

ASSEMBLY AGRICULTURE COMMITTEE MINUTES  
MARCH 1, 1977  
4:00 p.m.

MEMBERS PRESENT: Chairman Hickey  
Mr. Price  
Mr. Jeffrey  
Mr. Polish  
Mr. Serpa  
Mr. Jacobsen  
Mr. Rhoads

MEMBERS ABSENT: None

GUESTS: Richard N. Fulstone, Peoples Packing Co.  
Jerry Higgins, John Ascuaga  
Ken Hemphill, K-Pack Meat  
Frank Seares, K-Pack Meat  
Thomas P. Ballow, Nevada Department of Agriculture  
Thomas P. Ringkob, College of Agriculture, U. of Nevada  
Dale Bohmont, College of Agriculture, U. of Nevada  
Virgil Getto  
Richard W. Young, Nevada Dairy Commission, Counsel  
R. Larry Petty, Legislative Counsel Bureau  
Phyllis Berkson, Chairman, Nevada State Dairy Commission  
Clarence Cassady, Nevada State Dairy Commission

Chairman Hickey called the meeting to order for the purpose of hearing AB 183 and additional meeting with the legal counsel for the Nevada State Dairy Commission.

AB 183, Provides for program of grading and certifying meats.

Richard Fulstone, representing Peoples Packing Co., spoke on behalf of the bill. He stated that they have had and still do have meat grading. He explained the difference between the Meat Inspection Service which is a department under the USDA within the Animal and Poultry Inspection Section and the Marketing Service under the USDA which has the meat grading under it. These are two distinct services although both under the USDA.

Mr. Fulstone went on to say that meat is graded and so in order to sell meat today it is almost imperative that you have a meat grader. Hotels and restaurants almost always require the meat they use to be graded whether it is choice or good.

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In the past Peoples Packing has had the services of a grader with a total commitment of 40 hours. This amounted \$12,000 a year. Because of increased costs this has risen to \$33,000 a year and they can no longer afford to have a grader. The cost of a grader in California amounts to approximately 20¢-30¢ a head but here it would cost about \$1.50 a head. At the present time they have a grader on a part time commitment of one day a week. In order to accomplish this they must hire a private plane to fly him from California and pay him \$17.00 per hour. This has curtailed their production by 50% and they are now processing 300 head a week as opposed to 600 head a week.

They have attempted to put together what is known as cross utilization where they would get the inspection service to train a man to do some grading in their plant but this was totally unacceptable to the grading department. They have then submitted several other ideas and much was investigated and discussed. They have worked together and tried to put a program which is this bill. Hopefully they would get the State Department of Agriculture to take the commitment. There are other states that are working on this program. The packers and jobbers would then buy time from the state to have the services of the grader.

Mr. Serpa inquired whether the grader could grade carcasses from out of state that have been brought in. Mr. Fulstone stated that he could however they did not bring carcasses at this time. He went on to say that at this time they have had to cut back the employment from 60 to 30 employees. The area that this would help is already a labor depressed area so this would definitely help the local economy. They do purchase a lot of cattle from local feed lots and they have had to curtail that.

Mr. Polish asked where they now have to ship the cattle for slaughter in order to be graded. Mr. Fulstone stated that they are shipping down to the Stockton, San Francisco area.

Mr. Hickey inquired about how many packing houses there were in Nevada. Mr. Fulstone stated there were some in Yerington, Fallon, Gardnerville and several small ones and that some jobbers would also be interested in this. He added that this would also help locally because the Armed Forces require graded meat so the local plants are losing out in this business for Fallon Naval Base.

Mr. Serpa inquired whether with a grader it would be possible to have a greater market area. Mr. Fulstone stated that this is possible as they have the potential to process a lot more cattle and have a lot more employees if they could have a local grader.

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Mr. Jacobsen inquired what the savings would be by having a local grader. Mr. Fulstone stated that they were purposing to spend the same amount for a grader as they are right now so the cost would not be any different but they would have the grader three times a week as opposed to once a week for the same money. This would greatly increase their production.

