

**MINUTES OF THE  
SENATE COMMITTEE ON NATURAL RESOURCES**

**Seventy-fourth Session  
April 9, 2007**

The Senate Committee on Natural Resources was called to order by Chair Dean A. Rhoads at 3:30 p.m. on Monday, April 9, 2007, in Room 2144 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Dean A. Rhoads, Chair  
Senator Mike McGinness, Vice Chair  
Senator Mark E. Amodei  
Senator Joseph J. Heck  
Senator Michael A. Schneider  
Senator Maggie Carlton

**COMMITTEE MEMBERS ABSENT:**

Senator Bob Coffin (Excused)

**GUEST LEGISLATORS PRESENT:**

Senator Maurice E. Washington, Washoe County Senatorial District No. 2

**STAFF MEMBERS PRESENT:**

Ardyss Johns, Committee Secretary  
Susan Scholley, Committee Policy Analyst  
Randy Stephenson, Committee Counsel  
Shirley Parks, Committee Secretary

**OTHERS PRESENT:**

Michael Pagni, Truckee Meadows Water Authority  
Lori L. Williams, Truckee Meadows Water Authority  
Rosemary Menard, Director, Water Resources, Washoe County  
James Galloway, Board of Commissioners, Washoe County

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Leo Horishny  
Ira Hansen  
Susan Lynn, Great Basin Water Network  
Brett Scolari, Locnavar, LLC  
Roland Weddel, High Rock Holding  
Steve Bradhurst  
Steve Cohen, South Truckee Meadows General Improvement District  
Perry DiLoreto, Northern Nevada Development Council  
Michael D. Pennington, Reno-Sparks Chamber of Commerce  
Fred Schmidt, Sun Valley General Improvement District  
Robert Cameron  
Robbin Palmer  
Tina Nappe  
Rosanna Coombes, Truckee Meadows Regional Planning Agency  
Frank A. Schenk, Jr.  
Timothy Kuzanek, Lieutenant, Washoe County Sheriff's Office  
Steve Ricker, Volunteer, Pet Network  
Mary Cablk, Ph.D.  
Susan Paul, Director of Animal Welfare, Pet Network  
Beverly R. Keil, Board of Directors, Pet Network  
Mitchell Schneider, Field Supervisor, Washoe County Regional Animal Services  
Bryan Davis, Executive Director, Pet Network

CHAIR RHOADS:

We will open the hearing on Senate Bill (S.B.) 487.

**SENATE BILL 487**: Revises provisions relating to water resources in certain counties. (BDR 48-183)

SENATOR MARK E. AMODEI (Capital Senatorial District):

During the interim of the 73rd Session, I chaired the committee for the Feasibility and Advisability of Consolidating Water-Related Services in Washoe County as established with S.C.R. No. 26 of the 73rd Session (S.C.R. 26 Water Study Committee). As I am mindful of today's agenda, I will be brief and attempt to be crisp. When this committee met, we had a charge from the 2005 Session of the Nevada Legislature. We took most of the charge from the 2005 Session off the table and concentrated on only the potential consolidation of water resources in regional context in the Truckee Meadows. When the minutes of the committee are reviewed, the reason is fairly simple. As

you all know, from being veterans of one or more interims, the ability to deal with some of these issues in a workman- or workwoman-like manner in the context of four to six meetings needs a more realistic approach. So we concentrated just in this area. I will tell you at the conclusion of those meetings the committee took votes on the bill before you now. All the votes dealing with S.B. 487 were unanimous. We asked for a draft from the Legislative Counsel Bureau so that we could use it to receive further major stakeholder comments and then incorporate these into the bill before it is released.

I will explain the bill's basic concepts. I know with regard to water in Nevada, what is perception and what is reality sometimes can be in significant competition with each other. I will ask some of the major stakeholders to give you an update with the context of a potential amendment and a potential agreed-upon effort to proceed forward, based on where the committee's work stopped. Essentially, the largest policy issue embodied in S.B. 487 is centered on the following questions. Do you think that in the State's second largest metropolitan area, a regional approach is needed: to scheduling of water use otherwise know as conjunctive use, to infrastructure of a water resource and to conservation in a water-resources sense? Do you think a regional approach more appropriately respects the use of the resource such as in Clark County since 1991, with the creation of Southern Nevada Water Authority (SNWA)? Is it a better use of the resource to have, for purposes of this committee, four entities doing this; two general improvement districts, South Truckee Improvement District and Truckee Meadows Water Authority (TMWA), which is the successor to the old Sierra Pacific Power Company water entity and the Washoe County water entity?

