

Assembly

AGRICULTURE COMMITTEE MEETING MINUTES

FEBRUARY 22, 1973

MEMBERS PRESENT: Chairman Hickey
 Mr. Dini
 Mr. Howard
 Mr. Getto
 Mr. Young

MEMBERS ABSENT: Mr. Hayes
 Mr. Prince

GUESTS: Clarence J. Cassady, Dairy Commission
 Fred H. Settelmeyer
 C. W. Cleary, Nevada Association of Conservation Districts
 Joe Frade, Nevada Association of Conservation Districts
 Joe Landa, B.M.S.C.S. Lovelock
 Fred R. Zogs, Jiggs
 Bob Brad, Jiggs
 James A. Edmundson, Health Division
 Ernest N. Cruggs, Health Division
 Edward C. Platt
 John Krema, Association Nevada Dairymen
 Herbert P. Witt, Nevada Dairy Producers Council
 Chuck White, Nevada Farm Bureau
 George Zappettini, Division of Forestry
 Ray Knisley
 John Buckwalter, Soil Conservation District Association
 Phyllis Berkson, Assembly Attache
 Patsy Bonnet, Intern for Mr. Hickey

The meeting of the Agriculture Committee was called to order on February 22, by Chairman Hickey at 8:10 a.m. The purpose of the meeting was to hear testimony on AB 267, 122, 120 and 117. A quorum having been obtained Chairman Hickey called for discussion of AB 267, which makes certain changes in the structure and duties of organizations responsible for land conservation.

Chairman Hickey introduced Senator Settelmeyer who gave a brief introduction to the bill. AB 267 is not a purely agricultural bill as the urban areas have a real interest in it especially for flood control. It will come under a Division in the Department of Conservation and Natural Resources. Senator Settelmeyer then introduced Joe Frade, State President of Soil Conservation Districts to give a little background on the bill.

Mr. Frade stated that soil conservation was started in 1937 when Congress forced the states to start some form of it because of the dust bowls. In Nevada there has been soil conservation being done for years but as the urban problems become greater they wish to encompass other things besides soil. They feel that water and soil should go together. A committee was set up at the State level to create a bill that would be acceptable at all levels and for all districts. Soil Conservation Districts have always been wandering around rather lost and now they would

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be under Natural Resources. This bill would bring the districts together instead of each district going about by themselves making their own priorities and rules. Mr. Frade then introduced Ray Knisley.

Mr. Knisley stated that this bill had been worked on for two summers and that he felt that it was a good administrative bill. This bill would create a board that would be appointed by the Governor and a state administrator would be selected. Mr. Knisley went on to explain the composition of the board and its connection with the Department. This would coordinate the activities throughout the State and create a responsible State agency. Some of the activities of this agency are rather heavily federally funded and operating funds of the districts are federal funds other than what they raise in their district. They have no authority to tax. It is a truly worthwhile agency as many of the farms would not have been brought to their present level of productivity without the work that the Soil Conservation Association has done. He said that they are on the verge of adopting some form of a grass roots agency that will assist in State land use planning. Mr. Knisley then introduced Mr. John Buckwalter, a member of the Soil Conservation District Association who was to explain the bill more fully.

Mr. Buckwalter took the bill and began a point by point explanation. His comments may be found by referring to Attachment I. After his comments he asked if there were any questions. Mr. Young stated that he could find nothing in the bill referring to geographic makeup of the board. Mr. Buckwalter said that they had not specifically spelled that out but that the Governor should have the privilege to make that choice. The fifteen names supplied to the Governor to be chosen from would be from all the geological districts. Mr. Getto asked Mr. Buckwalter if his people would have any objection if the committee would put language into the bill to specify the number of members of the Commission that must be from each geographic district. This would avoid any pressure put on the Governor to appoint people from the same general area, which is not likely but it is possible. Mr. Buckwalter said that they could see no objections to this proposal. Mr. Dini asked if there were any defined districts or subdistricts within the organization that could be used for this. Mr. Buckwalter stated that the organization is divided into three areas of the State. The Board of Directors for the Association is made up of three directors from each area. Both Mr. Dini and Mr. Getto questioned Mr. Buckwalter as to the definition of what a qualified voter was. They felt that it could apply to anyone that owned property in the district whether they lived there only a month out of the year. Mr. Dini felt that the definition should be better spelled out. Mr. Getto concurred with Mr. Dini on the need to better tie down the meaning of a land occupier, as he was not sure who all might really qualify.

