

SENATE ENVIROMENT AND PUBLIC RESOURCES  
COMMITTEE  
MINUTES OF MEETING  
FEBRUARY 5, 1975

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The meeting was called to order at 1:00 p.m.

Senator Thomas R.C. Wilson was in the Chair.

PRESENT:                    Senator Thomas R.C. Wilson, Chairman  
                              Senator Richard H. Bryan, Vice-Chairman  
                              Senator Carl F. Dodge  
                              Senator Mary L. Gojack  
                              Senator Joe Neal  
                              Senator Gary A. Sheerin  
                              Senator Richard E. Blakemore

OTHERS:                    Fred Wright - Department of Fish & Game  
                              Thomas W. Ballow - Nevada Department of Agriculture  
                              Harry E. Gallaway - Nevada Department of Agriculture  
                              Cy Ryan - UPI

SB 7 (See attached Bill)

Senator Gojack gave a general introduction to the bill. Mr. Fred Wright of the Department of Fish and Game said that straight edged jaws on traps would still be legal, but would be powerful enough to still cause some damage to the animal trapped. Senator Neal felt that such a bill would outlaw all trapping.

Senator Neal moved to hold the Bill for further testimony.  
Senator Dodge - 2nd  
Motion carried.

SB 23 (See attached Bill)

Senator Dodge introduced this bill as one involving the "Truth and Labels Act". There was some general discussion among the Senators as to whether they had an adequate and specific description for the meaning of "honey". Mr. Harry Gallaway of the Nevada Department of Agriculture said that "honey" is mainly the nectar from flowering plants, but the problem lies in the fact that there is no chemical test which can determine the difference between imitation sweetener or honey as an ingredient. Senator Dodge felt that the industry would enforce the issue.

Senator Dodge moved, "Do Pass"  
Senator Blakemore - 2nd  
Motion carried.

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PAGE TWO

SB 109 (See attached Bill)

Mr. Gallaway testified that regulations for this bill are covered in the "Environmental Pesticides Act". Mr. Gallaway said that the Department of Agriculture has until October, 1975 to make adequate plans and personnel to handle the use of pesticides, and without them there will be no alfalfa produced. Mr. Gallaway added that the restricted use was necessary for health factors, and the resulting environmental impact. And, Mr. Gallaway, said the restriction will limit the sale of pesticides to certified applicators.

The Chairman of the Committee asked if there were any Assembly Bills on this issue. Mr. Gallaway said that there were two.

Senator Neal moved to hold the Bill  
in Committee.  
Senator Gojack - 2nd  
Motion carried.

SB 110 (See attached Bill)

Mr. Ballow, in reference to a letter sent to Chairman Wilson (see copy of letter, attached), said that his Department felt that such a bill would cause too many problems and that the bill should be killed in Committee. After some discussion, the Senators, excepting Senator Neal, agreed that truckload sales of wood were too common to allow "cord" enforcement.

Senator Blakemore moved - Kill  
Senator Bryan - 2nd  
Senator Neal - Oppose  
Motion carried.

SB 114 & SB 117 (See attached Bills)

Mr. Fred Wright said that he would prefer presentation until some more sportsmen could be contacted for opinion. Mr. Wright said that this legislation had been attempted before, but perhaps with the advent of the ecology drive, these provisions wouldn't be so controversial.

After general discussion, it was decided that a joint committee hearing with the Assembly would be appropriate in order to give a package presentation of all the bills involving licensing.

Senator Neal moved to defer bills  
until a later date.  
Senator Bryan - 2nd  
Motion carried.

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PAGE THREE

SB 115 (See attached Bill)

Mr. Gallaway said that this bill would repeal NRS 555.230, and authorize the study of "Halogeton Glomeratus": (defined as)

"a poisonous Asiatic weed of the goosefoot family, with fleshy cylindrical leaves and minute papery flowers, becoming widespread in the Western United States."

Senator Dodge moved - Do Pass  
Senator Bryan - 2nd  
Motion carried.

EDR 48-372

Chairman Wilson submitted to the record a letter from Mr. Roland D. Westergard, State Engineer, Division of Water Resources, which asked that the Committee introduce this bill which is "to specifically provide State authority and control over the geothermal resource."

