

SENATE
ENVIRONMENT AND PUBLIC RESOURCES COMMITTEE

543

Minutes of Meeting

Monday, May 5, 1975

The meeting was called to order in Room #213 at 12:00 p.m. on Monday, May 5, 1975. Senator Thomas Wilson was in the Chair.

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

ABSENT: Senator Joe Neal

OTHERS PRESENT:
James A. Edmundson, Environmental Health
S. D. Mastroianni, Environmental Health
Assemblyman Jean Ford
Assemblyman Robert Heaney
Heber P. Hardy, Public Service Commission

ACTION WAS THEN TAKEN ON THE FOLLOWING MEASURES:

SJR 35 DIRECTS DIVISION OF COLORADO RIVER RESOURCES TO PREPARE AND SUBMIT TO 59TH SESSION OF NEVADA LEGISLATURE THE GENERAL PLAN, POLICY AND RECOMMENDED MEANS OF IMPLEMENTATION FOR DEVELOPMENT OF FORT MOHAVE VALLEY LANDS.

Assemblyman Jean Ford testified as to the purpose of this measure stating that the Resolution had been drawn up by Mr. Paff of the Colorado River Resources Division. The Invironmental Impact Statement has already been submitted and the B.L.M. is developing an option statement.

Senator Blakemore moved "DO PASS"
Senator Gojack seconded the motion.
Motion carried unanimously.

SJR 31 and SJR 30 were deferred until Wednesday, May 7, 1975 at 6:30 p.m. because of needed input before action could be taken. The Secretary was asked to notify Mr. Ernie Gregory of the Division of Human Resources for his testimony on these two measures.

AB 401 MAKES VARIOUS AMENDMENTS TO STATUTES ON MEAT AND POULTRY INSPECTION.

James Edmundson of Environmental Health testified on the purpose of this measure. He also commented on the proposed amendments which the Committee had previously asked him to have drawn. They had been delivered to the Committee Chairman.

After a short discussion.

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After a short discussion:

Senator Dodge moved "AMEND AND DO PASS."
Senator Brian seconded the motion.
Motion carried unanimously.

AJR 20

MEMORIALIZES CONGRESS, THE SECRETARY OF THE INTERIOR, THE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT AND THE CHIEF OF THE DIVISION OF TECHNICAL SERVICES OF THE NEVADA OFFICE OF THE BUREAU OF LAND MANAGEMENT TO KEEP FEDERAL LANDS IN NEVADA OPEN FOR PUBLIC USE.

Assemblyman Robert Heaney gave testimony as to the purpose of the measure stating that he had found it to be of general concern of the general public.

Senator Bryan moved "DO PASS."
Senator Blakemore seconded the motion.
Motion carried unanimously.

AJR 17

MEMORIALIZES CONGRESS AND UNITED STATES DEPARTMENT OF THE INTERIOR TO DECLARE PRESERVATION OF STILLWATER NATIONAL WILDLIFE REFUGE TO BE IN PUBLIC INTEREST AND DESERVING OF IMMEDIATE ACTION TO ASSURE ITS CONTINUED EXISTENCE.

Assemblyman Robert Heaney gave testimony as to the purpose of the measure. He distributed a letter with an attached article from the March/April 1975 issue of Ducks Unlimited Magazine concerning AJR 17.
(See Attached.)

Senator Gojack moved "DO PASS."
Senator Dodge seconded the motion.
Motion carried unanimously.

AJR 31

MEMORIALIZES CONGRESS TO AMEND THE INTERNAL REVENUE CODE TO ALLOW THE ISSUANCE OF TAX-FREE CAPITAL IMPROVEMENT BONDS FOR PUBLIC UTILITIES.

Heber Hardy of the Public Service Commission testified as to the purpose of the Bill. After short discussion:

Senator Bryan moved "DO PASS."
Senator Blakemore seconded the motion.
Motion carried unanimously.

AJR 37

MEMORIALIZES CONGRESS TO REFUSE TO ENACT CERTAIN PARTS OF THE PROPOSED ENERGY INDEPENDENCE ACT OF 1975.

Heber Hardy of the Public Service Commission testified as to the purpose of the Bill. He also stated that the legislation would selectively reform utility commission practices by:

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1. Setting a maximum limit of 5 months for rate or service proceedings;
2. Requiring fuel adjustment pass-throughs, including taxes;
3. Requiring that construction work in progress be included in a utility's rate base;
4. Removing any rules prohibiting a utility from charging lower rates for electric power during off-peak hours; and,
5. Allowing the cost of pollution control equipment to be included in the rate base.

Senator Bryan moved "DO PASS."
Senator Dodge seconded the motion.
Motion carried unanimously.

AB 323

DELETES EXEMPTION OF CERTAIN VENDORS FROM LICENSING REQUIREMENTS FOR TRAVELING MERCHANTS.

