

Senate

ENVIRONMENT AND PUBLIC RESOURCES COMMITTEE

April 21, 1975

The meeting was called to order in Room #213, at 1:15 p.m., on Monday, April 21, 1975, with Senator Thomas Wilson in the chair.

PRESENT: Senator Thomas Wilson
 Senator Gary Sheerin
 Senator Mary Gojack
 Senator Carl Dodge
 Senator Richard Bryan

ABSENT: Senator Richard Blakemore
 Senator Joe Neal

S.B. 284: Revises provisions on duties of state committee on federal land laws.

Senator Dodge moved to hold this bill pending action on the Assembly Bill 466.

Senator Gojack seconded the motion.

The vote was unanimous with Senators Bryan, Neal and Blakemore absent.

A.B. 401: Makes various amendments to statutes on meat and poultry inspection.

James Edmundson, Bureau of Environmental Health, testified in favor of this bill. This bill is their proposal. The present statute excludes custom slaughterers from any type of inspection. It doesn't include slaughter of rabbits and game. Many of these custom cutting places are now in garages; they have no good place to dispose of the offal. They feel these should be meeting some minimum requirements, which they do not have.

Senator Wilson: Does the act define custom slaughter? Mr. Edmundson said he believed it did in an earlier part.

Mr. Edmundson said their meat regulations now are inadequate and they are presently in the process of bringing those up to date, including labeling they do not have at the present time. They wish to adopt, in the regulations, the American Meat Board Standard of Regulations. This is a national standard for meat.

Senator Wilson: Are you in the process of promulgating those regulations now under 233.B? Mr. Edmundson said yes. Senator Wilson said he agreed they should be under regulation and not statute.

Senator Wilson: I gather you have jurisdiction to license an official establishment. Mr. Edmundson said yes. Senator Dodge said there was a definition of official establishment. Senator Dodge said there might be a broader way of doing it by extending it to any commercial establishment, whether it is presently under inspection or not. They could broaden the definition of official establishment to include the processing of any animals.

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Mr. S.D. Mastioranni, State Division of Health, said that would be fine except they have a lot of small slaughter houses under their jurisdiction. They they assumed the Wholesome Meat Act and they were put under federal inspection. Those are still under federal inspection. Senator Dodge said you would have to exclude those.

Senator Wilson: Do you have concurrent jurisdiction on those? Mr. Mastioranni said they don't handle them. They handle only those that don't come under the federal inspection act.

Senator Wilson: How about ducks and geese? Mr. Edmundson said none of those would be under federal inspection. He said poultry was included. Senator Wilson said you have included here poultry. Mr. Edmundson said that would be custom slaughter of any poultry where it doesn't go through a meat market. This is where they set up a custom slaughter house where people bring in their own animals for slaughter. All the other is under federal control.

Senator Wilson: I think what Senator Dodge is suggesting is don't you want a broader definition of what you have jurisdiction over in licensing of official establishments for the processing of any animal or fowl, except those inspected under federal jurisdiction? This would include rabbits or whatever you want. You are not talking about ducks and geese. If you have a custom house of the processing of ducks and geese, you don't have any jurisdiction under present law or the bill. You would want jurisdiction over it, wouldn't you? Mr. Edmundson said yes. Mr. Edmundson said Line 17, on the first page, provides for the slaughter or livestock, poultry, and other animals. They and the bill drafters thought "other animals" would cover it.

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Senator Wilson: Are wild game birds included in poultry? Mr. Edmundson said no. Senator Wilson asked if they wanted them? Mr. Edmundson said he hadn't thought about it, but as far as he knew, they hadn't had any problem with that. The problem has mainly been in deer processing and then in the custom slaughter, where people bring in their own animals and have them slaughtered for themselves. Then you get into a lot of stream pollution. This is why they wanted those two items especially.

Senator Dodge: I don't think there is much problem with that section. I think the problem is in the official establishment definition. Senator Dodge said the present language of the definition of official establishment ties it to inspection. Maybe you are seeking to expand the inspection aspect. Couldn't we expand the definition to broaden it enough to include these things?

Senator Wilson: What it really means is if you have inspected it you have jurisdiction over it; but if you haven't inspected it, you don't have jurisdiction over it.

Senator Dodge: I think you are trying to expand your inspection to give you the authority to include custom slaughter. You should expand to include anyone who processes on a commercial basis livestock or poultry for human consumption.

Mr. Mastioranni said the only thing you have to watch on that is anything that goes into a food establishment has to have a federal stamp on it. Senator Dodge said you would have to exempt whatever is under the Wholesome Meat Act. Mr. Edmundson agreed that would be much better wording on that.

They will redefine section 1 to make that any animals or poultry for human consumption.

Senator Wilson asked Mr. Edmundson to see Jan Wilson, Senate Bill Drafter, about the amendments.

