

ENVIRONMENT AND PUBLIC RESOURCES COMMITTEE

April 11, 1975

The meeting was called to order in Room #213 at 3:15 p.m., on Friday, April 11, 1975, with Senator Thomas Wilson in the chair.

PRESENT: Senator Thomas Wilson
Senator Mary Gojack
Senator Gary Sheerin
Senator Richard Blakemore
Senator Richard Bryan

ABSENT: Senator Carl Dodge
Senator Joe Neal

General committee discussion took place first. It was decided to have Mr. Westergard come in on Monday to testify on S.B. 424 and S.B. 158. It was also decided to have someone from the Health Department come in on Monday to testify on A.B. 80.

S.J.R. 22: Memorializes Congress to enact legislation to aid domestic exploration and mining of gold.

This was Senator Blakemore's resolution. Senator Blakemore said they missed making reference to silver. Senator Bryan asked if he wanted to limit it just to precious metals. Senator Blakemore said to gold and silver reserves. He went through the bill and pointed out the places where silver reserves should be included.

Senator Blakemore made a motion to amend on Lines 7 and 10 and to change the summary and do pass.

Senator Bryan seconded the motion.

The vote was unanimous with Senators Dodge and Neal absent.

John Meder, State Land Use Planning Agency, was asked by Senator Wilson to appear. A letter dated March 20, 1975, from John Meder was entered into the record at this time. It will be labeled EXHIBIT B. Senator Wilson indicated that instead of talking about a resolution, what they wanted to do was recoder the basic act. Mr. Meder said what their concern was in suggesting the resolution rather than getting into the bill, was that he understood some of the concerns and requests of the committee, they are looking at trying to delineate or divide what the state's role would be versus the local governments role. Mr. Meder indicated they would like the opportunity to work with the State Land Use Advisory Committee. Senator Wilson asked if there was such a committee. Mr. Meder said it was being appointed. Senator Wilson said the bill was passed two years ago and the advisory committee still hadn't been appointed. Mr. Meder said there was some 32 members they were trying to contact on this, and the local governments, to work on these details and get the thing divided out. He said they were still somewhat concerned that if they go ahead and do this now, divide the role between the state and the local, here again it is a state bill and the locals have not had any input in it. Mr. Meder said that was the reason they had requested the resolution.*

Senator Wilson asked what the resolution did. Mr. Meder said it basically sets out that the cities and counties traditionally, and shall continue to be, the basic land use planning unit in Nevada; and that the state agency was established for the purpose of supplementing and assisting local planning efforts and to effectively deal with issues of more than local significance; the state land use planning agency is not authorized to supplant local control of planning and zoning for local matters; and sets out that during the next two years the State Land Use Planning Agency will spend their time emphasizing and developing a policy, working in a couple of critical areas or trying to get into the areas that Senator Sheerin has been concerned about. It outlines what they will be doing for the next two years and gives them the responsibility of working with the local governments and the advisory committee and coming back with a complete rewrite of the bill in two years to fit the needs of Nevada. In the meantime they will have better experience as to where they are going and how they should change the critical area phase, for example. They have not run through one yet. Mr. Meder said that Senator Dodge had talked to Mr. DeRicco on this. Mr. DeRicco's wife was ill and could not attend the meeting. Mr. Meder said it was his understanding that Senator Dodge felt that with a little more language in this resolution, they could probably fit the concerns that he had.

Senator Blakemore said that he and Senator Dodge had discussed about turning this upsidown because they input they are getting is that there is a negative feeling which makes their jobs ten times harder. Senator Dodge and Senator Blakemore felt that by reversing that portion you would have a little better chance of nudging these people to get active and really get something done.

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Senator Bryan asked Senator Blakemore if the piece of legislation had been requested because you would, in fact, need a piece of legislation. Senator Blakemore said that was right. Mr. DeRicco suggested using the resolution form because it is so late. Mr. Meder said that was his understanding. Senator Blakemore said they felt that if they could say what they wanted to say in the resolution they would have better chance than with a bill. Senator Bryan asked if it was their thought at this time to have a resolution that merely sets forth some policy. Senator Blakemore said you could follow it that was. Senator Bryan said a resolution would not have the force of law. Senator Blakemore said he knew that. Mr. Meder said they had gone through the legislation. He said they even used the consultant that they used to help them get started in this. A law professor at the University of California went through it also. The bill pretty well says what everyone is concerned with. He said it was worded backwards and awkwardly. Mr. Meder stated that what they would be doing now is try to patch the bill together.

Senator Bryan asked if Mr. DeRicco and Mr. Meder supported the resolution. Mr. Meder said they drafted the resolution. Senator Bryan asked Senator Blakemore if the resolution addressed itself to the concerns they had discussed. Senator Blakemore said he thought that it did. He asked Mr. Meder where in the resolution it said the legislature was going to look at it in two years. Mr. Meder indicated it was the first "resolved" paragraph. Senator Bryan asked if the resolution had been requested through the counsel bureau office. Senator Blakemore said no; that was what he and Senator Dodge were going to do, but they wanted to talk to the committee first. Mr. Meder said that Senator Dodge had seen the resolution and it was Mr. Meder's understanding that it needed a little stronger language in a few places and Senator Dodge had some suggestions. Senator Bryan, acting as temporary chairman, indicated that he would entertain a motion that they secure a resolution in the name of the committee, for an introduction.

