

MINUTES OF MEETING - AGRICULTURE COMMITTEE - APRIL 12, 1971 - 56TH ASSEMBLY SESSION

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PRESENT: Getto, Howard, Torvinen, Swackhamer, R. Young and Glaser

ABSENT: Hawkins

OTHERS: James Kielhack, President of Nevada Association of Conservation Districts; John Buckwalter, Chairman of Tahoe-Verdi Conservation District; Dick Latin and Royal D. Crook of Fallon, Nevada; Roy Robinette, Supervisor of Tahoe-Verdi Conservation District; Assemblyman Brookman

Chairman Getto called the meeting to order at 11:15 A.M. for the purpose of discussing S.B. 298 which "Extensively amends Soil Conservation Districts Law".

Mr. Kielhack spoke in favor of this bill. (See attached testimony)

Mr. Buckwalter then spoke also in favor of the bill. He said that the Tahoe-Verdi district was the last district to form into the State. Since the formation, they have had totally urban problems to deal with in the Tahoe Basin. He went on to say that his district has not extended beyond Washoe County. They have worked with Carson Valley and made an agreement with them to take the administrative work. So there is a working agreement between them where they provide services to the other county. It would be too hard to change the boundaries. They have a working agreement with Washoe Valley in which they provide advice and recommendations to the Regional Planning Commission of the Washoe County-Reno-Sparks area. This has been a very effective thing. The Regional Planning Commission in Washoe County has been complimentary of the recommendations and have used many of them. This is why they feel they are in a position to render a service to the other counties and why they are so interested in this bill. The supervisors in the conservation districts are elected by land owners and there is some question as to whether or not this is legal. One of the changes in S.B. 298 is that it removes the limitations of occupants and owners of agricultural land electing supervisors. They feel that borrowing funds is important also. He went on to say he has heard opposition to the bill from the Central Nevada Development Authority but this bill does not affect them so it is not really a valid objection. He concluded by saying that the fact that there is a Tahoe Regional Planning Agency which has been set up to handle a long range plan is evidence that this is a needed thing.

Mr. Swackhamer questioned Page 19, Line 14 regarding the unanimous vote of a quorum. Mr. Kielhack said the reason for putting this in the bill was that it had been decided that a further explanation of quorum was necessary.

Mr. Howard raised a question on Page 14, Line 29 regarding all landowners and occupiers in the district being eligible to vote. He commented that this would give leasees of property the vote. Mr. Kielhack said they would be able to vote but would not be able to bond a district. He went on to say that this has been the law since 1937.

Mr. Glaser said the wording in the bill "in the district" could be very confusing and could be interpreted to mean all property in the district when the intent is all property owned by the district. Mr. Getto agreed and commented that the language should be more specific.

Mr. Getto went on to say that what he feels could happen under this is that it would be possible in an election that one agricultural land owner and three leasees as well as the county and city representative could make up the board defeating the intent of the Soil Conservation District and further obligate the agriculture people to become more involved with urban programs. Mr. Kielhack replied that the people in the cities have a right to determine how this money is spent.

Mr. Swackhamer commented on Page 4, Section 11, regarding the set up of the Board of Directors. He said there is a clause in the State constitution that prohibits the illegal distribution of delegates. Mr. Kielhack said this had been checked.

Mr. Getto commented that he wondered about the intent of the Soil Conservation Commission in broadening the authority in the districts. Mr. Kielhack said that in most areas the only effective group is the Soil Conservation Board. He wants these boards to have the power and strength so that they can do something they feel is necessary.

Mr. Dick Latin of Fallon then spoke. He and Mr. Royal D. Crook were present representing quite a section of Churchill County on this soil conservation bill. Mr. Latin said they came in opposition to the bill the way it is written in that the Soil Conservation District has been in Fallon and he didn't care for the way the \$50,000 is written in and very possibly they could be obligated to pay a number of times because the bill doesn't say how many times they can ask for it. In regard to the District owning heavy equipment, he felt this was fine but not if it is used in competition with private enterprise. He said he hated to see the District's scope broadened in Churchill County.

Mr. Royal D. Crook also from Fallon spoke. He questioned the legal set up of the District. Mr. Kielhack replied that it is created by the State law. He also commented on the earthmoving business. He said this was entirely up to the local people.

Mr. Latin said he would like to see in the bill that upon written notice, any property owner can withdraw his property from the District. Mr. Kielhack said that this is currently the way it is. If a man does not want to be a cooperater, he does not have to be. It is totally voluntary.

