

ENVIRONMENT AND PUBLIC RESOURCES COMMITTEE

April 25, 1975

The meeting was called to order in Room #213, at 3:05 p.m. on Friday, April 25, 1975, with Senator Thomas Wilson in the Chair.

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

ABSENT: Senator Joe Neal

S.B. 531: Increases penalty for littering.

Senator Blakemore moved to postpone indefinitely.

Senator Bryan seconded the motion.

The vote was unanimous with Senators Dodge and Neal absent.

The record will show that this action was taken on the basis that they have gone this route before and it didn't work.

S.B. 464: Provides new procedure for issuance of nonresident landowner deer tags.

Senator Wilson told the committee that there was an amendment, which was discussed briefly. Mr. W.G. Parson, Nevada Department of Fish and Game, said this amendment was satisfactory to them.

Senator Bryan moved to amend and do pass.

Senator Blakemore seconded the motion.

The vote was unanimous with Senators Dodge and Neal absent.

S.C.R. 36: Directs the director of the state department of conservation and natural resources in exercising powers under chapter 321 of NRS to utilize county planning activities as the basic components of the state land use plan.

John Meder, State Land Use Planning Agency, testified. He presented a memo to the committee and this will be labeled EXHIBIT A. Mr. Meder read the memo to the committee. He said there were some amendments to the resolution and presented them to the committee. This will be labeled EXHIBIT B. Mr. Meder explained the amendments to the committee.

OVERT

After a short discussion about the amendments, it was decided to have Senator Dodge work with Mr. Meder on the language and the amendments.

Mr. Jack Mitchell, North Las Vegas, said he was in favor of S.C.R. 36.

Senator Sheerin's resolution on land exchange in Lake Tahoe was discussed briefly and it was decided to bring it up on Monday.

S.B. 559: Prohibits damaging or defacing caves or caverns.

It was decided to let the chairman speak to the sponsor of the bill, Senator Hilbrecht, before action was taken on the bill.

S.B. 540: Requires certain businesses and industries to file environmental information reports.

Senator Gojack spoke briefly about the bill, after which the following action was taken:

Senator Blakemore moved to postpone indefinitely.

Senator Sheerin seconded the motion.

The vote was five to one. Senator Neal was absent. Senator Gojack voted no, the rest of the committee voted aye.

It was also decided that Senator Gojack would have a resolution drawn up for committee consideration.

A.B. 220: Expands reforestation to involve desert, urban forestry and redefines nursery stock to include other conservation plant materials.

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Environment and Public Resources

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Senator Bryan moved a do pass.
Senator Gojack seconded the motion.
The vote was unanimous with Senator Neal absent.

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.

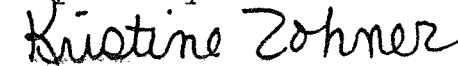
Senator Blakemore moved to postpone indefinitely.
Senator Sheerin seconded the motion.
The vote was unanimous with Senator Neal absent.

There was a short discussion concerning the bottle bill resolution.

Senator Bryan moved to authorize the draft of such resolution.
Senator Blakemore seconded the motion.
The vote was unanimous with Senator Neal absent.

There being no further business, the meeting adjourned at 3:35 p.m.

Respectfully submitted:



Kristine Zohner, Committee Secretary

APPROVED BY:



Senator Thomas Wilson, Chairman



Exhibit A

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Division of State Lands

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CARSON CITY, NEVADA 89701

April 24, 1975

MEMORANDUM

TO: Senator Thomas R. C. Wilson, Chairman
Senate Committee on Environment and Public Resources

FROM: John L. Meder, Administrator
Division of State Lands

RE: Comments and Suggested Amendments to SCR 36

After reviewing SCR 36, there are some points that we feel should be brought to the Committee's attention.