One thing to point out concerning S.B. 487, there is no indication at the retail level, that we are consolidating vertically the water utilities in the Truckee Meadows. This is a wholesale proposed regional entity which will be responsible for conjunctive-use policies, conservation policies, service area decisions and regional infrastructure decisions and a regional approach to those large-scale regional wholesale-type issues dealing with water in the Truckee Meadows. These are some of the high points and the committee answered in the affirmative.

There was a need to examine how we take care of water resources in the Truckee Meadows and see if a regional approach would be a better idea. This is not creating the SNWA of the north. There are differences. Some gains will be

made through regionalization. They are reflected in the bill. I do want to go over some of the things the bill will not address. There was no discussion of domestic groundwater wells. The committee has nothing in its minutes concerning terms of recommendations. Simply speaking, there was no discussion of intent to affect in any way the laws of Nevada regarding domestic ground wells. The bill in no way attempts to affect legislation for the Truckee River Operating Agreement (TROA). It will not alter the eminent domain law of Nevada, although if you are in the water business you may need a right-of-way for a pipeline from time to time. There is nothing in the bill to provide for growth or about future water importation. We did not discuss private or public money.

MICHAEL PAGNI (Truckee Meadows Water Authority):

We want to thank Senator Amodei and the members of the S.C.R. 26 Water Study Committee for all their hard work. The TMWA official position is that we support this bill. The TMWA for your benefit produces 90 percent of the water resources in the Truckee Meadows. We support the concept of optimizing regional coordination of water resources. Especially, we thank the committee for their efforts to protect and preserve the provisions of the TROA, ensuring they are not impacted in any way by this legislation. Hopefully you have received a copy of the amendment that is proposed by the TMWA and staff of the Division of Water Resources, State Department of Conservation and Natural Resources ([Exhibit C](#)).

There has been much effort between the two staffs to come together and bring a consensual amendment mostly filled with technical edits, clarifying the scope of the new regional entity and to make sure the issues addressed are consistent with the issues and scope of authority that the existing regional water planning commission already looks at. The regional water planning commission would be under this new Northern Nevada Water Authority (NNWA). Because of the time, I will focus on one substantive edit. Section 23 of the proposed amendment ([Exhibit C](#)) has a very limited window through December 31, 2007, for the entities to come together and create a cooperative agreement. The SNWA and the TMWA are this type of entity. If the entities are not able to come together, the entity would still be created by operation of law on January 1, 2008. The intention would be that they are able to create this "joint power authority," and the bill would become enabling legislation for the new authority to carry out the recommendations of the S.C.R. 26 Water Study Committee. One other amendment clarification is on section 32, subsection 1. This phrase is to

prohibit, unless they consent, the authority from impairing title to the water rights held by public purveyors now. The other edits are technical, for example, replacing water resources with the more appropriate defined phrase in the bill, to water supplies or facilities.

SENATOR CARLTON:

In Senator Amodei's opening statement, he used the word "retail" a number of times. Under section 32, subsection 2, [Exhibit C](#), the word "retail" is lined out and "fix the rates or rules" which I understand of a public purveyor for the delivery of water and not the retail delivery of water. Omitting this word will make a difference. Would you explain this?

MR. PAGNI:

Absolutely, both the TMWA and Washoe County currently wholesale water to each other. We wanted to make clear the new entity, NNWA would not fix the rules of these two entities in their capacity for wholesaling water to each other.

SENATOR SCHNEIDER:

We will still have four water districts. With this agreement, we have a group acting as one district.

MR. PAGNI:

Correct, some of the testimony that came before the S.C.R. 26 Water Study Committee was looking at the SNWA concept. You have one regional entity that acts as the wholesaler, but it will not retail the water to a customer. There are still separate purveyors, Las Vegas Valley Water District and a number of others. This concept is similar. There is one regional entity providing a perspective on how best to manage the resources, but leaving the actual delivery of water to a customer's home to the existing purveyor who is experienced with doing this day to day.

