

ASSEMBLY AGRICULTURE COMMITTEE
FEBRUARY 4, 1975

40

MEMBERS PRESENT: Chairman Hickey
Dr. Robinson
Mr. Price
Mr. Howard
Mr. Jeffrey
Mr. Young (Honorary member)

MEMBERS ABSENT: Mr. Getto (excused due to inclement weather)
Mr. Coulter (excused due to inclement weather)

GUESTS: Mr. Ballow, Department of Agriculture
Mr. Gallaway, Department of Agriculture
John Marvel, Cattlemen's Association

Meeting was called to order by Chairman Hickey at 8:45 on February 4, 1975. He stated the purpose of the meeting was to discuss AB 137, AB 138, AB 139 and AB 183.

AB 137, establishes new periods for rerecording bands and marks. Mr. Ballow of the State Department of Agriculture stated that this bill was designed to change the brand rerecording period from 5 to 4 years. The reason for this was that representatives from the western states met last summer in order to form some way to standardize the brands and marks used in the various states. They met with the brand divisions from California, Montana, Idaho, Oregon and Washington. They were asked to standardize the system of brands and the code books used to list them. This is so one state can find brands used in other states with little difficulty. They were also asked to standardize the publication time for the code books. The council asked the states to publish a new book every two years. Therefore, need to change the brand time from 5 to 4 years in order to publish this book. The main object is to provide for a standardization of branding systems in the western states.

Mr. Marvel of the Cattlemen's Association stated that his organization was in complete support of this bill. They feel that it would be very helpful in the interstate traffic of cattle.

Mr. Ballow stated that the present registration fee for each brand is \$25 for the 5 year period. This is set by the State Board of Agriculture who would have the power to set fee down to \$20 for the 4 year period if so desired.

AB 138, prohibits the sale of adulterated or misbranded feed for livestock. Mr. Ballow stated that in 1975 an act had been passed establishing the requirement for labeling, but there had been no inclusion in the act as to what would be misbranding or the penalty for failure to correctly label. This establishes the criteria for mislabeling and adulterated feed. It puts teeth into the law. At the present time they can only stop the sale. This would make the law similar to the laws of

many other states.

Mr. Gallaway stated that they have had very good cooperation with the industry and the industry is really in very good shape. The feed sold is generally of the quality so represented.

Mr. Marvel of the Cattlemen's Association again agreed with the Department and stated that they were in favor of this bill.

AB-139, Requires notification to State Seal of Weights and Measures when any weight, measure, instrument or device is purchased, installed or placed in use. This is actually an amendment to NRS 581. In the past it had been that the person who repairs or installs on a fee basis would notify the department and the individual who put in own device would not. They would have to stumble across these devices. This bill would require any person that puts one into commercial use would have to notify the department so it can be inspected.

This does not require installation inspection on inspection before it is put in use.

Mr. Young asked what the enforcement procedure would be. Mr. Gallaway stated that a person not notifying the department would be guilty of a misdemeanor.

Mr. Hickey asked what the fine would be. Mr. Gallaway stated that it could be \$500 or 6 months in jail. Usually it was not in excess of \$250. Would be used only for those that willfully refuse to notify the department.

Mr. Young commented that actually it was to their benefit to notify the department.

Mr. Gallaway stated that in the past, registered repairmen have notified the department and they have found about 30-40 devices each year.

Mr. Price asked if we were also talking about gas pumps. Mr. Gallaway stated that anything that commercially weighs or measures is covered. Gas pumps are on a 18 month inspection program.

Mr. Price asked if they also tested the octane rating of gas. Mr. Gallaway stated that this was not tested. NRS 590, the Petroleum Products Act, state that they will draw samples and analyze to meet state requirements. No octane rating is required in State of Nevada. Gasoline must meet certain specifications such as how much kerosene, sulfur etc. in the contents.

Mr. Hickey asked if they knew of any bad gas being dumped into Nevada. Mr. Gallaway stated that since there is no octane testing done, they have to go by complaints and send samples to outside labs. They have had no complaints in recent years. It would require about \$7,000 for equipment to test for octane content and the commercial laboratories charge about \$20 per sample.

AB 183, provides for appointment and regulation of private weighmasters and revises provisions regulating public weighmasters.

Mr. Gallaway stated that this was a consolidation of two bills that the bill drafters felt should be combined to clean up the language of the present statutes.

