

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-Fifth Session
March 16, 2009**

The Committee on Government Affairs was called to order by Chair Marilyn K. Kirkpatrick at 9:02 a.m. on Monday, March 16, 2009, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/75th2009/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblywoman Marilyn K. Kirkpatrick, Chair
Assemblyman David P. Bobzien, Vice Chair
Assemblyman Paul Aizley
Assemblyman Kelvin Atkinson
Assemblyman Chad Christensen
Assemblyman Jerry D. Claborn
Assemblyman Ed A. Goedhart
Assemblywoman April Mastroluca
Assemblyman Harvey J. Munford
Assemblywoman Peggy Pierce
Assemblyman James A. Settelmeyer
Assemblyman Lynn D. Stewart
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

Assemblywoman Ellen B. Spiegel (excused)

GUEST LEGISLATORS PRESENT:

Assemblywoman Sheila Leslie, Washoe County Assembly District No. 27

STAFF MEMBERS PRESENT:

Susan Scholley, Committee Policy Analyst
Scott McKenna, Committee Counsel
Cyndie Carter, Committee Manager
Cheryl Williams, Committee Secretary
Olivia Lloyd, Committee Assistant

OTHERS PRESENT:

Jerrie C. Tipton, Chairman, Mineral County Board of Commissioners,
Hawthorne, Nevada
Patrick T. Sanderson, Private Citizen, Carson City, Nevada
Marge Frandsen, Private Citizen, Reno, Nevada
Steve Bradhurst, Private Citizen, Reno, Nevada
Rosanna Coombes, Director, Truckee Meadows Regional Planning
Agency, Reno, Nevada
John B. Hester, Director, Community Development, City of Reno, Nevada
Stephen W. Driscoll, Assistant City Manager, City of Sparks, Nevada
Adrian P. Freund, Director, Community Development, Washoe County,
Reno, Nevada
Steve K. Walker, Minden, Nevada, representing the Truckee Meadows
Water Authority, Reno, Nevada
Jim Smitherman, Program Manager, Western Regional Water
Commission, Reno, Nevada
Brittany Berger, Private Citizen, Reno, Nevada
Kyle Davis, Policy Director, Nevada Conservation League,
Las Vegas, Nevada
Kathy Bowling, Private Citizen, Reno, Nevada
Jason King, Deputy State Engineer, Division of Water Resources,
Department of Conservation and Natural Resources
Gregory F. Peek, Builder Director, Builders Association of Northern
Nevada, Reno, Nevada
Randal L. Walter, President and Owner, Places Consulting Services, Inc.,
Sparks, Nevada
Jay Parmer, representing the Builders Association of Northern Nevada,
Reno, Nevada
Tray Abney, Director, Government Relations, Reno-Sparks Chamber of
Commerce, Reno, Nevada

Chair Kirkpatrick:

[Roll was taken.] This morning we have a presentation from Mineral County. We have worked hard to get them on our schedule, so they will be going first. With that, I would like to welcome Mineral County.

**Jerrie C. Tipton, Chairman, Mineral County Board of Commissioners,
Hawthorne, Nevada:**

In front of you is a presentation ([Exhibit C](#)) the people in Mineral County put together. Mineral County has a little over 4,000 square miles. What that will not tell you is that if you include the 500-plus square miles of Walker River Tribal lands and the 260-plus square miles of Department of Defense lands, Mineral County is about 93 percent federal land. Without these two entities you are still looking at about 86 percent federal land, so there is not a lot of private land in the county.

We have 125 employees. We did budgets last week, and we have a General Fund of \$5.6 million, with total funds of \$9.7 million. The total population of the county is about 4,300 people. We are hoping for a slight increase in that number, but we will see. The Board of County Commissioners consists of me—I was elected in 2007—and Nancy Black and Tim Essenpreis, who were elected in 2009.

The next page shows different mileages to our county seat of Hawthorne. Las Vegas is about 360 miles and Carson City is 120 miles.

The next page lists the county's public services. Of course, all of the state mandated services are there, and because we do not have social services in our county, we use the consolidated agency for human services, domestic violence, and those kinds of needs. Much of that work is done by other nongovernmental agencies. About ten years ago, when Mineral County laid off 25 employees, we began shuffling duties around, and now the Clerk-Treasurer does everything from district court to the Health Insurance Administrator. The Recorder-Auditor has become our Human Resources-Personnel Division.

The first pie chart gives you an idea of our sources of revenue; 48 percent is from consolidated tax, and 31 percent is from property taxes. The pie chart on the next page shows our expenses. Of course, public safety consumes the biggest portion, this year about 38 percent. General government expenses account for 34 percent.

Some of you may not know that our county was called Mineral County for the simple reason that you can find absolutely every element on the scale, from arsenic and bauxite to zinc, within the county. At one time, the

Candelaria Mine was part of the Silver Triangle formed by Virginia City, Austin, and Tonopah. There was a huge silver deposit at Candelaria, but it is no longer in operation. There is still a lot of silver there, but it is very expensive to mine.

Does anyone have any questions?

Chair Kirkpatrick:

Does anyone have any questions? I believe that Mr. Goedhart is your representative in the Assembly.

Jerrie Tipton:

He is.

Chair Kirkpatrick:

I have a couple of questions on your county's tax abatements and reductions. What tax abatements have a fiscal impact?

Jerrie Tipton:

We do tax abatements, especially for senior citizens and low-income residents. Yes, there is an impact, but it is not any worse than anybody else's. Mineral County has about 9 percent unemployment, and it has been that way for some time. The Hawthorne Army Depot is the largest employer in the county—they are running about 650 full-time employees—but a lot of those employees are from Churchill and Lyon Counties and drive in every day.

Part of Mineral County's problem is we have some generational out-of-work people. It has been this way since the Army Depot downsized eight to ten years ago, with the county having no mining industry, very little livestock industry, and minimal gaming.

Chair Kirkpatrick:

Are there any renewable projects that give you abatements? I am trying to figure out where the real abatements are, besides the regular property tax for older citizens.

Jerrie Tipton:

Hawthorne is a hot geothermal site. In the near future I look to have some kind of renewable energy activity. If we do not do something with what is locally known as the El Cap Well, we need to be tarred and feathered. We have about 240 acres, which the county owns, that has a hot water well on it. At 1,000 feet it is 250 degrees. I look for us to put in a solar unit, probably on the Brownfield site at the old Hawthorne dump. We have tremendous potential in our county for renewable energy.

