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AB 379

Good morning Mr. Chairman and members of the Government Affairs Committee. For the record, I am Don Gustavson representing Assembly District 30, Washoe County.

I am here this morning to introduce AB 379, a bill affecting the voting procedures for Regional Planning Agencies in Counties where the population is between 100,000 and 400,000, which only deal with Washoe County and my constituents.

As most Legislators do, I have kept close watch on all manner of developments and disputes in my District.

And during my campaign my constituents bring up many of these developments and disputes even more so than might be carried in the local paper.

One big dispute of the recent past in Washoe County was over the adoption of the Regional Plan governing policies and goals for expansion of the local entities and for development of real estate over the next many, many years.

As originally set out in the statutes the plan was supposed to be a cooperative one, where the main entities of Reno, Sparks and Washoe County all got together and agreed with each other on how, when and where development in the future occurred.

However it appears that the problem was that with the voting structure in both the Regional Planning Commission and its Governing Board, two entities could simply outvote and ignore the third entity entirely.

Those two entities usually being the City's of Reno and Sparks having total control over Washoe County, the one entity that was affected the most with annexation.

Many constituents requested that I do something. Well I did. I introduced this bill.

AB 379 makes the following changes:

The existing lower level Regional Planning Commission is composed of 9 members, three members each from the planning commissions of Reno, Sparks and Washoe County. Currently, they can act by a 2/3 majority, but this allows six members, three from each commission, to outvote the members from the other commission. Many votes end up being 6 to 3.

This bill requires 2/3's vote from each commission. This would require the consensus and cooperation on the Regional Planning Commission level that the statute intended.

Secondly, on the Governing Board there sits four members from Reno, 3 from Sparks and 3 from Washoe County. Thus, with a simple majority of those 10 members as is now required in the current statute, again two entities can vote together and essentially ignore the third entity. This is NOT fair.

For the adoption and amendment of the Regional Plan, this bill will require a majority vote from each of the three entities' members. To approve an action, a majority of each of the three entities' members would now have to approve of a Governing Board action. This would require the consensus and cooperation on the Regional Planning Governing Board level that the statutes intended.

We do have an amendment to AB 379 that I will read to you.

We thank you for considering this bill and we ask for your approval.

Washoe County Assembly members Angle and Gibbons are here also in support of AB 379 and they may wish to speak to this bill.

There are also several of my constituents here to testify in favor of this bill. I am sure that you will give them the same kind consideration you have given me.

Thank you Mr. Chairman, we will be happy to answer any questions.

Amendment to AB 379

In AB 379, Page 3, NRS 278.0282, Delete entire Section 2.

The voting changes requested were for voting as to conformance review and should have been as to voting for the adoption and amendments of the Regional Plan by the Governing Board.

To correct this error, a new Section 2 will be added, to change NRS 278.0276 as to the adoption of the Regional Plan by the Governing Board.

Lines 8, 9 & 10 of NRS page 278-54 which now reads, "The adoption of the plan or any amendment must be by resolution of the governing board carried by a simply majority of its total membership."

The new sentence as amended should read: "The adoption of the plan or any amendment must by resolution of the governing board carried a majority of the representatives appointed by **each** appointing authority."