Mr. Crook again spoke. He said he has been familiar with the Soil Conservation District's service for many years and familiar with most of the area in Central Nevada where he feels a lot of the interest in this bill is centralized. He said he was familiar with the geography and the climate and had a pretty fair knowledge of the State of Nevada and he said it seems that the intent of this bill is to enlarge the scope of the Soil Conservation programs as originally adopted to include all natural resources and the conservation of them. He said the people of Churchill County are not favorably impressed with the Soil Conservation District's current programs and intentions. It seems enlarging this will place a greater burden on the taxpayer. There are presently other organizations in the State such as the Division of Parks, etc. with a long history of giving sound advise to the ranchers of this State and are quite adequate for the State of Nevada. The people in our county are very much in favor of keeping the Soil Conservation as it is and not expand it as proposed in this bill. The objections he stated were borrowing money and the inclusion of city people.

Mr. Swackhamer asked Mr. Latin if he would have any objection to the part of the bill about methods of changing boundaries. Mr. Latin said he would. It just didn't add up right to him. He was afraid that as it was written he might still be considered a property owner in the district.

Mr. Glaser commented on Page 14, Line 12, regarding cost-sharing on federally financed projects. He said he had heard some objections to this in his county. He said he thinks the people are afraid they might be obligated to pay for up-stream flood projects, etc.

Mr. Kielhack said the point of cost-sharing is to allow soil conservation to include areas that might not otherwise be included. It is not meant to obligate people. It is the local district supervisor's that make this determination.

Roy Robinette was present to speak. He is the supervisor of Tahoe-Verdi Conservation District. He felt some things were being missed here completely. He went on to say that the Soil Conservation Service lends an expertise and research to people in the United States through cooperative people. It is a service and no one is required to

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use it. Many things can be helped or avoided but not when people go off on their own. This is strictly a voluntary thing. He commented that perhaps some of the wording in the bill was not completely clear and needs some clarification but this late in the Session it might be impossible to get it done. This bill is perhaps not perfect but it is definitely needed. He went on to say that there are or can be land controls and restrictions but only when it is voted on by the people. The boundaries of a district are set up by the State but the landowners volunteer to be a part of it and they can revoke this at any time.

A.B. 697 was then discussed. It "Permits certain retail stores to sell milk for less than prevailing price." Assemblyman Brookman was present to speak. She said it was a bill giving permission for the building of drive-in milk stands. It gives the consumer a chance to buy milk at a much reduced price than at a retail store. Mr. Glaser questioned why the cost would be less. Mrs. Brookman said it was because this is all they are involved with. Mrs. Brookman went on to say that this bill just allows for the building of these drive-in milk stands. Mr. Getto thought it was presently legal to construct these stands but Mrs. Brookman said she had been told differently and the intent of this bill is to make it legal.

Meeting was adjourned at 12:40 P.M.

jb

March 15th, 1971
 S.B. 298
 Committee on Public Resource

INTRODUCTION OF OUR DELEGATION

Perhaps it would be appropriate to begin with a little history-----.

Early in President Franklin Roosevelt's administration, there was created by him, a national committee charged with the responsibility, of suggesting guide line legislation, to create and encourage soil conservation in the states ---. In 1937 this study was completed and the work of this committee was transmitted to our (then) governor, and subsequently submitted by him, to the Nevada legislature, where it was passed. --- Our Nevada law thus, is very similar to laws passed in the other (then) 47 states. These ^{separate} ~~parate~~ state laws in 1937 created almost 3000 Soil Conservation Districts in the United States, --- and 37 districts in Nevada ----- . They have been well and active ever since.

Time and progress go forward ----. In 1937 what were the main problems in Nevada? How large was Reno? Las Vegas? --- Certainly conditions were very different than today, --- which is why up-dating Nevada Soil Conservation District Law is requested.

What are Soil Conservation Districts in Nevada? What do they Do?

How do they operate? Here is a very small part of a big story ---.

A Soil Conservation District is a subdivision of State Government with a specific boundry, responsibility, and authority. (much like a county)

Members of a Soil Conservation District are called cooperators and ^{Memberships} ~~is open~~ to anyone living within a district boundry. (by Federal regulation, --- government technical agricultural assistance is provide only to Soil Conservation District cooperators which probably explains why most farmers and ranchers are cooperators.

Elected Officers of Soil Conservation Districts are called Supervisors and are elected by the cooperators.