Mr. Edmondson of the Environmental Health Department testified as to the purpose of this Bill, which actually resolves a conflict within the statutes. It curtails the selling of raw milk and any meat products, the two products which could be hazardous.

Senator Dodge moved "DO PASS."
Senator Blakemore seconded the motion.
Motion carried unanimously.

SCR 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 of the State Land Use Planning Agency testified as to the purpose of this measure. He distributed necessary amendments proposed to the Bill. (See Attachment.)

Senator Dodge moved "AMEND AND DO PASS."
Senator Bryan seconded the motion.
Motion carried unanimously.

AB 644

The Secretary was asked to notify Wallie Warren and Noel Clark of the Public Service Commission that this measure would be heard on Wednesday, May 7, 1975 at 6:30 p.m. and their testimony was needed before action would be taken.

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AJR 41 URGES THE PRESIDENT, CONGRESS AND FEDERAL LAND MANAGEMENT AGENCIES TO AUTHORIZE AND IMPLEMENT PREDATOR CONTROL MANAGEMENT ON FEDERAL LANDS IN NEVADA.

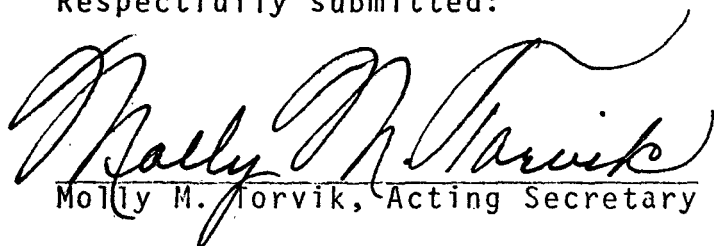
This measure had to do with livestock production. There was no testimony, therefore, after short discussion by the Committee:

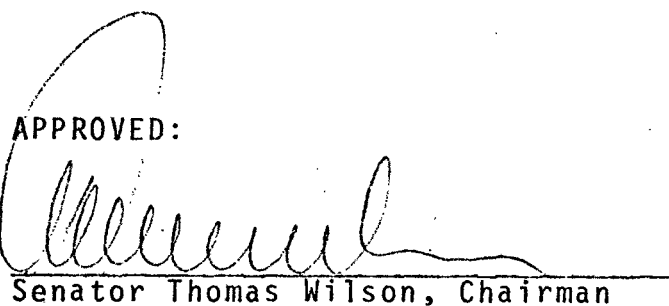
Senator Dodge moved "DO PASS."
Senator Blakemore seconded the motion.
Motion carried unanimously.

AB 142 and AB 143: The Secretary was asked to contact Glen Griffith of the Fish and Game Department to testify on these two measures on Wednesday, May 7, 1975 at 6:30 p.m.

There being no further business the meeting was adjourned.

Respectfully submitted:


Molly M. Norvik, Acting Secretary

APPROVED:

Senator Thomas Wilson, Chairman

ROBERT E. HEANEY
ASSEMBLYMAN
WASHOE COUNTY, DISTRICT NO. 26
10 STATE STREET, SUITE 302
RENO, NEVADA 89501



COMMITTEES
MEMBER
JUDICIARY
ELECTIONS

Nevada Legislature

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FIFTY-EIGHTH SESSION

TO: Members of the Legislature
FROM: Robert E. Heaney, Assemblyman
RE: AJR 17

I am furnishing the attached article from the March/April 1975 issue of Ducks Unlimited Magazine concerning AJR 17.

I think the article very emphatically points out the need for passage of AJR 17 and whatever else can be done to remedy the most unfortunate situation now occurring in the Stillwater Wildlife Management Area.

I hope you will find a few minutes to read the article.

Thank you.



Over 90% of the snow geese which migrate through Nevada are found on the Lahontan Valley marshes. Nevada Fish and Game photo.

NATIVE MARSHES . . .

By Norm Saake
Department of Fish & Game
Fallon, Nevada

Hunters and conservationists of Nevada are presently in a desperate fight to preserve the state's most important waterfowl habitat. Decisions that will be made in the next few months will have the greatest impact upon a wildlife resource so far made in Nevada. The wetlands located in Lahontan Valley are being seriously affected by changes in water usage on the Newlands Irrigation Project, brought about by the Pyramid Lake dispute. Because of proposed new water operations to the Newlands Project, drastic reductions have been made in the amounts of water available to these wildlife areas and over 50,000 acres of wetland habitat is presently at stake.

The two most important and largest marshes in Nevada are the Stillwater

Wildlife Management Area which normally contains over 22,000 acres of prime marsh, and Carson Lake with 14,040 acres of prime marsh. Both of these extensive wetlands are native marshes, remnants of the great prehistoric Lake Lahontan, which covered much of northern Nevada. Both areas have provided habitat for large numbers of local and migrating birds long before white man ever set foot on this continent.