Chair Kirkpatrick:

I do not see that the county has a building department.

Jerrie Tipton:

We do, sort of, but no. The building department is a one-man show in the basement of the court house. This year I got all the department heads to agree that before the year is out we are going to set long-range goals and objectives, and one of them will be an honest-to-goodness building department. It has not happened yet. So we will probably have to grow into it. In the next couple of years, I would like to see Mineral County develop a collective vision, because it has not had one in the past.

Chair Kirkpatrick:

Does anyone have any questions?

Assemblyman Stewart:

Have any of the private solar or geothermal companies shown any interest in coming to Mineral County?

Jerrie Tipton:

Yes, they have. We are visiting with an outfit that wants to place 150 acres of solar panels on the Brownfield site. Two weeks ago, we finally had a face-to-face meeting with the Army and Navy. The Army is drilling two wells adjacent to the El Cap Well south of Hawthorne. They said, "Maybe we need to talk about coming together here." We will see, but yes, there have been some private companies showing interest. Within the next 30 days, Mineral County will have a renewable energy plan completed. We have the Brownfield grant. We received Environmental Protection Agency (EPA) grants a couple years ago for phase one and phase two studies of some county-owned property. As part of that, Commerce Consultants did the request for proposal (RFP) and got the contract to do it. A subcontractor of theirs, Fred Giffels, is working with Mineral County to put together a plan for renewables.

Chair Kirkpatrick:

Does anyone else have any questions? [There were none.] Thank you so much for coming.

Jerrie Tipton:

Thank you, I appreciate the opportunity.

Chair Kirkpatrick:

Do you have a public comment, Mr. Sanderson?

Patrick T. Sanderson, Private Citizen, Carson City, Nevada:

I was born and raised in Hawthorne, Mineral County. I went all the way through school there. At one time there was more concrete poured in Hawthorne than in Reno, and that was because of the ammunition depot. I worked construction all of my life. I went back and forth to Hawthorne quite a few times to work. All of my friends and family worked in Hawthorne. My father was elected Sheriff in Mineral County for four terms.

Some of the most powerful lawmakers in Nevada history came out of Hawthorne, and it was a wonderful place to grow up. It was the most diverse town that you could imagine because of the civil service there. We had every nationality. We had the Marines; it was a Navy base back then instead of Army. There were 22 bars down Main Street serving the cowboys, the Indians, the construction workers, the people from the base. When the hippies moved to town, my father just cut their hair and sent them down the road. I would like you to know that Mineral County is a fantastic county, and some of the most straight-down-to-earth people that you will ever meet are living and working there.

The third weekend of May every year is Armed Forces Day, and everyone comes home for that. If any of you would like to come down to Hawthorne, we would be happy to buy you a drink.

Whatever we can do for Mineral County, we should, because it is the heartland of the State of Nevada. For every type of person who lives in the State of Nevada, there is somebody like them in Hawthorne.

Chair Kirkpatrick:

Thank you, Mr. Sanderson. Does anyone have further comments? If not, I will open the hearing on Assembly Bill 119.

Assembly Bill 119: Requires the comprehensive regional plan in certain counties to include provisions concerning the identification and sustainability of certain supplies of water. (BDR 22-750)

Assemblywoman Sheila Leslie, Washoe County Assembly District No. 27:

Good morning. We discussed autism in the Assembly Way and Means Committee this morning, which is very emotional testimony. Now we switch to water, which is also very emotional testimony.

The bill we are going to hear this morning is Assembly Bill 119. I have one of my experts here. I am not a water planning expert. What I would like to do is make some opening remarks that explain how we got to where we are and why

I am here today. There is an amendment ([Exhibit D](#)), which I believe everyone has. It has been widely circulated and I will let these professionals explain and answer the technical questions.

For the last two or three campaign cycles, I have gone door to door, and I know you have also. You have talked to people and said, "I am your Assemblywoman. What are your concerns?" The number-one issue in my district has been water. I have nicely explained that water is really a local issue, and we have the State Water Engineer. But the topic that people in my district were most concerned about was how water relates to local planning issues. So I would refer them to their local officials and to the Truckee Meadows Regional Planning Governing Board, and yet year after year that issue kept coming back—it is water, it is water, it is water. That experience told me that there was a link missing, at least in the public's mind, between water planning and making sure that our sustainable water resources are linked to planning.

In March of last year, 125 citizens went to the Washoe County Commission and requested that an advisory question be placed on the ballot to ask the voters if they wanted the Regional Plan to be based on identified and sustainable water resources. By a vote of three to two, the Board of County Commissioners denied that request. Those 125 citizens were loud and boisterous as citizens can be. Those of you who were at our town hall meeting on Saturday know what that is like when people are applauding and you are trying to get the meeting moving along. One commissioner got so frustrated with these citizens that he suggested they go home and watch Oprah if what they wanted to do was applaud. Well, you can imagine how that went over. Instead of going home and watching Oprah, these citizens decided to follow the only process they felt was open to them, and that was to put this matter on the ballot through a county initiative process. They needed to collect 18,000 signatures in just a few months, and they collected 28,000, and so the initiative did go on the ballot. It was not an advisory question; it was mandatory.

I do want to mention at that time those 28,000 signatures represented about 25 percent of the registered voters in Washoe County. The question was referred to as "WC3" because it was Washoe County Question Number 3 on the ballot. This is what the question said: "Shall the Truckee Meadows Regional Plan be amended to reflect and to include a policy or policies requiring that local government land use plans be based upon and in balance with identified and sustainable water resources available within Washoe County?" That was the question on the ballot last November 4, 2008, when all of us were on the ballot. This question was approved by 73 percent of the voters. In my district it was even higher. As I told you, this is the Republican,

nonpartisan, Democratic issue in my particular district, which is the old part of Reno, by the river.

After the election, I was approached by a number of people in my district who were concerned about comments made by local officials. The officials said that the public did not understand what they voted for, that the Regional Planning Governing Board already did this, and remarks of this nature. They came to me and said that since the Legislature created the Regional Planning Governing Board—which was done when Assemblywoman Freeman chaired this Committee, and Senator Raggio was involved as well—they felt that the Legislature did have a stake in water planning in the regional plan and asked if I would bring this bill forward. I was not going to tell them to go home and watch Oprah, and that is why I am bringing forward this bill.

