

Senate Bill No. 216–Committee on Legislative
Affairs and Operations

CHAPTER.....

AN ACT relating to the Legislature; creating a Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and Marlette Lake Water System; providing the powers and duties of the Committee; expanding the duties of the Legislative Committee on Public Lands to include the review of programs and activities relating to public water authorities, districts and systems, and certain other entities involved in the planning, development or distribution of water in the State of Nevada; and providing other matters properly relating thereto.

WHEREAS, Various 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, 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:

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

Sec. 2. *As used in sections 2 to 8, inclusive, of this act, unless the context otherwise requires, “Committee” means the Legislative Committee for the Review and Oversight of the Tahoe Regional*

Planning Agency and the Marlette Lake Water System created by section 3 of this act.

Sec. 3. 1. There is hereby created the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System consisting of three members of the Senate and three members of the Assembly, appointed by the Legislative Commission with appropriate regard for their experience with and knowledge of matters relating to the management of natural resources. The members must be appointed to provide representation from the various geographical regions of the State.

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

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

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

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

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

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

3. The Committee shall adopt rules for its own management and government.

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

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

6. Each member of the Committee, except during a regular or special session of the Legislature, is entitled to receive the compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding regular session for each day or portion of a day during which he attends a meeting of the Committee or is otherwise engaged in the business of the Committee plus the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to NRS 218.2207. The salaries and expenses paid

pursuant to this subsection and any other expenses of the Committee must be paid from the Legislative Fund.

Sec. 5. The Committee shall:

- 1. Provide appropriate review and oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System;*
- 2. Review the budget, programs, activities, responsiveness and accountability of the Tahoe Regional Planning Agency and the Marlette Lake Water System in such a manner as deemed necessary and appropriate by the Committee;*
- 3. Study the role, authority and activities of:*
 - (a) The Tahoe Regional Planning Agency regarding the Lake Tahoe Basin; and*
 - (b) The Marlette Lake Water System regarding Marlette Lake; and*
- 4. Continue to communicate with members of the Legislature of the State of California to achieve the goals set forth in the Tahoe Regional Planning Compact.*

Sec. 6. The Committee may:

- 1. Conduct investigations and hold hearings in connection with its review and study;*
- 2. Apply for any available grants and accept any gifts, grants or donations and use any such gifts, grants or donations to aid the Committee in carrying out its duties pursuant to sections 2 to 8, inclusive, of this act.*
- 3. Direct the Legislative Counsel Bureau to assist in its research, investigations, review and study; and*
- 4. Recommend to the Legislature, as a result of its review and study, any appropriate legislation.*

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

- (a) Any member of the Committee may administer oaths.*
- (b) The Chairman of the Committee may cause the deposition of witnesses, residing either within or outside of the State, to be taken in the manner prescribed by rule of court for taking depositions in civil actions in the district courts.*
- (c) The Chairman may issue subpoenas to compel the attendance of witnesses and the production of books, papers or documents.*
- 2. If a witness refuses to attend or testify or to produce books, papers or documents as required by the subpoena, the Chairman may report to the district court by petition, setting forth:*
 - (a) That due notice has been given of the time and place of attendance of the witness or the production of the books, papers or documents;*
 - (b) That the witness has been subpoenaed by the Committee pursuant to this section; and*

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

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

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

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

Sec. 9. NRS 218.5368 is hereby amended to read as follows:
218.5368 The Committee shall:

1. Actively support the efforts of state and local governments in the western states regarding public lands and state sovereignty as impaired by federal ownership of land.

2. Advance knowledge and understanding in local, regional and national forums of Nevada's unique situation with respect to public lands.

3. Support legislation that will enhance state and local roles in the management of public lands and will increase the disposal of public lands.

4. Review the programs and activities of:

(a) The Colorado River Commission of Nevada;

(b) All public water authorities, districts and systems in the State of Nevada, including, without limitation, the Southern Nevada Water Authority, the Truckee Meadows Water Authority, the Virgin Valley Water District, the Carson Water Subconservancy District, the Humboldt River Basin Water Authority, and the Truckee-Carson Irrigation District; and

(c) All other public or private entities with which any county in the State has an agreement regarding the planning, development or distribution of water resources, or any combination thereof.

5. On or before January 15 of each odd-numbered year, submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report concerning the review conducted pursuant to subsection 4.

Sec. 10. NRS 331.165 is hereby repealed.

Sec. 11. 1. This act becomes effective on July 1, 2003.

2. The amendatory provisions of section 9 of this act expire by limitation on June 30, 2007.