The problem stems from a water dispute between the Pyramid Lake Paiute Indians and the upstream water users, among them the Truckee-Carson Irrigation District, who currently manages the Newlands Project. The Pyramid Lake Indians claim that the decline in the level of their lake was brought about by wasteful diversions of water from the Truckee River to farms and ranches in Lahontan Valley. In 1969, the Pyramid Lake Task Force was organized to make investigations and recommendations

which would help stabilize the level of the lake. After two and one half years of intensive study, the Task Force recommendations were submitted and approved by the Governors of the States of Nevada and California and by the U.S. Secretary of the Interior. The Task Force recommended several improvements in the operation of the Newlands Project, which included abandonment of selected regulating reservoirs, lining large portions of several canals, automation of the irrigation system and converting sections of the project to sprinkler irrigation. It also recommended that as these procedures were implemented, the water saved would be subtracted from the Newlands Project water allotment of 406,000 acre-feet. An estimated saving of 95,000 acre-feet of water would then be diverted to Pyramid Lake. The Task Force also recommended that if these water savings caused extensive losses to Lahontan Valley's wildlife, part of the water



Typical marsh in 1974 after loss of life-giving water. Nevada Fish and Game photo

TO MAN-MADE DESERT

saved be directly allocated to the main wetland areas. The Task Force recommendations were based on the premise that the improvements would be made first and the allocation of water saved would follow.

These recommendations were disregarded because in 1972 a suit entitled, "Pyramid Lake Paiute Tribe of Indians—Plaintiff, versus Rogers C. B. Morton, Secretary of the Interior, et al—Defendant (Civil Action No. 2506-70)" was filed in U.S. District Court of the District of Columbia, presided over by Judge Gerhart Gesell. On February 20, 1973, Judge Gesell handed down his decision, and issued operating criteria and procedures for the controlled operation of the Truckee and Carson River drainages. Under this action, the Truckee-Carson Irrigation District was allocated 350,000 acre-feet of water in 1973 and 288,120 acre-feet in 1974 followed by 288,000 acre-feet for each succeeding year. No provision was made for any

improvements to the irrigation system before the water cuts were made. There were also no provisions whatever to alleviate the impact on the wildlife resource caused by the cut-backs of water. Because of the Truckee-Carson Irrigation District's inability to meet the designated water reductions and still maintain its commitment to the Valley's residents, the Secretary of the Interior has given notice that the Bureau of Reclamation will take over and operate the Newlands Project under the new guidelines.

The wetland areas, up to now supplied with waste water from return flows from the Newlands Project, are the most important marsh areas found in the State of Nevada. These areas provide habitat for the largest concentrations of wildlife found within the State. During peak migration periods, over 70% of the state's ducks, 50% of the Canada geese, 90% of the snow geese and 65% of

the whistling swans are found on the Newlands Project. As mentioned previously, the Stillwater Wildlife Management Area and Carson Lake are located within the Newlands Project and are completely dependent on its many-times used waste irrigation water. Both are native marshes, totalling over 70% of the available habitat in the valley and both have continued in existence after man appropriated their upstream water sources only because of the waste water that flowed to them after man had used it repeatedly for farming.

The Stillwater Wildlife Management Area (with over 22,000 acres of marsh) was created in 1948 and is located on the old Stillwater marshes. The Management Area was created by a tri-party agreement between the Nevada Department of Fish and Game, Bureau of Sports Fisheries and Wildlife and the Truckee-Carson Irrigation District for the purpose of preserving this highly productive



Production of ducks dropped 50% at the Stillwater W.M.A. and 89% at the Carson Lake during the spring and summer of 1974. Nevada Fish and Game photo.

marsh and its splendid waterfowl population. Stillwater Wildlife Management Area is the most important area within the state in terms of habitat for nesting, resting and feeding of migratory waterfowl. In 1970, over 200,000 ducks were counted on the area during October of that year. In addition, a total of 1,500 Canada geese, 2,300 snow geese and 4,390 whistling swans were counted. Prior to disruptions and cutbacks in the water supply, over 35 million waterfowl use-days were provided.

Canvasback populations have been low for the past several years and these birds have been given added protection from hunting. These magnificent birds normally congregate in large numbers on the Stillwater Wildlife Management Area, taking advantage of the normally extensive beds of sego pondweed, one of the canvasback's favorite food plant. During past years, over 30% of the canvasbacks in the Pacific Flyway were found on this area. In 1970, 27,000 canvasbacks were counted, amounting to over 50% of the total Pacific Flyway population. Even though only about 1/2 of the water needed to maintain the Stillwater Marsh was received in 1974, there were still over 17,000 canvasbacks using this area. Because of the problems these birds are having, special consideration was given to provide as much canvasback habitat as possible. It will not be possible to maintain this type of habitat in the future under the new water allocations and this will result in the loss of another important canvasback concentration area.

