

STENK

FIFTY-SIXTH NEVADA ASSEMBLY SESSION

PRESENT: Homer, Ronzone, Dini, Swackhamer, Olsen, Bryan and Getto

ABSENT: Lowman and Fry

OTHERS: Mrs. Jean Ford, League of Women Voters of Nevada; Mrs. Robert Myles, Northern Nevada Amature Archeological Society; Howard Gray, Reno attorney; Senator Spike Wilson; Paul Gemmill, Nevada Mining Association

Chairman Homer called the meeting to order at 8:15 A.M. for the purpose of further discussing S.B. 287 and to discuss A.B. 626 as well as numerous other bills.

Mrs. Jean Ford, State President of the League of Women Voters of Nevada, was present to speak in favor of S.B. 287 which "Enacts Utility Environmental Protection Act". See attached.

After discussion of various proposed amendments to S.B. 287, Mr. Dini moved "do pass" (first reprint as is). Mr. Bryan seconded. Motion carried.

Mrs. Robert Myles, President of Amature Archeologists of Nevada, was present to speak in favor of A.B. 626 which "Enacts Archeological Resources Law". See attached. Mr. Dini moved to "do pass" A.B. 626. Mr. Bryan seconded. Motion carried.

Discussion then turned to S.B. 108 which "Provides for actions for declaratory and equitable relief for protection of air, water and other natural resources and public trust therein".

Mr. Howard Gray had two suggested amendments to this bill. First, a provision permitting or requiring the expiration of 30 days for a violation before a suit can be brought. He said this was to give the party 30 days to make corrections before going to court. And secondly, to strike the words "to exceed" in Section 3 and add "in excess of".

Senator Wilson spoke in behalf of this bill. He said it allows a private citizen to bring suit where there is, in fact, a pollution problem which is in violation of an ordinance, regulation or statute and is not being enforced by a government agency. He thought the idea of a 30 day grace period was in defeat of the purpose of this bill. Dr. Homer asked if there was any overlapping in S.B. 108 and S.B. 118. There is not according to Senator Wilson. Chairman Homer also asked if the reason for this type of action was because of the lack of funds to set up or establish boards. Senator Wilson replied that this was the reason in part.

Mrs. Jean Ford commented that the League of Women Voters of Nevada would like to go on record as supporting S.B. 108.

Chairman Homer said he likes this bill because there have been boards set up to act on these things and they have not been doing it. Mr. Bryan also liked the bill. He said it ties these things down to existing ordinances, regulations and statutes and it gets the citizen involved. Mr. Swackhamer asked what the committee thought of the 30 day notice that Mr. Gray had recommended. He said he could see some merit in it and that it might be helpful in a harassment type case. Mr. Bryan commented that the 30 day notice as it now exists in the statutes is to protect against criminal sanction. S.B. 108 gives the citizen the right to sue but not criminal sanction. Mr. Swackhamer added that he was somewhat in favor of leaving the 30 day notice in the hands of the court. Mr. Bryan felt that there is enough flexibility in the present laws for this bill to work well. He moved "do pass". Mr. Ronzone seconded. Motion carried.

Discussion then turned to S.B. 490 which "Provides for the establishment of solid waste management systems". Mrs. Jean Ford spoke. She said this bill allows the State to direct the Health Department to make rules and regulations regarding the management of solid wastes. It is a planning bill. One of the problems has been in urban areas. With this bill, they can apply for Federal money. Mr. Swackhamer questioned Section 19. He thought it was getting down pretty low in regard to city, county and district government. Mrs. Ford said this was true but that the State does not intend to be the sole control. Mr. Bryan commented that this was similar to the present framework of the air pollution bill.

Senator Wilson spoke on this bill. He said there had been a couple of problems. One was getting Federal funding for clean up and another was getting a scheme that would not put a hardship on the "cow counties". He said the local programs would be tied together with State programs. If rural counties do not have the means to set up a program, then the responsibility goes to the Health Department to do it. He also commented on Section 19. He said this was in reference to the guy who litters. Mr. Getto wondered if this would help clean up the old car bodies on private property. Senator Wilson said it would not take care of that and that is certainly a problem.

Dr. Homer then read from the Nevada Statutes that the Department of Health presently has all these powers. He then commented that if they had been doing their job, legislation such as this would not have to be considered.

A.J.R. 40 which "Memorializes Congress to act to reforest America" was discussed and it was decided to hold it for further discussion.

Mr. Gemmill made a brief comment on A.B. 766 which "Extensively amends provisions governing mining claims, mill sites and tunnel rights". He said there are some bulldozer operators who are expressing objection to this bill.

A.B. 523 which "Gives Nevada Department of Fish and Game certain control of off-highway vehicle operation" was discussed. Chairman Homer commented that it was the mildest of off-road vehicle regulations. It will give two years to see if posting will work. Mr. Swackhamer felt ranchers and miners should be made exempt. It was decided that Swackhamer, Bryan and Getto would work on an amendment for this bill.

A.B. 29 "Provides private remedy of abatement in air and water pollution matters". Mr. Getto moved indefinite postponement. Mr. Dini seconded. The motion was carried with Mr. Bryan in objection.

A.B. 37 "Establishes policy of State concerning environmental quality". Mr. Ronzone moved indefinite postponement. Mr. Swackhamer seconded. Motion carried.

A.B. 122 "Makes sale, distribution, and use of DDT unlawful". It was a joint referral with the Agriculture Committee where it has already been killed.

Meeting adjourned at 9:30 A.M.