Senator Dodge moved for Committee introduction.  
Senator Bryan - 2nd  
Motion carried.

SB 4

Since this bill requires a joint reference to other Committees, the Senators agreed to wait on vote or discussion.

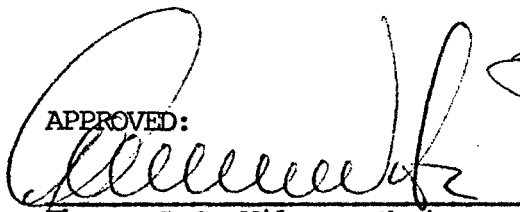
SB 44

Senator Sheerin proposed to hold this bill in Committee and attempt to consider all Tahoe Regional Planning Agency (TRPA) bills at one time.

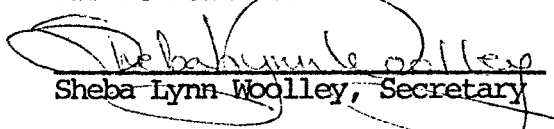
Chairman Wilson closed by saying that another bill now being drafted, which was also dealing with the reorganization of TRPA would be dealt with later, and at that time the Committee could vote on introduction.

There being no further business, the meeting was adjourned at 1:55 p.m.

APPROVED:

  
Thomas R.C. Wilson, Chairman

RESPECTFULLY SUBMITTED:

  
Sheba Lynn Woolley, Secretary

MIKE O'CALLAGHAN  
GOVERNOR



MAS W. BALLOW, EXECUTIVE DIRECTOR  
JOHN L. O'HARRA, D.V.M., ADMINISTRATOR  
DIVISION OF ANIMAL INDUSTRY  
HARRY E. GALLAWAY, ADMINISTRATOR  
DIVISION OF PLANT INDUSTRY  
W. FRED WARREN, DIRECTOR  
DIVISION OF BRAND INSPECTION

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STATE OF NEVADA  
DEPARTMENT OF AGRICULTURE

350 CAPITOL HILL AVENUE - P.O. Box 1209

RENO, NEVADA 89504

TELEPHONE 784-6401

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February 3, 1975

The Hon. Thomas R. C. Wilson  
Chairman, Senate Committee  
on Environment and Public Resources  
Nevada State Legislature  
Carson City, Nevada 89701

Dear Spike:


The Department was requested to submit Bill Draft Requests by September 1, 1974. It was decided at that time that a final review of the drafted bills would be made later, just prior to the current legislative session. This review was completed in December by the Department and the State Board of Agriculture. We decided at that time that the bills drafted per BDR-50-167 and BDR-51-170 would not be introduced in the final analysis.

It was our understanding that we had to arrange for introduction of our own bills or they would die in the Bill Drafter's office.

The problem is this. Last week there was a mix-up or error and the two bills which we decided to let die in the Bill Drafter's office were introduced anyway, by someone else. These bills are currently identified as A.B. 184, which was referred to the Assembly Agriculture Committee, and S.B. 110, which was referred to the Senate Committee on Environment and Public Resources.

Since these bills were introduced by mix-up, or error, we are requesting that they be allowed to die in committee.

Very truly yours,

  
Thomas W. Ballow  
Executive Director

TWB:m

S. B. 7

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SENATE BILL NO. 7—SENATORS GOJACK AND YOUNG

JANUARY 21, 1975

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Referred to Committee on Environment and Public Resources

SUMMARY—Prohibits use of saw-toothed or spiked jaw trap to capture any animal. Fiscal Note: No. (BDR 45-434)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

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AN ACT relating to hunting, fishing and trapping; prohibiting the use of a saw-toothed or spiked jaw trap to capture any animal.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. Chapter 503 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 *It is unlawful for any person to use a saw-toothed or spiked jaw trap*  
4 *to capture any animal.*