Stillwater also has had the distinction of being the most important

waterfowl production area in the state, with over 15,000 waterfowl normally produced in past years, when water levels were adequate. The major species produced on the marsh were redheads, cinnamon teal, gadwalls and mallards. In fact, this area's history of production of large numbers of redheads, along with its use by migrating canvasbacks, led to the original creation of the Stillwater Wildlife Management Area and Refuge. Stillwater is the second largest production area of nongame birds in Nevada. Large number of avocets, black-necked stilts, killdeers, long-billed curlew, great blue herons, eared grebes, western grebes and Wilson's phalaropes have nested on the area annually.

Carson Lake, located at the south-east end of Lahontan Valley, contains over 14,000 acres of native marsh and is the second largest marsh in the state. One unique feature of this marsh is that the country is extremely level and very little of its water depth exceeds 15 inches; most of the marsh is covered with less than 8 inches of water. This makes the area especially desirable for both ducks and other marsh birds, which are able to easily feed over the entire area. Vegetation, rather than being restricted to the edges of the units, grows over the entire area, forming large numbers of ponds interspersed with islands of cover. This condition is ideal for both hunters and waterfowl.

Lower water receipts and poorer water quality in the past three-to-four years have caused salt concentrations to increase to the point that large areas of alkali bulrush (nutgrass) and hardstem bulrush (tule) have

died; however, there are still thousands of acres in which this form of vegetation is still surviving.

Carson Lake provides nesting habitat for large numbers of redheads, cinnamon teal, gadwalls and good numbers of mallards, pintails and ruddy ducks. Although it is the second largest producer of waterfowl in Nevada, its principal claim to fame lies in the production of nongame marsh birds. It is one of the top producers (in the Pacific Flyway) of nongame birds such as avocets, black-necked stilts, snowy and American egrets, Wilson's phalaropes, long-billed curlew, long-billed dowitchers, snowy plovers, Forester's and black terns, eared and western grebes and great blue herons. Normally, an estimated 20,000 marsh-associated nongame birds are produced annually.

One of the most important species which nests on the Carson Lake is the white-faced ibis, which is presently on the "threatened species" list, under undetermined status. This rookery is one of the three largest breeding colonies in the United States. It has also been important because of sharp declines in the Utah and Texas populations but until recently this colony has continued to increase. In 1973, an estimated 3,300 nests were located in this colony with over 2,980 broods and 8,940 fledglings produced. In 1974, because of very low water receipts to the marsh, the rookery was abandoned and no more than 30 young were produced. This is the first year on record that this colony has failed to nest, in large numbers, on the Carson Lake. If present trends in water shortages continue, this important breeding colony will be completely lost.

As in the case with the Stillwater Wildlife Management Area and other wetlands, Carson Lake provides habitat for large populations of waterfowl and nongame birds. The main waterfowl species present during fall and spring migrations are pintails, green-winged teal, shovellers, widgeon, gadwall and snow geese. Migrating populations, during normal water years, vary between 80,000 to 125,000 ducks and between 7,000 to 11,000 snow geese. Approximately 10 million waterfowl use-days are provided when adequate water is available. In addition to large populations of waterfowl present during migration periods, well over 100,000 nongame birds were present on this marsh at one time.

In addition to the extensive marsh located on the Stillwater Wildlife Management Area and Carson Lake,

Continued on page 38

Desert—Continued from page 30
other marsh areas within the Newlands Project include the Fernley Wildlife Management Area with over 4,900 acres of habitat, the Canvasback Gun Club with over 3,500 acres of marsh and numerous other wetlands which vary in size from 1 to 1,000 acres of habitat. In all, there are over 57,000 acres of good habitat on the project, most of which are historical native marshes, with the newer remainder created as a side benefit of the irrigation project.

In 1973, water receipts to both

Stillwater Wildlife Management Area and Carson Lake were lower than had been received in past years and some units were dry in late August. In 1974, large water cutbacks were made and, with little water reserves from 1973, conditions became critical.

By late August of 1974, 65% of the Stillwater Wildlife Management Area had dried and 90% of Carson Lake was dry. An estimated loss in duck production (compared to 1973 figures) of 50% was recorded on the Stillwater Management Area and an

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88% loss was experienced on Carson Lake. When the number of young produced was compared to previous production years, the losses loom much larger. Canada goose production this year decreased approximately 40%. Waterfowl, of course, were not the only species to feel the pinch of lost habitat. The losses for most marsh associated nongame birds varied from 40% to 99% when compared to 1973 totals. Most of these species suffered losses in excess of 65%.

