

Nev. lawmakers back education funding change

By Sean Whaley, Las Vegas Review-Journal

CARSON CITY — A panel of lawmakers and educators on Monday recommended Nevada's public education funding formula include more money for students in poverty or with limited English proficiency.

The minimum funding increase supported by the Task Force on K-12 Public Education Funding is 50 percent but could be set higher.

The 1.5 weighted ratio approved by the 15-member committee, which also included parents and financial experts, will now be turned into a bill for consideration by the 2015 Legislature.

If approved, Nevada's per pupil funding formula would be altered to reflect the increase in support for these at-risk populations of students. The existing funding formula does not allocate additional support to educate these groups.

A majority of the panel also endorsed a recommendation to phase in the new funding to minimize any impacts to rural school districts, which otherwise could see their funding decline under the new formula if overall education spending does not increase.

Read the whole story

Arson suspected in 4 Stateline brush fires



Crews quickly responded to the June 18 fire behind the former Kingsbury Middle School. Photo/Carol Faccinetti

Investigators believe four fires on the South Shore in the last two weeks are the works of the same person.

The latest was Sunday in Rabe Meadow. All have occurred in the Stateline area on dry U.S. Forest Service land.

Douglas County sheriff's investigators along with Tahoe Douglas fire and U.S. Forest Service officials are involved in the arson investigation.

Anyone with information on the fires or who may have seen someone suspicious in the areas of Kingsbury Middle School by Lake Village, Rabe Meadow or any other hiking trails in the area is asked to call DCSO at 775.782.5126 or Douglas County Secret Witness at 775.782.7463.

Fire officials are on heightened alert today because of the red flag warning, as well as the potential for people to start

a fire with fireworks. No personal fireworks are allowed in the Lake Tahoe Basin.

– *Lake Tahoe News staff report*

NV Energy CEO pumped up profits, self wealth

By Eli Segall, Las Vegas Sun

When Michael Yackira took charge of NV Energy in 2007, the company was earning big profits just a few years after it almost went bankrupt.

Nevada's main electric utility stayed in the black on his watch, despite his steering more cash to shareholders, cashing in on \$21 million when he sold the company to Warren Buffett and undertaking some big projects, including the planned closure of a coal-fired power plant.

Yackira, who joined the utility in 2003, is retiring today. He will be succeeded by Paul Caudill, named company president late last year.

Based on his stock holdings, Yackira was poised to collect \$21.2 million from the buyout. His annual compensation regularly outweighed that of his predecessor, Walter Higgins.

Read the whole story

Douglas County patrol boat sinks



Douglas County needs a new boat after this one sank while moored at Zephyr Cove Marina. Photo/LTN file

A second patrol boat at Lake Tahoe sank this season.

This time it was Douglas County Sheriff's Department that lost a vessel earlier this month. In May, it was a Washoe County sheriff's boat that sank.

"Our boat sank due to structural deficiencies in the hull. It has undergone multiple repairs and is simply too old for the rigors of service on Tahoe," Douglas County Undersheriff Paul Howell told *Lake Tahoe News*.

It had been moored at Zephyr Cove Marina.

The department is going to use a boat from Nevada Department of Wildlife for the rest of the summer.

"We anticipate the purchase, build, and delivery of a new boat

by January,” Howell said. It will cost between \$200,000 and \$300,000.

Because of the age and condition of the boat the department was already in the process of buying a new one. The deadline for request for proposals is July 14.

– *Lake Tahoe News staff report*

St. Theresa School in South Tahoe closed

By Kathryn Reed

St. Theresa School has shuttered its doors.

The Catholic K-8 school in South Lake Tahoe that opened in 1960 will not be offering classes in the 2014-15 school year. Also being displaced are preschoolers.

While the rumor of the school’s closure has been ongoing for years, it is finally a reality. Principal Anne Filce told *Lake Tahoe News* she was too busy to comment.

The enrollment has been dropping for years, with just more than 50 students this last school year. St. Theresa opened 54 years ago with 120 students. It operated for nine years before closing. Then it reopened in August 1994 with 121 students.