Senator Blakemore so moved.

Senator Gojack seconded the motion.

The vote was unanimous. Senators Wilson, Dodge, and Neal were absent.

The committee authorized Senator Blakemore and Senator Dodge to have some leeway in changing the language as long as the basic concept remained the same.

Senator Bryan asked Daisy Talvite to give the committee a summary and tell the committee what she thought their recommendations should be in connection with the emission control problem in the State.

Mrs. Talvite said the problem was that during the last session of the legislature a law was passed which provided for authorization for the prescribing of retrofits and a blanket authority that if the Environmental Protection Agency found feasible and necessary, that in any area of the state where automobile pollution was acute, that they could institute a program of automobile inspection. She said that Clark County was definitely in violation of air quality standards with automobile, pollution, particularly carbon monoxide. The program was instituted in Clark County. According to the law, the program was to be first for cars on resale. It was started in that fashion in anticipation of extending it to every car in Clark County.

*S.B. 418 , A.B. 480

All the program is doing right now is when a car is resold, it must get a certificate of compliance. If it is the used car dealer supplying it, he is required to furnish the certificate. If it is bought between two private parties, the person who buys it has to get the certificate. The certificate of compliance is issued through a private, licensed garage. The program is in cooperation between the Department of Motor Vehicles and the Air Pollution Agency, with the DMV having the responsibility of licensing and supervising stations. As of January there were 77 stations that had been licensed. The inspection fees are not set by law. The garage is required to post them and the fees run from \$6.50 up to \$16. One of the difficulties is the person takes his car in to be inspected and he has to come out of that station with the certificate of compliance. Obviously, part of the process is the repair work. They do have some citizens complaining that they don't really have any control over what the garage insists they have to do.

Senator Blakemore said that sometimes to meet the standards of air quality, it is necessary to overhaul the car. He also said that everyone wanted this now; they got it and now it is costing money. Mrs. Talvitie said there was a total lack of faith on the part of the public. She said the average cost of repair seems to be rather minor. There are apparently some rip-offs. Mrs. Talvitie said the state pledged to adopt a program and this is what they came up with. Senator Blakemore said he wondered if the proper approach wouldn't be to go to Consumer Affairs, using this portable unit, and run a car through the inspection and then run it through the portable one outside and see the difference. Mrs. Talvitie said there were a number of difficulties. In order to set your standards, first you don't know if they are too strict or not strict enough. In order to evaluate those, you have to have adequate data. When you go through the private garage, everyone is giving you different data.

Mrs. Talvitie, with a pledge of confidentiality and that she would not reveal any names,

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went out personally and went through a number of garages to find out how they interpreted the regulations. Some of them very frankly told her they didn't agree with the procedure, so they set up their own. Basically, they are not getting adequate data; they can't establish a good judgement of their standards, and as a result they couldn't substantiate a claim of reduction of air pollution; the commission has felt that they need to extend the program to include every car in Clark County. She said when you put a private garage system on every car in Clark County there is going to be trouble.

Senator Blakemore asked what it would cost. Mrs. Talvite said she checked with Arizona and their system is a pilot program at first. It was to be run for two years and they funded that. They set up a state inspection station and required that every government owned car go through it in order to determine where the standards should be. In addition to that, they got volunteers to come in. There was no charge and they would determine what was wrong. They also did an extensive study and came out with specific recommendations. They recommended that they go to a private contract system. The state contracts with one company who does nothing but inspect cars and does not do any repair work. They have report back and have five different companies that came up with cost, figures, and as a result they have a set fee by law. It is \$5, which includes you going through the system. If you failed and had to go back through again, the same \$5 covered it. The inspection lane is set up on a computerized system. Before registration, the person is sent a computer card. He takes it in and it gives him some guideline as to what to inspect in the way of repairs. When he gets the compliance, he mails it back in with his application for registration. Mrs. Talvite said this would be the type of approach that would be preferable. She said it was not costing Arizona a great deal because it was a self funding program. The legislature in Arizona required a full report back to them before the adopted the program. Richard Serdoz has been down there and uncovered a few things he would like to change in the program.

Mrs. Talvite said you would run into argument from the garage owner if you took the program out of the private garages. They have already invested the money and the average cost is between \$2,500 and \$3,000. She said that some of them have more than gotten their money back and Senator Blakemore asked how they could determine that. She said they have gotten it back through the inspection fees and besides, the repairs are done in the same garage that is doing the inspection. Some of the garages have told her they wouldn't lose their investment because the cars have to be repaired and they would have to have the machine to make sure the car could then pass the inspection. In California they continued to license the garages but required them to guarantee their work.

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Senator Bryan asked if she was recommending they turn from private garages to some type of state operated inspection. Mrs. Talvitie yes. Senator Wilson said he didn't know what was in the budget. He asked if the problem would be solved if they simply decreed that facility making the test would not make the repairs. Mrs. Talvitie said she didn't think that would meet public satisfaction. Senator Blakemore said it would cost the taxpayers money to go the other route. He said that everyone wanted this thing but no one wants to pay for it. Mrs. Talvitie said she had never supported private garage inspection. Senator Blakemore said with the new portable equipment it is capable of calibrating those pieces of equipment, but if it is not, we should work with Consumer Affairs because people are being ripped off. Senator Wilson said there was a great deal of resentment about this in Clark County. Senator Bryan asked to what extent the resentment was because he hasn't had one letter or one phone call about this. Mrs. Talvitie said there have been many letters to the editor in the Review Journal recently. In January when they had the meeting and were thinking of extending it, the room was full of people protesting it.