If 1974 had been a drought year for western Nevada, some of these reductions could have been explained as natural causes, but this was not the case in 1974. The projected spring stream flows for both the Carson and Truckee River drainages were in excess of 110% of normal and the reservoir storage on the Truckee River, which contains most of the upstream storage, was 135% of normal. Normally under such conditions the Lahontan Valley marshes would have been at optimum levels and wildlife numbers would have been plentiful. If conditions continue in the direction they are heading at present, Nevada's most important waterfowl areas will be placed in permanent man-made drought, with a projected permanent loss of over 38,000 of the 57,000 acres of wetland habitat normally present. Most of the remaining marshes will continue to deteriorate because there will be inadequate water flows to flush the high concentrations of alkali salts. This build-up will cause the loss of most important waterfowl food and cover plants. Salt concentrations have already increased with levels, on one area of Stillwater Management Area, showing concentrations twice that of normal sea water.

Many people who have worked on the water problem feel there is enough water available for both the Pyramid Lake fishery and the Newlands Project farms, with enough left over to maintain most of the major marsh areas. It is going to take a willingness to compromise on both sides, plus the expenditure of some large sums of money to update the irrigation system. If these steps are taken and an annual allocation of water is provided to preserve the quality of these prime wetland areas, then the Lahontan Valley will continue to provide habitat for hundreds of thousands of birds and mammals as it has for centuries. However, if the trend continues in its present direction, the Lahontan Valley marshes will be turned into a large, man-made desert with nothing remaining of the vast flocks of wildfowl but lingering memories. ■

Amendment N^o 8564



Amend the preamble, page 1, delete line 5 and insert:

"WHEREAS, Since 1941 the cities and counties of the state have been exercising planning authority under chapter 278 of NRS and the counties have had regional plan-".

Amend the preamble, page 1, line 16, delete "plan" and insert:

"planning program".

Amend the preamble, page 1, line 19, delete "Carson City" and insert:

"cities".

Amend the preamble, page 1, line 22, delete "plan" and insert:

"planning program".

Amend the preamble, page 2, line 2, delete "counties;" and insert:

"counties, designation and protection of areas of critical environmental concern, preparation and revision of a statewide inventory of the land and natural resources, and other matters identified in NRS 321.720 which are beyond the scope of local governments;"

Amend the resolution, page 2, insert after line 4:

"resources is hereby directed to define the proper role of the state in the development of the state land use planning program, to outline which functions and responsibilities rest solely with the state, which are to be shared with local governments and which are to rest solely with local

)
governments; and be it further

RESOLVED, That the director of the state department of conservation and natural".

Amend the resolution, page 2, line 5, delete "hereby" and insert:
"further".

Amend the resolution, page 2, line 6, delete "the 16 counties" and insert:
"local governments".

Amend the resolution, page 2, delete lines 7 and 8 and insert:
"and to develop the state land use planning program in accordance with".

) Amend the resolution, page 2, line 13, delete "plan;" and insert:
"planning program;".

Amend the resolution, page 2, line 16, delete "county" and insert:
"local government unit".

ASSEMBLY AMENDMENT

564 SENATE AMENDMENT

Concurrent

Amend the resolution, page 2, line 17, delete "Carson City;" and insert: "cities;".

Amend the resolution, page 2, line 18, delete "plan" and insert: "planning program".

Amend the resolution, page 2, delete line 19 and insert: "marily upon local planning efforts or in defining the proper state role should be reported to the 59th ses-".

Amend the resolution, page 2, delete line 21 and insert: "locally-based concept.".

Amend the title of the resolution, deleting lines 3 and 4, and inserting: "chapter 321 of NRS to utilize local government planning activities as the basic components of the state land use planning program.".

S. J. R. 35

SENATE JOINT RESOLUTION NO. 35—COMMITTEE ON ENVIRONMENT AND PUBLIC RESOURCES

APRIL 30, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—Directs division of Colorado River resources to prepare and submit to 59th session of Nevada legislature the general plan, policy and recommended means of implementation for development of Fort Mohave Valley lands. (BDR 1983)

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

SENATE JOINT RESOLUTION—Directing the division of Colorado River resources of the state department of conservation and natural resources to prepare and submit to the 59th session of the Nevada legislature the general plan, policy and recommended means of implementation for the development of Fort Mohave Valley lands.

- 1 WHEREAS, The Fort Mohave Act (P.L. 86-433) provides for the
- 2 transfer of some 15,000 acres of certain important land resources along
- 3 the Colorado River to the State of Nevada; and
- 4 WHEREAS, NRS 321.480 to 321.536, inclusive, were passed in recogni-
- 5 tion and implementation of the Fort Mohave Act; and
- 6 WHEREAS, Approximately 6,000 acres were transferred to the State of
- 7 Nevada several years ago for electric power generation and resort devel-
- 8 opment pursuant to the Fort Mohave Act; and
- 9 WHEREAS, The remaining 9,000 acres of undeveloped land in the Fort
- 10 Mohave Valley have been the subject of an environmental impact state-
- 11 ment by the United States Bureau of Land Management which consid-
- 12 ered the effect on the environment of six alternatives for the use of such
- 13 land; and
- 14 WHEREAS, The amendment of March 28, 1972, to the contract of sale
- 15 between the United States and the State of Nevada provides that, follow-
- 16 ing the preparation of the environmental impact statement, the United
- 17 States Secretary of the Interior may formulate conditions and restrictions
- 18 to be imposed on the use of such transferred lands; and
- 19 WHEREAS, Study and evaluation of the appropriate federal and state
- 20 laws, contracts between the United States and the State of Nevada, the
- 21 environmental impact statement and other documents are necessary to
- 22 prepare adequately for the future acquisition and utilization of such land
- 23 for the people of this state; and