Ken Hemphill, K-Pack Meat, spoke in favor of the bill. He stated that hotels and restaurants are now using 100% graded meat and at the retail level graded meat is used 99%. At this time most of this is coming from out of state mainly from California. A lot of the cattle that is shipped into the state probably originated in this state and had to be shipped out of the state for grading. He also stated that with a grader there would be a definite pick up in the economy of the areas involved. He cited an situation of two contracts locally that could not be bid upon because of the lack of a grader. They had the cattle available but could not get them graded. Cattle are presently being sold at a lower price because they must be shipped out for grading. He stated that at the present time there are approximately 500 head that are graded and shipped into the Reno and Sparks to the jobbers that supply hotels and restaurants. These could have been Nevada cattle. They firmly believe that this bill and the funding included would be a definite asset to the State of Nevada.

Mr. Hemphill stated that at the present time they have no grader at all. They are strictly working with a "no roll" cattle. They get between 4-5¢/lb. less because they do not have a grader. No roll is not really that much in demand as it has been in the past as everyone wants graded meat for advertising purposes as well as other purposes.

Mr. Hickey inquired whether their kill has decreased. Mr. Hemphill stated they were about 40-45% down from what they have been.

Mr. Serpa inquired about the contract that they were unable to bid on. Mr. Hemphill stated that one was roughly for 50-60/head per week with a guaranteed commitment for 3 months. However this was only a very small part of it. He went on to describe the other parts of the contract. Mr. Serpa stated that there were a lot of feed lots in Fallon that this would have been a real boon to.

Mr. Ballow of the State Department of Agriculture, spoke in favor of the bill. Mr. Ballow stated that this was quite unique in that it was the State that was asking for the feds to come in rather than the Federal government pushing into the State.

Mr. Ballow asked there be a minor amendment put into the bill and that was that it become effective upon passage so that they could get the program going.

Mr. Ballow presented the committee with the proposal that has been developed. This is attached as Exhibit A and herewith made a part of this record. Mr. Ballow also presented a copy of the fiscal note for this bill. This is attached as Exhibit B and herewith made a part of this record.

He explained that on the fiscal note he was allowing a cushion and that he felt it would eventually take care of itself. He stated they have 3 guaranteed commitments and that was all the he considered when he worked up the note. However, it is felt that as the program got going there would be additional commitments.

Mr. Ringkob, College of Agriculture, stated that he agreed with Mr. Ballow and that the jobbers and plants that have not committed would find additional uses for the the grader that have not been thought of as yet.

Mr. Rhoads inquired whether the federal fee was a one shot item and whether it wasn't rather high. Mr. Ballow stated that the initial explanation only relates to the first fiscal year. The federal government has told them the fee would not be in excess of 14% of the total inspection fee collected. However they give the department credit for billing and other work that they do. So it will be 14% or somewhat less. This will reimburse them for the training of the individual, supervision and spot checking of his work.

Mr. Hickey asked what volume of business a plant would have to have to be economical to avail themselves of this grader? He added that this would cost the State about \$5,000 and was it really practical for the state to establish this program.

Dean Bohmont, College of Agriculture, stated they do use the service when they can afford it. It is worth at least 2¢ a pound when they are able to get livestock that will grade. He added that this grader would not be standing in the wings he would be doing other inspection work. This is the only state that will be trying this. None of the other states are able to develop this type of relationship. This would also be an advantage to the FFA and 4-H groups where all their livestock could be graded and the young people of the state would get this advantage. This person could also be used for educational purposes. Could assist in consumer education so that consumer could be more aware of the quality and grade of meat which is now very confusing.

Mr. Ballow stated that if the schedule could be worked out so that there was extra time he would guarantee that the person would be busy in the Bureau of Weights and Measures doing package work.

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Virgil Getto stated that he was in favor of the bill and one of the things that he felt was very important is the fact that we would be able to market our own product more. He sited the situation of a farmer fattening beef and because of the grading situation having to ship it out for grading. This shipping cost from \$10-12/head. Then those cattle come back here with additional shipping costs. He added that the cattle that are located and being raised here are just as qualified for grading as those that are raised in the Midwest. This would be a real boon to the small counties and would revive the meat marketing business in the State and be well worth the expense involved.

Mr. Hickey then called upon Richard Young and R. Larry Petty to discuss the Dairy Commission. Mr. Young is the legal counsel for the Dairy Commission and Mr. Petty is with the Legislative Counsel Bureau.

Mr. Hickey asked Mr. Young to go through the amendments that the Dairy Commission would like to see incorporated into the statutes. A copy of the amendments and Mr. Young's statement regarding each are herewith attached as Exhibits C and D and herewith made a part of this record.