Senator Bryan said he can't conceive of any appetite to convert to a state inspection system. Mrs. Talvitie said she wouldn't see any either. At the same time she didn't want to see the present system extended to every car in Clark County. Senator Bryan asked what the alternatives are. Mrs. Talvitie said she would suggest looking at the pilot program that was the beginning in Arizona. The administrative cost in Arizona was \$.25 per vehicle. Senator Blakemore said the standards were crazy because they are flunking practically no cars. He said something has to be wrong.

The contrast of cars being inspected in Arizona to Nevada is one and a half million to 200,000, respectively. This would indicate that the administrative cost per car could be higher in Nevada than Arizona. The total appropriation needed would actually be less. In Arizona they are using the dynamometer test, which is the most expensive of the tests. The key mode test, presently being used in Clark County, could be continued to be used. That is a cheaper test, but it is not as accurate. Senator Blakemore said the dynamometer test should be used. Senator Wilson asked what Mr. Gregory had in his budget. Mrs. Talvitie said she didn't know.

Mrs. Talvitie said she would like to see an investigation into what could be done with the contract system used in Arizona. Senator Wilson said they could develop a resolution for an interim study to be brought back to the next session, but that is two years away. Senator Wilson asked if they needed something quick for-consumer relief or were they locked into it.

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Senator Bryan said in the 1972 interim study they were talking about a pilot project. He said as he recalled the people were all over the ballpark in their opinions. He said he never did get a handle on exactly what the cost was going to be. He asked what the cost figures were. Mrs. Talvitie said she didn't know what the cost would be. She said the State of Arizona made an appropriation and set up for the pilot program, their own station. She said after Arizona completed their study they took the program out of the Department of Motor Vehicles and made a special division of vehicular emission control. California also has this special division. Senator Bryan said that the mechanics in California are licensed.

Senator Blakemore pointed out that S.B. 300 had just been passed out of the Committee on Commerce and Labor. This bill was to prevent garage rip-offs. He also said that a car with 25,000 miles on it will probably not pass the inspection. The cost to repair that car will be probably about \$250. Mrs. Talvitie said it was her opinion that it would be better to have no inspection at all than this private garage system now in existence. She said the state in the implementation program made the pledge to go the automobile inspection route. This was by the state and signed by the Governor.

Senator Wilson said they could mandate the Department of Human Resources and the Department of Motor Vehicles to do a study and recommend legislation. He said there was no problem developing that but wanted to know what to do during the two year period before the legislature meets again. Mrs. Talvitie said she would not be adverse to repealing the act. Another way would be to limit it just to cars on resale and not allow it to be expanded to every car until you have had a chance to study it. Senator Wilson asked what the affect was of the law on expansion and would it automatically be triggered in to include every car. Mrs. Talvitie said no, the commission has the right to expand it. They outcome of the meeting held was that they should hold off until the legislature had time to look at it. Senator Wilson asked what they would do if the legislature didn't act. Mrs. Talvitie said she didn't know what their sentiment would be. She said there is a provision that would become effective on a certain date but they decided not to do anything until the legislature looks at it. Senator Wilson said they could develop a resolution to suspend any increase in its jurisdiction.

Senator Bryan said he recalled a meeting with the used car dealers and it was his impression at that time that they were going to prepare legislation that would repeal it. Mrs. Talvitie said the used car dealers are very upset by this and would like to see it repealed. Senator Bryan asked if she was familiar with any legislation this session to repeal or modify the act. Mrs. Talvitie said no. She said she did understand that Mr. Bremner's committee is asking for a bill draft that is basically following the recommendations of Mr. Serdoz.

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Senator Wilson asked if a resolution would be sufficient to ask the commission to hold it to resale vehicles while developing legislative recommendations. Mrs. Talvitie said if the legislature directed them, they would do so. She said the air pollution control people were going to be unhappy if they couldn't move forward. Senator Wilson asked what she recommended in the way of a solution. Mrs. Talvitie said Mr. Serdoz and Mr. Arkell would both like to see a system patterned after Arizona. Senator Wilson said they couldn't have it both ways. Mrs. Talvitie faced with the testimony she received they were not about to go ahead with what they considered a messy program. Senator Bryan asked what they have been doing in the three months since the meeting in January in terms of making some recommendations to the Legislature. Mrs. Talvitie said they had submitted some recommendations to Senator Wilson. Senator Bryan said it seemed they had been a little irresponsible in not submitting some alternatives. Mrs. Talvitie said this was a state thing and they people in Clark County have no authority to do anything. Senator Sheerin said they knew there was a problem and said they should get the state people in to testify. It was decided to have Mr. Serdoz, Mr. Trounaday, and Mr. Gregory come in on Monday.

Senator Wilson asked Mrs. Talvitie if she knew anything about the complex sources bill. Mrs. Talvitie said there was one in the Senate and another in the Assembly. Senator Wilson asked her where the bill came from. Mrs. Talvitie said it was basically developed by the staff. Senator Wilson said they would take it up Monday with Mr. Serdoz. Senator Bryan said the Southern Nevada Home Builders had asked for a bill to eliminate the definition of complex sources. Mrs. Talvitie said the bill in the Assembly did have a few sentences that reflected the Home Builders. She also said if the legislature adopts one of the bills that it will be the Senate one.