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 401

558

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 under the authority of NRS 583.255 to 583.565,
6 inclusive.] *other than an establishment covered by subsection 1 of NRS*
7 *583.545, which on a commercial basis slaughters or processes for hire*
8 *any meat animal, game animal, poultry or game bird for human consump-*
9 *tion, and which has been inspected and approved by the officer.*
10 SEC. 2. NRS 583.435 is hereby amended to read as follows:
11 583.435 1. Meat, meat food products, and poultry products are an
12 important source of the supply of human food in this state and legislation
13 to assure that such food supplies are unadulterated and otherwise fit for
14 human consumption, and properly labeled, is in the public interest. There-
15 fore, it is hereby declared to be the policy of this state to provide for the
16 inspection of slaughtered livestock, poultry [.] *and other animals*, and the
17 carcasses and parts thereof which are used for human food, at certain
18 establishments to prevent the distribution in intrastate commerce, for
19 human consumption, of [livestock and poultry] *animal* carcasses and
20 parts thereof which are adulterated or otherwise unfit for human food.
21 2. The health division of the department of human resources is hereby

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(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. J. R. 20

ASSEMBLY JOINT RESOLUTION NO. 20—
ASSEMBLYMAN HEANEY

MARCH 26, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—Memorializes Congress, the Secretary of the Interior, the Director of the Bureau of Land Management, and the Chief of the Division of Technical Services of the Nevada office of the Bureau of Land Management to keep federal lands in Nevada open for public use. (BDR 1162)

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

ASSEMBLY JOINT RESOLUTION—Memorializing Congress, the Secretary of the Interior, the Director of the Bureau of Land Management and the Chief of the Division of Technical Services of the Nevada office of the Bureau of Land Management to keep federal lands in Nevada open for multiple use by the public, whenever such use is compatible with the public's general recreational enjoyment of said federal lands.

- 1 WHEREAS, Public lands in America represent our national heritage and
2 should be used to provide the maximum benefit to its owners, the general
3 public; and
4 WHEREAS, Public lands in the West are the last stronghold of unfettered
5 recreational opportunity in the wide-open spaces of our nation; and
6 WHEREAS, Mining and agriculture have long been regarded as prime
7 industries in the State of Nevada; and
8 WHEREAS, There is a growing demand by the general public for open
9 space for hunting, fishing, camping, hiking and other outdoor recreational
10 pursuits; and
11 WHEREAS, Nevadans historically have utilized and enjoyed these lands
12 for both their recreational value and their economic productivity; and
13 WHEREAS, Nevada is in the unique position of having approximately
14 86 percent of its land federally controlled; and
15 WHEREAS, In the past, federal lands and resources have, at various
16 times, been withheld from general public use without establishing long-
17 range use objectives; now, therefore, be it
18 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
19 That the United States Congress, the Secretary of the Interior, the Direc-
20 tor of the Bureau of Land Management and the Chief of the Division
21 of Technical Services of the Nevada office of the Bureau of Land Man-
22 agement are hereby memorialized to recognize both the recreational

A. J. R. 17

**ASSEMBLY JOINT RESOLUTION NO. 17—ASSEMBLYMEN
HEANEY, GETTO, DINI, WEISE, MELLO AND JACOBSEN**

MARCH 12, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—Memorializes Congress and United States Department of the Interior to declare preservation of Stillwater National Wildlife Refuge to be in public interest and deserving of immediate action to assure its continued existence. (BDR 1163)



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

ASSEMBLY JOINT RESOLUTION—Memorializing the Congress of the United States and the Bureau of Sport Fisheries and Wildlife of the United States Department of the Interior to take action to assure that sufficient water from the Truckee and Carson Rivers is available now and in the future to preserve the Stillwater National Wildlife Refuge.