To Mr. Young's comments regarding Section 1, Mr. Petty stated that he would agree that this would broaden the definitions of a retail store which are not presently licensed and are exempt.

To Mr. Young's statements regarding Section 2, Mr. Petty stated that he would agree that the classes may be better defined but questioned whether they should be listed so extensive and then at the end give the Commission the power to determine new products that should be classified. He wondered whether the commission could not determine all classes and just give them the power to do so.

Mr. Cassady stated that this was same type of alignment that the State Health Department has and they have recently changed their classifications. He added that they agree with this.

Mr. Petty then questioned whether there was a real need for classifications. Mr. Cassady stated that they definitely needed these as this is how they determine the payment to the dairyman.

To Mr. Young's comments regarding Section 4, Mr. Petty stated that he would agree with this further amplification of the statutes.

Mr. Young stated that the amendment proposed as Section 5 is a critical change and strongly recommended its adoption.

This had much to do with the litigations that were dropped in the South.

Mr. Petty stated that he thought that he would agree with this however, he stated that he did not have that much personal knowledge of what has gone on in the past.

Mr. Getto stated that these suggested amendments were not actually amendments to AB 152 but rather amendments to the existing statutes. Mr. Petty informed the committee that the repealer in AB 152 which would repeal these statutes would not be effective until 1979 should AB 152 be adopted

Mr. Price then asked Mr. Southern to explain what happened in Southern Nevada. Mr. Young stated that the alleged violations were examined by the Commission and at Mr. Young's advice were not pursued because of the lack of substantial evidence. The amount of violations that have been cited by the newspapers are the amounts that might have been collected if the case had been perfect and all the conditions surrounding a legal case had been perfect.

A discussion was held regarding this violations and part that the Attorney General played in the case. Mr. Young explained that at the time much of this happened the Attorney General was acting as the agent for the Dairy Commission at their request.

In Northern Nevada the situation was somewhat different in that there were settlements made. Mr. Young explained the difference between the two situations. Mr. Young stated that in the north there had been great lengths gone to to camouflage the activity. The problem involved the difficulty in determining the number of violations. In the giving and receiving of rebates the law as presently existing says that the number of times money is exchanged is what matters not the amount of money that is exchanged.

Mr. Hickey inquired whether this problem should be addressed by this committee. Mr. Young stated that it would be helpful to have this spelled out.

A discussion was held explaining how the whole situation came about and the various meetings and press releases that came up during it.

AB 183

Mr. Serpa moved the committee "do pass and re-refer to Ways and Means" and Mr. Price seconded the motion. The motion carried unanimously.

Chairman Hickey adjourned the meeting.

Respectfully submitted,

*Sandra Gagnier*  
Sandra Gagnier,  
Assembly Attache

Also attached to these minutes are lists of complaints and settlements presented by the Nevada State Dairy Commission. These are attached as Exhibits E and F and herewith made a part of this record

## EXPLANATION

A.B. 183

## FISCAL NOTE

PROPOSAL. The Nevada State Department of Agriculture would enter into an agreement with the United States Department of Agriculture whereby a meat grader already trained and qualified by U.S.D.A. would be hired by the Nevada State Department of Agriculture. The meat grader would be hired at a salary reasonably comparable with U.S.D.A. GS-Grade 9, Step 3 (\$14,369). Salary and fringe benefits would be in accordance with Nevada State Personnel Schedule Grade 30, Step 13. The meat grader would provide meat grading service to Peoples Packing at Yerington, K-Pack at Fallon, University of Nevada at ~~Sparks~~<sup>Reno</sup>, and others in the service area as requested. The user of the service would pay the Nevada Department of Agriculture the standard U.S.D.A. fee for meat grading service (approximately \$17.00 per hour) and mileage fee of 17¢ per mile. The meat grader would be stationed in Fernley, the most central location for the users, or if necessary to station him in Reno, hours and mileage charges to users would be computed as if he were stationed in Fernley. The meat grader would give first priority to providing meat grading services. See the attached work schedule. Since there is not enough demand to utilize the meat grader full time, the balance of his time would be utilized by the Nevada Department of Agriculture in package inspection work, or other activity. The U.S.D.A. would provide supervision of the meat grading work to make sure it meets the standards of the Agricultural Marketing Act of 1946 and Rules and Regulations of the U. S. Department of Agriculture, Agricultural Marketing Service, governing the grading and certification of meats, prepared meats, and meat products (7 CFR Part 53). The U.S.D.A. will be reimbursed for this overhead of training and supervision by the Nevada State Department of Agriculture at the rate of 14% or less of the user service

Explanation:

A.B. 183 Fiscal Note

fee collected. The travel would be performed in an existing used vehicle owned by the Nevada Department of Agriculture and the employee would be reimbursed at state rates for per diem. All accounting and billing for services would be performed by the Nevada State Department of Agriculture. Official U.S.D.A. stamps and forms would be used by the meat grader.

