

H E A R I N GM I N U T E S -- 57th Session**Assembly**

ENVIRONMENT & PUBLIC RESOURCES AND FISH AND GAME COMMITTEE--Room 214

April 6, 1973

Members Present:	Chairman Bremner	Broadbent
	Vice-Chairman Crawford	Jacobsen
	Ford	Lowman
	Gojack	Smalley
	Banner	
Guests Present:	Roger Trounday	Dept. of Health and Welfare
	Fred Wright	Dept. of Fish and Game
	Bill Parsons	Dept. of Fish and Game
	Elliot Myles	Student
	Jean Myles	Nevada Archaeological Assoc.
	Dorothy Dansie	Am-Arcs of Nevada
	Donald R. Tuohy	Society for American Archaeology
	Nabe Crew	President-Am-Arcs of Nevada
	D. Folsom	Board of Am-Arcs of Nevada
	Marilyn Hollingsworth	Am-Arcs of Nevada
	Frank W. Groves	Dept. of Fish and Game
	Howard Hill	Dept. of Motor Vehicles
	John Ciardella	Dept. of Motor Vehicles
	Leonard H. Winkelman	Dept. of Motor Vehicles
	Bob Kerns	Police & Fire Fighters

Chairman Bremner called the meeting to order at 7:25 a.m. He said that the first order of business would be a new bill* for committee introduction concerning the reorganization of the Fish and Game Board. He had Mr. Jacobsen speak about this bill.

Mr. Jacobsen said that he and Dr. Broadbent went in and took all three previous bills concerned with this board reorganization (A.B. 197, A.B. 678, and A.B. 878), and tried to make a better bill of it altogether. Mr. Jacobsen went over the new proposed bill. He said that there would be five members, with no more than three of them from the same political party. Terms are for two years. He explained that for vacancies, somebody would be appointed from the same county that he comes from. He also talked about the agendas for hearings five days prior to the hearing; and said that he had requested this in the bill, but it was not in it right now.

Mrs. Ford asked about Mr. Jacobsen's comment on vacancies, and asked if it wouldn't be locking in the commission if the vacancy was taken by someone from the same county, and Mr. Jacobsen said that they only keep it that way until the expiration of their term. Then others would be chosen from other counties, possibly. In the case if there is no one available to take the vacancy from the same county, then one from another county will be chosen.

Mr. Lowman asked the Chairman if they would be meeting Monday

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morning, and he had said yes., so Mr. Lowman was wondering if Mr. Jacobsen could give the committee members a copy of the bill, and any amendments, if any, for them to decide on Monday.

Mr. Smalley said that he would like to see something in it about the agendas in this bill, and that they be sent out to the members one week in advance.

Mr. Lowman said that he would like to see a "do pass" today, but it would be too premature.

Mr. Jacobsen said he would get copies of the bill for the committee to take over the week-end and find any amendments, or any questions and come back Monday for confrontation of the bill.

A.B. 477

Chairman Bremner said that he would like to discuss the amendments brought out by Mr. Smalley. These amendments were a list of standards for A.B. 477--the car emission pollution control bill. (A list of the amended standards are attached as Exhibit 1). Mr. Smalley said that these were to be in conjunction with the other proposed amendments brought out by the Sub-Committee.

A.B. 767

This bill is the Archeological Bill, in which the committee was awaiting Mr. Clayton Phillips to speak on this bill. While the committee waited, Mrs. Ford went back to the testimony from the Archeological Association and wanted to ask a few questions about their suggested proposes for this bill. (These suggested proposals and testimony is attached to the Minutes of April 4th)

Mrs. Ford said that on Section 6, #2 that it should be "and shall report through the director chosen in section 3", instead of "and shall be directly responsible to the Board of Regents".

Also, Mrs. Ford said that the work "appoint" should be "elect" in #3 of Section 6. The next change she suggested was to change the two words "from" in Section 11, #2 to the words "by". And the last change was in Section 11, #2 at the end of the sentence after the words "~~to conserve~~" to delete the rest and put in "as chairman." They also decided to delete all of Section 14, and Section 16.

Ms. Mary Ruscoy, from the Nevada Archeological Association, came up and read a testimony from Sheilagh T. Brooks from the University. (This testimony is attached as Exhibit 2).

A.B. 477

This bill, which refers to auto emission pollution, was discussed next while they waited for Mr. Clayton Phillips to come and testify on A.B. 767.