Even though I am somebody who cares about water, you may remember the water bill that Ms. Pierce and I had several sessions ago. I am not a water expert, but I share the concern of 73 percent of the voters in Washoe County that we need a stronger statement in our regional plan tying sustainable water to planning efforts. That is why we are here today. Some local government officials are angry with the group, and they are angry with me for presenting the bill, but I feel it is necessary, and I am here today representing the voters of Washoe County.

That is the bad news of how we got here. The good news is, over the past few weeks the supporters of the initiative petition—the leaders of that previous group—met with local government planners from both of our cities, our county, our regional planning board, and the Truckee Meadows Water Authority (TMWA). They have come together, and worked very hard to present the amendment that you have before you. The first day they came to my office, we sat down to talk, and when I opened my mouth, the fire alarm went off and we had to go outside. So they have met numerous times to devise this amendment, and I will let them go through that with you.

I really want to thank the water planners, and the professional staff in particular, for their patience and for working so hard with us. I might also note that two of the lead planners from Reno and Sparks live in District 27. You have a lot of District 27 brain power here today. Over the weekend we became aware of some concerns by the Deputy State Engineer. I will let him tell you of his concerns. I think they are concerns that we can work out, but we did not have the chance to get all the groups back together. I hope that you will work with us to find a resolution, which I do believe is possible.

I want to mention just one other item. In January, Washoe County conducted its biannual survey of citizen opinion, and I found the results very interesting. The survey asked 655 residents about their priorities. Their first priority was child protective services and their second was water planning. That is where water is in the minds of Washoe County citizens—right up there with abused and neglected children. When the residents were asked how well the county provided certain services, they said regional parks provided the best services, followed by libraries, elections, and the jail and court system. Guess what was at the bottom of the list? Water planning.

So you will hear today that this bill is not needed, that they already do it, and why are we meddling in their business. Let me tell you, the citizens of Washoe County really want this bill, and they feel that we need to have a much stronger statement about water planning in our regional plan. Finally, as an elected representative and a citizen of Reno for the last 32 years, I want to say that the argument of "we already do this" does not resonate with me, and it does not resonate with the people I represent. I look forward to working with this Committee to amend A.B. 119 and bring forth something that we can all be proud of. Thank you.

Chair Kirkpatrick:

Thank you, Ms. Leslie. Does anyone have any questions?

Assemblywoman Pierce:

Just to be clear, this was necessary after the initiative?

Assemblywoman Leslie:

Great question. I think I skipped over that part. The ballot measure passed with 73 percent of the vote; and yet those comments were made that "we already do this." They were going to hold a series of public meetings to ask the citizens what they thought they voted on, and to try to figure out what they should do differently. Today we are trying to continue that process but also to make sure there is language in state law that reflects exactly what the citizens voted on. No more, no less. The amendment is being brought forth because some people felt that the original draft language, which was released before I had a chance to work on it, should be changed to match what I read to you, which was on the ballot and which 73 percent of the people voted for.

Assemblywoman Pierce:

Thank you.

Assemblyman Settlemeyer:

Last session, Senate Bill No. 487 of the 74th Session set up the Western Regional Water Commission in Reno. Could this not be done through that entity rather than having to do it through the *Nevada Revised Statutes* (NRS)?

Assemblywoman Leslie:

By the time we finished with that bill it was not something I was particularly happy with. I will let the citizens address that issue. They felt that it could not be done that way for a variety of reasons.

Assemblyman Settlemeyer:

Thank you.

Chair Kirkpatrick:

Does anybody else have any questions? Ms. Leslie, are you going back to Ways and Means, or are you going to stay with us the remainder of the day?

Assemblywoman Leslie:

I will be staying here.

Chair Kirkpatrick:

We are going to have Marge Frandsen, Steve Bradhurst, and Rosanna Coombes come to the table.

Marge Frandsen, Private Citizen, Reno, Nevada:

I am a longtime resident of Washoe County, a longtime business person, and an eight-year member and twice chair of the Washoe County Planning Commission. [Read from prepared text ([Exhibit E](#)).]

Chair Kirkpatrick:

Does anyone have any questions? [There were none.]

Steve Bradhurst, Private Citizen, Reno, Nevada:

The panel you see before you is what we call the technical panel. It is comprised of two people from local government and one citizen, and I am the citizen. [Read from prepared text ([Exhibit F](#)) and referred to bill amendment ([Exhibit D](#)).]

Chair Kirkpatrick:

Mr. Bradhurst, I want to make sure that the Committee is all on the same page. You want us to go to section 2, and throughout section 2 there are changes.

Steve Bradhurst:

Referring to the amendment dated March 6, 2009, which has been distributed, section 2 is the meat of WC3 and A.B. 119. Section 2, subsection 1, has some changed language. If you go on beyond that to subsection 4, you will see paragraphs (c), (f), (g), (h), and (i). There is a new paragraph (c), with some changed language, and paragraphs (f) through (i) have been omitted, with a new paragraph (f) added. Through the negotiations and meetings with the local government planners, our effort was to take out whatever was not in line with WC3. So we ended up with this March 6 version that you have before you.

What is important, and I think Assemblywoman Leslie hit on it, is that the Legislature, in the 1989 Session, created the Regional Planning Governing Board and required that there be a regional land use plan; that is in NRS Chapter 278. If you see the page attachment to my testimony, under "Regional planning in counties whose population is 100,000 or more but less than 400,000," this is what the Legislature created back in the 1989 Session. Also, in the 1995 Session, the Legislature created the requirement that there be a comprehensive regional water management plan for Washoe County. So the 1989 Session required a regional land use plan, called the Truckee Meadows Regional Plan, and the 1995 Legislature said there must be a water plan, too.

As Assemblywoman Leslie said, A.B. 119 attaches those two planning tools together. It says, when you get into the population part of the regional plan, make sure the population is based on the water resources in the water plan. So that is an explicit tie. It goes on to say, in this bill, make sure the land use in the regional plan is based on the population plan. Then make sure that your land use does not go beyond what the population dictates—and remember that the population is based on water.

So we have the Regional Water Management Plan and the Regional Plan tied together through A.B. 119 and again, that is what the people voted for. Seventy-three percent of the people said let's make sure that link is made so that we do not have a land use plan with a terrific population but no identified sustainable water resource to support it. That would create problems for everybody, and this bill makes sure that does not occur.

