

ASSEMBLY BILL NO. 144—COMMITTEE ON NATURAL
RESOURCES, AGRICULTURE, AND MINING

(ON BEHALF OF THE SUNSET SUBCOMMITTEE)

FEBRUARY 11, 2015

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Makes various changes relating to the Land Use
Planning Advisory Council. (BDR 26-554)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to land use planning; revising provisions governing the membership of the Executive Council of the Land Use Planning Advisory Council; requiring that any recommendations and proposed regulations relating to land use planning policies in areas of critical environmental concern be developed by the Land Use Planning Advisory Council; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

The Land Use Planning Advisory Council, consisting of 17 voting members appointed by the Governor and 1 nonvoting member appointed by the Nevada Association of Counties, advises the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources on matters relating to land use planning and the development of plans and policy statements involving the acquisition and use of lands under federal management. (NRS 321.740, 321.750) The Executive Council of the Land Use Planning Advisory Council, which consists of the Administrator and four persons selected by the Advisory Council from among its members, makes recommendations for land use planning in areas of critical environmental concern and resolves inconsistencies between the land use plans of local government entities. (NRS 321.755, 321.763) As recommended by the Sunset Subcommittee of the Legislative Commission (NRS 232B.210-232B.250), **section 1** of this bill requires the Land Use Planning Advisory Council to ensure, to the extent practicable, that the appointed members of the Executive Council are representative of the various geographic areas of this State. **Section 2** of this bill requires that any recommendations and proposed



* A B 1 4 4 R 1 *

regulations relating to land use planning policies in areas of critical environmental concern be developed by the Land Use Planning Advisory Council instead of the Executive Council.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 321.755 is hereby amended to read as follows:

321.755 1. The Executive Council of the Land Use Planning Advisory Council is hereby created to ~~consider and make recommendations for land use planning in areas of critical environmental concern and to~~ resolve inconsistencies between the land use plans of local government entities.

2. The Executive Council consists of the Administrator and four persons selected by the Land Use Planning Advisory Council from among its members. *To the extent practicable, the members selected to serve on the Executive Council must be representative of the various geographic areas of this State.* Each member of the Executive Council shall serve for 2-year terms.

Sec. 2. NRS 321.770 is hereby amended to read as follows:

321.770 1. The State Land Use Planning Agency shall provide assistance in land use planning for areas of critical environmental concern:

(a) When the Governor directs that the Agency review and assist in land use planning for an area the Governor finds to be of critical environmental concern.

(b) When one or more local government entities request that the Agency advise and assist in land use planning for an area which affects them and which they consider to be of critical environmental concern.

2. Upon receipt of a directive or a request pursuant to subsection 1, the Administrator shall study the problems of the area described and meet with the affected local government entities to receive their initial comments and recommendations. The Administrator shall then submit the matter of planning for the area of critical environmental concern to the ~~Executive Council of the~~ Land Use Planning Advisory Council for consideration and recommendation.

3. The ~~Executive~~ *Land Use Planning Advisory* Council shall include in its procedures one or more public hearings upon notice given by at least one publication at least 20 days before the hearing in a newspaper or combination of newspapers having general circulation throughout the area affected and each city and county any portion of whose territory lies within such area. The notice shall state with particularity the subject of the hearing.



1 4. Following completion of the hearings and consideration of
2 other information, the ~~Executive~~ *Land Use Planning Advisory*
3 Council shall make its final recommendations for land use planning
4 policies in the area of critical environmental concern. The
5 recommendations may include proposed land use regulations to
6 carry out such policies.

7 5. No land use regulation adopted by the ~~Executive Council~~
8 *Land Use Planning Advisory Council* pursuant to this section may
9 become effective without the approval of the Governor.

10 **Sec. 3.** This act becomes effective on July 1, 2015.