Soil Conservation Districts have Land Use Regulatory Powers -- these in Nevada have been seldom used but the authority exists --.

Soil Conservation Districts are qualified to obtain surplus Government heavy equipment for use by District Cooperators --- this practice in many Districts is diminishing in popularity since most farms and ranches have their own equipment.

Soil Conservation Districts sponsor RC&D Projects (we have two in Nevada) Small Watershed Projects (currently 31 applications), River Basin Studies Soil and Water Reconnaissance Surveys ---, and numerous other programs. ----Soil Conservation Districts have strong input in Planning Studies -- both local and regional ---CNDA -- Cando ---and ~~HELP-DO~~ would be good examples.

Soil Conservation Districts have the major responsibility and influence in setting priorities and schedules of the US Soil Conservation Service and other Federal Agencies benefiting Nevada by millions of dollars a year ----, I would like to read a letter I requested from Mr Charles Kroll, State Conservationist, Soil Conservation Service --, US Department of Agriculture. ----(See letter)

I'm sure other members of this delegation would be pleased if requested, to go into the details of activities of their individual districts after I have finished.

Most state legislatures have up-dated the state laws governing their Conservation Districts in the last five years ---, hoping to enable their districts to cope with the modern challenges.

In Line with this ---, the Directors of the Nevada Association of

Conservation Districts, during the last two years have been holding seminars with local district cooperators and supervisors, seeking to come up with needed changes. This has been done ---, countless meetings with all districts throughout the state have been held, --- the time --- distances have been considerable, ---but from these series of meetings a list of changes was compiled ---changes the local District cooperators and supervisors suggested ----.

Last October the complete list of proposed changes was circulated to each individual district supervisor, --- well in advance of our annual State Meeting ---. At this state meeting each proposal was read ---, discussed and argued agin, and voted on by the district supervisors present. (This state meeting had the highest attendance in many years) The changes in our State Law, as requested in SB 298, --- are the changes voted a clear majority by the 37 districts of Nevada, meeting in open convention, --- with due democratic process.

I will now go into these changes, and some of the reason for change, as recorded in the Proceedings of the Twenty Third Annual meeting, Nevada Association of Conservation Districts, held at the Mapes Hotel, Reno, Nevda, December 10th & 11th, 1970

(see proceedings)

It is of interest, that the districts voted not to request any state funds for their operations, although most states contribute sizable amounts ----. Our districts voted to handle their financial affairs themselves.

We believe these changes, as expressed, strengthen local districts ---, that is the intent.

Thank YOu

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

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P. O. Box 4850
Reno, Nevada 89505

March 10, 1971

James Kielhack, President
Nevada Association of
Conservation Districts
Rt. 2, Box 20
Austin, Nevada 89310

Dear Jim:

Soil Conservation Districts in Nevada have a direct part in establishing priorities for nearly 2 million dollars and 190,000 man hours of work appropriated annually to Nevada agencies by the United States Department of Agriculture.

| | <u>DOLLARS</u> | <u>MAN HOURS</u> |
|---------------------------|----------------|------------------|
| Soil Conservation Service | \$ 1,354,000 | 180,960* |
| ACP Construction Funds | <u>520,000</u> | <u>5,800</u> |
| Total | \$ 1,874,000 | 186,760** |

Priorities are also reviewed with the Department of Interior and State agencies on joint planning and development work on public lands for a similar amount of Federal funds and man hours.

* Includes ACP servicing by SCS.

**Does not include time spent by land owners, contractors, and others in volunteering assistance in planning and layout of conservation projects.

Sincerely,



C. A. KRALL
State Conservationist



December 11, 1970

Symposium on Proposed Changes in the Nevada Soil Conservation Districts Law. -
James Kielhack, President, Nevada Association of Soil Conservation Districts, Presiding

The following proposed changes in the present state law were reviewed in detail and, by vote of the delegates of the twenty-one districts represented, the actions indicated were adopted.

1. Change the name of Soil Conservation Districts to Conservation Districts or Resource Conservation Districts:

| <u>Change Name</u> | <u>Change name to Conservation Districts</u> | <u>Change name to Resource Conservation Districts</u> |
|--------------------|--|---|
| Yes - 19 | Yes - 12 | Yes - 7 |
| No - 0 | No - 7 | No -12 |

The proposal to change the name to Conservation Districts was adopted.

2. Change the statements of legislative policy and determinations as follows:

"It is hereby declared, as a matter of legislative determination, that the renewable natural resources of the state of Nevada are basic assets, and conservation and development of these renewable natural resources are necessary."