LORI L. WILLIAMS (Truckee Meadows Water Authority):

I will add comments about the amendment and the process we have begun. Rosemary Menard came on board at Washoe County Resources in early February. We have been working on a collaborative approach to water-resources management. We are cooperatively reviewing what we, as water leaders, want to do as far as resource management including sustainability of the resource, drought protection and environmental protection. All of these facets play a role

together and are solidly linked. This is an opportunity to see if we can effect this concept through a "joint powers agreement" at the elected official levels.

ROSEMARY MENARD (Director, Water Resources, Washoe County):

This is the staff recommendation from Washoe County Department of Water Resources. The official position of Washoe County is to oppose this bill as written. We have been in conversation with Washoe County Board of Commissioners but they did not have a time to meet and work on their position before the notice to appear here to discuss the bill. We have been working on ways to frame a proposal that would give jurisdictions in Washoe County the opportunity to work together. From our perspective, and Lori Williams' office as well, this is a work in progress. We now recognize our focus is on a much bigger picture than was originally codified in S.B. 487 for the authority, in terms of its role. It is especially important to give it more of the environmental and total water management role. We have tried to do this with language in the preamble of S.B. 487. This matches up better with the scope and authority of the regional water planning process and the regional water planning commission.

In order to do the job we want, as stewards of the resource in Washoe County, as customer service providers and as environmental stewards of the other resources in Washoe County, we need to create an organization that has the bigger picture and its possibilities, working together to accomplish it at a regional level. We have specifically taken into account the general improvement district, to be invited as part of the process. We have not engaged this group much up to now. It is not intentional, but we needed to see if the TMWA and Washoe County could come to some level of agreement. One other suggestion, if you are willing to entertain these kinds of amendments, give some time and make sure to work with the various groups to bring agreement or perhaps minor modifications that might make it work for all concerned.

Ms. WILLIAMS:

I want to reiterate the entire TMWA board is in full support of S.B. 487 as written, and we do have board support for the amendment through our legislative subcommittee as well, [Exhibit C](#).

SENATOR CARLTON:

This committee met through the interim. Senator Amodei said there were six meetings. I am sure many things were discussed. Were any of the things

here discussed before it was drafted? I assume you did participate in these meetings. You knew what was coming out of the meetings.

MR. PAGNI:

Yes, most of what you see here, as I indicated, are technical edits. The phrase "water resources" is something that exists under the *Nevada Revised Statutes* (NRS) chapter 540A. In this bill it is not a defined phrase. What you are seeing is a technical response to the bill that came out. We did participate fully in the subcommittee hearings. We worked very closely with Senator Amodei and the other members of the subcommittee and supported their efforts. These are really responses to the language once we actually saw the bill. The bill came out fairly recently. This is intended to clarify some of the technical issues. The "joint powers authority" is a new concept to the bill, but it was discussed throughout the subcommittee. They were cognitive to respect what they believed to be local control. Note that the bill has very little detail as to how these things will be done. It is a broad framework of what needs to be accomplished. It reflects the local governments will ultimately be responsible to carry out the charge. The "joint powers of authority" limit you see is consistent with the methodology of carrying out the charge, but the charge itself still exists in the bill. How they will do it is in the local hands.

SENATOR CARLTON:

As I read the preamble, it tells me that not everyone is on the same page. You may have been, on March 26, 2007, but when I read this it does not fit.

MR. PAGNI:

Under chapter 540A of the NRS, the regional water planning commission exists now in Washoe County. The bill lifts the existing commission out of that chapter. In other words, it moves the existing body into this bill and makes it answer to the authority. What we wanted and what the first preamble really seeks to do is integrate those existing responsibilities under law. The regional water planning commission has and will continue to have the reformulated NNWA. This will ensure the responsibilities are consistent with the entity to which it answers. The preamble seeks to clarify the level of responsibility of the two entities, as the same. The bill itself, in section 29, speaks of this. The powers granted to the NNWA throughout the section are consistent with the preamble.