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Mr. Fred Zagis of the Elko then spoke in favor of the bill. The people in his district felt that the old bill dated back to the horse and buggy times and that they ought to get modernized and include more people and more resources which this bill would.

As there was no further discussion for AB 267, Chairman Hickey called for any testimony on AB 122 which repeals provision relating to definition of "pasteurized milk or cream."

Mr. Edmundson of the Health Division stated that the Health Division wished this bill passed as NRS 584.120 states that pasteurizing temperature is to be 140° for 25 minutes. 140° for 25 minutes is not recognized as a valid temperature so the Health Division proposed that this paragraph be repealed and in that way the Food and Drug Commissioner can write a regulation on pasteurization temperatures. Pastuerization for cream is recognized as 155° for 30 minutes. This bill would merely take it off the statutes and do it by regulation. NRS 584.135 allows the Food and Drug Commissioner to make regulations and the Food and Drug Commissioner is under the Health Division a subsection under the Bureau of Environmental Health.

AB 120 was considered next and Mr. Edmundson also spoke on this bill. This bill changes the time for holding samples of milk from 24 to 72 hours. This is merely a bill for aiding administrative procedures. This bill would give the Division of Health additional time to test the samples before they are thrown away. It would be especially helpful on weekend and holidays. The samples are already preserved and would not harm them in anyway to hold them longer.

AB 117 was next to be heard and Mr. Edmundson again spoke on this bill. The bill exempts dairy farms, dairy products plants, and frozen dessert plants from definition of "food establishment." This bill was requested to be sure that there is no misinterpretation of inspection procedures. There is a form that must be used to inspect food service establishments and this form does not conform with the form that is used to inspect a milk plant or a dairy farm. This bill would just clear it up and avoid any misinterpretation of someone coming into a milk plant or a dairy farm and inspecting it on a food service establishment form.

Mr. Herb Witt, dairyman, asked to speak on AB 120. He stated that he was little concerned with the holding of milk samples for the additional 48 hours. Dairyman he had talked to were worried that this would effect the butter fat content which might lower the payout. Mr. Edmundson responded by stating that the Division of Health did not feel that the butter fat content would be affected for this additional time.

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Chairman Hickey thanked those who testified and said that the committee would now discuss the bills presented.

AB 267. Mr. Howard began by suggesting that there be an amendment to it. He suggested that the amendment be to line 28 on page 5. The following words to added after the words "of at least 15 names of persons" - "to be chosen from among the various districts and no more than five from any one area." He also suggested that perhaps Mr. Buckwalter should be contacted so that the districts would be better defined. Mr. Howard also felt that lines 26-27 on page 14 should be changed to read:

548.264 All owners of record and occupiers of land for a term of 1 year or longer lying within the district shall be eligible to vote in such election.

Mr. Dini suggested that on page 15, line 48 the words "in a newspaper of general circulation" be added after the words "of such election by publication".

Mr. Getto felt that perhaps the committee needed some legal counsel to get advise on the wording of the bill.

Mr. Hickey appointed Mr. Young and Mr. Getto as a subcommittee to work with legal counsel and get the bill cleaned up so that some action could be taken on it.

AB 122. Mr. Young moved that the bill be returned to the Assembly floor with a "Do Pass" recommendation. Mr. Dini seconded it. The motion passed unanimously.

AB 120. Mr. Getto suggested that the bill be held until the butter fat question be resolved. Chairman Hickey agreed to hold the bill until a future meeting.

AB 117. Mr. Dini moved that the bill be passed out of committee with a "Do Pass" recommendation. Mr. Young seconded the motion. There were no dissenting votes.

Chairman Hickey then adjourned the meeting at 9:45.

Respectfully submitted,

Sandee Gagnier,
Assembly Attache

ASSEMBLY

AGENDA FOR COMMITTEE ON AGRICULTURE

Date February 22 Time 8:00 Room 224

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel requested*</u>
<u>AB 117</u>	<u>Exempts dairy farms, dairy products plants and frozen dessert plants from definition of "food establishment"</u>	<u></u>
<u>AB 120</u>	<u>Increases length of time that milk sample must be retained by milk tester.</u>	<u></u>
<u>AB 122</u>	<u>Repeals provision relating to definition of "pasteurized milk or cream".</u>	<u></u>
<u>AB 267</u>	<u>Makes certain changes in the structure and duties of organizations responsible for land conservation.</u>	<u></u>
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*Please do not ask for counsel unless necessary.