Some people have asked, why do you have this bill? As Assemblywoman Leslie pointed out, it is not to say that the local governments would not implement WC3, but I am of the school of wearing suspenders and a belt, and that is to make sure it is implemented not only by the current elected officials in Washoe County but also by officials of the future. You can do that by codifying WC3 in state law, so that ten years from now the elected officials of

Washoe County or the City of Reno will not go in and change this. The law is clear; the two tools need to be brought together.

That concludes my testimony. The folks to my left will talk about the other parts of the bill that address the Regional Plan which would be subsection 4, paragraphs (c) and (f) in the revised document.

Chair Kirkpatrick:

Does anyone have any questions? I have a question and maybe you can address it, Ms. Coombes, in your testimony. The statute, NRS 278.0272, says that your regional plan must be updated every five years. It also says that if you want to propose an amendment to the plan it has to be considered at annual public hearings. So I do not see any mechanism within this bill that allows you do that in the near future.

Also Mr. Bradhurst, is the rub on the questions where it says that water resources must be available within Washoe County?

Steve Bradhurst:

That is a very good question. We want to make sure that we develop a water resource plan based on water that can be used within Washoe County. In other words, you do not come up with a wild estimate, to say you are going to get water from the Columbia River which will be used in Washoe County and therefore should be a basis for the regional plan. Water that can be used within Washoe County means that the snow that falls in the High Sierra ends up in the Truckee River and gets into Washoe County—that is water that can be used within Washoe County. If a local entity or individual is successful at getting a right from the State Engineer to take water from rural Nevada and use it within Washoe County, that would be added to the resource base for the regional water plan, so it would be water that could be used within Washoe County.

The effort here is to provide some reality to the water plan when the planners sit down. That will be water that could be used within Washoe County based on the fact that the water flows from California into Nevada by way of the Truckee River. Water also could come from outside Washoe County because the State Engineer has said it is okay to do that.

Chair Kirkpatrick:

Does anyone else have any questions? [There were none.]

Rosanna Coombes, Director, Truckee Meadows Regional Planning Agency, Reno, Nevada:

[Read from prepared text ([Exhibit G](#)).] Madam Chair, would you like me to address your question before I continue?

Chair Kirkpatrick:

No, just as long as it is within your testimony, because I believe you are talking about the regional plan.

Rosanna Coombes:

Yes, but very specifically the position of the governing board on this, and specifically subsection 4, paragraph (c), but I can loop back at the end if you would like to address your question.

Chair Kirkpatrick:

Okay, I think it is an important piece, because if either side has the ability to go back and propose the amendment, how is that going to be addressed in the future?

Rosanna Coombes:

The first section of testimony relates to the position of the governing board regarding these proposed amendments.

The Regional Planning Governing Board took a position last Thursday to support the March 6 version of the amended language; this is the language presented to you today by Assemblywoman Leslie. I will note that some concerns were raised by the State Engineer over the weekend. My board has asked me to testify based on the last version that we had. I would have to take any changes back to my board, so I will not be in a position today to comment on those proposed amendments.

[Continued to read from prepared text.]

For the record, if I could refer you to NRS 278.0272, which you were referencing, in particular subsection 7, you address the fact that the plan must be reviewed annually and then updated every five years. Also, our legal counsel has interpreted that subsection 8 allows for amendments to come forward on an ad hoc basis, so we essentially have three types of amendment processes.

I will go from the longest time frame to the shortest. We have the five-year update, which is fairly comprehensive. We pull the plan apart, determine what is working and what is not working, and see how we can fix it.

Then we have an annual review. We have a public hearing where we call for anyone who wants to bring forward an amendment to the Commission.

Then we have an opportunity under the interpretation of subsection 8 that says that the five bodies with the ability to propose a regional plan amendment—which would be the two cities, the county, the Truckee Meadows Regional Planning Commission, and the Regional Planning Governing Board—can bring forward an amendment as long as it is deemed to be "necessary to the health and welfare of the community or substantially benefits the community in general."

With that, and with that kind of amendment where we have statute that changes, it would then require us to bring forward amendments as promptly as possible in order to implement something such as this statutory change.

Chair Kirkpatrick:

May I ask you a question? It says that the commission may consider an amendment and determine if it is necessary. So what is the criterion in deciding whether it is an issue of health and welfare, or whether it affects the community in general?

Rosanna Coombes:

That is usually a finding made by the Commission, and I will say that I have not seen them reject a dialogue about an amendment since I have been with Regional, which is going on about ten years. If one is brought forward, they have the public hearings and consider whether the amendment is appropriate or not from the technical prospective and not necessarily from a hard-and-fast rule about what constitutes the best interest of the community. This kind of amendment would be one that certainly, as staff, I would recommend our Commission consider as promptly as possible.

Chair Kirkpatrick:

Because over half of the Committee is from southern Nevada and I do not believe that our regional planning board is anything like this, would you get me the last three examples of this process so the Committee can see how it works in northern Nevada?

Rosanna Coombes:

Certainly, and just for the record, we have a system in place, mainly because of the budget constraints that we have. We have what we call two rounds of regional plan amendments, usually one around Christmas, or winter, and one around summer. We tend to collect the amendments and bring them all through

to the Commission in the December cycle or the summer cycle. So I can certainly bring a series of agendas, or would you like the meeting materials?

Chair Kirkpatrick:

I would like to see the criteria that decisions are based on. Just a couple of examples.

Rosanna Coombes:

I would be happy to provide them.

Chair Kirkpatrick:

When we talk about the development patterns in the master plan, do you not do development agreements up here? Does local government do that, or does it all go through the Regional Planning Governing Board? I have never seen development patterns anywhere in the statutes, so I am wondering how we chose those two words as opposed to something different.

Rosanna Coombes:

As you pointed out a minute ago, our regional plan is vastly different from what you have in southern Nevada. Our regional plan is full of policies that direct local governments in terms of how they go about doing their local planning process. We are very cautious about entering into the realm and authority of a local government. You will hear from Mr. Hester, in a moment, how local entities take the broad policies in the regional plan and do their very specific planning. What we have in the regional plan are large concepts—if you will, the concept of an urban services area, which is kind of the broad footprint of where we want development to occur. Generally, these areas are off limits. These are the areas where we would expect to see infill in your local plans; these are the areas that are development-constrained. We also have maps in our plan, and I can certainly provide those to the Committee as well. These maps are very specific.