ROSEMARY MENARD:

The way the language characterizes the NNWA in the draft of S.B. 487, makes it a water supply utility, a super water supply utility with authority for developing supplies and being a wholesaler to the region. The authority of the regional water planning commission includes a whole range of water-resources issues, water supply, wastewater, water reclamation, flood control, storm water and environmental water quality. One of the issues raised since I have been here is apparently a concern. The water plan is developed but not very well implemented. There was a mismatch between what the authority of the NNWA role is with implementation versus what it is in the planning process. All the preamble will do is to combine the two issues. Now the NNWA will have a bigger-picture role and authority for implementing the full range of water-resources issues. We do need to look at our resources holistically, all the pieces involved. We do not have the Colorado River running through Washoe Valley. We need to manage all our resources in a collaborative, conjunctive way.

SENATOR AMODEI:

I sense some of the struggle and I will state my impressions. Washoe County has not been in favor of the bill for most of the time we have been proceeding with the issue. This is true. There are others here today who will testify on the issue. You will hear the description of the amendment producing even more than the committee expected with these three people who have testified here today. It is a salient testimony of, "should we do something or nothing." Sounds like everyone is saying, "something," but we will handle it in a work session. It is important to know these modifications are going on throughout the course of the existence of this subcommittee even after it adjourned. If this amendment is adopted, it is requested the process continue until the end of the year.

JAMES GALLOWAY (Board of Commissioners, Washoe County):

I am here, as are we all, to represent the best interests of the public. This includes fair treatment for the various entities who are stakeholders on this issue and for ratepayers, well owners and the general public. I will read from my prepared testimony ([Exhibit D](#)). In conclusion, if you decide that a new regional water agency may be something the public wants, why not put it to a public vote with guarantees that the power will remain with the electorate. I cannot imagine that the public will vote for such an agency unless you also guarantee direct election of its board and make it answerable to the consumer advocate.



CHAIR RHOADS:

Did the Washoe County commissioners vote on this amendment?

MR. GALLOWAY:

We voted on the bill you have before you, but not the amendment. I would oppose the amendment because it encourages more invasion as centralized decision making. Never consolidate power over the remaining limited resources or anything in government unless it is absolutely necessary to do so.

CHAIR RHOADS:

What was the vote on the bill?

MR. GALLOWAY:

When we did the 20 amendments, every commissioner voted affirmative.

CHAIR RHOADS:

What about the original bill?

MR. GALLOWAY:

The bill was not acceptable without those amendments.

SENATOR AMODEI:

Do you know what the Reno City Council vote was on this bill? Do you know what the Sparks City Council vote was? Do you know what the TMWA board vote was?

MR. GALLOWAY:

No, I do not.

SENATOR AMODEI:

Do you know what membership in the TMWA board entails? Do you know who those members are and from where they draw their membership? Do you know if the Washoe County board representative voted in favor of the proposed legislation as a member of the TMWA board?

MR. GALLOWAY:

No. I do not know, but he is an individual acting on his own.

LEO HORISHNY (Sun Valley Community Advisory Board):

I am speaking today as private citizen from a prepared statement ([Exhibit E](#)). I wish to state that I strongly oppose S.B. 487 as an unneeded bill and one that is taking Washoe County in a wrong direction.

IRA HANSEN:

I am here representing myself today. I am an opponent to S.B. 487. I have details why. I have done an extensive amount of homework on the proposed bill. I am not against growth. What I do see in the bill is a violation of the free market. The bill's origin came about when the cost of water rights began to escalate. If this is a market-based decision and there is a supply and demand factor, then the cost, as quantities diminish, will go up. This is the way it is. The bill will not create new water. It is simply going to create new ways for the government to subsidize users' importation or create a monopoly where water rights may be sold keeping the cost artificially down. The water will then be given through government subsidies to the big developers to continue on with the out-of-control growth in the Reno and Sparks area. The primary purpose of the bill is the acquisition of water. You can acquire water now through the free market. It can be purchased. We have run out of inexpensive water that the developers have been using for years. However, there are private water rights in the Washoe County area. This is a lot of water but it is not going to be free. Now, if the government gets involved in this and creates this new super bureau, they obviously will use the power of eminent domain, condemnation and artificial manipulation with the prices.