1. It appears that the cities have been overlooked in the resolution. Our concern is that this oversight may cause some hard feelings between the state, cities and counties; thus defeating the purpose of the resolution. Some of the best input we have received has come from city planning personnel, and we do not want to lose this cooperative attitude.
2. The phrase "state land use plan" is used throughout the resolution. To most people the term "land use plan" means a zoning map. Since the state program does not call for a state land zoning map, it would be better not to leave any opportunity for misunderstanding and confusion. Our preference is "state land use planning program."
3. On page 2 starting with line 6, the counties are to be given the authority to coordinate the planning efforts of constituent cities. In theory this may be a good approach; however, politically there may be substantial friction between a city and county that would make coordination by a county impossible. Equal partnership roles would probably be more acceptable to all.

Suggested amendments which clarify our concerns are attached for the Committee's review. We agree with the concept presented in SCR 36, but feel that the resolution as it is currently written could create additional misunderstanding about the state land use planning program.

encl.

PROPOSED AMENDMENTS TO SCR 36
 DIVISION OF STATE LANDS
 April 22, 1975

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WHEREAS, The 16 counties, including their constituent cities, and Carson City, each comprise a significant geographic area with patterns of development contained primarily within their individual boundaries with little or no overlap into adjacent counties; and

WHEREAS, Since 1941, the counties of the state have had regional planning authority pursuant to NRS 278.090; and

WHEREAS, The basic concept of American democracy is predicated upon power and authority flowing upward from the people through each level of government and ultimately to the Federal Government; and

WHEREAS, In keeping with this basic concept every attempt should be made to carry out activities and decisions at levels as close to the people to be affected as is possible; and

WHEREAS, The present state land use planning law, as contained in chapter 321 of NRS, recognizes a role for local governments at the discretion of the director; and

WHEREAS, The most successful state land use [plan] planning program in terms of quality and acceptance will be that with the maximum participation by local governments; and

WHEREAS, The counties and [Carson City] cities are the local government units who have close citizen contact and possess the necessary geographic scope to do viable land use planning; and

WHEREAS, There are components of a state land use [plan] planning program that can only be projected at the state level, such as matters involving two or more counties; now, therefore, be it

Resolved by the Senate of the State of Nevada, the Assembly concurring, That the director of the state department of conservation and natural resources is hereby directed to structure the process of state land use planning so as to maximize and make primary the role of [the 16 counties and Carson City giving them responsibility for coordinating the plans of constituent cities] local government units and [building] to build the state land use [plan] planning program in accordance with local plans to the greatest extent possible; and be it further

Resolved, That it is recognized that where conflicts or inadequacies in or among local land use plans are encountered, it is the responsibility of the director to resolve such conflicts or correct inadequacies so as to insure the completeness and viability of the state land use [plan] planning program; and be it further

Resolved, That the director should direct the state level efforts at planning to matters affecting more than one [county] local governmental unit and to providing assistance where needed to the counties and [Carson City] cities; and be it further

Resolved, That any difficulties in basing the state land use [plan] planning program primarily upon [county] local planning efforts should be reported to the 59th session of the legislature with proposed legislation necessary to facilitate a [county-based] locally-based concept.

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S. B. 531

SENATE BILL NO. 531—SENATOR BLAKEMORE

APRIL 14, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—Increases penalty for littering. Fiscal Note: No. (BDR 35-1745)



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

AN ACT relating to litter; increasing the penalty for littering.

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

1 SECTION 1. NRS 405.220 is hereby amended to read as follows:
2 405.220 1. As used in this section:
3 (a) "Dead animals" means all dead animals or parts thereof, including
4 condemned meats, not intended to be used as food.
5 (b) "Dirt" includes loose earth, ashes, manure from barns, stables, cor-
6 rals and pens, offal from butcher houses and slaughterhouses, and all foul
7 and filthy substances.
8 (c) "Garbage" includes solid or semisolid kitchen refuse subject to
9 decay or putrefaction, and market waste of animal and vegetable matter
10 which has been or was intended to be used as food for man or animal.
11 (d) "Rubbish" means old tin and iron cans and containers, old wood
12 and paper boxes, old metals, wire, rope, cordage, bottles, bags and bag-
13 ging, rubber and rubber tires, paper, and all used or castoff articles or
14 material, including old plaster, brick, cement, glass, and all old building
15 material.
16 2. It shall be unlawful for any person to throw or deposit or cause to
17 be thrown or deposited on any public highway within the State of Nevada,
18 or within a distance of 1,000 feet from the center of any public highway,
19 any dead animal, dirt, garbage or rubbish as defined in subsection 1.
20 3. Any person [violating the provisions of this section shall be guilty
21 of a misdemeanor.] *who violates subsection 2 is guilty of a gross misde-*
22 *meanor and shall be punished by a fine of not less than \$500 in addition to*
23 *any sentence of imprisonment.*
24 SEC. 2. NRS 444.630 is hereby amended to read as follows:
25 444.630 1. As used in this section, "garbage" includes any or all of
26 the following: Garbage, swill, refuse, cans, bottles, paper, vegetable mat-
27 ter, carcass of any dead animal, offal from any slaughter pen or butcher
28 shop, trash or rubbish.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 464