One very significant difference between northern Nevada and southern Nevada in regional planning is that we are classified as a conformant jurisdiction. We either develop or amend the regional plan. The local jurisdictions must go away and amend their plans; this is a requirement. Once those plans have been amended, the local jurisdictions have to resubmit them to Regional Planning to ensure that they conform to the requirements in the regional plan. We actually go through a public hearing where our Regional Planning Commission, which is made up of members of the three local jurisdiction planning commissions, reviews the plan and determines whether those changes conform. In addition, if a local jurisdiction wants to change any master plan land use, they have to bring that before Regional Planning and have a public hearing to determine if that

change is appropriate or not. So it is a slightly different system that we have up here in northern Nevada. It is much more, perhaps, prescriptive, and when the standards are established in the regional plan conformant standards, local jurisdictions must conform.

Chair Kirkpatrick:

Does anyone have any questions? [There were none.] I just want to make sure that everyone understands the whole process up here.

Rosanna Coombes:

Thank you.

John B. Hester, Director, Community Development, City of Reno, Nevada:

You should have a handout containing my testimony ([Exhibit H](#)) that I gave to the secretary. I will try to follow it as much as I can. [Read from prepared text ([Exhibit H](#)).]

I know this might be redundant, but to put my comments in context, Mr. Bradhurst addressed section 2, subsection 1, linking population to sustainable water resources ([Exhibit F](#)). Ms. Coombes addressed section 2, subsection 4, paragraph (c), linking the development pattern to the regional plan population and water resources. Now I will talk about section 2, subsection 4, paragraph (f), which links our city and county plans to the development pattern that Ms. Coombes talked about.

In answer to the Chair's question, we do have development agreements at the city level, and I am pretty sure that Sparks and Washoe County have those in their codes as well. I would be happy to answer any questions.

Assemblyman Settlemeyer:

On page 4 of the bill, you are addressing paragraph (f), which says the water planning commission determines the availability of water. I am curious. In Douglas County this has always been done by the State Engineer.

John Hester:

I am on subsection 4. I am talking about the revised paragraph (f), where we took out (f) through (i) and put in a new (f). This would be in the March 6 version of the amendment ([Exhibit F](#)).

Assemblyman Settlemeyer:

Sorry, I was looking at the old version.

Chair Kirkpatrick:

Does anyone else have any questions? [There were none.] This concludes the presentation of the bill. We will now go to those who are in support of Assembly Bill 119.

Stephen W. Driscoll, Assistant City Manager, City of Sparks, Nevada:

As mentioned in the testimony on March 9, 2009, the Sparks City Council met and discussed and approved by vote the March 6 version. We have been actively participating from staff level through the entire process. I am here to answer any questions.

Chair Kirkpatrick:

Does anyone have any questions? [There were none.]

Adrian P. Freund, Director, Community Development, Washoe County, Reno, Nevada:

I am here today to speak for the Washoe County Commissioners in support of the language that you have before you, at least the version that existed last Friday. We stepped through the language with our board on Friday afternoon, and they unanimously supported the language you have before you. In reference to one of your earlier questions, Madam Chair, yes, we do use development agreements in Washoe County. Again, the support of the board was unanimous, and I would be happy to answer any questions you may have.

Chair Kirkpatrick:

Does anyone have any questions? [There were none.]

Steve K. Walker, Minden Nevada, representing the Truckee Meadows Water Authority, Reno, Nevada:

The Legislative Subcommittee of the Truckee Meadows Water Authority Board of Directors approved unanimously the March 6 version of A.B. 119. I would also like to report that there is an issue with the State Engineer. As of this morning I talked with Mr. King and Mr. Biaggi on some language to fix that issue, and we have some agreed-upon language.

Chair Kirkpatrick:

Does anyone have any questions? [There were none.]

Jim Smitherman, Program Manager, Western Regional Water Commission, Reno, Nevada:

Ours is the water commission in Washoe County that was created last session by S.B. No. 487 of the 74th Session, now Chapter 531 in the *Nevada Revised Statutes* (NRS). Last Friday, March 13, that board voted to

unanimously support the amended version of A.B. 119, and that is the March 6 version.

Chair Kirkpatrick:

Does anyone have any questions?

Assemblyman Bobzien:

The previous testifiers laid out what they would be doing differently should A.B. 119 pass. I have an ongoing personal interest in the Western Regional Water Commission. I pulled up the original charter that references developing water resource plans and public policy, recognizing that we soon will be hearing another amendment from the State Engineer.

I am trying to figure out the water commission's role in this process, in what this bill is putting together in terms of indentifying and evaluating sustainability and other issues. Could you please talk about that, and what specifically you would be doing differently under this bill?

Jim Smitherman:

The Regional Water Management Plan, which the water commission is charged with putting together and adopting, lays out a list of water resources that have been identified in the county and then tabulates the yield estimates that the State Engineer publishes in his records and basin abstracts. It also calculates the water demand that might be created by the projected population.

Assemblyman Bobzien:

So, to follow up, you are basically repackaging the information you get from the State Engineer as to the resources, but the technical involvement on your end is that you look at the plan and say, based on our projections, this is how much water we think we are going to need. In a lot of ways you are the piece that brings us all together, in terms of evaluating the resources and need, so is that the way this is going?

Jim Smitherman:

Yes, I think that is a good summary.

Assemblyman Bobzien:

Thank you.

Chair Kirkpatrick:

Does anyone have any questions? I have a question. I worked on Senate Bill No. 487 of the 74th Session, which created the Western Regional Water Commission, and it was a very controversial bill in this House. Have you

updated your regional plan in regard to water? It should be a recent study, because I know that we gave you the ability to do that. Originally it was testified that it would take until 2011, but it was done this year, and done very fast.

Jim Smitherman:

Yes, Madam Chair, the Regional Water Management Plan was amended in January of this year. There is an updated resources table, which we started working on in 2006 before S.B. No. 487 was passed, with the former Regional Planning Commission. We just took that amendment all the way forward and had the Western Regional Water Commission adopt it.

The sustainable yield estimates for different sources of water that the State Engineer publishes do not change that often. It is the population projections and the demand forecasts that change. That is where the substantial change was in the amendment. We keep track of resources that are in the hands of a water developer who might want to build a project, such as the Fish Springs Water Project, which brings water down from Honey Lake Valley. We gave those a special note in the amendment. There is a resource estimate, and a project plan, and we will report how far along the planning process is, what the approvals have been to date, and so forth. On the resources side, making the resources available, those things change with the amendment to the plan as well.

Chair Kirkpatrick:

Does anyone have any questions? [There were none.] Thank you very much.

