

ASSEMBLY AGRICULTURE COMMITTEE MINUTES

APRIL 12, 1977

5:30 p.m.

MEMBERS PRESENT: Vice Chairman Price
Mr. Jeffrey
Mr. Polish
Mr. Jacobsen

MEMBERS ABSENT: Mr. Hickey
Mr. Serpa
Mr. Rhoads

GUESTS: Louis Bergevin, Nevada Cattlemen's Association
Lody Smith, Nevada Division of Forestry
Bob Long, Nevada Division of Forestry
Jennifer Amo
Assemblyman Schofield

Because of a conflicting meeting with Assembly Ways and Means Chairman Hickey, Mr. Serpa and Mr. Rhoads were excused and Vice Chairman Price called the meeting to order. The purpose of the meeting was to hear testimony on AB 229, AB 478, AB 616, SB 229 and AJR 43.

AB 478, Makes various changes in law relating to taxes on bees and livestock.

Louis Bergevin, Nevada Cattlemen's Association, stated that this bill was postponed indefinitely in the Taxation Committee. He would request that this committee do the same. This bill amounts to a severe restraint in trade on the cattle industry and it is putting the Department of Taxation into a position of having to have evidence satisfactory to the Department that taxes have been paid that is none of their business. This is the business of the local county tax collectors to collect these ad valorem taxes. Mr. Bergevin stated that they (the Department) want a certificate that shows evidence that taxes have been paid on cattle before they can be moved out of state. These cattle are reported on the ad valorem tax rolls as personal property and the taxes are paid to the county tax collector.

Mr. Bergevin went on to say that he was not sure what the deal was behind this. He stated that the Department did testify before Taxation and said that there were some cattle that belonged to California people that were escaping taxation. Mr. Bergevin stated that he would be the first to admit that this is probably correct. He added that he does not think this is the way to approach this. He stated that he could foresee here that if you went through the process that they are talking about that you might have to keep you cattle on the range for a month and starve them to death before you could move them out of state. This is a prerogative that the State doesn't have; to get into the business of collecting ad valorem taxes.

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Mr. Jacobsen stated that they had discussed in Taxation whether when it was a joint referral if they can kill it in one committee and not refer it over to the other. It was decided that they could kill but they should refer it to the other committee.

Mr. Bergevin stated that the Department of Taxation stated that a couple of the assessors had requested this bill. What this bill would do is put the Department of Agriculture and the brand inspectors into the position of finding whether taxes have been paid and this is not their job at all. He quoted page 3, line 9-13 as telling what the bill actually does.

Mr. Jacobsen moved for a "indefinitely postponed" recommendation and Mr. Jeffrey seconded it. The motion carried unanimously with Mr. Hickey, Mr. Serpa and Mr. Rhoads being absent.

AJR 43, Memorializes Congress to enact legislation to protect desert flora on federal land.

Assemblyman Schofield, sponsor of the bill, stated that he had introduced this resolution because of a problem in the southern part of the state where people who are doing business selling these cacti and desert flora, are going out to some of the smaller areas and making deals with ranchers and kids that have pickup trucks. They go out and takes these plants and they then are sold for \$350 to \$400. There is not really too much that they can do. This bill memorializes Congress to try to at least pass some type of legislation on their own federal land. Mr. Schofield stated that he would appreciate at least doing whatever they can to try to stop some of this. The land may not belong to the State but the esthetic value is still there.

Mr. Jeffrey moved for a "do pass" on AJR 43 and Mr. Jacobsen seconded the motion. The motion carried unanimously with Mr. Hickey, Mr. Serpa and Mr. Rhoads being absent.

AB 616, Provides for protection of cacti and yucca.

Lody Smith, State Forester, stated that this was the new bill that had been suggested at a previous meeting. He stated that they did have a couple of amendments to suggest that might be appropriate. They feel that AB 616 is very good and will go a long way to help with this problem. He presented copies of his suggested amendments which are attached to these minutes as Exhibit A and Exhibit B and herewith made a part of this record.

The first amendment on page 1, line 11 would change the wording from "any member of the Liliaceae family" to "any member of the Genus Yucca". There are so many members of the Liliaceae family that it would be very difficult to handle this and they are really not the ones that they are having the problem with right now. The Genus

Yucca would cover all the species that the people are presently taking off the desert.

The second amendment would correct what would happen in the person were caught taking plants off a State Park. With the present language they would have to sell the plants. They would like to have the authority to return the plants to the park and replant them. In the event that someone went out and hired some kid for \$50 to go out and get a pickup truck full of these plants. If he got caught they would have to be sold, the kid would pay \$100 fine and the original person could buy the pickup truck full for \$100 and they would be made legal and he could go on about his business. This would also allow the Division to have the authority to give these plant to the University or to put them in their arboretum. This would be a more logical way to handle this rather than be forced to sell everything that comes up.

Mr. Jacobsen moved for a "amend and do pass" recommendation and Mr. Jeffrey seconded the motion. The motion carried unanimously with Mr. Hickey, Mr. Serpa and Mr. Rhoads absent.

AB 229, Makes technical amendment to section providing for investigation of prices of State Dairy Commission.

As there was no one to testify on this bill the committee determined that this was strictly a technical change commonly called "Daykinism" that would require that all records be kept available at all times.

Mr. Jeffrey moved for a "do pass" and Mr. Jacobsen seconded the motion. The motion carried unanimously with Mr. Hickey, Mr. Serpa and Mr. Rhoads absent.

Vice Chairman Price adjourned the meeting.

Respectfully submitted,

Sandra M. Gagnier

Sandra Gagnier,
Assembly Attache

PROPOSED AMENDMENT TO A.B. 616

Section 1 NRS 527.616
Line 11

3. "Yucca" includes any member of the Genus Yucca.

Underscored words are new language

PROPOSED AMENDMENT TO A.B. 616

Sec. 6 NRS 527.110

Line 18

3. If the owner of the lands cannot be determined, or if the plants originated on state lands, the state forester firewarden may sell or dispose of same and if sold, the net proceeds of sale shall be deposited in the state general fund.

Underscored words are new language