

FIFTY-SIXTH NEVADA ASSEMBLY SESSION

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

ABSENT: None

OTHERS: Russ McDonald, Director of the Legislative Counsel Bureau

Chairman Homer called the meeting to order at 8:15 A.M. for the purpose of discussing A.B. 811 which "Enacts Nevada Water Pollution Control Law of 1971".

During this discussion, it was decided that a hearing board was needed so there will be a place for people to go before going to court. And that this should be the same board as it is for air.

Mr. Dini commented on the bill. He didn't feel it had any "teeth" in it. In Section 31, Page 8, he referred to "by conference, conciliation and persuasion".

Mr. Ronzone said some of the definitions in the bill had been changed to comply with Federal standards. Mr. Lowman commented that if the hearing board was going to be put in the bill, shouldn't there also be a definition of that hearing board in the bill. He felt the hearing board should be provided for and defined in Section 34 of the bill.

After continued discussion on amending this bill, Mr. Swackhamer commented that it was getting late in the Session and we don't want to lose the bill. Mr. Bryan suggested bringing the Senate committee in to see if they agree with this committee's amendments. The thing that concerned Mr. Dini about the bill was that the boards being set up flow together. Mr. Lowman suggested calling Russ McDonald in to comment on this.

It was decided that the Nevada Highway Patrol should be taken out on Page 7, Line 27. Also, the Department of Motor Vehicles has said that they don't have facilities to handle checks for violations. Mr. Ronzone said the money should go to the courts. Mr. Fry said the money could be paid to the Justice Court in the area of the violation, in the jurisdiction in which the offense occurred.

Mr. McDonald then spoke. He commented on the \$150 fine. He thought it a very minimum fine and said just calling it a misdemeanor will not work. Mr. Lowman asked Mr. McDonald about sending fines to the Justice Courts. He said he would suggest making the checks payable to the State of Nevada and letting the Treasurer take care of it. If you don't do that, the citation would have to go back to the issuing officer, etc. Mr. Fry said, in essence, that there are two places the fines could go. That is the Department of Motor Vehicles or into the courts. He felt the committee should try to lodge this whole penalty thing into one area. He suggested the Justice Courts.

It was discussed if this bill would be in conflict with any present water laws. Mr. McDonald said a provision could be placed in this bill stating that nothing in this bill should be construed to be in conflict with existing statutes.

The question of where funds would come from then came up. Mr. McDonald said a provision could be placed in the bill stating that any funds for enforcement will come from the Health Department. In reference to where the money from violations will go. It is already in that statutes that this type of fine money will go into the Permanent School Fund. This was not exactly what the committee would like to see but it was decided that could be changed in two years and that the main concern was enforcement rather than money.

Meeting adjourned at 9:15.

jb