Brittany Berger, Private Citizen, Reno, Nevada:

I am a senior at Washoe High School. I am here to support A.B. 119. Being a part of the future generation, I feel this bill could help prevent fear of my faucet no longer running, or fear of showers not even being an opportunity. Water is like money to me; you cannot spend more than you have. Therefore, I support A.B. 119. I feel this can be a balance between development planning and water supply.

Chair Kirkpatrick:

Thank you Brittney, does anyone have any questions?

Kyle Davis, Policy Director, Nevada Conservation League, Las Vegas, Nevada:

I think most of the technical side has been dealt with. We just want to add our support for this bill.

Chair Kirkpatrick:

Are there any questions? [There were none.] Is there anybody else who would like testify in support of A.B. 119?

Kathy Bowling, Private Citizen, Reno, Nevada:

I am one of those 121,000 voters who definitely understands what I was voting for when they asked for the passage of Washoe County Question Number 3. This piece of legislation that you are reviewing today is absolutely necessary. The Regional Plan is frequently amended and changed, and this policy relating to the balance of water and planning could be lost in the future. This legislation will put teeth into this policy. It is only good stewardship to hedge your bets and ensure that this process will go forward to the future generations, as this young woman [Brittany Berger, previous speaker] just discussed. I am respectfully asking that you send this legislation forward and that it be approved.

Chair Kirkpatrick:

Does anyone have any questions? [There were none.] Is there anyone else who would like to testify in support of A.B. 119? [There were none.] I do not have anyone signed in as neutral but, Mr. King, would you like to come forward and give us your thoughts?

Jason King, Deputy State Engineer, Division of Water Resources, Department of Conservation and Natural Resources:

The State Engineer's Office cannot support this bill as written because the language under section 2, subsection 1 of the bill will likely result in an incorrect interpretation that Washoe County is the agency responsible for establishing the sustainable yield of water resources in the county.

All determinations of water availability and the regulation of that water, whether ground or surface water, are the sole responsibility of our office. Assembly Bill 119 as written infers the county has the authority to adopt estimates for sustainable yield of water resources that may be in conflict with perennial yield and surface system yield values adopted by our office. This is in direct conflict with our office and ultimately usurps our authority.

Any conflicting values of water availability between the state and the county would cause chaos for those water right holders who are impacted. Also, the fact that we have signatory authority over all subdivisions in the state will likely give rise to major problems. On one hand, our office could be approving subdivisions based on our issuance of water rights and available water supply, only to potentially have Washoe County deny the approvals based on their

differing estimates of sustainable yield. This will likely be a source of confusion and anger for water right holders.

Having said that, we can support this bill with the following amended language. Madam Chair, would you like me to read that language into record? I am on page 3 of the bill under section 2, subsection 1. That subsection begins: "Population, including a projection of population growth in the region and the resources that will be necessary to support that population." The amended language would now read, "This portion of the plan must set forth the total population of the region that may be supported by the sustainable water resources as identified by the State Engineer and reported in the comprehensive plan prepared pursuant to Chapter 531 Statutes of Nevada 2007 of the Nevada Special Act if applicable to the region."

Chair Kirkpatrick:

Mr. King, could you tell what "pursuant to Chapter 531 Statutes of 2007 of the Nevada Special Act" refers to?

Jason King:

Madam Chair, other people here could give you a more accurate description of what that says.

Assemblywoman Mastroluca:

Mr. King, I want to make sure that I understand. If I look at the amended version of A.B. 119 ([Exhibit D](#)), the language that you are proposing is the same, with the exception of adding the words "as identified by the State Engineer."

Jason King:

Yes, "as identified by the State Engineer and reported in the comprehensive plan."

Chair Kirkpatrick:

Does anyone else have any questions?

Assemblyman Bobzien:

I am trying again to figure out what the relationship is between the State Engineer's Office, the Western Regional Water Commission, and the provisions of this bill. I know that there was some conversation back and forth between the identification of water resources and the definition of them as sustainable. Do you have any comments on that? Who makes the sustainable decision? I do not see the State Engineer doing that. Is that up to the Western

Regional Water Commission? What is your understanding of how that is supposed to come together?

Jason King:

We believe that it is the State Engineer's role to establish sustainable yield. We call it perennial yield when it relates to groundwater in the 256 hydrographic basins in the state, but that is equated to sustainable yield. That is how much water can be pumped out of a basin, year after year, without mining that basin. We believe it is the State Engineer's role.

Chair Kirkpatrick:

I just wanted to make sure. I thought that NRS Chapter 531 was the Western Regional Water Commission that we created last time, but I just wanted to be sure.

Jason King:

Madam Chair, that is true. I am just not that versed in the creation of that water authority.

Chair Kirkpatrick:

I remember that bill quite well from last session. Does anyone else have questions for Mr. King? [There were none.] We will now call those opposed to A.B. 119.

Gregory F. Peek, Builder Director, Builders Association of Northern Nevada, Reno, Nevada:

I have with me Randy Walter, a planner in Sparks, and Jay Parmer, the Builders Association's paid lobbyist. Thank you for letting us speak to this today. The old saying goes, "Whiskey is for drinking, water is for fighting." We are really coming from the standpoint that government is best when it governs close to the people.

First, there has been a lot of talk today about the advisory question, Washoe County Question Number 3. I would like to point out that it was passed only last November, and we have not had a chance, locally, to work through it. It is a very emotional issue and is going to take some time. The process was essentially stopped when this bill was introduced, but I will call your attention to the language of Washoe County Question Number 3. It states, "Shall the Truckee Meadows Regional Plan be amended"—the regional plan, not the *Nevada Revised Statutes* (NRS). For those citizens who say, "Yes, I do know what I was voting for," it was the regional plan that needs to be amended, not the *Nevada Revised Statutes*.

Second, Assemblywoman Leslie mentioned this, but we feel very strongly that this is unnecessary legislation. It is already in the statutes. The regional plan, of course, is governed by NRS Chapter 278, and I am going to read NRS 278.0274. It states that "the comprehensive regional plan must include goals, policies, maps, and other documents relating to population including a projection of population growth in the region and—I underscore this—the resources that will be necessary to support that population." So population and resources, including water, are already tied together. We are going beyond what WC3 calls for, and it is already in the law.

Finally, we are already doing this. I hope you have in front of you the "Amendment to the Comprehensive Regional Water Management Plan" ([Exhibit I](#)). I call your attention to the forward on page 4. There have been concerns that our growth will outstrip our water supply. Well, this plan specifically addresses that issue.