- 1 WHEREAS, The Stillwater Wildlife Management Area and Carson Lake
- 2 area have traditionally provided a sanctuary for migratory waterfowl and
- 3 supported a large percentage of Nevada's nongame wetland associated
- 4 wildlife; and
- 5 WHEREAS, In years past Stillwater National Wildlife Refuge harbored
- 6 the largest nesting areas in the United States for the rare white-faced
- 7 glossy ibis; and
- 8 WHEREAS, In 1973 the Department of the Interior reduced water allo-
- 9 cation to the Truckee-Carson Irrigation District thereby creating an emer-
- 10 gency situation by drying up the marshes of the Stillwater Wildlife
- 11 Management Area and Carson Lake which are absolutely vital to the con-
- 12 tinued existence of this national preserve for wetland wildlife species; and
- 13 WHEREAS, Since 1973 total waterfowl production has fallen 88 percent
- 14 at Carson Lake and over 50 percent at the Stillwater Wildlife Manage-
- 15 ment Area; and
- 16 WHEREAS, The nesting of white-faced ibis in the area has ceased com-
- 17 pletely; and
- 18 WHEREAS, It is in the public interest to preserve and protect this refuge
- 19 for water associated wildlife; and
- 20 WHEREAS, Stillwater National Wildlife Management Area is jointly
- 21 managed by the Bureau of Sport Fisheries and Wildlife in the Department
- 22 of the Interior and the Nevada department of fish and game; now, there-
- 23 fore, be it
- 24 *Resolved by the Assembly and the Senate of the State of Nevada,*

A. J. R. 31

ASSEMBLY JOINT RESOLUTION NO. 31—A SELECT
COMMITTEE ON UTILITIES

Referred to Committee on Commerce

APRIL 14, 1975

SUMMARY—Memorializes Congress to amend the Internal Revenue Code to allow the issuance of tax-free capital improvement bonds for public utilities. (BDR 1311)

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

ASSEMBLY JOINT RESOLUTION—Memorializing Congress to amend the Internal Revenue Code to allow the issuance of tax-free capital improvement bonds for public utilities.

- 1 WHEREAS, The adequate and reasonable provision of gas electric
2 power and other public utilities is an absolute essential of modern society;
3 and
4 WHEREAS, The goal of energy independence for the nation is directly
5 related to the ability of public utilities to modernize plants, convert plants
6 to cheaper fuels and to build nuclear plants; and
7 WHEREAS, All of these goals in addition to expansion to meet normal
8 growth requires the investment of large sums of capital, for electricity
9 alone estimated at \$140 billion through 1980; and
10 WHEREAS, The rising costs of fuel, the pressures of inflation and the
11 strong demands by consumers for a halt in rate hikes has created a situa-
12 tion of dropping profits and a concomitant reluctance of investors to pur-
13 chase public utilities bond issues; and
14 WHEREAS, The failure to attract investment capital for plant expansion
15 and construction will have a direct and deleterious impact upon meeting
16 national energy goals; and
17 WHEREAS, The Congress has recognized the public benefits of water
18 and sewer utilities and air and water pollution control facilities and pro-
19 vided that bonds issued for these purposes may be tax exempt; now,
20 therefore, be it
21 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
22 That the legislature of the State of Nevada hereby respectfully memorial-
23 izes the Congress of the United States to amend the Internal Revenue
24 Code at 26 U.S.C. § 103 to provide that capital improvement bonds for
25 all public utilities may be tax exempt; and be it further

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A. J. R. 37

ASSEMBLY JOINT RESOLUTION NO. 37—A SELECT
COMMITTEE ON UTILITIES

APRIL 17, 1975

Referred to Committee on Commerce

SUMMARY—Memorializes Congress to refuse to enact certain parts of the proposed Energy Independence Act of 1975. (BDR 1702)

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

ASSEMBLY JOINT RESOLUTION—Memorializing Congress to refuse to enact certain parts of the proposed Energy Independence Act of 1975.

1 WHEREAS, The overall effects of Title VII of the proposed Energy Inde-
2 pendence Act of 1975 (S. 594, H.R. 2633 and H.R. 2650) will be to
3 raise electric utility rates by approximately 20 percent, such increase being
4 well in excess of that needed to maintain a viable electric utility industry;
5 and

6 WHEREAS, State regulatory utility commissions exist to perform a care-
7 ful analysis of utility rate and service problems in orderly, democratic
8 hearings that protect the public, consumer, producer and investor interests
9 and are able to take local conditions and special circumstances into
10 account in arriving at rate and service decisions; and

11 WHEREAS, The rate-setting flexibility of state commissions is dependent
12 upon their ability to conduct rate proceedings over the time required, by
13 their rights to allow or disallow fuel adjustment clauses, by their ability to
14 investigate and experiment with peak load pricing, by their ability to
15 decide what costs of construction and environmental protection equipment
16 should be part of the rate base and by their right to determine the account-
17 ing methods appropriate in each state; and

18 WHEREAS, All of these components of flexibility will be endangered, if
19 not completely eliminated, in the proposed Energy Independence Act of
20 1975; now, therefore, be it

21 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
22 That the legislature hereby memorializes the Congress of the United States
23 to amend the proposed Energy Independence Act of 1975, especially at
24 Title VII, to eliminate provisions that would take traditional public utili-
25 ties regulatory power away from the states; and be it further

26 *Resolved,* That the legislature believes that the answer to increasing
27 electric rates is control of inflation and restored vitality to the economy,

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A. B. 323**ASSEMBLY BILL NO. 323—COMMITTEE ON AGRICULTURE**

FEBRUARY 25, 1975

Referred to Committee on Agriculture

SUMMARY—Deletes exemption of certain vendors from licensing requirements for traveling merchants. Fiscal Note: No. (BDR 54-144)

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

AN ACT to amend NRS 650.040, relating to licensing of traveling merchants, by deleting exemption of persons vending certain food products; and providing a penalty.