S.C.R. 28: Directs state engineer to appoint committee to study government regulations pertaining to development, control and conservation of geothermal resources in Nevada.

Senator Sheerin moved a do pass.

Senator Gojack seconded the motion.

The vote was unanimous with Senators Dodge and Neal absent.

S.B. 158: Makes geothermal resource development subject to regulatory control of state engineer.

This bill was amended and re-referred to committee. Senator Bryan asked if John Miller had seen the reprint. Senator Wilson said he thought he had and that Senator Dodge had talked with him and it is satisfactory. George Vargas has also seen it and has not objection. After a short discussion, the following action was taken.

Senator Sheerin moved a do pass.

Senator Bryan seconded the motion.

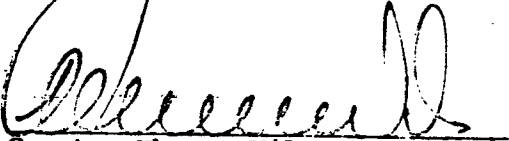
The vote was unanimous with Senators Dodge and Neal absent.

There being no further business, the meeting was adjourned at 3:45 p.m.

Respectfully submitted:

Kristine Zohner
Kristine Zohner, Committee Secretary

APPROVED BY:


Senator Thomas Wilson, Chairman

SENATE Environment COMMITTEE

ROOM # 213
DAY Friday

DATE April 11, 1975

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NAME	ORGANIZATION	ADDRESS	PHONE NUMBER
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*NOTE: PLEASE PRINT ALL THE INFORMATION CLEARLY.

Robert Erickson	Div. State Lands	Carson City	885-4363
Fred Welden	Div. State Lands	Carson City	885-4363
John Medler	Div. State Lands	Carson City	885-4363
Daisy Jalovick	LWU of Nevada	1421 Dorothy #2 Las Vegas	739-6209
Alma Bronby	Clark County	Las Vegas	453-3327

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

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Division of State Lands

CARSON CITY, NEVADA 89701

March 20, 1975

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

Dear Senator Wilson:

Your Committee on Environment and Public Resources requested us to write some possible amendments to the State Land Use Planning Act (NRS 321.640 - 321.810) in order to:

1. Emphasize the legislative intent that local governments are the basic planning units in Nevada and that the State land use program is designed to supplement local government activities;
2. Delineate the roles of local, state, and federal levels of government in land use planning;
3. Clarify the items that are to be included in the planning process and program (NRS 321.720 - 321.730); and
4. Restructure certain provisions of the program for areas of critical environmental concern (NRS 321.770), to make it a preventative program with an early warning system rather than just a reactive program.

Detailed analysis performed as an early part of the Agency's activities shows that the present legislation is broad enough to allow the Agency to undertake and emphasize these points. The Agency's proposed work program is based on these principles. However, major amendments would be necessary to clarify the language of the Act as the Committee requested. It is our belief that the effects and ramifications of such major amendments should be thoroughly analyzed with local government input before they are acted upon. There may not be sufficient time to properly consider substantive changes during the time remaining in the 58th session.

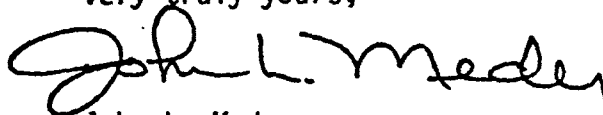
If my understanding of the Committee's intent is correct, a resolution could be adopted giving the State Land Use Planning Agency direction for the next two years, while reassuring local governments that the state land use program is not going to take over their authority and responsibility in local zoning and planning

Senator Thomas R. C. Wilson
March 20, 1975
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matters. This would also allow adequate time to prepare meaningful amendments to NRS 321.640 - 321.810 with the help of local and state government representatives and the State Land Use Planning Advisory Council. By delaying major changes to the state land use planning program for two years, we will have had more experience to know what changes should be made and what relationship the State should have with the Federal Government in respect to Federal land management and Federal land use legislation.

A sample resolution is attached for your review and consideration. Please contact us if you should have any questions.

Very truly yours,



John L. Meder
Administrator

1
attachment

cc: Elmo J. DeRicco, Director
Department of Conservation and Natural Resources

PROPOSED RESOLUTION PREPARED BY
THE STATE LAND USE PLANNING AGENCY
March 20, 1975

WHEREAS, Counties and cities traditionally have been, and shall continue to be, the basic land use planning units in Nevada; and

WHEREAS, the State Land Use Planning Agency was established for the purpose of supplementing and assisting local planning efforts and to effectively deal with issues of more than local significance; and

WHEREAS, the State Land Use Planning Agency is not authorized to supplant local control of planning and zoning for local matters; and

WHEREAS, the factors establishing the need for the State Land Use Planning Agency are presented in the NRS 321.640 Legislative Findings and Declaration; now, therefore, be it

Resolved, that during the 1975-1977 biennium the State Land Use Planning Agency will emphasize the following functions outlined in NRS 321.640 - 321.810 inclusive:

1. The development through local workshops of state land use and natural resources goals and policies with emphasis on establishing unified state positions concerning federal land management in Nevada;