Can growth outpace our water supply? No, for two reasons. Actual growth cannot outpace water supply because existing law requires new development approvals, including building permits in subdivision maps, to be accompanied by proof of valid and adequate water rights. I will let you read the rest of it.

Any builder or developer must already bring water to perfect their map, and I challenge the proponents of this legislation to show me one project, one home that was built for a family, or one business that employs people, that was built without a water right; it just does not happen. So we are doing this. It is a local issue. We heard from the State Engineer; this is complicated. We have well-settled water law, and I ask you not to unnecessarily complicate it.

Chair Kirkpatrick:

Does anyone have any questions? [There were none.]

**Randal L. Walter, President and Owner, Places Consulting Services, Inc.,
Sparks, Nevada:**

We are a firm that provides planning, civil engineering, and landscape architecture, and we provided surveying until the economy went down, to private development clients. Our forte is large-scale master plan communities, such as Double Diamond Ranch, Caughlin Ranch South, and more recently the Bella Vista project. These are multiyear projects, sometimes 10 to 15 years in existence.

I have been a member of the American Institute of Certified Planners since 1983. I know a little bit about planner jargon. Planners are good at coming up with phrases and terms that remain loosely defined and loosely understood, so

that in the future they can be reinterpreted based on what is happening at the time.

Assembly Bill 119 is full of those undefined terms and phrases. You have identified a few of them this morning here in the Committee. Much of our concern lies in who defines these terms in the long term, and the real intent of the bill's proponents. One of those terms is "sustainable water resources"—you brought that to everyone's attention. What does that mean? Who defines it? The State Engineer says their office defines it. The A.B. 119 that was originally presented says that the Western Regional Water Commission is to define it. I think the State Engineer clearly has the authority—always has had the authority—and, quite frankly, the State Engineer determines when those water rights are required. They are required at the time of final map or at the time of building permit. I want you to remember that, because it is going to come up later in my presentation.

The other term is "development pattern," and that whole phrase that talks about balancing land use planning with water resources. What does development pattern mean? I think I know what it means, but I bet if you ask ten other planners, they would come up with ten different definitions. This is what concerns us. Who defines it? We do not know. Perhaps the Western Regional Water Commission defines it, but I am not sure. What is the intent? That is where our real concern is.

To understand the proponents' intent, I want to refer back to section 2, subsection 4, and what used to be paragraph (f), in the original bill. This goes to the intent of the proponents of this bill and what they are really looking for. That previous paragraph (f) provided that a condition of approval of any land use would be proof of the availability of water. That means at the master plan or zoning level you would have to have water at that point in time. That is a good 100 steps and several years ahead of when water is required by the State Engineer's Office. We see that as a real problem from a development prospective. It is clearly a deal killer from the standpoint of making long-term developments, such as master plans, work. We are going to sacrifice good planning with the requirement that people bring water. That is what the intent is; that is what concerns us.

Chair Kirkpatrick:

Why is it a deal breaker? Plans and zoning cost a lot of money. Would you not want to know that you have those water rights beforehand?

Randy Walter:

When you start forward on a master plan process or rezoning on a project, you always want to know where and how you are going to get the water. That is always part of the process up front. However, because there are private property rights, you have to purchase these rights in order to dedicate with the public. So that acquisition is a huge expense. The cost of doing a master plan or a rezoning is expensive, granted, but it does not hold a candle to the cost of water rights. Does that answer your question?

Chair Kirkpatrick:

More than I need to know. My problem is this. I understand the planning side because I was a planning commissioner. That was one of the rubs with folks, that zoning was based on speculation, so all the fancy drawings did not necessarily show what a project would look like in the end. I am hoping that is not what you mean.

Greg Peek:

I build apartments up in the Reno area. I can give you a real-life example of why this does not work. I just obtained a special use permit for 420 units of apartments. I would not have been able to do that if I had to bring 420 units of water up front for that special use permit. That water is definitely available, but we will buy it in phases. We will build 100 units, and buy 100 units worth of water. We will then build another 100 after that, and another 100 after that, as they are absorbed. But to be required to bring \$2 million worth of water rights up front, that is a deal killer. I just cannot do that, and that would absolutely chill investment in our community.

Chair Kirkpatrick:

I think the keyword in there is "absorbed," because the zoning is based only on a certain amount.

Assemblyman Goedhart:

What did you mean when you said that this legislation, as proposed, has already slowed some of that conversation on water policy?

Greg Peek:

We went to the Regional Planning Governing Board and asked how to implement WC3, and there was some discussion. There was originally some discussion about holding public hearings locally. When A.B. 119 was introduced, all of that went away. I would have to refer to Ms. Coombes' staff to really discuss that, but we would like to engage in that debate. We have no problems engaging in that debate, but the point is that it needs to be a local issue and it should be a local issue.

Assemblyman Goedhart:

I also have one more question. Do developers ever, when they are going to do a project, go to a willing seller and put an option on some water? If you are going to have the special use permit for 600 apartments, maybe just say we need water rights over so many years. There is an option fee provided to a willing seller of water rights. That way you can lock your price into the future what it is actually going to cost you to get water to your project.

Greg Peek:

That is a very interesting question and is something we truly struggle with in our area. We have two main water purveyors, the Truckee Meadows Water Authority and Washoe County. The Truckee Meadows Water Authority obtains water rights and banks water rights, and you can purchase water rights from them. The county does not bank its water rights, and you do have to go out and obtain water. So, yes, an option is one way to do it, and is the primary way to do it because you do need to identify it. You need to have a letter that the county approves, basically a will-serve letter, to even get your building permit. It could be based on an option. As soon as that building permit is issued, that option is exercised.

Assemblyman Goedhart:

If you were on your second or third phrase and could not come up with water at an affordable price, it sounds as if you folks are the ones taking the risk then.

Greg Peek:

And the investment, absolutely; that is the risk.

Randy Walter:

I will try to summarize this as briefly as I can. This discussion is good because, I think, it points out what some of our concerns are here. A lot of our concerns involve the unknown factor of the undefined terms and what the real intent of this legislation is.

If you look to the intent of paragraph (i), the portion that has been struck, it refers to setting policies, including "any required amendment to a master plan of a local government, that may be used to terminate any approval of land use for which water is not committed." Basically what that phrase does is take away already-approved land uses if the land use is not committed to that project. As a practical matter, any project that is not either currently built, has pulled a building permit, or filed a final map falls into that category. That would mean that any land use that is out there, master plan level or any other, would lose its current entitlement. That is what the intent of that legislation was. Fortunately, paragraph (i) is gone from the record, but quite frankly that shows

the proponents' intent, and that is our concern. We are concerned what happens with this bill long-term.