TENTATIVE WORK SCHEDULE  
MEAT GRADING SERVICE

SUN	MON	TUE	WED	THU	FRI	S
	<p>6:00 A.M. Travel Fernley to Yerington, 46 Mi. 50 Minutes Meat grading at People's Packing 1 Hour Return travel to Silver Springs, 35 Minutes</p> <p>NOON - - - - -</p> <p>Travel Silver Springs to Fallon; 20 Minutes. Meat grading at K-Pack, 1 Hour Travel Fallon to Fernley, 17 Mi., 20 Minutes.</p> <p>5:00 P.M.</p>	<p>Package inspection work. Bureau of Weights and Meas., NV Department of Agriculture.</p> <p>Package inspection work. Bureau of Weights and Meas., NV Department of Agriculture.</p>	<p>6:00 A.M. Travel Fernley to Yerington, 46 Mi. 50 Minutes Meat grading at People's Packing 1 hour Return travel to Fernley, 46 Mi. 50 Minutes</p> <p>- - - - -</p> <p>Package inspection work. Bureau of Weights and Meas., NV Department of Agriculture.</p>	<p>Package inspection work. Bureau of Weights and Meas., NV Department of Agriculture.</p> <p>2:00 P.M. Travel Fernley to Yerington, 46 Mi., 50 Minutes Meat grading at People's Packing 1 Hour Return Travel to Fernley, 46 Mi., 50 Minutes.</p>	<p>Package inspection work. Bureau of Weights and Meas., NV Department of Agriculture.</p> <p>- - - - - NOON</p> <p>Package inspection work. Bureau of Weights and Meas., NV Department of Agriculture.</p>	

Meat grading services for others to be scheduled as requested except Monday, Wednesday, A.M., or Monday and Thursday, P.M.  
As meat grading work picks up, the Weights and Measures work would be decreased accordingly.  
People's Packing Weekly Charges = 8 Hrs. at \$17.00 = \$136.00 / 265 Mi. at 17¢ = \$45.05 (TOTAL \$181.05)  
K-Pack Weekly Charges = 1 Hr., 45 Min., at \$17.00 = \$29.75 / 34 Mi. at 17¢ = \$5.76 (TOTAL \$35.42)

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(See Reverse Side for Annual Breakdown.)

EXHIBIT 14

People's Packing: \$181.05 x 52 Wks = \$9,414.60  
K-Pack: \$35.42 x 52 Wks = \$1,841.84

\$11,256.44

Cost of administration supervision and training to be paid to Meat Inspection Service, U.S.D.A.

Balance placed in Plant Industry Fund to reimburse fund for salary and travel costs while on meat grading duties.

All salary and travel costs to be paid from Plant Industry Fund.

FISCAL NOTE

Date Transmitted February 4, 1977

• STATE AGENCY ESTIMATES

Date Prepared February 4, 1977

Agency Submitting AGRICULTURE

Revenue and/or Expense Items	Fiscal Note 1976-77	Fiscal Note 1977-78	Fiscal Note 1978-79	Continuing
Salaries	2,736.00	16,094.00	17,059.00	17,500.00
Out-State Travel	0	300.00	0	300.00
In-State Travel	784.00	5,546.00	6,101.00	6,200.00
Operating Expense	397.00	2,323.00	2,481.00	2,600.00
Equip.(Ex.Ec. Unit)	591.00	0	0	0
TOTAL	4,508.00	24,263.00	25,641.00	26,600.00
Less Revenue	2,338.00	14,057.00	14,684.00	15,000.00
Total	2,170.00	10,206.00	10,957.00	11,600.00

Explanation (Use Continuation Sheets If Required)

FY 77-78

Out-State Travel - Training  
 In-State Travel - Per Diem \$983.00  
 - Motor PI 4,563.00  
\$5,546.00