Since the bill was drafted they had talked to several states that do license private and public weighmasters separately and they found that this created more problems than they were worth. They therefore do not recommend private weighmasters.

This bill would also establish the causes for revocation or suspension of certificates.

As there would be extensive amendments for the removal of all parts referring to private weighmaster, Mr. Gallaway went through each section of the bill and presented the amendments. (See attached copy of proposed amendments.)

Mr. Gallaway stated that the license was mandatory on everybody only on those people where it was necessary to issue certified weight certificates, that are recognized by a court of law.

Mr. Gallaway stated that at the present there is no real problem but they felt that there could be a real serious problem without this piece of legislation.

Mr. Hickey asked if this included grocery scales. Mr. Gallaway stated it includes any device that is used commercially to determine quantity or price and therefore has to be inspected.

They do not need to inspect individual scales where they are used by the individual for quality control only. They will inspect these on a fee basis for the individual.

As there was no further testimony or questions, Mr. Hickey adjourned the meeting at 9:35 a.m.

Respectfully submitted,

Sandee Gagnier,
Assembly Attache

ASSEMBLY

AGENDA FOR COMMITTEE ON..... AGRICULTURE.....

Date Feb. 4, 1975..... Time 8:00 a.m. Room 240.....

Bills or Resolutions to be considered	Subject	Counsel requested*
AB 137	Establishes new periods for rerecording brands and marks. Fiscal Note: No. (BDR 50-564)	
AB 138	Prohibits sale of adulterated or mis- branded feed for livestock. Fiscal Note: No. (BDR 51-174)	
AB 139	Requires notification of State Sealer of Weights and Measures when any weight, measure, instrument or device is purchased, installed, or placed in use. Fiscal Note: No. (BDR 51-201)	
AB 183	Provides for appointment and regulation of private weighmasters and revises provisions regulating public weigh- masters. Fiscal Note: No. (BDR 51-172)	

*Please do not ask for counsel unless necessary.

ASSEMBLY ACTION

SENATE ACTION

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Adopted
 Lost
 Date: _____
 Initial: _____
 Concurring in
 Not concurring in
 Date: _____
 Initial: _____

Adopted
 Lost
 Date: _____
 Initial: _____
 Concurring in
 Not concurring in
 Date: _____
 Initial: _____

Amendments to Assembly / Senate:
 Bill / Joint Resolution No. 133 (BDR 51-17) ⁴³
 Proposed by Committee on Agriculture

Amendment N^o 7932



Amend the bill as a whole by deleting section 1, and renumbering sections 2 through 5 as sections 1 through 4, respectively.

Amend sec. 5, page 2, by deleting lines 28 through 36 and inserting: "appoint as a public weighmaster any applicant, qualified under subsection 3, to engage in the business of public weighing for hire."

Amend sec. 5, page 2, line 37, by deleting "or".

Amend sec. 5, page 2, line 38, by deleting "private".



Amend the bill as a whole by deleting sec. 6 and renumbering sections 7 through 15 as sections 5 through 13, respectively.

Amend sec. 9, page 3, line 27, by deleting "concellation," and inserting: "cancellation,".

Amend sec. 9, page 3, line 34, by deleting "separate".

Amend sec. 9, page 3, by deleting line 35 and inserting: "certificates to be used by all public weighmasters."

Amend sec. 9, page 3, by deleting lines 39 through 42 and inserting: "may issue a state certificate of weights and measures."

Amend sec. 14, page 5, by deleting lines 30 through 34.

Amend sec. 14, page 5, line 35, by deleting "2." and inserting: "1.".

Amend sec. 14, page 5, line 37, by deleting "3." and inserting: "2.".

Amend sec. 14, page 5, line 39, by deleting "4." and inserting: "3.".

Amend sec. 14, page 5, line 41, by deleting "5." and inserting: "4.".

Amend sec. 14, page 5, line 42, by deleting "6." and inserting: "5.".

Amend sec. 14, page 5, by deleting lines 44 through 48 and inserting: "6. Possess unfilled or unused state certificates of weights and measures without a valid public weighmaster's certificate of appointment."

Amend the bill as a whole, by deleting sections 16 and 17 and renumbering section 13 as section 14.

Amend the title of the bill by deleting lines 1 and 2 and inserting: "AN ACT relating to weighmasters; revising provisions regulating public weighmasters; speci-".