Next, looking at various parts of S.B. 487, section 4, subsection 2, paragraph (b), regarding "The acquisition, development, management and conservation of regional water resources by the Authority is for a public and governmental purpose and a matter of public necessity" and going to section 4, subsection 2, paragraph (d) "For the accomplishment of the purposes stated in this subsection, the provisions of this Act shall be broadly construed." This would give a maximum amount of authority to come after anyone's water rights. Looking further at the bill, section 29, subsection 2, gives authority to go within and without Nevada to acquire appropriate water. If you look at section 29, subsection 19, this is the most frightening part. "Exercise the power of eminent domain in the manner provided by law for the condemnation of private property for public use to take any private property within the planning area

necessary to the exercise of its powers." These powers are extremely broad; an unelected body to go after the people that hold the water rights.

Another part of S.B. 487 section 30, "... any rights to water supplies required for use by any public purveyor may only be acquired by the Board." Section 31, subsection 2 "ensure that existing or future customers are not affected inequitably." Costs for growth, instead, will be subsidized by all the people out there in the area being supplied with water. This is totally unfair to the people who are essentially saying, "You want the growth, you can pay for the growth." Throughout, as I have highlighted, S.B. 487 gives incredible power to this super water authority. In conclusion, as a dedicated member of Washoe County, I believe these issues need to be handled by the private sector. This is a free market and free-market environments work fine.

SUSAN LYNN (Great Basin Water Networks):

I am the former chair of the Washoe Regional Water Planning Commission. This bill is totally unnecessary. I have a letter regarding this bill, "Citizens Concerned About S.B. 487," signed by 100 people who are very concerned about its passage ([Exhibit F](#)). We strongly feel the interim subcommittee did not complete its job. When S.C.R. No.26 of the 73rd Session was passed, it was resolved the study conducted by the committee must include, without limitation, an analysis of relevant financial considerations of ownerships, operation facilities and the potential management and staffing structures of water-related services. To our understanding when reading the current bill, there is no financial consideration and few if any directions as to management and staffing. Washoe County has a water plan. It is extensive. There are 13 chapters or more in the plan dealing with water issues. The plan is updated every three years. It will continue to address all the concerns in this bill. I oppose this bill and its amendment.

BRETT SCOLARI (Locnavar, LLC):

I appreciate the work of the S.C.R. 26 Water Study Committee. I support and agree with the policy. I would like to raise several comments from the perspective of LSC Development who has substantial water rights in northern Washoe County. I have proposed an amendment that might accomplish some of these issues ([Exhibit G](#), original is on file in the Research Library). I would be willing to work with any of the committee members to help resolve these problems.

ROLLAND WEDDEL (High Rock Holdings):

I represent a company called High Rock Holdings. Of the 77,000 acre-feet of water rights that have been mentioned, we have over 20,000 acre-feet of certificated water rights. I am not entirely against this bill. I work both in southern Nevada and northern Nevada. I have a lot of exposure to the Las Vegas Valley Water District. I believe there are reasons why we should give thought to an authority board to make issues more homogeneous, to flow better. Let me be clear, I am against the bill. Basically, if there were added language that ensures private ownership of water and land that would be identified as off-limits, without going through each and every section of the bill with which I have disagreements, I would not have a problem with the bill.

STEVE BRADHURST:

I am here today as a concerned Washoe County resident. I would direct your attention to my analysis of S.B. 487 ([Exhibit H](#)). My general comment is that this bill is unnecessary. I would ask you to reject S.B. 487 because the proposal of the water authority is not a matter of public necessity. Public water utilities that provide water service in the Truckee Meadows and adjacent valleys have excellent water-resources and management programs. There is an excellent record of cooperation. The customers of these utilities did not ask the Nevada Legislature to create the NNWA. The S.C.R. 26 Water Study Committee did not consider the fiscal impact of many of the recommendations. Many provisions of S.B. 487 were not discussed. If there is a compelling need to do something, I would say send it back to Washoe County, put it on the ballot in 2008, and ask the people if they have changed their minds since 1994. Do they want to create this entity for the purpose of acquiring water and doing these other things?