“We are prepared. We can handle it,” Lake Tahoe Unified School District Superintendent Jim Tarwater told *Lake Tahoe News* of the influx of students. “If we have to make another class, we can, though schools are fairly full.”

It remains to be seen where the St. Theresa students will go. Some families live in Nevada, so Douglas County School District is an option. The nearest Catholic school is in El Dorado Hills.

LTUSD is preparing for an additional 35 students for next school year, which starts Aug. 25. This includes St. T kids and others. This is the second year in a row that LTUSD enrollment is projected to increase.

Tarwater said the bulk of the St. Theresa kids are in grades K-5.

Many of the parochial students have had interaction with LTUSD students either through music, assemblies or outside activities. Most go on to attend South Tahoe High School.

The biggest change will be for the sixth-, seventh- and eighth-graders who will be at one school of about 800 students. But even for the elementary age, if they transfer into Lake Tahoe Unified, most of those K-5 schools are at about 300 students each.

LTUSD has class size reduction in grades K-3, which means a maximum of 22 kids per teacher. To go over that amount means losing state funding. That is why it's possible depending on where the students land and in what grade more teachers will be needed.

What will become of the St. Theresa's School remains to be seen.

Prediction of wet winter waning

By Steve Scauzillo, San Gabriel Valley Tribune

Not too long ago in this season of California's massive and extended drought, climate experts saw a small glimmer of hope on the horizon: Predictions for a wet El Niño season coming in the winter that would bring badly needed rain and relief to a parched state.

Now that glimmer is fading fast, and the drought has gotten even worse.



A minimal amount of snow remains on Mount Tallac.

Photo/LTN

One hundred percent of California is in a severe drought, 77 percent is in an extreme drought and 33 percent is in an exceptional drought, according to a report released last week by the National Drought Mitigation Center in Lincoln, Neb.

"Those are remarkable numbers," said Mark Svoboda, a climatologist and the center's monitoring program leader.

The drought monitoring team in Lincoln has never seen an exceptional drought since it started keeping detailed data in 1999. The D4 category – a foreboding maroon color on a

California drought map – extends from Sacramento and the Bay Area through the Central Valley, Santa Barbara and Ventura counties.

fight the drought, now in its third year, Svoboda said.

Predictions for a much-anticipated wet 2014-15 winter are waning.

Read the whole story

Tahoe Paradise park fights to stay independent



A walking path goes along the edge of Lake Baron at Tahoe Paradise park.
Photos/Kathryn Reed

By Kathryn Reed

TAHOE PARADISE – *“Tahoe Paradise Park is currently operated by the Tahoe Paradise Resort Improvement District, and at some*

point in the future, El Dorado County is scheduled to take over operations. This change in management should increase options for re-development and management."

Those sentences come directly from the draft of the South Lake Tahoe-El Dorado County Recreation Master Plan. The draft is expected to be released to the public Aug. 8.

However, no one is publicly taking ownership for putting those lines into the document. And it wasn't until this last week that the bulk of the TPRID board even knew the language was in the document.

El Dorado County Supervisor Norma Santiago is on that board and has been instrumental in the recreation master plan. By the end of the meeting she was visibly upset because another one of her ideas had backfired and came to light before she wanted it to.



The board wants to put in more permanent bathrooms this summer.

Santiago never brought up the language in the draft master plan to the TPRID. Board members found out about it elsewhere.

"When it says we are being taken over in the future by El Dorado County, that is a concern of the board, members of the community and the district," board member Judy Clot said.

Clot brought up the fact that the TPRID was initially invited to participate in the rec master plan, but then the process

went forward without them.

At the meeting it was decided the board would write a letter requesting the language quoted above not be included in any future recreation master plan versions.

This is not the first time the park has been left out of a conversation. It was brought up at the board meeting and the next night at the Meyers Area Plan meeting that the TPRID board has not been consulted about plans to extend the greater Meyers trail network into the park, which would bring more users.