Senator Gojack moved to amend and do pass.
Senator Sheerin seconded the motion.
The vote was unanimous with Senators Blakemore and Neal absent.

Senator Dodge said this should cover any plant or operation which processes livestock or poultry or other animals for human consumption, except for those in 583.425 and 583.429. A short discussion followed.

S.B. 451: Changes name of department of fish and game to department of wildlife and changes designation of related commissions, boards, employees, and funds.

Senator Cliff Young, testified in favor of the bill. This is a proposal which has been endorsed by the Nevada Wildlife Federation, which recognizes a growing recognition of the responsibility of the Fish and Game Department to take care of other species of wildlife.

Senator Young stated we have a rich variety in Nevada. There are probably 500 birds, animals and reptiles. There are about 350 birds; 50 mammals; 50 fish; 50 reptiles. About 30 to 35 birds and animals are actually game birds and animals, and about two thirds of the fish. Twenty species are rare, endangered, or threatened. This is according to the findings of the Department of the Interior.

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The Fish and Game Department is the only agency structured to look after non-game animals and fish. There is a small sum that goes into the general fund into a Fish and Game Department, but by and large, the \$2,000,000 budget is the result of licenses for hunting and fishing. Senator Young said he felt there was going to be a general trend towards general fund monies in the future because the Fish and Game Department simply cannot survive the pressures, population, intrusions upon habitat, unless there is general fund money in larger sums in the years ahead.

Senator Young said he felt by changing the name it would actually be including what the Fish and Game Department is interested in - wildlife. He said it might even be called a consumer type of bill because it removes the deception which the license holder now might find. He learns his money is going to protect pupfish, etc. Senator Young said that Glen Griffith had no objections to the bill. Mr. Griffith would like to see it become effective January 1, 1976, because they have already printed stationary and letterhead for the present year.

Senator Wilson: Have you had any reaction from the Department or the Commission? Senator Young said he had not. Senator Young asked Mr. Griffith if he had any reaction and Mr. Griffith said no.

Senator Dodge: I think Senator Young's observations are very well taken. If we are going to process the bill, it should be re-referred to Finance Committee. I believe this would be a legislative enunciation of broader responsibilities for the Fish and Game, which probably would have to be funded by the general fund.

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Senator Wilson: Presently the Fish and Game Department has jurisdiction over non-endangered species. Senator Young said that was right.

Senator Wilson: Senator Dodge, do you really think there is a fiscal note attached here? Senator Dodge said he thought potentially it did. He didn't think it did this session, particularly. He said he thought Finance Committee should know about that if the bill is processed.

Senator Wilson: I think we are going against policy judgement. I don't think that's to be judged properly before that committee.

Senator Dodge: As far as I am concerned, I would have to point out on the floor that I think that ultimately there is a financial impact on this. That's all I'm saying.

Senator Bryan: What duties are we changing in the Fish and Game Department? I don't see that we are making any changes in their duties.

Senator Young said he knew of no changes and said there is some general fund money now going for the non-sporting game and fish specialists.

Senator Wilson: Am I right? Does the Fish and Game Department exercise control over predator control over non game? Senator Young said that was right. Senator Wilson asked if they were making substitutive changes.

Senator Dodge: I think we are because, as Senator Young pointed out, it would be a legislative enunciation, a broadened responsibility to Fish and Game for wildlife generally. I think its because of the enunciation, and I think Senator Young will agree, and he's already stated that general funds would be used under this concept. I'm not saying there is anything wrong with that, I'm just pointing it out.)

Joe Midmore, member of Audobon Society, said he did know they have had during the past year a one-man, one-vehicle sort of thing taking a study around the state of reptors. The study included how many there are and how many are endangered. He didn't know if the study was partially or fully funded by the federal government. He said this was the kind of thing that should be ongoing. He felt it was important for the state.

Senator Wilson said the only question he had is there is no fiscal note. Senator Dodge said that was all right. He said he would support putting out the bill, but stated he was going to mention on the floor that he thinks there is a fiscal note. He said he didn't want to endanger the bill, he was just suggesting it go to Finance.

Senator Wilson: The thing that bothers me is we are calling upon Finance to make a policy judgement. Its not a money judgement as to whether or not the policy should be as prescribed in the bill. I don't think they have jurisdiction as a committee over what the policy should be. They have authority to appropriate monies and determine priorities in respect to the budget. I don't think they have jurisdiction over policy questions. I don't want to endanger the bill either, I just have a basic problem.

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Senator Dodge: I'm still going to mention this on the floor.

Senator Bryan moved to amend and do pass.

Senator Gojack seconded the motion.

The vote was unanimous with Senators Blakemore and Neal absent.