**S. B. 23**

**SENATE BILL NO. 23—SENATOR DODGE**

JANUARY 27, 1975

Referred to **Committee on Environment and Public Resources**

**SUMMARY**—Prohibits use of term "honey" in label or brand name of product unless honey is ingredient in such product. Fiscal Note: No. (BDR 51-480)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to food; prohibiting the use of the term "honey" in the label or brand name of a product unless honey is an ingredient in such product; providing a penalty; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1: Chapter 585 of NRS is hereby amended by adding
- 2 thereto a new section which shall read as follows:
- 3 *A person shall not prepare, package, deliver for shipment, ship, trans-*
- 4 *port or sell:*
- 5 *1. Any product which-is labeled or designated by the term "honey"*
- 6 *alone if the product consists partly or entirely of ingredients other than*
- 7 *honey.*
- 8 *2. Any product designated by any combination of words which*
- 9 *include the word "honey" in the label or brand name unless the product*
- 10 *contains honey as an ingredient and the other ingredients are disclosed.*
- 11 *3. As used in this section, "honey" means the natural product of*
- 12 *honeybees, drawn from the nectar of flowers, transformed by the bees*
- 13 *and stored in a honeycomb and later marketed in the honeycomb or taken*
- 14 *from it and marketed in a liquid, candied or granulated condition.*

SENATE BILL NO. 109—COMMITTEE ON ENVIRONMENT  
AND PUBLIC RESOURCES

JANUARY 30, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—Revises definition of "restricted use pesticide" to include pesticides classified as "restricted use" under federal law. Fiscal Note: No. (BDR 51-173)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to pesticides; revising the definition of "restricted use pesticide" to include pesticides classified as "restricted use" under federal law; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. Chapter 586 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 "*Certified applicator*" means any individual who is certified by the  
4 executive director as authorized to apply or to supervise the application of  
5 any pesticide which is classified for restricted use.  
6 SEC. 2. NRS 586.010 is hereby amended to read as follows:  
7 586.010 NRS 586.010 to 586.450, inclusive, and section 1 of this  
8 act may be cited as the Nevada Pesticides Act.  
9 SEC. 3. NRS 586.020 is hereby amended to read as follows:  
10 586.020 For the purposes of NRS 586.010 to 586.450, inclusive,  
11 and section 1 of this act, the words and terms defined in NRS 586.030 to  
12 586.220, inclusive, and section 1 of this act shall have the meanings  
13 ascribed to them therein unless the context otherwise requires.  
14 SEC. 4. NRS 586.205 is hereby amended to read as follows:  
15 586.205 "Restricted use pesticide" means any pesticide, including  
16 any highly toxic pesticide, which: [the]  
17 1. The executive director has found and determined, subsequent to a  
18 hearing, to be:  
19 [1.] (a) Injurious to persons, pollinating insects, bees, animals, crops  
20 or land, other than pests or vegetation it is intended to prevent, destroy,  
21 control or mitigate; or  
22 [2.] (b) Detrimental to vegetation (except weeds), wildlife or to the  
23 public health and safety [.] ; or

S. B. 110

SENATE BILL NO. 110—COMMITTEE ON ENVIRONMENT  
AND PUBLIC RESOURCES

JANUARY 30, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—Establishes units of measurement for sale of firewood.  
Fiscal Note: No. (BDR 51-170)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is  
material to be omitted.

AN ACT relating to weights and measures; establishing units of measurement for  
the sale of firewood; providing penalties; and providing other matters properly  
relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,  
do enact as follows:*

- 1 SECTION 1. Chapter 581 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *It shall be unlawful for any person to sell or offer to sell in this*  
4 *state firewood in any other manner than by:*  
5 *(a) Standard cord or fraction thereof;*  
6 *(b) Standard load or loose cord load or fraction thereof; or*  
7 *(c) Package form conspicuously marked in accordance with NRS*  
8 *581.300.*  
9 2. *The provisions of subsection 1 shall not apply to the sale of fire-*  
10 *wood packaged in an exposed bundle of two or more pieces.*