2. The design and implementation of a preventative land use program for at least two areas of critical environmental concern, such program to include an early warning system rather than being only reactive in nature;

3. The inventory of land and natural resources of Nevada and available information relating to land use, natural resources, and planning; and the development of an information and referral system for land use, natural resources, and planning information;

4. The provision of technical assistance to local governments upon request, and the management of seminars and workshops for local governing board members, planning commissioners, and professional staffs; and

5. The coordination of all land use related activities and policies in the state; and be it further

Resolved, that the State Land Use Planning Agency in coordination with the State Land Use Planning Advisory Council, make recommendations to the 59th Legislature concerning revisions to NRS 321.640 - 321.810; and be it further

Resolved, that copies of this resolution be prepared and transmitted forthwith by the legislative counsel to all local governing bodies in the State.

S. C. R. 28

SENATE CONCURRENT RESOLUTION NO. 28—COMMITTEE
ON ENVIRONMENT AND PUBLIC RESOURCES

APRIL 7, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—Directs state engineer to appoint committee to study government regulations pertaining to development, control and conservation of geothermal resources in Nevada. (BDR 1551)

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

SENATE CONCURRENT RESOLUTION—Directing the state engineer to appoint a committee to study existing and proposed government regulations and actions pertaining to the development, control and conservation of geothermal resources in Nevada.

- 1 WHEREAS, Approximately 20 percent of the State of Nevada is believed
2 to offer potential for geothermal exploration, with 13 areas identified by
3 the U.S. Geological Survey as Known Geothermal Resource Areas; and
4 WHEREAS, On a national scale, Nevada is estimated to be second only
5 to California in its potential for development of geothermal energy; and
6 WHEREAS, Under proper management, the use and development of geothermal
7 energy can be practically pollution free; and
8 WHEREAS, Geothermal energy has been and may continue to be harnessed
9 for various practical uses, one of the most important of such uses
10 being the generation of electric energy; now, therefore, be it
11 *Resolved by the Senate of the State of Nevada, the Assembly con-*
12 *cursing,* That the state engineer is hereby directed to appoint a committee
13 of persons knowledgeable and interested in the field of geothermal energy
14 to study and review existing and proposed government regulatory procedures
15 and actions pertaining to geothermal resources in Nevada; and be it
16 further
17 *Resolved,* That such study and review place special emphasis on evaluating
18 any new state laws or proposed legislation designed to regulate the
19 development and provide for the conservation of geothermal resources in
20 the State of Nevada; and be it further
21 *Resolved,* That such study and review be carried out in cooperation
22 with the state engineer and the division of water resources of the state
23 department of conservation and natural resources; and be it further
24 *Resolved,* That the committee report the results of such study and
25 review to the governor and to the 59th session of the Nevada legislature,
26 together with recommendations for any necessary and appropriate legisla-
27 tion.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 158

SENATE BILL NO. 158—COMMITTEE ON ENVIRONMENT AND PUBLIC RESOURCES

FEBRUARY 5, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—Makes geothermal resource development subject to regulatory control of state engineer. Fiscal Note: Yes. (BDR 48-372)

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

AN ACT relating to geothermal resources; providing definitions; authorizing the state engineer to adopt regulations to control the development of geothermal resources; declaring that water or steam encountered during exploration is subject to certain appropriation procedures; 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. Title 48 of NRS is hereby amended by adding thereto a
- 2 new chapter to consist of the provisions set forth as sections 2 to 5, inclu-
- 3 sive, of this act.
- 4 SEC. 2. As used in this chapter, unless the context otherwise requires:
- 5 1. "Geothermal resource" means heat or other associated geothermal
- 6 energy found beneath the surface of the earth.
- 7 2. "State engineer" means the state engineer appointed by the director
- 8 of the state department of conservation and natural resources pursuant to
- 9 NRS 532.020, or his designee.
- 10 SEC. 3. 1. The state engineer may adopt such regulations as are nec-
- 11 essary to insure the proper development, control and conservation of
- 12 Nevada's geothermal resources.
- 13 2. The regulations may include but are not restricted to:
- 14 (a) Defining geothermal areas;
- 15 (b) Establishing security requirements;
- 16 (c) Establishing casing and safety device requirements;
- 17 (d) Establishing recordkeeping requirements;
- 18 (e) Establishing procedures to prevent pollution and waste;
- 19 (f) Authorizing investigations and research which may be in conjunc-
- 20 tion with other governmental and private agencies; and
- 21 (g) Establishing well-spacing requirements.