Vickie Sanders, county parks manager, was at the June 25 TPRID board meeting at the request of Santiago.

Sanders later told *Lake Tahoe News*, "I was always told we were supposed to take over that park, but I've never seen proof of that."

Tahoe Paradise RID was created in 1965. It includes 2,200 residences, 4,400 parcels and is 10 square miles. The park gets its money from renting the facility – mostly for weddings, grants and \$50,000 a year from Measure S/R. Steve Dunn, who is the park manager, lives on site; with the free rent being part of his compensation package.

Keeping the park looking presentable has been an issue for eons. Driving in, Dunn's residence is on the right, and then it looks like a maintenance yard and not a park. To the left are three tennis courts, with the fence on the first one being mangled and that court unplayable. The clubhouse looks nice from the outside. It backs to open space and Lake Baron.

Money has always been issue and will become greater once Measure R sunsets in 2030. Another issue facing the district is the state and others want to do away with resort improvement districts.

“What the Legislature said a few years ago is let’s convert them to a more modern version of local government so they have more modern laws and modern tools,” Jose Enriquez, executive director of El Dorado County Local Area Formation Commission, told *Lake Tahoe News*. He used the analogy of going from a 1988 Yugo to a 2014 Camry. “It does the same things, but it’s more modern.”



Day use area at the park.

He believes Tahoe Paradise’s best option would be converting to a parks and recreation district. Having to adhere to the Brown Act – the open meetings law, and coming under Proposition 13 are some of the changes that would occur.

It’s up to the TPRID board to ask for the conversion.

Senate Bill 1023 was passed in 2010, revised in 2011 to allow for the conversion to go forward faster. Enriquez said all Tahoe Paradise would gain by doing this before the bill expires in 2018 is cutting off about three months of the process.

Bill Cherry, who is on the TPRID board, said LAFCo has spoken to the board and the board said no to the conversion.

“LAFCo said an advantage of a park and recreation district is that it would be easier for the county to take it over,” Cherry told *Lake Tahoe News*.

Minor fire chars part of Rabe Meadow

About one-half acre of U.S. Forest Service land burned Sunday on the South Shore.

The fire started about 10am June 29 at Rabe Meadow in Stateline.

The cause is under investigation.

Forest Service and Tahoe Douglas fire crews put out the fire.

– Lake Tahoe News staff report

Dissecting Nevada's statute of limitations

By Ana Ley, Las Vegas Sun

Among the more surprising ways Nevada's two-year statute of limitations protects defendants from excessive litigation is by actually dissuading potential plaintiffs by giving them ample time to think about filing suit.

"Strangely, and somewhat perversely," shorter time limits – like that of Kentucky, Louisiana and Tennessee, which span one year – tend to backfire because people often feel rushed into

taking legal action after perceived wrongdoing, says UNLV law professor Thomas Main, who specializes in civil procedure.

In a conversation with the *Sun*, Main dissected Nevada's statute of limitations in cases involving personal injury and death:

How exactly can a longer statute of limitations subdue litigation?

Those statute of limitations periods – one way of thinking about them is that they give a person who would file a lawsuit a chance to see whether or not they need to file a lawsuit. If a statute were only 30 days or 60 days, everybody would have to hurry and find a lawyer and file a lawsuit before they really found out whether or not they needed to.

That is one often-overlooked thing – the virtue that, in a sense, it can discourage lawsuits because you can wait and see if you need to file one.

Over the course of years, a person can look back and realize an injury was just a bad weekend and one missed day of work.

Read the whole story

Brown reshaping California's Supreme court

By Paul Elias, AP

SAN FRANCISCO – If Gov. Jerry Brown wins re-election in November, he will be given an unprecedented opportunity to overhaul the California Supreme Court.

Voters in 1987 rejected Brown's first makeover when they removed Chief Justice Rose Bird and two other of his appointees from the high court because of their refusal to enforce the death penalty and consistently liberal rulings.