SENATOR SCHNEIDER:

I have several general comments about your handout, [Exhibit H](#). On number 3 as seen on the exhibit there is an indication that the legislation may be unconstitutional as it is special legislation that only applies to Washoe County. This is my eighth session in the legislature. We have passed scores of bills that apply to only counties of greater than 400,000 people. I do not think any of the Legislation has ever been deemed unconstitutional when it applies to one county. We have been exempting out much of Nevada for issues that apply to only Clark County. It may be time for the involvement of all counties of Nevada, rather than being exempted out every time they disagree with an issue. It is time all counties consider protecting our resources, planning for the future and obtaining more resources. The interim study was important, and it is important

we all look at the results and that Washoe County joins with the State on this issue.

MR. BRADHURST:

I have one final comment. This bill has no population number; it is specific to an area because of its uniqueness including Lake Tahoe and the Truckee River.

STEVE COHEN (South Truckee Meadows General Improvement District):

I am the chair of the South Truckee Meadows General Improvement District. I have attended every subcommittee meeting, and I have written several letters in response. We are the smallest of the four water purveyors. Because we are the smallest, we stand to lose the most. In the bill, it states all customers must be treated equitably. We have the lowest rates of all four water purveyors. We have no outstanding bonds. We have a groundwater-only system, and we rely on ourselves. There are many other factors within these regions to consider, and all parties need to be part of the discussion. We oppose the bill as written. We reluctantly agree with Washoe County on the 20 amendments to the bill.

PERRY DILORETO (Northern Nevada Development Council):

I am a long-time developer both in northern and southern Nevada. Through our various entities, we are home builders in the area of Damonte Ranch, a 2,000 acre master-planned community in northern Nevada, with retail, industrial and commercial needs. This endeavor has all the water rights needed to develop. The water rights came with the purchase of the ranch property. I am here as a leader in the Nevada Development Council, a group of builders and developers who work with mostly large master-planned communities in northern Nevada. We met as a group to discuss and consider water resources of the Truckee Meadows and we strongly support the S.C.R. 26 Water Study Committee and their work and we support S.B. 487. Your passage of this bill will provide the creation of an authority and structure that will demonstrate proper and due respect for water resources and environment under which the good and committed people of the TMWA, Washoe County Division of Water Resources and all interested and effected parties can put forth their most excellent efforts.

MICHAEL PENNINGTON (Reno-Sparks Chamber of Commerce):

I am the public policy director for the Reno-Sparks Chamber of Commerce. I am here on their behalf. We have 1,600 members representing 77,000 employees. These are significant numbers of the public. We participated in the S.C.R. 26

Water Study Committee. They were very involved with the public. We are in support of S.B. 487. We encourage Washoe County to be engaged with the issue. The emphasis on acquisition, management, planning and conservation are key and vital elements. We provided lengthy testimony to the committee relative to our reasoning, and we think most of the recommendations are presented in S.B. 487. This the right approach, it is proper planning for the future for our community.

SENATOR MAURICE E. WASHINGTON (Washoe County Senatorial District No. 2):

This is a very important decision for the citizens of Washoe County. I represent a large portion of Washoe County, the Sparks area and a portion of Reno. I had the opportunity to serve on the S.C.R. 26 Water Study Committee. I was one of the primary sponsors for the creation of this study. This is good public policy. It makes good sense because we are looking to the future for Washoe County and its citizens. We have a limited resource. We are a growing community. We are a community that wants to manage our resources well, not only well, but provide for conservation, reformation, outdoor and other activities conducive to our lifestyle.

FRED SCHMIDT (Sun Valley General Improvement District):

I am here as the representative for the Sun Valley General Improvement District. I am the fourth purveyor you have heard from today. We are the oldest and longest-standing governmental water purveyor in northern Nevada, Truckee Meadows region. We serve 15,000 citizens with about 6,000 meters. We have been in business for about 40 years. We are a utility that not only provides water, but sewer and sanitation services. We have an elected board, elected by the residents. We are the third-largest purveyor. We own water rights, tanks, transmission and distribution lines. We take wholesale service from the TMWA. We have actively participated in the S.C.R. 26 Water Study Committee. We attended all meetings and made suggestions for the committee.