THIS EXHIBIT IS 2 PAGES LONG. CONTACT THE RESEARCH LIBRARY FOR A COPY OF THE COMPLETE EXHIBIT

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A. B. 139

ASSEMBLY BILL NO. 139—COMMITTEE ON AGRICULTURE

JANUARY 30, 1975

Referred to Committee on Agriculture

SUMMARY—Requires notification to 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)

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

AN ACT relating to weights and measures; requiring notification to state sealer of weights and measures when any weight or measure, or any weighing, measuring or counting instrument or device is purchased, installed or placed in use; 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. NRS 581.105 is hereby amended to read as follows:
- 2 581.105 1. [No person may sell or use for commercial purposes any
- 3 weight or measure, or any weighing, measuring or counting instrument
- 4 or device of any type or design which has not first been approved by the
- 5 state sealer of weights and measures as being in compliance with the
- 6 tolerances, specifications and requirements of this chapter.] *Any person*
- 7 *who purchases, installs or places in use for commercial purposes any*
- 8 *weight or measure, or any weighing, measuring or counting instrument*
- 9 *or device of any type or design shall within 48 hours notify the state*
- 10 *sealer of weights and measures of such purchase, installation or use in*
- 11 *writing. The notice shall inform the state sealer of:*
- 12 (a) *The date of purchase, installation or use;*
- 13 (b) *The manufacturer and model or type of the weight, measure, device*
- 14 *or instrument; and*
- 15 (c) *The address at which the weight, measure, device or instrument is*
- 16 *located.*
- 17 2. Any violation of this section shall be punished as provided in NRS
- 18 581.450.
- 19 SEC. 2. NRS 581.405 is hereby amended to read as follows:
- 20 581.405 1. As used in this section, "liquefied petroleum gas" means
- 21 and includes any material which is composed predominately of any of
- 22 the following hydrocarbons, or mixtures of the same: Propane, propylene,
- 23 butanes, either normal butane or isobutane, and butylenes.

ASSEMBLY BILL NO. 140—COMMITTEE ON AGRICULTURE

JANUARY 30, 1975

Referred to Committee on Agriculture

SUMMARY—Makes certain changes in laws regulating custom application of pesticides. Fiscal Note: No. (BDR 49-165)

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

AN ACT relating to the custom application of pesticides; making various changes in definitions; extending certain powers of the executive director of the state department of agriculture; 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 555.261 is hereby amended to read as follows:
2 555.261 "Agent" means any person who [serves as a resident agent
3 or] solicits business in behalf of a custom pest control [operator.
4 "Agent" does not include a chemical supplier who solicits on behalf of an
5 applicator.] licensee.
6 SEC. 2. NRS 555.262 is hereby amended to read as follows:
7 555.262 "Custom application of pesticides" means any: [application
8 of pesticides for hire, or engaging in the business of pest control.]
9 1. *Application of pesticides for hire;*
10 2. *Engagement in the business of pest control; or*
11 3. *Public representation of oneself as engaged in the business of*
12 *applying pesticides.*
13 SEC. 3. NRS 555.350 is hereby amended to read as follows:
14 555.350 1. The executive director may suspend, pending inquiry, for
15 not longer than 10 days, and, after opportunity for a hearing, may
16 revoke, *suspend* or modify any license issued under NRS 555.2605 to
17 555.460, inclusive, if he finds that:
18 (a) The licensee is no longer qualified;
19 (b) The licensee has engaged in fraudulent business practices in the
20 custom application of pesticides;
21 (c) The licensee has made false or fraudulent claims through any
22 media, misrepresenting the effect of materials or methods to be utilized;
23 (d) The licensee has applied known ineffective or improper materials;
24 (e) The licensee operated faulty or unsafe equipment;

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 202

ASSEMBLY BILL NO. 202—COMMITTEE ON AGRICULTURE

FEBRUARY 4, 1975

Referred to Committee on Agriculture

SUMMARY—Establishes authority in state department of agriculture to regulate and control vertebrate pests. Fiscal Note: Yes. (BDR 49-211)



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

AN ACT relating to pest control; authorizing the executive director of the state department of agriculture to investigate and control vertebrate pests; making an appropriation; 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 555 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:

3 *The executive director may cooperate, financially or otherwise, with*
4 *any federal agency or department, any other state agency or department,*
5 *any county, city, public district or political subdivision of this state, any*
6 *public or private corporation, any individual or group of individuals in*
7 *suppressing vertebrate pests injurious to the state agricultural interests*
8 *and in suppressing vertebrate pest vectors of diseases transmissible and*
9 *injurious to humans.*

10 SEC. 2. NRS 555.005 is hereby amended to read as follows:

11 555.005 As used in this chapter, unless the context requires other-
12 wise: [, "department"]

13 1. "Department" means the state department of agriculture.

14 2. "Executive director" means the executive director of the depart-
15 ment.

16 3. "Vertebrate pest" means any animal of the subphylum Vertebrata,
17 except predatory animals, which is normally considered to be a pest, such
18 as a gopher, ground squirrel, rat, mouse, starling or blackbird, or which
19 the executive director may declare to be a pest.

20 SEC. 3. NRS 555.010 is hereby amended to read as follows:

21 555.010 Within the limits of any appropriation made by law, the
22 executive director [of the department] is authorized to investigate the
23 prevalence of vertebrate and invertebrate pests of plants and animals,
24 plant diseases and physiological plant disorders which may be injurious to

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 214

ASSEMBLY BILL NO. 214—COMMITTEE ON AGRICULTURE

FEBRUARY 5, 1975

Referred to Committee on Agriculture

SUMMARY—Regulates application of restricted use pesticides.
Fiscal Note: Yes. (BDR 49-164)