HEARINGS PENDING

Date _____ Time _____ Room _____
Subject _____

Date _____ Time _____ Room _____
Subject _____

Comments by John Buckwalter

General Provisions

1. Titles and definitions are being revised to broaden the scope of conservation to cover all renewable natural resources, not just "soil" conservation.
2. Statement of legislative policy is also broadened and generalized to reflect State concern for the environmental effects on the land of population pressures and urbanization.

State Conservation Commission

1. The State Soil Conservation Committee name is changed to State Conservation Commission.
2. Appointed members are increased from 4 to 7, to be appointed by the Governor from a list of candidates submitted to him by Nevada ACD (as is done). Terms of office are increased from 2 years to 4 years. Every 2 years either 3 or 4 members will be appointed, as members' terms expire. Gives better continuity of experience on the Commission.
3. Ex-officio members are reduced from 3 to two, eliminating the direction of the Dept. of Conservation and Natural Resources. He will be the administrative director of a new Division of Conservation Districts.
4. Thus the State Commission will be composed of 9 members in place of 7 as at present. Larger number of appointed members will give opportunity for broader geographical representation, and broader experience.
5. A Division of Conservation Districts is to be established within the Dept. of Conservation and Natural Resources. This division will have an administrative officer who will be responsible for carrying out the policies of the Commission, and providing staff services for the Commission.
6. The present law authorizes the committee to employ an administrative officer and staff as required. Funding has never been provided and so nobody has ever been engaged for the job.
7. The Division and the Commission will operate under the budget of the Dept. of Conservation and Natural Resources, and the administrative officer of the Division will be under the administrative direction of the director of the Dept. Policy and goals will be established by the Commission.
8. The administrative officer will be employed by the director of the Dept. from a list of 3 candidates recommended by the commission. His employment will be in a non-civil service category. Thus the State Commission is keyed directly into State Government with a full-time administrative officer and a basis for funding as a government body.

Conservation Districts

1. District boards will be composed of 5 elected supervisors, and 1 or 2 appointed supervisors, one representing counties or county in the district, and one municipality or municipalities. This brings voice of counties and cities to district boards. Elected supervisors still control, however.
2. The terms of office will be 5 years (now 3) for elected supervisors and 2 years for appointed members. One supervisor will be elected each year. Gives good continuity on the district boards.
3. Elections may be held as at present at mass meetings, or by secret ballot at public polling places for convenience where mass meeting is impractical. If the latter procedure is used, a ticket of candidates will be chosen by a nominating committee named by the district chairman.

AGRICULTURE COMMITTEE - 57th SESSION

DATE: Feb. 22, 1973 BILL NO: AB 117 SPONSOR: Broadbent and Getto

SUBJECT: Exempts dairy farms, dairy product plants and frozen dessert plants from definition of "food establishment".

Committee Action

DATE: _____ AMENDED: YES NO
AMENDMENT MADE BY: _____
SECONDED BY: _____

Committee Vote

HICKEY	<input checked="" type="radio"/> YES	NO	GETTO	<input checked="" type="radio"/> YES	NO
HAYES	<input checked="" type="radio"/> YES	NO <i>absent</i>	HOWARD	<input checked="" type="radio"/> YES	NO
DINI	<input checked="" type="radio"/> YES	NO	YOUNG	<input checked="" type="radio"/> YES	NO
PRINCE	<input checked="" type="radio"/> YES	NO <i>absent</i>			

Disposition

DATE: _____ DO PASS: XXXXX DO PASS AS AMENDED: _____
INDEFINITELY POSTPONED: _____

AGRICULTURE COMMITTEE - 57th SESSION

DATE: Feb. 22, 1973 BILL NO: AB 122 SPONSOR: Broadbent and Getto
SUBJECT: Repeals provision relating to definition of "pasteurized
milk or cream."

Committee Action

DATE: Feb 22, 1973 AMENDED: YES NO
AMENDMENT MADE BY: _____
SECONDED BY: _____

Committee Vote

HICKEY	<u>YES</u>	NO	GETTO	<u>YES</u>	NO
HAYES	<u>YES</u>	NO <i>absent</i>	HOWARD	<u>YES</u>	NO
DINI	<u>YES</u>	NO	YOUNG	<u>YES</u>	NO
PRINCE	YES	NO <i>absent</i>			

Disposition

DATE: _____ DO PASS: xxx DO PASS AS AMENDED: _____
INDEFINITELY POSTPONED: _____