SENATE BILL NO. 464—COMMITTEE ON ENVIRONMENT AND PUBLIC RESOURCES

APRIL 4, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—Provides new procedure for issuance of nonresident landowner deer tags. Fiscal Note: No. (BDR 45-1579)

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

AN ACT relating to hunting and fishing licenses, tags and permits; providing new procedure for issuing nonresident landowner deer tags; 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 502.230 is hereby amended to read as follows:
- 2 502.230 1. [Nothing in NRS 503.245 shall be construed as a limita-
- 3 tion upon the issuance of a hunting license to any nonresident of this state,
- 4 or to the immediate members of such nonresident's family, who is a bona
- 5 fide property owner of land within this state, for the right to hunt upon
- 6 that land which he has title to if not less than 75 percent of all land
- 7 belonging to the property owner in the State of Nevada and upon which
- 8 he proposes to hunt is open to the public for hunting.
- 9 2. Such nonresident may hunt deer, upland game birds, waterfowl and
- 10 any other game birds or animals during the same periods and subject to
- 11 the same limitations as may be allowed or imposed upon residents of
- 12 Nevada in connection with such hunting if such nonresident has first com-
- 13 plied with all the other requirements of the State of Nevada regulating
- 14 hunting.
- 15 3. Licenses to be issued to nonresident landowners shall be issued by
- 16 either the commission or its agents only upon proof of the applicant's title
- 17 to certain lands within this state.
- 18 4. Such license or permit shall be issued only upon payment of the
- 19 regular nonresident fee and shall be valid for use only on the land owned
- 20 and described.] *A nonresident deer tag for regular season may be issued*
- 21 *to any nonresident of this state or to the immediate members of such non-*
- 22 *resident's family, as a bona fide owner of land within this state, for the*
- 23 *privilege to hunt upon that land to which he has title, if not less than 75*

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 220

537

ASSEMBLY BILL NO. 220—ASSEMBLYMEN DEMERS, FORD,
CHANEY, HICKEY, PRICE AND MAY

FEBRUARY 5, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—Expands reforestation to involve desert, urban forestry and redefines nursery stock to include other conservation plant materials. Fiscal Note: Yes. (BDR 47-186)

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

AN ACT relating to the reforestation of Nevada lands; providing that deserts and urban settings as well as mountainous terrain may be reforested with adapted and indigenous conservation plant materials; expanding the purposes for reforestation; redefining general nursery stock categories to include additional conservation plant materials; authorizing division of forestry to establish nursery facilities which provide arboretum, production and research operations; authorizing cooperative agreements for conducting certain research; requiring cooperative agreement with University of Nevada for disseminating information obtained from such research; 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 528 of NRS is hereby amended by adding
- 2 thereto the provisions set forth as sections 2 to 9, inclusive, of this act.
- 3 SEC. 2. *As used in NRS 528.100 to 528.140, inclusive, and sections*
- 4 *3 to 9, inclusive, of this act, unless the context otherwise requires, the*
- 5 *terms defined in sections 3 to 8, inclusive, of this act have the meanings*
- 6 *ascribed to them in such sections.*
- 7 SEC. 3. "Conservation plant materials" means those trees, shrubs and
- 8 plants used for:
 - 9 1. Well-established conservation purposes such as windbreaks, wood-
 - 10 lots, soil erosion control, wildlife habitation, reforestation, noise abate-
 - 11 ment and fire control; or
 - 12 2. Beautification purposes for parks, recreation areas, greenbelts,
 - 13 schools and public buildings.
- 14 SEC. 4. "Desert forestry" means the science of developing, caring for
- 15 or cultivating conservation plant materials in an arid environment by
- 16 modifying their response to adverse growing conditions while minimizing
- 17 the consumptive use of water.