Mr. Howard Hill, and John Ciardella, both from the Department of

Motor Vehicles, spoke in reference to the sheet of standards brought up today. Mr. Hill spoke that they should put in the standards that cars of 1973 and 1974 should be included in the requirements of putting in retrofits, as well as cars of 1970 and 1971. He also commented that the bill should spell out that when a car is privately sold, then the person selling it has to make sure that the car has a certificate that the car meets the standards, and he is responsible to have all of this done before it goes into the other's hands. Mr. Hill continued and directed the committee to Page 3, Section 12, that it should specify that money collected does go into the Highway Fund, because as the bill says now, it goes to the state fund.

QUESTIONS:

Mr. Lowman asked if the Highway Department of they were for or against the regulatory terms in the legislation and asked if they would prefer this committee to set the standards, or would they prefer to set them themselves. Mr. Hill said that it would be best to ask Mr. Gregory about that, and if they set the standards then the Motor Vehicles Department will regulate them.

Mr. Smalley asked about the cars made from 1966 to 1970 and if the devices on them have improved since then. He asked if they have air pollution controls on them that may pass the standards, and Mr. Ciardella said that they do have controls on them but they do not come in compliance to the standards that they are talking about right here.

Mr. Ciardella commented that on the reserve fund, only anticipated need is for Clark County, and it might allow them to use it to implement the program.

Mr. Ernie Gregory from the State Health Division, spoke on this bill. He said that the Commission would rather have the latitude of setting up the standards and regulations.

Questions:

Chairman Bremner asked that if they adopted the standards, would it be a hardship on him, and Mr. Gregory answered that it wouldn't on him, but it would be on the low income people who all of a sudden have to put retrofits on their cars.

Mr. Lowman commented that if the commission makes up the standards then if any changes are necessary then they could make them, but if the legislature put in the standards, then necessary changes would have to wait until next session. Mrs. Ford and Mr. Jacobsen agreed with Mr. Lowman's comment. Mrs. Ford said that they have to allow for new devices and better changes that might come around.

Daisy Talvitie, League of Women Voters of Nevada, felt that it would be dangerous to put them in the bill. Let the commission do it because they can research for better data and information on it. She said that the Federal Government recommends that standards not be put in the law so that it can be flexible, and because problems vary.

Mr. Howard Hill wanted to comment that the language in the bill should be that the commission be required to set a date as to how far back they can go on the cars requirements.

Chairman Bremner said that there are 188,000 cars older than 1965 that are being driven on the roads in Nevada today. He got this information from the Department of Motor Vehicles.

Dr. Reyonho said that it is better for the commission to allow for flexibility for the standards instead of the regulations being locked in by being done by the legislation this session. He believed it is very serious in Las Vegas about this pollution, and he went on saying that he did not see that Nevada will be able to come into conformance with the peak standards set by the Federal Act. No matter what Nevada does, they will still be violating with the growth of population and activities. Dr. Reyonho said that he did not see how Las Vegas Valley is going to reduce its pollution without having more drastic controls than they have now.

Mrs. Ford said that in Section 10, they could put in about allowing the commission to determine the age of the car about requiring retrofits and controls.

Chairman Bremner called a five-minute break, and then they reconvened at 8:40 a.m.

A.B. 767

Mrs. Ford reviewed the amendments of this bill that was suggested by the Archeological Association, and then she moved for a "do pass as amended" and then to send it to Ways and Means Committee. Dr. Broadbent seconded Mrs. Ford motion. All concurred except Mr. Jacobsen, who had a No Vote. They wanted to reflect on the record that Mr. Jacobsen tried to have Mr. Clayton Phillips come to testify on this bill, but he never showed up for it.

A.B. 477

The committee talked about the standards and finally decided to not regulate any standards into the bill. They wanted the commission to regulate the year of the car as far as control requirements go. After further discussion, Mr. Lowman moved for a "do pass" with the amendments they had at first, and without the standard amendments. Also with his motion was to allow the commission to specify up to what year of car for requirements, and this would not include private selling. Mrs. Ford seconded his motion. All members concurred except for Mr. Banner who had a No Vote.

Dr. Broadbent spoke on the amendments and said that they should have something in the bill about the grams per mile, instead of the percentages which are very vague. With this Chairman Bremner motioned to adopt the standards listed on the second amendment sheet, paragraph two, listing the grams per mile. Mr. Smalley seconded.

Chairman Bremner asked the secretary to give a roll-call vote.

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Chairman Bremner-----	Aye	Broadbent-----	Aye
Vice-Chairman Crawford-----	Aye	Jacobsen-----	Nay
Ford-----	Nay	Lowman-----	Nay
Gojack-----	No Vote	Smalley-----	Aye
Banner-----	Aye		

Motion was carried.