Operating Expense  
 Office Supplies \$25.00  
 Communication 160.00  
 Laundry 60.00  
 Field Supplies 40.00  
 Clothing 70.00  
 Federal Fee 1,968.00  
\$2,323.00

Local Government Impact YES  NO

(Attach Explanation)

Signature

*Thomas W. ...*

Title Executive Director

• DEPARTMENT OF ADMINISTRATION COMMENTS

Date

Signature

Title

• LOCAL GOVERNMENT FISCAL IMPACT

(Legislative Counsel Bureau Use Only)

Date

Signature

Title

## SUGGESTED AMENDMENTS TO STATUTES RELATING TO STATE DAIRY COMMISSION

Explanation - Matter in *italics* is new, matter in brackets [ ] is material to be omitted.

Section 1. NRS 584.380 is hereby amended to read as follows:

584.380 "Retail store" defined. "Retail store" means any person owning or operating a retail grocery store, restaurant, confectionery, or other similar business, where fluid milk or fluid cream is sold to the general public. [for consumption off the premises.]

Section 2. NRS 584.480 is hereby amended to read as follows:

584.480 Classification of fluid milk: Class 1. Class 1 comprises any fluid milk or the cream therefrom that [is supplied to consumers as market milk or market cream or concentrated milk or any combination of market milk and market cream, or any market milk which is not packaged in hermetically sealed containers, or any other dairy product in which the use of market milk is required by the provisions of the laws of the State of Nevada, or any fluid milk or cream therefrom which is used in standardizing market milk.] *meets the definitions and standards of identity promulgated by the state board of health, division of health, bureau of consumer health protection services for grade A pasteurized milk or market milk, extra-rich or premium milk, breed milk, low fat milk, skim milk or non fat milk, table cream, light cream or coffee cream, half and half, concentrated milk, concentrated milk products, flavored milk, flavored milk products, acidophilus milk, and any new product which the commission after hearing, determines should be classified in Class 1. Class 1 shall also include all milk products used to standardize any Class 1 product.*

Section 3. NRS 584.490 is hereby amended to read as follows:

584.590 Classification of fluid milk: Class 3. Class 3 comprises such milk or the cream derived therefrom [as cream is defined in NRS 584.325 to 584.690, inclusive, as is used by distributors in the manufacture of butter and cheese other than cottage cheese.] *as is used in the manufacture or processing of butter, cheese other than cottage cheese, any milk product in dry form, evaporated or condensed*

milk (plain or sweetened) in a consumer-type package, evaporated or condensed skim milk in a consumer-type package, and any new product which the Commission, after hearing, determines should be classified in Class 3.

Section 4. NRS 584.584 is hereby amended to read as follows:

584.584 Distributors may meet competitive prices in sales of butter, fresh dairy byproducts [;], and fluid milk products; information to be filed with commission.

1. Nothing in NRS 584.583 shall be construed as permitting or authorizing the development of conditions of monopoly in production or distribution of butter or fresh dairy byproducts, or fluid milk products, and a distributor who meets in good faith a lawful competitive price shall not be subject to any penalty provided in NRS 584.325 to 584.690, inclusive, if he files with the commission information detailing the circumstances surrounding the lawful competitive price within 5 days of such occurrence. Such information shall include the name and address of the distributor, the name and address of the customer involved, the competitive price met, the effective date of such price or condition, and the name and address of the competing distributor.

2. If such information is accompanied by a written statement, signed by the customer before a notary public or two competent witnesses, that such competitive price has been offered or made available to him, such statement shall constitute prima facie evidence that a distributor is meeting such competitive price or condition in good faith.

Section 5. NRS 584.670 is hereby amended to read as follows:

584.670 Misdemeanors; revocation, suspension of license; civil penalties.

1. The violation of any provision of NRS 584.325 to 584.690, inclusive, or of any stabilization and marketing plan, including the price requirements of such plan, or of any of the unfair practice provisions set forth in such sections, is a misdemeanor, and also is ground for revocation or suspension of license in the manner set forth in NRS 584.325 to 584.690, inclusive.

2. Every distributor must pay for fluid milk or fluid cream delivered to him or it at the time and in the manner specified in the contract with the producer. Failure to make such payment is hereby declared to be ground for refusal, suspension or revocation of license in the manner set forth in NRS 584.325 to 584.690, inclusive.