Three decades later, Brown could be presented another chance to shape one of the most influential courts in the country. Justice Marvin Baxter, a reliably conservative member of the court, announced last week that he will retire in January, which would give Brown his third vacancy to fill on the seven-member court if re-elected.



Gov. Jerry Brown is likely to have a lasting impact on the California Supreme Court. Photo/LTN

In 2011, he filled a vacancy by appointing University of California Boalt Hall School of Law professor Goodwin Liu to the state's highest court after Senate Republicans blocked his nomination to the 9th U.S. Circuit Court of Appeals. The second opening he has to fill was created by the retirement of Justice Joyce Kennard, 78, in April, and the third opening will be created in January when Baxter retires.

While nobody wants to predict precisely who the independent-minded Brown will nominate to fill those two slots, it's expected he will appoint more mainstream candidates than he did during his first eight years as governor.

"I would not expect Gov. Brown to appoint another Rose Bird," said Jon Eisenberg, a lawyer who has appeared in the state Supreme Court numerous times. "He's older and more mature."

Since leaving the governor's office in 1983, Brown, 76, has served as mayor of Oakland and as California attorney general. In both positions, Brown was a proponent of tough policing policies. As attorney general, he said he would "follow the law" and not oppose capital punishment, a departure from his outspoken anti-death penalty position during his first stint of governor and the reason for appointing Bird and other justices to the Supreme Court.

"The Rose Bird court has to be at least in the back of his mind," said appellate specialist Curt Cutting, who has appeared before the state Supreme Court. "But it's still going to be a less conservative court. There are going to be big changes."

It's widely expected the decades-long era of a moderate Republican court that was friendly to corporate interests and dominated by appointees of governors George Deukmejian and Pete Wilson is about to end.

Brown will have been responsible for filling at least three vacancies – and likely five – on the seven-member court if he is re-elected to another four-year term in November.

The governor has not said when he will fill the current vacancy caused by Kennard's retirement and hasn't disclosed a short list of candidates. Nor has he said what he wants the Supreme Court to look like during his second term.

"We're moving expeditiously to fill these vacancies and remain focused on appointing the best possible judges from a broad, diverse and experienced pool of candidates," governor's spokesman Evan Westrup said.

In appointing Liu, 43, Brown resisted pressure from minority

groups to nominate a Latino or black candidate to replace Justice Carlos Moreno, who is now U.S. Ambassador to Belize. Brown said at the 2011 news conference announcing the appointment that the high-profile failure of Liu's nomination to federal court propelled him to the top of Brown's list for the California Supreme Court vacancy.

"It is hard to tell with Brown," Cutting said. "But what we have seen so far is that he more interested in finding someone who is going to be a really smart contributor to the court for a long time as opposed to pandering to a particular constituency."

At the Liu news conference, the governor said he has no litmus test for judicial appointments and didn't ask Liu about his positions on the death penalty, gay marriage or other hot-button social issues. Instead, he asked Liu for his "theory of the law."

"That was a game changer," said Gerald Uelmen, a Santa Clara University law school professor who studies the Supreme Court.

Uelmen said he expects the court to move left politically when Brown fills the current vacancy and the opening created by Baxter's retirement, predicting that the two new Brown appointees would team up with Liu and Justice Kathryn Werdegarr to form a majority liberal bloc.

Uelmen said that's a dramatic departure from a court that was – until Liu's appointment – unanimously Republican and reliably conservative on most issues, with a few notable exceptions that include the 4-3 vote to strike down California's same-sex marriage ban.

Appellate specialist Jon Eisenberg said filling Baxter's vacancy will put the Supreme Court on a far different course than charted by Chief Justice Ron George, who led a Republican majority for 15 years before his retirement in January 2011.

"Jerry Brown has the opportunity to appoint a member very different than Justice Baxter," Eisenberg said.

Brown is under pressure again to appoint a Latino and black to a bench lacking both, he said.

Eisenberg speculates that the next two vacancies will be filled by minorities.

"After that, he will have the political freedom to pick whoever he wants," Eisenberg said. "That's when it will get really interesting."