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

AN ACT relating to pest control; regulating application of restricted use pesticides; providing penalties; making an appropriation; 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 555 of NRS is hereby amended by adding
- 2 thereto the provisions set forth as sections 2 to 15, inclusive, of this act.
- 3 SEC. 2. "*Certificate*" means a certificate of competency issued by the
- 4 executive director to a commercial applicator or private applicator
- 5 authorizing such person to make application of or to supervise the appli-
- 6 cation of a restricted use pesticide.
- 7 SEC. 3. "*Certified applicator*" means any individual who is certified
- 8 by the executive director as competent to use or to supervise the use of
- 9 any restricted use pesticide.
- 10 SEC. 4. "*Commercial applicator*" means a certified applicator who
- 11 applies or supervises the application of any restricted use pesticide and
- 12 does not qualify as a private applicator under section 6 of this act.
- 13 SEC. 5. "*Environment*" includes the water, air, land and all plants
- 14 and man and other animals living therein and the interrelationships which
- 15 exist among these.
- 16 SEC. 6. "*Private applicator*" means a certified applicator who uses or
- 17 supervises the use of any restricted use pesticide for purposes of produc-
- 18 ing any agricultural commodity on property owned or rented by him or
- 19 his employer or on the property of his neighbors if applied without com-
- 20 pensation other than trading of personal services between producers of
- 21 agricultural commodities.
- 22 SEC. 7. "*Restricted use pesticide*" means any pesticide, including any
- 23 highly toxic pesticide, which:
- 24 1. *The executive director has found and determined, subsequent to*
- 25 *a hearing, to be:*

A. B. 213

ASSEMBLY BILL NO. 213—COMMITTEE ON AGRICULTURE

FEBRUARY 5, 1975

Referred to Committee on Agriculture

SUMMARY—Makes certain changes in provisions relating to registration and distribution of fertilizers. Fiscal Note: No. (BDR 51-175)

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

AN ACT relating to fertilizers; permitting new labeling procedures; updating expressions dealing with fertilizer composition; making it unlawful to distribute fertilizers which include plant food elements in the grade other than those designated; 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 588 of NRS is hereby amended by adding
- 2 thereto a new section which shall read as follows:
- 3 *“Substance” means any material or mixture of materials which is*
- 4 *intended to be used to promote or stimulate the growth of plants, to*
- 5 *increase the productiveness of plants, to improve the quality of crops or*
- 6 *to produce any chemical or physical change in the soil.*
- 7 SEC. 2. NRS 588.010 is hereby amended to read as follows:
- 8 588.010 1. When used in this chapter, the words and phrases defined
- 9 in NRS 588.020 to 588.150, inclusive, and section 1 of this act, shall
- 10 have the meaning ascribed to them herein.
- 11 2. Words imputing the singular number may extend and be applied
- 12 to several persons or things, and words imputing the plural number may
- 13 include the singular.
- 14 SEC. 3. NRS 588.180 is hereby amended to read as follows:
- 15 588.180 1. The application shall include the following information
- 16 in the following order:
- 17 (a) The name and address of the person guaranteeing the registration.
- 18 (b) The brand and grade.
- 19 (c) The guaranteed analysis showing the minimum percentage and
- 20 source of plant food claimed in the following order and form:
- 21 Total nitrogen: Percentage, source
- 22 Available phosphoric acid: Percentage, source
- 23 Soluble potash: Percentage, source

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 288

ASSEMBLY BILL NO. 288—ASSEMBLYMAN YOUNG

FEBRUARY 17, 1975

Referred to Committee on Agriculture

SUMMARY—Requires state board of agriculture to appoint representative to National Livestock and Meat Board. Fiscal Note: No. (BDR 50-917)



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

AN ACT relating to the state board of agriculture; requiring annual appointment of a representative to the National Livestock and Meat Board; prescribing the qualifications for the representative; making provision for defraying his expenses; 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 561 of NRS is hereby amended by adding
- 2 thereto a new section which shall read as follows:
- 3 1. *The board shall appoint annually, on or before June 1, from the*
- 4 *contributors to the Nevada beef promotion fund account, a representative*
- 5 *to the National Livestock and Meat Board. The appointee must be*
- 6 *selected from those contributors nominated by the Nevada State Cattle-*
- 7 *men's Association and the Nevada Farm Bureau Federation.*
- 8 2. *On or before June 1 of each year, and prior to the drawing of the*
- 9 *warrant prescribed by subsection 2 of NRS 561.407, the state controller*
- 10 *shall draw his warrant in favor of the board for \$1,000 or an amount*
- 11 *constituting 3 percent of the Nevada beef promotion fund account, which-*
- 12 *ever is greater. The board shall use such sum to defray the representative's*
- 13 *expenses in attending meetings of the National Livestock and Meat Board.*
- 14 SEC. 2. This act shall become effective upon passage and approval.

SENATE STANDING COMMITTEES

Fifty-Eighth Session, 1975

(The Chairman is named first on each committee; the Vice Chairman is named second on each committee.)

COMMERCE AND LABOR—

Echols, Blakemore, Bryan, Foote, Monroe, Sheerin, Raggio.

EDUCATION—

Bryan, Schofield, Blakemore, Foote, Neal, Sheerin, Young.

ENVIRONMENT AND PUBLIC RESOURCES—

Wilson, Bryan, Blakemore, Gojack, Neal, Sheerin, Dodge.

FINANCE—

Lamb, Gibson, Brown, Monroe, Walker, Raggio, Young.

GOVERNMENT AFFAIRS—

Gibson, Walker, Foote, Gojack, Hilbrecht, Schofield, Dodge.