Then the committee decided to vote on Mr. Jacobsen's and Dr. Broadbent's fish and game reorganization bill. Mr. Lowman motioned for a "do pass as amended" and it was seconded by Mr. Banner.

Meeting was adjourned at 9:10 a.m. until Monday, April 11 at 7:00 a.m.

Respectfully Submitted,



Geanie Armstrong
Assembly Attache

AMENDMENT TO ASSEMBLY BILL #477

The commission is hereby charged with developing criteria for accreditation of particular emission control devices to be installed on all used automobiles built from 1966 through 1970. In making such accreditation of devices, the commission shall be guided by the following factors: Any devices approved by the commission shall:

- a) Achieve reduction of hydrocarbons by at least 15%;
- b) Achieve reduction of carbon monoxide by at least 15%;
- c) Achieve reduction of oxides of nitrogen by at least 50%.

The commission is hereby charged with developing criteria for accrediting particular retrofit emission control devices to be installed on all used automobiles built in 1971 and 1972. In making such accreditation of devices, the commission shall be guided by the following factors: Any device approved by the commission shall:

- a) Reduce hydrocarbons to 3.0 grams per mile;
- b) Reduce carbon monoxide to 30.0 grams per mile;
- c) Reduce oxides of nitrogen to 2.5 grams per mile.

For purposes of this section "automobile" is defined as a light duty gasoline powered motor vehicle under 6,001 pounds, manufacturer's maximum gross vehicle weight rating having an engine displacement of 50 cubic inches or greater, subject to registration and sold and registered in this state.

The commission shall be responsible for developing criteria for accreditation of devices for motor vehicles greater than 6,001 pounds and shall accredit devices according to standards established by the commission.

In the event that federal standards are established prior to the next regular legislative session which exceed the standards set forth in

this act, then such federal standards shall supercede all state standards and the commission shall declare the standards established by this act null and void. Upon declaring the state standards null and void under the provisions of this section, the commission shall establish the federal standards as the criteria for accreditation.

Government vehicles are not exempt from the provisions of this act.

Dictated over telephone to Mary Rusco

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Exhibit 2³²⁰

MEMORANDUM

TO: Jean Myles

FROM: Sheilagh T. Brooks *STB by MRusco*

Re: University Regents and Administration and AB 767

Dr. Baepler informed me that at a coordinating council meeting last Monday it was decided that the University System will remain neutral on the passage of AB 767, but to request faculty not to testify because of a possible conflict of interest. Dr. Baepler said that his position on the bill which he expressed at this meeting was that Nevada needs an archeological survey and that if the present bill can be amended to meet the Museum's request for Museum Trustee and University Regent representation on the Survey Commission or Board and a central administrator, chosen from the directors of the present Survey program branches, he favors this bill. He expressed the opinion that if the bill passes it would meet the approval of the regents. It is my understanding that President Miller felt that it was not a conflict of interest for Mary Rusco to testify favoring the bill as a professional archeologist, but not representing the University.

H E A R I N G

COMMITTEE ON ENVIRONMENT & PUBLIC RESOURCES

Date APRIL 6 , 1973 Time 7 a.m. Room 214

Bill or Resolution
to be considered

Subject

A.B. 472

Enacts Nevada Water Pollution Control Law.

A.B. 477

Provides commission with authority to promulgate engine and exhaust emission standards for motor vehicle pollution control.

A.B. 767

Enacts the Archeological Resources Law.

ENVIRONMENT AND PUBLIC RESOURCES & FISH AND GAME COMMITTEE
57th Session

BILL NO.: A.B. 767 DATE: March 22, 1973
SPONSOR: Bremner, Broadbent, Ford, Lowman, Vergiels, Gojack, Smalley, ...
SUBJECT: Enacts Archeological Resources Law

COMMITTEE ACTION DATE: April 6, 1973
AMENDMENT: YES X NO _____
AMENDMENT PROPOSED BY: Sub-Committee
SECONDED BY:

COMMITTEE VOTE	YES	NO	EXCUSED	ABSENT	NO VOTE
BREMNER	X				
FORD	X				
GOJACK	X				
BANNER	X				
BROADBENT	X				
CRAWFORD	X				
JACOBSEN					X
LOWMAN	X				
SMALLEY	X				

DISPOSITION: DATE: April 6, 1973

DO PASS: Motion: Mrs. Ford
DO PASS AS AMENDED: X Second: Dr. Broadbent
INDEFINITELY POSTPONED:

NOTES:

Amendments are listed in minutes of April 6th.

The committee wanted to reflect that Mr. Jacobsen and Dr. Broadbent tried to have Mr. Clayton Phillips speak professionally on this bill, but he did not appear to testify.