We have been supportive of the concept and the work of the interim subcommittee. There are some amendments that would be appropriate for this bill to make sure we continue to be a successful entity operating today ([Exhibit I](#)). With these additions, we would not oppose the concept of this legislation. We would merely respectfully ask Senator Amodei and the subcommittee to consider these additional clarifications.

ROBERT CAMERON:

I am a domestic well owner. I attended all the groundwater task force meetings in Washoe County and the S.C.R. 26 Water Study Committee meetings. I have served on the South Truckee Meadows Citizens Advisory Committee for four years and other committees and panels. As a citizen I want to see a level playing field. I would ask the committee to direct the state engineer to send letters to every domestic well owner in Washoe County, explaining specifically their rights. This would be a great help. In attending the committee meetings I found discrepancies with the minutes. I have had personal experience with these discrepancies. I bring it to your attention because I now have very little faith in minutes.

ROBBIN PALMER:

I am in support of Jim Galloway's statements. I am opposed to the bill.

TINA NAPPE:

Two years ago I endorsed S.C.R. No. 26 of the 73rd Session. Water planning is important to our State. We cannot get enough of it. I am a City of Reno resident, and a TMWA user. To be perfectly frank, under this legislation I do not feel represented. I will focus on the cost. I attended many of the meetings and the subject of how these water issues were to be paid for, with both the creation of a new structure and the acquisition of water have never been addressed. There are several things to consider when looking at S.B. 487. There have been comments made about the SNWA model. They have made impressive presentations to many, but the SNWA has different resources than we have in Washoe County. They have a sales tax.

The City of Reno is asking for a sales tax so those monies may be used in other areas of need throughout the city. There is a certain amount of money coming to SNWA from the sale of public lands. They have high connection fees. These are financial resources we do not have. Another resource, for any investment they make in conservation, they can use the water saved for growth. In closing, my comment would be that a fiscal note is needed on this bill.

ROSANNA COOMBES (Truckee Meadows Regional Planning Agency):

I am employed by the regional planning governing board in the Truckee Meadows area. This board is empowered under chapter 278 of the NRS to prepare a comprehensive regional plan that looks at land-use planning, infrastructure provision and natural-resource management. The regional planning governing board meets once a month. It has not had the opportunity to review

the bill because of this meeting schedule. A legislative subcommittee has been established to provide direction for me, as their staff. I have been asked to come forward with a potential amendment. I have provided a handout highlighting two sections for suggested amendments ([Exhibit J](#)). The reason for our concern is the consistency of the language. Since you are actually looking at the potential for changing the legislation, there is a possibility to clean up and not perpetuate these inconsistencies.

FRANK A. SCHENK, JR.:

I will read from a written statement that I have prepared ([Exhibit K](#)). I am against S.B. 487. I have some recommendations. I do not know if I can ever get a chance to get to the Legislature again, but please support Assembly Bill 160, which I believe gives people a voice. Please do not support S.B. 487.

**ASSEMBLY BILL 160**: Revises provisions relating to annexation by cities in certain counties. (BDR 21-848)

CHAIR RHOADS:

We will close the hearing on S.B. 487. We will open the hearing on S.B. 329.

**SENATE BILL 329**: Prohibits certain activities relating to the transportation and possession of animals in motor vehicles. (BDR 50-950)

TIMOTHY KUZANEK (Lieutenant, Washoe County Sheriff's Office):

I am a Lieutenant with the Washoe County Sheriff's Office. I represent the Nevada Sheriffs' and Chiefs' Association. I am here in support of S.B. 329. I have provided a handout with several amendments to the bill ([Exhibit L](#)). I spoke with the sponsors of the bill regarding these amendments. We are asking for three changes to the bill that would allow for police animal exclusion, and to include the search and rescue (SAR) animals. I brought along a dog handler today who works for the search and rescue unit to answer any questions.

CHAIR RHOADS:

I would like some clarification on the bill. Will this mean a dog cannot be riding in the back of a pickup truck unless the animal is chained up?