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S. B. 451

SENATE BILL NO. 451—SENATOR YOUNG

APRIL 4, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—Changes name of department of fish and game to department of wildlife and changes designation of related commissions, boards, employees and funds. Fiscal Note: No. (BDR 45-1333)



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

AN ACT relating to fish and game laws; changing the name of the department of fish and game to the department of wildlife; changing the designation of related commissions, boards, employees and funds; 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 169.125 is hereby amended to read as follows:
- 2 169.125 "Peace officer" includes:
- 3 1. The bailiff of the supreme court;
- 4 2. Sheriffs of counties and of metropolitan police departments and
- 5 their deputies;
- 6 3. Constables;
- 7 4. Personnel of the Nevada highway patrol when exercising the police
- 8 powers specified in NRS 481.150 and 481.180;
- 9 5. The inspector or field agents of the motor carrier division of the
- 10 department of motor vehicles when exercising the police powers specified
- 11 in NRS 481.049;
- 12 6. Members of and all inspectors employed by the public service com-
- 13 mission of Nevada when exercising those enforcement powers conferred
- 14 by chapters 704 to 706, inclusive, of NRS;
- 15 7. Marshals and policemen of cities and towns;
- 16 8. Parole and probation officers;
- 17 9. Special investigators employed by the office of any district attorney
- 18 or the attorney general;
- 19 10. Arson investigators for fire departments specially designated by
- 20 the appointing authority;
- 21 11. Members of the University of Nevada System police department;
- 22 12. The state fire marshal and his deputies;
- 23 13. The brand inspectors of the state department of agriculture when
- 24 exercising the enforcement powers conferred in chapter 565 of NRS;

S. B. 540

SENATE BILL NO. 540—COMMITTEE ON ENVIRONMENT AND PUBLIC RESOURCES

APRIL 14, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—Requires certain businesses and industries to file environmental information reports. Fiscal Note: Yes. (BDR 22-510)

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

AN ACT relating to environmental information reports; requiring certain businesses and industries to file a report; providing exemptions; establishing criteria for a determination if a report is required; providing for the type of information to be included in the report; and providing other matters properly relating thereto.

- 1 WHEREAS, It is necessary to ascertain information concerning the
- 2 potential environmental impact of the development of business and industry
- 3 within the state; and
- 4 WHEREAS, This act establishes requirements for the preparation of an
- 5 environmental information report as informational documentation to support
- 6 actions taken by the state environmental commission, the bureau of
- 7 environmental health of the health division of the department of human
- 8 resources and the governing body of the area where a project is being
- 9 initiated; and
- 10 WHEREAS, The purposes of this act are to:
 - 11 1. Promote development and maintenance of a high quality environ-
 - 12 ment for the citizens of the State of Nevada and to promote actions
 - 13 necessary to protect, rehabilitate and enhance environmental qualities
 - 14 of the state;
 - 15 2. Ensure that long-term protection of the environment shall be a
 - 16 guiding criterion in all public decisions;
 - 17 3. Create and maintain conditions under which people and environ-
 - 18 ment can exist in productive harmony to fulfill the social and economic
 - 19 requirements of present and future generations of citizenry of Nevada;
 - 20 4. Provide information to the state environmental commission, to the
 - 21 bureau of environmental health of the health division of the department
 - 22 of human resources, to the local governing body and to the citizens of the
 - 23 state which will permit intelligent, informed evaluation of environmental
 - 24 effects of proposed projects, public and private, and to facilitate the
 - 25 processes of decision-making embodied in the evaluation of private
 - 26 projects and public projects;

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