3. In addition to, or in lieu of, any other penalty provided by NRS 584.325 to 584.690, inclusive, the commission may impose [ , upon any person subject to any penalty under subsection 1 of this section, ] a penalty of \$500 for each violation, to be recovered by the commission in a civil action in a court of competent jurisdiction. All sums recovered under this subsection shall be paid into the state treasury to the credit of the dairy commission fund and shall be expended solely for the enforcement of NRS 584.325 to 584.690, inclusive. .

Exhibit D

Richard Young  
321 So. Arlington  
Reno 89501

REASONS FOR PROPOSING AMENDMENTS TO STATUTES RELATING TO STATE DAIRY  
COMMISSION

Section 1. Amendment to definition of "Retail Store."

584.380

In 1955 when the definition of retail store was adopted, everyone wished to avoid establishing minimum retail prices for milk by the glassful. By incorporating provisions for off premises consumption as a condition for qualification as a retail store, this problem was effectly overcome. Over the years, the retail price of milk as charged by restaurants has had no effect on milk marketing in general, and we can think of no instance where below cost sales has entered the on-premises milk consumption picture. In light of the proposed legislation making the commission's price setting powers discretionary on the commission's part, it is not conceivable that the problem of establishing minimum "restaurant" milk prices will occur. At the same time, the phrase "for consumption off the premises" has removed all restaurant operations from regulation according to legal opinions received from several sources. Some of the largest purchasers of milk and dairy products in this state are restaurant operations and these users should not be exempt from penalty should they be guilty of receiving unearned or illegal discounts or rebates. This proposed Amendment should correct this situation.

Section 2. Amendment to 584.480; Classification of fluid milk. Class 1.

NRS 584.480 as it now reads contains several defects. First, the Statutes contain no definition for market milk but this paragraph defines class 1 as market milk. Second, Class 1 currently does not include fluid milk packaged in "hermetically sealed containers", a term for which no adequate definition exists. In addition, no provision is made for new products or processes without legislative intervention. The proposed amendment, if adopted, would remedy these defects by removing the description of "market milk" and "hermitcally sealed" by substituting the actual products that constitute class 1 as such products are defined by the Bureau of Consumers Health Protection Services.

In addition, this amendment would enable the commission to classify new products by regulation.

Section 3. Amendment to NRS 584.490; classification of fluid milk.  
class 3.

NRS 584.490 as it now reads includes only butter and cheese other than cottage cheese. This forces some products such as powdered milk to take a class 2 usage. Manufactured products such as powdered milk and canned condensed milk should be classified in class 3 if such products are to be competitive. This amendment, if adopted, would correct an oversight in definition and allow the commission to classify new products without awaiting the next legislative session.

Section 4. Amendment to NRS 584.584; meeting competitive price.

NRS 584.584 is a section designed to allow distributors to meet competitive prices in the sale of fresh dairy byproducts. At the time this section was added, the commission was charged with setting minimum wholesale prices and it was not contemplated that distributors would ever be allowed to sell below such minimum prices in order to meet a competitive situation. With wholesale price minimums currently under suspension and the probability that minimum wholesale prices will not again be set by the commission, this amendment is required to allow distributors to meet lawful competition.

Section 5. Amendment to NRS 584.670; Misdemeanor; revocation, suspension of license; civil penalties.

NRS 584.670, subparagraph 3, contains the phrase "upon any person subject to any penalty under subsection 1 of this section." This phrase has been used for two purposes not contemplated by the drafters of this section. It has been contended that the reference to subsection 1 contained in the phrase eliminates any unlicensed individual from penalty. Retailers, under this phrase have argued that because they are not licensed by the commission, the commission cannot impose a penalty for violations of NRS 584.325 through 584.690 on retailers.

The same reference to subsection 1 has been the basis for argument that the commission is in all cases limited to a one year statute of limitations because of the reference to misdemeanor in subsection 1.

This phrase, if eliminated should correct these deficiencies.

It should be noted that AB 152 also calls for the amendment of NRS 584.670. The amendment in Assemblyman Jacobsen's bill is separate and apart from the amendment asked for here. We concur with the amendment for this section offered by Assemblyman Jacobsen and ask that our amendment be considered in addition to that of Assemblyman Jacobsen. To our knowledge, none of the other suggested amendments offered here are the subject of any other Assembly or Senate Bill.