This lack of definition and the intent behind the bill concern us greatly. Northern Nevada has the most complex water law in the world, as far as I am concerned, and I have worked in a lot of different places. Assembly Bill 119 would add complexity, create more confusion, and add more uncertainty to the very uncertain process that currently exists. We urge you to deny A.B. 119 and allow the Truckee Meadows Regional Planning Agency to continue implementing WC3 without further confusion from the State of Nevada.

Chair Kirkpatrick:

Does anyone have any questions?

Assemblyman Goedhart:

I would like you to reiterate for the record that your feeling is that the state has done an adequate job within their jurisdictional purview of making sure that the proper water resources are being brought according to state law.

Randy Walter:

Quite frankly, the current legislation, which Greg Peek read to you, clearly points out that the Truckee Meadows Regional Planning Agency has the ability to balance population and water resources. It has been in the law since the Agency's inception in 1989. It is pretty clear what the State Engineer's role is. It is clear at the state level, clear at our level, and it is what we rely on. Without the State Engineer's ability and authority, we would have a hard time with water rights. It would create all kinds of nebulous things in the market that tend to jack up water prices. So we believe that the state has done an excellent job of laying this out, and we believe that the Regional Planning Commission has started to put the process together to answer WC3. They just have not been given an opportunity to finish it.

Jay Parmer, representing the Builders Association of Northern Nevada, Reno, Nevada:

We are the home building industry in Washoe County. We have a few of the members here in the audience, and they have signed in in opposition to the bill. I wanted to make a couple of points on their behalf.

The first was, in listening to the local governments, I really did not hear anyone state that the proposed legislation was necessary, or beneficial, in any way to regional planning or conservation of water resources. I believe that is because the process works, and I believe if the local governments had been allowed to move forward, they would have implemented WC3 as part of the local process.

Secondly, I have one other concern, and it may be addressed here today. The local governments affected by this proposed legislation have submitted fiscal notes totaling over \$1.6 million. So enactment of this legislation would probably create an unfunded mandate on the local governments. This unfunded mandate will be passed on to the residents of Washoe County in one of two ways, either directly to the water utility ratepayers, or indirectly through increased fees on new development when and if that ever starts to occur again in Washoe County. I would greatly appreciate you taking these two facts into consideration.

Chair Kirkpatrick:

Does anyone have any questions? [There were none.] If there is anyone else who would like to testify in opposition, please come forward to the table.

Tray Abney, Director, Government Relations, Reno-Sparks Chamber of Commerce, Reno, Nevada:

You have already heard several valid concerns about this bill, and I am not going to rehash them. The Chamber is definitely concerned about the unintended consequences of the undefined terms in this bill. I think now, more than ever, it is vital that we encourage business growth and investment our community. In recent years we have experienced reasonable maintenance of growth in Washoe County, growth that has created jobs and expanded the tax base. We believe that this bill presents additional impediments to ensuring that jobs are created, homes are provided for our families, and quality of life is protected.

If, as Mr. Parmer brought up, this bill creates an unfunded mandate on our local government, who will be expected to pick up the tab? Given the serious budget cuts that have taken place at our local-level governments in Washoe County, I highly doubt that they will be willing or able to shoulder the burden. That leaves the ratepayers, and the homebuyers, a large portion of which are businesses large and small.

Can Washoe County residents afford to pay more for their own water bills, and their own new houses, while at the same time paying more for the services and goods sold by my members, who will have to recoup their own costs? I would urge this Committee to let the process work as the voters intended—by allowing our county officials and our regional planning boards to work through the process at the local level, just as they started to do before this bill was introduced.

Last session, the Western Regional Water Commission was created by the Legislature. I think the Commission is there for a reason, and I think we need to let them do their work. Let us make sure that we can still create jobs, that we

continue our pattern of reasonably managed growth, and that my members still have a base of people they can do business with.

Chair Kirkpatrick:

Does anyone have any questions? Is there anyone else who would like to testify in opposition of A.B. 119? [There were none.] With that, we will close the public hearing on A.B. 119. I am going to ask staff to do something for the Committee, and hopefully Mr. McKenna is listening on the Internet. I would like to ask him to determine what would happen if we passed a bill that was different from the actual question proposed, and how that would work at the end when it all came through. I would be curious to know whether WC3 would still be in place or, because the voters voted one way and we tried to make changes another way, what would happen. Ms. Coombes, I am going to ask if anyone would like a copy of the regional water planning update. Ms. Mastroluca, Ms. Pierce, and I would all like a copy.

Rosanna Coombes:

Just to clarify, are you asking for a copy of the plan adopted by the Western Regional Water Commission?

Chair Kirkpatrick:

I thought that you recently worked together to update your plan, which would include some of these issues, correct?

Rosanna Coombes:

The Western Regional Water Commission is working through an amendment to their plan, and then we review it for consistency against the regional plan. But we actually do regional plan amendments.

Chair Kirkpatrick:

I thought that in the last two years you came together to identify some of these issues.

Rosanna Coombes:

We do. We work with the water commission, but they have the authority to adopt the plan. Certainly, Mr. Smitherman and I can work together to get something for you. We will get you box loads of things, if you like.

Chair Kirkpatrick:

Thank you. The hearing on A.B. 119 is closed. Is there any public comment at this time? [There was none.] Would anyone else like to be heard? Is there anything from the Committee? [There was none.]

Meeting adjourned [at 10:40 a.m.].

RESPECTFULLY SUBMITTED:

Cheryl Williams
Committee Secretary

APPROVED BY:

Assemblywoman Marilyn K. Kirkpatrick, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: March 16, 2009

Time of Meeting: 9:02 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
	C	Jerri C. Tipton	PowerPoint Presentation
A.B. 119	D	Assemblywoman Leslie	Proposed Amendment
A.B. 119	E	Marge Frandsen	Prepared Testimony
A.B. 119	F	Steve Bradhurst	Prepared Testimony
A.B. 119	G	Rosanna Coombes	Prepared Testimony
A.B. 119	H	John B. Hester	Prepared Testimony
A.B. 119	I	Gregory F. Peek	"Amendment to the Comprehensive Regional Water Management Plan"