-4 Legislature during the first 60 days of the preceding regular

3-5 session for each day or portion of a day during which he attends a

3-6 meeting of the Committee or is otherwise engaged in the business

3-7 of the Committee plus the per diem allowance provided for state

3-8 officers and employees generally and the travel expenses provided

3-9 pursuant to NRS 218.2207. The salaries and expenses paid

3-10 pursuant to this subsection and any other expenses of the

3-11 Committee must be paid from the Legislative Fund.

3-12 Sec. 5. The Committee shall:

3-13 1. Continue the review of the Tahoe Regional Planning

3-14 Compact and oversee the Tahoe Regional Planning Agency and

~~3-15 such other federal, state, interregional and interstate~~

~~3-16 governmental entities within the State of Nevada as the Committee~~

~~3-17 deems desirable and appropriate, such as the Colorado River~~

~~3-18 Commission of Nevada and the Southern Nevada Water~~

~~3-19 Authority;~~

3-20 2. Review the budget, programs, activities, responsiveness

3-21 and accountability of the Tahoe Regional Planning Agency, the

~~3-22 Colorado River Commission of Nevada, the Southern Nevada~~

~~3-23 Water Authority and any other entities deemed necessary and~~

~~3-24 appropriate by the Committee;~~

3-25 3. Study the role and activities of each federal, state,

3-26 interregional and interstate governmental entity having authority

3-27 to regulate activities in the Lake Tahoe Basin, the Colorado River

~~3-28 or at Lake Mead,~~ or having other authority over the management

3-29 of the natural resources and economic security of the residents of

3-30 this state;

3-31 4. Continue to communicate with members of the Legislature

3-32 of the State of California to achieve the goals set forth in the

3-33 Tahoe Regional Planning Compact; and

3-34 5. Make such recommendations to the Legislative

3-35 Commission, the Interim Finance Committee, the Department of

3-36 Administration, the State Department of Conservation and

3-37 Natural Resources and the Governor concerning any matters

3-38 relating to the Marlette Lake Water System or any part thereof, as

3-39 the Committee deems necessary and appropriate.

3-40 Sec. 6. *The Committee may:*

3-41 1. *Conduct investigations and hold hearings in connection*

3-42 *with its review and study;*

3-43 2. *Apply for any available grants and accept any gifts, grants*

3-44 *or donations and use any such gifts, grants or donations to aid the*

4-1 *committee in carrying out its duties pursuant to sections 2 to 8,*

4-2 *inclusive, of this act.*

4-3 3. *Direct the Legislative Counsel Bureau to assist in its*

4-4 *research, investigations, review and study; and*

4-5 4. *Recommend to the Legislature, as a result of its review and*

4-6 *study, any appropriate legislation.*

4-7 Sec. 7. 1. *In conducting the investigations and hearings of*

4-8 *the Committee:*

4-9 (a) *Any member of the Committee may administer oaths.*

4-10 (b) *The Chairman of the Committee may cause the deposition*

4-11 *of witnesses, residing either within or outside of the State, to be*

4-12 *taken in the manner prescribed by rule of court for taking*

4-13 *depositions in civil actions in the district courts.*

4-14 (c) *The Chairman may issue subpoenas to compel the*

4-15 *attendance of witnesses and the production of books, papers or*

4-16 *documents.*

4-17 2. *If a witness refuses to attend or testify or to produce books,*

4-18 *papers or documents as required by the subpoena, the Chairman*

4-19 *may report to the district court by petition, setting forth:*

4-20 (a) *That due notice has been given of the time and place of*

4-21 *attendance of the witness or the production of the books, papers or*

4-22 *documents;*

4-23 (b) *That the witness has been subpoenaed by the Committee*

4-24 *pursuant to this section; and*

4-25 (c) *That the witness has failed or refused to attend or to*

4-26 *produce the books, papers or documents required by the subpoena*

4-27 *before the Committee that is named in the subpoena, or has*

4-28 *refused to answer questions propounded to him,*

4-29 *and asking for an order of the court compelling the witness to*

4-30 *attend and testify or to produce the books, papers or documents*

4-31 *before the Committee.*

4-32 3. *Upon such a petition, the court shall enter an order*

4-33 *directing the witness to appear before the court at a time and place*

4-34 *to be fixed by the court in its order, the time to be not more than*

4-35 *10 days after the date of the order, and to show cause why he has*

4-36 *not attended or testified or produced the books, papers or*

4-37 *documents before the Committee. A certified copy of the order*

4-38 *must be served upon the witness.*

4-39 4. *If it appears to the court that the subpoena was regularly*

4-40 *issued by the Committee, the court shall enter an order that the*

4-41 *witness appear before the Committee at the time and place fixed in*

*4-42 the order and testify or produce the required books, papers or
4-43 documents. Failure to obey the order constitutes contempt of
4-44 court.*

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

5-8 Sec. 9. This act becomes effective on July 1, 2003.