STATE DAIRY COMMISSION  
ANALYSIS OF WESTERN NEVADA MARKETING AREA  
COMPLAINTS AND SETTLEMENTS

As of October 12, 1976

<u>RESPONDENT</u>	<u>CASE NO.</u>	<u>NUMBER OF VIOLATIONS ALLEGED</u>	<u>AMOUNT OF MONEY RECEIVED OR PAID</u>	<u>MAXIMUM FINE COL. 1 x \$500.00</u>	<u>SETTLEMENT NEGOTIATED</u>
MODEL DIARY	139	272	\$462,112.28	\$136,000.00	\$15,000.00
CRESCENT DAIRY, INC.	140	163	147,878.53	81,500.00	16,000.00
MEADOW GOLD	141	195	461,952.63	97,500.00	25,000.00
ALBERTSON'S, INC.	142	10	124,765.42	5,000.00	5,000.00
RALEY'S OF NEV.	143	25	300,558.09	12,500.00	10,000.00
ARDEN-MAYFAIR	144	32	172,146.52	16,000.00	10,000.00
SOUTHLAND	145	17	45,314.36	8,500.00	4,000.00
V & T MARKETS	146	23	12,722.11	11,500.00	250.00
B & J CORP. (Clarkson's)	147	40	3,591.03	20,000.00	2,000.00
SAGEBRUSH MKT.	148	20	4,523.37	10,000.00	500.00
MINI MART #6	149	20	3,794.04	10,000.00	1,000.00
MINI MART #5	150	20	3,001.11	10,000.00	1,000.00
RANCH MARKET	151	2	454.08	1,000.00	100.00
J & M CORP.	152	23	13,117.44 (B)	11,500.00	--
BONANZA HILLS, INC.	153	42	12,219.29	21,000.00	500.00
SAV-TIME, INC.	154	2	420.58	1,000.00	500.00
BIG K & BIG D	155	19	15,561.31 (A)	9,500.00	7,500.00
GIANT FOODS, INC.	156	7	1,002.07	3,500.00	500.00
VERN LEE GIANT FOODS	157	9	377.05	4,500.00	100.00
VALU MART	158	30	52,504.80	15,000.00	5,000.00
WAREHOUSE MKTS.	159	152	245,234.43	76,000.00	15,000.00
FOOD KING, INC.	160	23	7,392.53 (B)	11,500.00	--
GADDA, McMULLIN & HARDIN	161	41	17,578.56 (A)	20,500.00	--
		1,187		\$593,500.00	\$118,950.00

(A) Case Nos. 155 and 161 jointly settled  
for a total of \$7,500.00.

(B) Firms in Bankruptcy - Cases Dismissed.

STATE OF NEVADA  
DAIRY COMMISSION

ANALYSIS OF SOUTHERN NEVADA MARKETING AREA COMPLAINTS

<u>RESPONDENT</u>	<u>NUMBER OF VIOLATIONS ALLEGED</u>	<u>AMOUNT OF MONEY PAID OR RECEIVED</u>	<u>POTENTIAL MAXIMUM FINE</u>
<u>DAIRIES:</u>			
Anderson Dairy	451	\$417,627.06	\$225,500.00
Arden-Mayfair	92	36,245.00	46,000.00
Western Dairymen Co-op, Inc.	19	16,789.00	9,500.00
Total Distributors	<u>562</u>	<u>\$470,661.06</u>	<u>\$281,000.00</u>
<u>GROCERY STORES:</u>			
Southland Corp.	18	\$ 85,783.88	\$ 9,000.00
Smith Food Kings	135	86,149.48	67,500.00
Vegas Village	53	83,864.00	26,500.00
Boulevard Mkt.	42	20,325.00	21,000.00
Thriftmart	48	77,523.24	24,000.00
Skaggs Family Store	14	11,664.00	7,000.00
Somerset Mkt.	33	3,105.00	16,500.00
Handi Mart	9	795.00	4,500.00
Market Basket	31	4,650.00	15,500.00
Rancho Market	17	4,058.21	8,500.00
Panorama Mkt.	20	7,748.00	10,00.00
Pet Char, Inc.	34	7,450.00	17,000.00
Total Grocery Stores	<u>454</u>	<u>\$393,115.81</u>	<u>\$227,000.00</u>
Total Complaint Counts	<u>1,016</u>		<u>\$508,000.00</u>
Total paid to hotels, on which no complaints were issued		<u>\$ 77,545.25</u>	

NOTE: Counsel for the Commission recommended that the Dairy Commission unilaterally dismiss these cases. The Commission so ordered.