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

1 SECTION 1. NRS 650.040 is hereby amended to read as follows:
 2 650.040 The provisions of this chapter [shall] *do not* apply to per-
 3 sons engaged in the disposal of [products of the soil, poultry, eggs, live-
 4 stock, honey or dairy products] *fruits, vegetables, eggs or honey* if the
 5 vendor is a bona fide producer or grower thereof and transports such
 6 products [of the soil, poultry, eggs, livestock, honey or dairy products]
 7 from the place of production or growing to the place of sale in a vehicle
 8 owned by [and standing in his name.] *him*.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. C. R. 36

SENATE CONCURRENT RESOLUTION NO. 36—SENATORS
DODGE, BLAKEMORE, SHEERIN, WILSON, NEAL, BRYAN
AND GOJACK

APRIL 18, 1975

Referred to Committee on Environment and Public Resources

SUMMARY—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. (BDR 1862)



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

SENATE CONCURRENT RESOLUTION—Directing the director of the state department of conservation and natural resources in exercising powers under chapter 321 of NRS to utilize local government planning activities as the basic components of the state land use planning program.

- 1 WHEREAS, The 16 counties and Carson City each comprise a significant
- 2 geographic area with patterns of development contained primarily within
- 3 their individual boundaries with little or no overlap into adjacent coun-
- 4 ties; and
- 5 WHEREAS, Since 1941 the cities and counties of the state have been
- 6 exercising planning authority under chapter 278 of NRS and the counties
- 7 have had regional planning authority pursuant to NRS 278.090; and
- 8 WHEREAS, The basic concept of American democracy is predicated
- 9 upon power and authority flowing upward from the people through each
- 10 level of government and ultimately to the Federal Government; and
- 11 WHEREAS, In keeping with this basic concept every attempt should be
- 12 made to carry out activities and decisions at levels as close to the people
- 13 to be affected as is possible; and
- 14 WHEREAS, The present state land use planning law, as contained in
- 15 chapter 321 of NRS, recognizes a role for local governments at the dis-
- 16 cretion of the director; and
- 17 WHEREAS, The most successful state land use planning program in
- 18 terms of quality and acceptance will be that with the maximum participa-
- 19 tion by local governments; and
- 20 WHEREAS, The counties and cities are the local government units who
- 21 have close citizen contact and possess the necessary geographic scope to
- 22 do viable land use planning; and

A. J. R. 41

ASSEMBLY JOINT RESOLUTION NO. 41—
COMMITTEE ON AGRICULTURE

APRIL 22, 1975

Referred to Committee on Agriculture

SUMMARY—Urges the President, Congress and federal land management agencies to authorize and implement predator control management on federal lands in Nevada. (BDR 1911)

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

ASSEMBLY JOINT RESOLUTION—Urging the President, Congress and federal land management agencies to authorize and implement predator control management on federal lands in Nevada.

- 1 **WHEREAS**, The National Administration and Congress have called upon
2 farmers and ranchers of the United States to produce enough food to
3 assure abundant food at reasonable prices in this country; and
4 **WHEREAS**, The farmers and ranchers are called upon to produce suffi-
5 cient food for domestic needs and, in addition, to provide vast amounts
6 for export to foreign countries to feed millions of starving people; and
7 **WHEREAS**, Export of food appears to be the most feasible means of
8 balancing the trade deficit and reducing the outward drain of American
9 dollars; and
10 **WHEREAS**, Federal land resources in the western United States present
11 an abundant opportunity for increased production of lamb and beef; and
12 **WHEREAS**, This production is severely limited because of federal restric-
13 tions on the use of sound management procedures for the control of preda-
14 tors; now, therefore, be it
15 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
16 That the legislature of the State of Nevada hereby respectfully urges the
17 President of the United States, Congress, the Bureau of Land Manage-
18 ment, and the Forest Service to authorize and implement predator control
19 management policies on federal lands in Nevada, such predator control
20 measures to be comparable to those which have been proven necessary on
21 private lands in Nevada; and be it further
22 *Resolved*, That copies of this resolution be transmitted forthwith by the
23 legislative counsel to the President of the United States, to the Vice Presi-
24 dent of the United States as presiding officer of the Senate, to the Speaker

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