"It is hereby declared, as a matter of legislative determination, that the consequences of failing to plan and accomplish the conservation and development of the renewable natural resources of the state of Nevada is to handicap economic development and cause degeneration of environmental conditions important to future generations."

"It is hereby declared, as a matter of legislative determination, that local people can and should provide basic leadership and direction for the planning and accomplishment of the conservation and development of renewable natural resources through organization and operation of resource conservation districts."

"It is hereby declared to be the policy of the legislature to recognize the ever-increasing demands on the renewable natural resources of the state, and the need to conserve, protect, and develop such resources at such a rate and at such levels of quality as will meet the needs of the people of the state."

The proposal to adopt the above statements of policy was adopted unanimously.

3. Change the name of the State Soil Conservation Committee to the State Conservation Commission:

The proposal to change the name of the State Soil Conservation Committee as shown above was adopted unanimously.

4. Change the membership of the Commission to make the membership of the Board of Directors the Nevada Association of Soil Conservation Districts, as elected annually.

Yes - 18
No - 3

The proposal was adopted.

Symposium on Proposed Changes in the Nevada Soil Conservation Districts Law (Continued)

5. Change the governing board of the Conservation Districts to four elected supervisors each elected for a four-year term by land owners and occupiers outside of incorporated towns or cities within the District, terms of office to be staggered so that one will be elected annually, and one member appointed by the governing board or boards of incorporated towns or cities within the District and one appointed by the governing board or boards of counties having territory within the District.

The delegates voted on the proposal to change the governing board of districts as follows:

| <u>No Change</u> | <u>Four rural, two urban representatives</u> | <u>Elected by all registered voters</u> |
|------------------|--|---|
| Yes - 4 | Yes - 16 | Yes - 1 |
| No - 17 | No - 5 | No - 20 |

The proposal as shown above was adopted.

6. Change the powers of district governing boards to include the power to borrow money and obligate the property of the District and revenue or potential revenue of the District for its repayment but no indebtedness of the District will be an obligation of the state of Nevada. This power of the District Governing Board to borrow money will be restricted to an amount of \$50,000, except that amounts in excess of this figure may be authorized by majority vote at an election conducted with due public notice where all land owners and occupiers in the District will be eligible to vote.

The delegates voted on this proposal as follows:

Yes - 17
No - 4

The proposal was adopted.

7. Change the law to exclude the power to impose land use regulations:

The delegates voted on this proposal as follows:

Yes - 8
No - 13

The proposal was rejected.

8. Change the law to permit the Commission to accept letters from any two or more districts signed by all members of the governing boards of the Districts seeking the combination of the territories or any parts of the territories of the concerned districts. The Commission will call a public hearing on the action proposed and may, at the Commission's discretion, authorize the action sought or subject the action to referendum, in which case favorable action must be based on a majority of the votes cast being in favor of the proposed action:

The delegates voted unanimously to accept this proposal and it was adopted.

- 9. Change the law to permit any incorporated city or town lying wholly or partially within the exterior boundaries or contiguous to a district to be included in and made a part of the district. The governing board of the city or town may present a letter duly authorized by their board to the governing board of the affected district. If the request is approved by the governing board of the affected district, the territory of the incorporated city or town will forthwith become a part of the district:

The delegates voted unanimously to accept this proposal, and it was adopted.

- 10. Change the law to permit District Governing Boards to prepare and submit a budget to the board of county commissioners of each county whose territory lies wholly or partially within the district, for administrative and operating expenses. The board of county commissioners of any such county may furnish the budgeted funds or such portion of those funds as they may consider appropriate from the general funds of the county:

The delegates voted on this proposal as follows:

| <u>No change in present law</u> | <u>Prepare budget for consideration of County Commissioners</u> | <u>Have limited taxing power</u> |
|---------------------------------|---|----------------------------------|
| Yes - 5 | Yes - 14 | Yes - 1 |
| No - 16 | No - 7 | No - 20 |

The proposal as shown above was adopted.

- 11. Individual Districts should have the power to acquire public land (BLM) for purposes of community improvement and to participate in cost sharing on federally financed projects:

The delegates voted as follows on the above proposal:

Yes - 19
 No - 2

The proposal was adopted.

December 11 -

Annual Business Meeting - Emery Conaway, Past President, Presiding

The Business Meeting was called to order at 9:00 A. M. by Past President Conaway.