After the vote Senator Sheerin asked if this bill was in conflict with S.B. 114, which was indefinitely postponed by the committee previously. There was a short discussion, after which Senator Bryan withdrew his motion. The consensus of the committee was to have Mr. Glen Griffith, Department of Fish and Game come in and let the committee ask his questions. It was Senator Dodge's feeling that something should be in the official committee record concerning this.

S.B. 531: Increases penalty for littering.

Joe Midmore, representing Soft Drink Association, testified against the bill. Because of other pieces of legislation they are interested in anything that can help ease the litter problem. He stated he wasn't sure this bill could do that. He said he could see Senator Blakemore's intent, but he asked what policeman of any kind is going to haul someone in for throwing things out of a car. Senator Wilson asked if he was afraid there would be no enforcement at all. Mr. Midmore said that was right. The language of the bill says that every fish and game warden and every policeman shall enforce this. Mr. Midmore said he didn't feel they were enforcing it. You can't force an officer of the law to enforce these kind of laws when they have more important things to do. He said you do hear every once in a while about somebody unloading some junk and they were caught and told to reload and take it away. Mr. Midmore said he didn't think they had a right to do that, but he didn't know.

Mr. Midmore asked the committee about the penalty. There was a short discussion about that.

Senator Bryan said they had passed this law once before about six or seven years ago. Two years later the advocates of the bill came back and said they were getting less prosecutions than ever because of the wait involved in a gross misdemeanor prosecution.

It was decided to hold the bill until the sponsor of the bill, Senator Blakenore, could have a chance to speak to the bill.

S.B. 540 was rescheduled for Thursday, April 24, 1975, at 7:00 p.m.

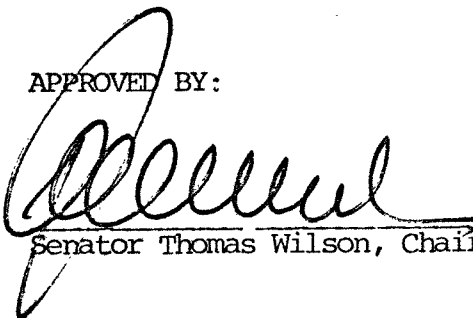
There being no further business, the meeting was adjourned at 2:00 p.m.

Respectfully submitted:

Kristine Zohner

Kristine Zohner, Committee Secretary

APPROVED BY:


Senator Thomas Wilson, Chairman

ROOM # 213

Y Monday

DATE April 21, 1975

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<u>NAME</u>	<u>ORGANIZATION</u>	<u>ADDRESS</u>
James G. Edmundson	Nev Health Div	201 S. Fall CE
Donald J. Crosby	Nev Hwy Dept	Carson City
BRUCE D. ARKELL	STATE PLANNING COORD.	" "
Walt Martini	Nevada Beer Whalman	L.V.
CLIFF YOUNG	STATE SENATOR	RENO
Joe Midmore	Soft Drink Assoc.	RENO
S. J. Hartmann	State Div. of Health	Carson

A. B. 401**ASSEMBLY BILL NO. 401—COMMITTEE ON AGRICULTURE**

MARCH 13, 1975

Referred to Committee on Agriculture

SUMMARY—Makes various amendments to statutes on meat and poultry inspection. Fiscal Note: No. (BDR 51-142)

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

AN ACT relating to meat and poultry inspection; expanding the classification of animals which require inspection of slaughtering and processing; prohibiting local licensing of certain slaughtering or processing establishments unless the establishments are approved by the state health officer; removing an exemption for certain custom slaughtering; 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 583.375 is hereby amended to read as follows:
 2 583.375 "Official establishment" means any establishment [in this
 3 state as determined by the officer at which inspection of the slaughter of
 4 livestock or poultry or the processing of livestock or poultry carcasses or
 5 parts thereof is made] *which the officer has inspected*, under the authority
 6 of NRS 583.255 to 583.565, inclusive [.] , and approved for:
 7 1. *The custom slaughter of livestock or the slaughter of poultry;*
 8 2. *The processing of livestock or poultry carcasses or parts thereof; or*
 9 3. *The slaughter or processing of any other animals for human con-*
 10 *sumption.*
 11 SEC. 2. NRS 583.435 is hereby amended to read as follows:
 12 583.435 1. Meat, meat food products, and poultry products are an
 13 important source of the supply of human food in this state and legislation
 14 to assure that such food supplies are unadulterated and otherwise fit for
 15 human consumption, and properly labeled, is in the public interest. There-
 16 fore, it is hereby declared to be the policy of this state to provide for the
 17 inspection of slaughtered livestock, poultry [.] *and other animals*, and the
 18 carcasses and parts thereof which are used for human food, at certain
 19 establishments to prevent the distribution in intrastate commerce, for
 20 human consumption, of [livestock and poultry] *animal carcasses and*
 21 *parts thereof which are adulterated or otherwise unfit for human food.*
 22 2. The health division of the department of human resources is hereby

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