STEVE RICKER (Volunteer, Pet Network):

I am coauthor of S.B. 329. Basically if you will look at the second part of the bill, it prohibits people transporting their dog in the back of pickup trucks



without proper confinement. The bill would exempt ranchers and hunters. Proper confinement would be to tether, kennel or to have side-grilling for the animal. This is a public safety, rather than animal protection bill. I will continue to refer to my written prepared testimony ([Exhibit M](#)). Senate Bill 329 is a perfect fit for the Governor's recently announced initiative, "The Nevada Strategic Highway Safety Plan," which is to address the frequency rate and primary factors contributing to fatal and severe injury accidents. There is no doubt that dogs being ejected or jumping from trucks is a primary factor in causing accidents.

MARY CABLK, PH.D.:

Today I am speaking to you as a veteran search dog handler and a Washoe County Sheriff's Office Hasty Team member. I have provided the Committee on Senate Natural Resources with a prepared written testimony. I am will refer to it for my statements ([Exhibit N](#)). I am very much in support of S.B. 329. It will help ensure the companion animals, dogs in particular, are protected from injury or terrible death which can and should be avoided. Every dog or companion animal that is part of someone's household should be cared for humanely and with compassion.

I would ask the Legislature to accept the proposed amendment to include search and rescue dogs as exempt along with their police "K9" units and hunting dogs. I thank the Nevada Legislature for recognizing the importance of companion animals to their owners and families, and I believe that this bill, amended to exempt search and rescue dogs, will save dogs' lives.

SUSAN PAUL (Director of Animal Welfare, Pet Network):

I am here today in support of two important issues before you, both of which are included in S.B. 329. I have prepared a written testimony for consideration ([Exhibit O](#)). This bill would facilitate faster rescue and with the passage of this legislation, Pet Network will educate the public that it is illegal to subject their pet to extreme heat. I believe legislation will reduce the number of animals affected and help to make Nevadans more responsible pet owners.

BEVERLY R. KEIL (Board of Directors, Pet Network):

I am with Pet Network. I have three points that I have covered in my written testimony ([Exhibit P](#)). Pets are a very important part of our lives. More and more people take their pets with them on local errands and on long-distance vacation trips. We are not proposing to take away an individual's right to transport a pet,

we simply would like to make sure that it be done in a safe manner to protect both the public and pet.

MITCHELL SCHNEIDER (Field Supervisor, Washoe County Regional Animal Services): We strongly support this bill. There are several spin-off benefits. Frequently, we respond to animals that are in the back of open trucks in parking lots and people are the subject of a dog bite, because the animal lunges out of the vehicle. Certainly, we support the intent of the bill in terms of keeping animals from being ejected from a vehicle. The bill clearly exempts those who need the exemption such as ranchers, hunters, SAR dogs and other law enforcement animals that may need to be transported in an open truck. Animals left in cars are subject to overheating. It is hard to enter such vehicles. Damage to a vehicle is possible. Current law allows for removal of the animal. To prevent liability to an agency, it is important to indemnify the agencies required to do so.

CHAIR RHOADS:

The ranchers are exempt. This will mean those working for a ranch also are exempt.

MR. RICKER:

Yes, if a rancher has proof of owning the land or a ranch hand with proof of employment. Most law enforcement officers know those ranchers.

BRYAN DAVIS (Executive Director, Pet Network):

I will not mention the information that has already been brought to your attention. Much of this is covered in my prepared testimony ([Exhibit Q](#)). Our mission is to provide animal rescue to local organizations and of course, the adoption program. We do try to focus on education. Working with the Nevada Legislature is one way we continue to educate the public. I do want to touch on some of the statistics referred to in my testimony concerning animals overheating in locked vehicles. Most of the remaining testimony has been given by previous speakers.

SENATOR CARLTON:

With the indemnification language, do we do this for other agencies? For example, popping a window out of a vehicle to get a child out who is possibly overheated. I would like us to give law officers consistent process. I want to make sure we are using the same indemnification language across the board.

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MR. RICKER

Yes, one of the intents of this bill is to be more standardized with all the Nevada animal-control agencies.

CHAIR RHOADS:

There being no further business, we will adjourn the Senate Committee on Natural Resources at 6:17 p.m.

RESPECTFULLY SUBMITTED:

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Shirley Parks,  
Committee Secretary

APPROVED BY:

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Senator Dean A. Rhoads, Chair

DATE: \_\_\_\_\_