HEALTH, WELFARE AND STATE INSTITUTIONS—

Walker, Neal, Gojack, Herr, Hilbrecht, Schofield, Young.

JUDICIARY—

Close, Wilson, Bryan, Foote, Hilbrecht, Sheerin, Dodge.

LEGISLATIVE FUNCTIONS—

Monroe, Close, Brown, Echols, Gibson, Lamb, Young.

TAXATION—

Brown, Echols, Close, Herr, Hilbrecht, Wilson, Raggio.

TRANSPORTATION—

Herr, Monroe, Blakemore, Gojack, Neal, Schofield, Raggio.

MAJORITY FLOOR LEADER—

B. Mahlon Brown.

PRESIDENT PRO TEMPORE—

Warren L. Monroe.

MINORITY FLOOR LEADER—

C. Clifton Young.

A.B. 644	5-7-75	No action
A.B. 142	5-7-75	No action
A.B. 143	5-7-75	No action
A.B. 552	5-7-75	No action
A.B. 590	5-7-75	No action
A.B. 480	5-7-75	No action
S.J.R. 30	5-12-75	Indefinitely Postpone
S.J.R. 31	5-12-75	Indefinitely Postpone
A.B. 644	5-12-75	Do pass
A.B. 142	5-12-75	Amend and do pass
A.B. 143	5-12-75	Do pass
A.B. 552	5-12-75	Amend and do pass
A.B. 590	5-12-75	Do pass
A.B. 589	5-12-75	Do pass
S.B. 600	5-12-75	Hold
A.B. 716	5-12-75	Do pass
S.B. 599	5-12-75	Hold
A.B. 480	5-12-75	Hold
A.B. 707	5-13-75	Amend and do pass
A.B. 708	5-13-75	Do pass
S.B. 600	5-13-75	Do pass
A.B. 480	5-14-75	Amend and do pass
A.B. 678	5-14-75	Indefinitely Postpone
S.B. 599	5-14-75	No action
A.B. 749	5-14-75	Do pass
A.B. 556	5-14-75	No action

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<u>Bill Number</u>	<u>DATE</u>	<u>ACTION TAKEN</u>
S.B. 7	2-5-75	Hold
S.B. 23	2-5-75	Do pass
S.B. 109	2-5-75	Hold
S.B. 110	2-5-75	Kill
S.B. 114	2-5-75	Defer till later date.
S.B. 117	2-5-75	Defer till later date.
S.B. 115	2-5-75	Do pass
S.B. 4	2-5-75	No action - hold.
S.B. 44	2-5-75	Hold
S.J.R. 4	2-17-75	Do pass
S.B. 23	2-17-75	Do pass
S.B. 109	2-17-75	Do pass
S.B. 158	2-17-75	Hold
S.B. 109	2-27-75	Amend and do pass
A.B. 162	2-27-75	Hold
A.B. 82	2-27-75	Hold
S.J.R. 9	2-27-75	Hold
S.J.R. 10	2-27-75	Hold
S.J.R. 11	2-27-75	Hold
S.B. 114	2-27-75	Hold
S.B. 117	2-27-75	Hold
S.B. 158	2-27-75	Hold
S.B. 44	2-27-75	Hold
S.B. 254	2-27-75	Hold
S.B. 4	2-27-75	No action.
A.B. 162	3-3-75	Do pass and re-refer to Finan
S.J.R. 9	3-3-75	Do pass
S.J.R. 10	3-3-75	Do pass
S.J.R. 11	3-3-75	Do pass
A.B. 82	3-3-75	Do pass
S.B. 158	3-3-75	No action
S.B. 158	3-7-75	No action
S.B. 254	3-11-75	No action
S.B. 254	3-17-75	No action
S.B. 254	3-18-75	No action
S.B. 44	3-18-75	No action
S.B. 254	3-21-75	No action
S.B. 44	3-21-75	No action

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S.B. 326	3-21-75	No action
S.B. 327	3-21-75	No action
S.J.R. 13	3-21-75	No action
S.B. 254	3-26-75	Amended bill
S.B. 158	4-4-75	Amend and re-refer to committ
S.B. 324	4-4-75	Re-referred to Judiciary
S.B. 342	4-4-75	Re-refer to Commerce & Labor
S.B. 254	4-4-75	See Minutes
A.B. 335	4-7-75	Amend and do pass
A.B. 47	4-7-75	Amend and do pass
A.B. 137	4-7-75	Do pass
A.B. 138	4-7-75	No action
A.B. 138	4-8-75	Indefinitely Postpone
A.B. 139	4-8-75	Do pass
A.B. 140	4-8-75	Do pass
A.B. 214	4-8-75	Do pass & Re-refer to Finance
A.B. 213	4-8-75	Do pass
A.B. 202	4-8-75	Do Pass & Re-refer to Finance
A.B. 288	4-8-75	Do pass
S.B. 158	4-8-75	No action
S.C.R. 28	4-8-75	Hold
S.J.R. 22	4-11-75	Amend and do pass
S.C.R. 28	4-11-75	Do pass
S.B. 158	4-11-75	Do pass
S.B. 418	4-14-75	Hold
S.B. 424	4-14-75	Amend and do pass
S.B. 327	4-14-75	Indefinitely postpone
A.B. 80	4-14-75	Amend and do pass
S.B. 326	4-14-75	No action
A.B. 459	4-18-75	Do pass