

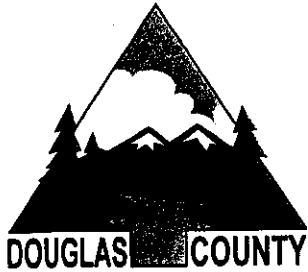
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## BOARD OF COUNTY COMMISSIONERS

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February 20, 2003

The Honorable Ann O'Connell, Chair  
Committee on Government Affairs  
Nevada State Senate

Madame Chair and Members of the Committee:

Douglas County has requested Senate Bill 142 (BDR 22-242) relating to the approval of an amendment or change to a County's Master Plan. The proposed bill will give a local governing body the option to require a super majority vote to amend or change the Master Plan. Senate Bill 142 also cleans up language within this portion of the statutes.

In 1996, Douglas County adopted a new Master Plan. To make Master Plan amendments more difficult, there was a requirement for any change to receive a 4/5 or super majority vote by the Board of County Commissioners. In 1999, a requested Master Plan amendment was denied on a 3 to 2 vote in favor of the amendment (or simple majority). The applicant sued the County for not having the authority in state law to require the 4/5 or super majority vote for master plan amendment approval. The Court agreed, and in August 2000, the Master Plan amendment was granted via court order.

Essentially, SB 142 will make it permissive for a local governing body, in our case the Board of County Commissioners, to impose a requirement for super majority approval for Master Plan amendments. An ordinance establishing this requirement may be imposed or rescinded by a simple majority. This provides a relief mechanism should a governing body be sharply split or if the community does not wish to have a more stringent process in place for Master Plan amendments.

Thank you for your consideration of this measure, and I am available for any questions.

Daniel C. Holler  
Douglas County Manager

EXHIBIT D Senate Committee on Gov't Affairs

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