

ASSEMBLY BILL NO. 220—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE LEGISLATIVE COMMITTEE FOR THE REVIEW AND OVERSIGHT OF THE TAHOE REGIONAL PLANNING AGENCY AND THE MARLETTE LAKE WATER SYSTEM)

FEBRUARY 21, 2019

Referred to Committee on Government Affairs

SUMMARY—Requires the issuance of bonds for environmental improvement projects in the Lake Tahoe Basin. (BDR S-435)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. 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 the Lake Tahoe Basin; requiring the issuance of general obligation bonds to carry out certain environmental improvement projects included in the second phase of the Environmental Improvement Program for the Lake Tahoe Basin; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 The Environmental Improvement Program was implemented in 1997 to carry
2 out projects to improve the environment in the Lake Tahoe Basin. The costs of the
3 Program are apportioned among the Federal Government, the States of Nevada and
4 California and local governments and owners of private property in both states. In
5 1999, the Nevada Legislature authorized the issuance of not more than \$53.2
6 million in general obligation bonds to pay for a significant portion of Nevada’s
7 share of the costs of the first phase of the Program. (Chapter 514, Statutes of
8 Nevada 1999, p. 2626) In 2009, the Nevada Legislature authorized the issuance of
9 not more than \$100 million in general obligation bonds to pay for Nevada’s share
10 of the costs of the second phase of the Program. Issuance of those bonds requires
11 the approval of the Legislature or the Interim Finance Committee. (Chapter 431,
12 Statutes of Nevada 2009, p. 2417) The Nevada Legislature in 2009 also required
13 the issuance of not more than \$4,420,000 of such bonds to provide money to carry
14 out certain environmental improvement projects included in the second phase of the
15 Program. (Chapter 431, Statutes of Nevada 2009, p. 2416) In 2011, the Nevada
16 Legislature required the issuance of not more than \$12 million of the \$100 million



17 in general obligation bonds authorized in 2009 to provide additional money to carry  
18 out environmental improvement projects included in the second phase of the  
19 Program. (Chapter 437, Statutes of Nevada 2011, p. 2638)

20 This bill requires the issuance of not more than \$8 million of the \$100 million  
21 in general obligation bonds authorized in 2009 to provide money to carry out  
22 certain environmental improvement projects included in the second phase of the  
23 Environmental Improvement Program.

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1 WHEREAS, The Lake Tahoe Basin exhibits unique  
2 environmental and ecological conditions that are irreplaceable; and

3 WHEREAS, This State has a compelling interest in preserving,  
4 protecting, restoring and enhancing the natural environment of the  
5 Lake Tahoe Basin; and

6 WHEREAS, The preservation, protection, restoration and  
7 enhancement of the natural environment of the Lake Tahoe Basin is  
8 a matter of such significance that it must be carried out on a  
9 continual basis; and

10 WHEREAS, In October 1997, Governor Bob Miller, on behalf  
11 of the State of Nevada, signed a Memorandum of Agreement  
12 between the Federal Interagency Partnership on the Lake Tahoe  
13 Ecosystem, the States of Nevada and California, the Washoe Tribe  
14 of Nevada and California, the Tahoe Regional Planning Agency and  
15 interested local governments, in which the parties affirmed their  
16 commitment to the Tahoe Regional Planning Compact, to the sound  
17 management and protection of the resources within the Lake Tahoe  
18 Basin and the support of a healthy, sustainable economy and to  
19 achieve environmental thresholds for Lake Tahoe, and agreed to  
20 cooperate to carry out, including, without limitation, providing  
21 financial support for, the Environmental Improvement Program; and

22 WHEREAS, The costs of carrying out the Environmental  
23 Improvement Program have been apportioned among the Federal  
24 Government, the States of Nevada and California and the local  
25 governments and private property owners within both states; and

26 WHEREAS, The cost of carrying out the second phase of the  
27 Environmental Improvement Program for the State of Nevada and  
28 its political subdivisions is \$100,000,000; and

29 WHEREAS, Section 3 of chapter 431, Statutes of Nevada 2009, at  
30 page 2417, authorized the State Board of Finance to issue general  
31 obligation bonds of the State of Nevada in a total face amount of not  
32 more than \$100,000,000 to provide money to carry out the second  
33 phase of the Environmental Improvement Program; and

34 WHEREAS, Section 1 of chapter 431, Statutes of Nevada 2009, at  
35 page 2416, granted approval to the State Board of Finance to issue  
36 \$4,420,000 of those general obligation bonds to provide money to



1 carry out certain environmental improvement projects included in  
2 the second phase of the Environmental Improvement Program; and

3 WHEREAS, Section 1 of chapter 437, Statutes of Nevada 2011, at  
4 page 2638, granted approval to the State Board of Finance to issue  
5 an additional \$12,000,000 of those general obligation bonds to  
6 provide money to carry out certain environmental improvement  
7 projects included in the second phase of the Environmental  
8 Improvement Program; and

9 WHEREAS, The general obligation bonds authorized by chapter  
10 431, Statutes of Nevada 2009, may only be issued with the prior  
11 approval of the Legislature or the Interim Finance Committee and  
12 pursuant to a schedule established by the Administrator of the  
13 Division of State Lands of the State Department of Conservation  
14 and Natural Resources; now, therefore,

15  
16 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
17 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:  
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19 **Section 1.** Money to carry out the Environmental  
20 Improvement Program for the Lake Tahoe Basin established  
21 pursuant to section 1 of chapter 514, Statutes of Nevada 1999, at  
22 page 2627, must be provided by the issuance by the State Board of  
23 Finance of general obligation bonds of the State of Nevada in a total  
24 face amount of not more than \$8,000,000 pursuant to NRS 349.150  
25 to 349.364, inclusive. The proceeds of the bonds issued pursuant to  
26 this section must be deposited in the Fund to Protect the Lake Tahoe  
27 Basin created pursuant to section 2 of chapter 514, Statutes of  
28 Nevada 1999, at page 2628, and, except as otherwise provided in  
29 section 2 of this act, must be used for the following activities related  
30 to the Environmental Improvement Program to be carried out by the  
31 State Department of Conservation and Natural Resources:

- 32 1. Continued implementation of forest health, restoration and  
33 fuels management projects;
- 34 2. Control and prevention of invasive terrestrial and aquatic  
35 species;
- 36 3. Enhancement of recreational opportunities;
- 37 4. Protection of sensitive species and improvement of wildlife  
38 habitat; and
- 39 5. Water quality, erosion control and stream restoration and  
40 enhancement projects of the Environmental Improvement Program to  
41 be carried out pursuant to grants and project agreements.

42 **Sec. 2.** The Division of State Lands may use money  
43 authorized pursuant to section 1 of this act for a project other than a  
44 project listed in section 1 of this act if the Interim Finance



1 Committee approves such a use in writing before the Division of  
2 State Lands engages in the project.

3 **Sec. 3.** 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  
6 natural resources of this State and for the purpose of obtaining the  
7 benefits thereof; and

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

11 **Sec. 4.** This act becomes effective on July 1, 2019.