SENATE BILL NO. 114—COMMITTEE ON ENVIRONMENT  
AND PUBLIC RESOURCES

JANUARY 30, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—Extends certain protection to nongame species of wildlife and conforms various provisions in fish and game laws. Fiscal Note: No. (BDR 45-249)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to wildlife; extending certain protection to nongame species of wildlife; conforming various provisions in fish and game laws to license and permit requirement of NRS 502.010; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. NRS 501.015 is hereby amended to read as follows:  
2 501.015 As used in this Title, "closed season" means all periods  
3 except those designated as "open season." During any such season it is  
4 unlawful to fish, [to hunt game animals or game birds or to hunt or trap  
5 fur-bearing animals. There shall be no closed season on those species of  
6 wild animals or wild birds classified as unprotected.] *to hunt or to trap.*  
7 SEC. 2. NRS 501.065 is hereby amended to read as follows:  
8 501.065 As used in this Title, "open season" means that period des-  
9 ignated under the provisions of this Title during which it is legal to fish  
10 [or to hunt game animals or game birds or to hunt or to trap fur-bearing  
11 animals.] , *to hunt or to trap.* Such period includes the first day and last  
12 day designated. [There shall be no open season on those species of wild-  
13 life classified as protected.]  
14 SEC. 3. NRS 502.030 is hereby amended to read as follows:  
15 502.030 1. Licenses granting the privilege to hunt, fish or trap [dur-  
16 ing the open season] as provided in this Title shall be of such form as is  
17 deemed necessary by the department, but must include the following  
18 information:  
19 (a) The holder's name, address and description.  
20 (b) The date issued.  
21 (c) The expiration date thereof.

**S. B. 117****SENATE BILL NO. 117—COMMITTEE ON ENVIRONMENT  
AND PUBLIC RESOURCES**

Referred to Committee on Environment and Public Resources

JANUARY 30, 1975

SUMMARY—Reduces residence requirement for persons over 65 years of age to qualify for reduced hunting and fishing license fee. Fiscal Note: Yes. (BDR 45-136)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT to amend NRS 502.240, relating to the issuance of hunting and fishing licenses, by reducing the residence requirement for persons over 65 years of age to qualify for the reduced hunting and fishing license fee.

*The People of the State of Nevada, represented in Senate and Assembly,  
do enact as follows:*

- 1 SECTION 1. NRS 502.240 is hereby amended to read as follows:  
2 502.240 Annual licenses for the term of 1 year from July 1 to June  
3 30 and limited permits shall be issued at the following prices:  
4 1. To any citizen of the United States who has attained his 12th birth-  
5 day but who has not attained his 16th birthday and who has been a bona  
6 fide resident of the State of Nevada for 6 months, upon the payment of  
7 \$1 for an annual fishing or hunting license.  
8 2. To any citizen of the United States who has attained his 65th  
9 birthday and who has been a bona fide resident of the State of Nevada for  
10 [20] 5 years, upon the payment of \$1 for an annual hunting or fishing  
11 license. Any such person shall be exempt from the payment of the fee  
12 for a resident deer tag for a regular season as required by the provisions  
13 of NRS 502.250.  
14 3. Except as provided in subsection 2, to any citizen of the United  
15 States who has attained his 16th birthday and who has been a resident of  
16 the State of Nevada for 6 months, upon the payment of:
- |    |  |        |
|----|--|--------|
| 17 | For a fishing license.....                         | \$7.50 |
| 18 | For a 5-day permit to fish.....                    | 5.00   |
| 19 | For a 2-day permit to fish.....                    | 3.00   |
| 20 | For a hunting license.....                         | 7.50   |
| 21 | For a combination hunting and fishing license..... | 14.00  |
| 22 | For a trapping license.....                        | 5.00   |
| 23 | For a fur dealer's license.....                    | 1.00   |
| 24 | For an annual master guide's license.....          | 50.00  |
| 25 | For an annual subguide's license.....              | 10.00  |

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**S. B. 115**

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**SENATE BILL NO. 115—COMMITTEE ON ENVIRONMENT  
AND PUBLIC RESOURCES**

**JANUARY 30, 1975**

—○—  
**Referred to Committee on Environment and Public Resources**

**SUMMARY—Repeals provision relating to study of poisonous plant.  
Fiscal Note: No. (BDR 49-162)**

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is  
material to be omitted.

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**AN ACT relating to control of noxious weeds; repealing provisions authorizing  
the state department of agriculture to study the poisonous plant halogeton  
glomeratus.**

***The People of the State of Nevada, represented in Senate and Assembly,  
do enact as follows:***

**1 SECTION 1. NRS 555.230 is hereby repealed.**