

SENATE

ENVIRONMENT, PUBLIC RESOURCES and AGRICULTURE COMMITTEE

MINUTES OF MEETING
Wednesday, February 16, 1977

The seventh meeting of the Environment, Public Resources and Agriculture Committee was called to order on the above date at 1:30 p.m.

Senator Gary Sheerin was in the Chair.

PRESENT: Chairman Sheerin
Senator Echols
Senator Neal
Senator Dodge

ABSENT: Senator Glaser
Senator Lamb

OTHERS PRESENT: Lorree Rato, Intern
Assemblyman Sue Wagner
Daisy Talvitie, League of Women Voters
Rick Breen, Intern

Committee action was taken on SB27, SB105, SB106, AJR18, SB107, AJR11, SB141, AJR5, SB136 and SB171.

SB27 Extends season restrictions to all hunting, fishing and trapping except of certain predators.

Remarks by Committee.

Senator Dodge moved to "AMEND and DO PASS."
Senator Neal seconded the motion.
Motion carried unanimously.

SB105 Requires certain local government agencies to enforce specified building standards.

Remarks by Committee.

Senator Dodge moved to "AMEND and DO PASS."
Senator Neal seconded the motion.
Motion carried unanimously.

SB106 Modifies requirements for the regulation of certain sources of air pollution.

Remarks by Committee.

Senator Dodge moved "DO PASS."
Senator Neal seconded the motion.
All members voted "aye," excepting
Senator Neal voted "nay."

DAISY TALVITIE, League of Women Voters, testified in favor of SB106.

Senator Neal moved "DO PASS."

Senator Echols seconded the motion.

All members voted "aye," excepting

Senator Dodge voted "nay."

Additional remarks by Committee.

Senator Echols moved "AMEND and DO PASS."

Additional remarks by Committee.

Senator Echols withdrew his motion, and suggested some in-depth research be done so that the language of the bill be made acceptable.

AJR18 Memorializes Congress to study and act on the hazards of certain aerosol propellants.

ASSEMBLYMAN SUE WAGNER, introducer, testified in favor of AJR18.

Senator Neal moved "DO PASS."

Senator Dodge seconded the motion.

Motion carried unanimously.

SB107 Revises provisions relating to subdivisions.

Remarks by Committee.

Senator Dodge moved "NO FURTHER CONSIDERATION."

Senator Echols seconded the motion.

Motion carried unanimously.

AJR11 Memorializes Congress to study the feasibility of long-distance transfer of surplus water.

Senator Dodge moved "DO PASS."

Senator Echols seconded the motion.

Motion carried unanimously.

SB141 Creates the state Carey Act commission, increases certain fees of the commission and provides an appropriation to the Carey Act trust fund.

Remarks by Committee.

Senator Dodge moved to "AMEND and Re-refer to Finance Committee."

Senator Echols seconded the motion.

Motion carried unanimously.

AJR5 Memorializes Congress to enact legislation granting tax depletion allowances to private firms engaged in geothermal well production.

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

SB136 Establishes state duck stamp program.

Remarks by Committee.

Senator Neal moved to "AMEND and DO PASS."
Senator Echols seconded the motion.
Motion carried unanimously.

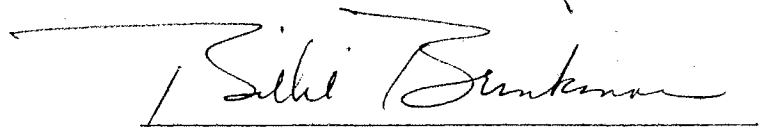
SB171 Exempts geothermal exploration holes from certain statutory provisions and regulations and requires confidentiality of certain data.

Remarks by Committee.

Chairman Sheerin will do additional research on length of time for confidentiality.

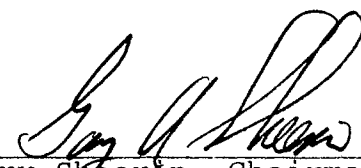
There being no further business, the meeting was adjourned at 2:55 p.m.

Respectfully submitted,



Committee Secretary

APPROVED:



Gary Sheerin, Chairman

SENATE BILL NO. 27—SENATOR DODGE

JANUARY 18, 1977

Referred to Committee on Environment, Public Resources
and Agriculture

SUMMARY—Extends season restrictions to all hunting, fishing and trapping
except of certain predators. (BDR 45-345)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: Effect less than \$2,000.



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

AN ACT relating to fish and game; providing for additional restrictions on the tak-
ing of animals and fish; providing an exception of certain predators; and pro-
viding 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 501.015 is hereby amended to read as follows:
2 501.015 As used in this Title, "closed season" means all periods
3 except those designated as "open season." [During any such season it is
4 unlawful to fish, to hunt game animals or game birds or to hunt or trap
5 fur-bearing animals. There shall be no closed season on those species of
6 wild animals or wild birds classified as unprotected.]
7 SEC. 2. NRS 501.065 is hereby amended to read as follows:
8 501.065 As used in this Title, "open season" means that period
9 designated under the provisions of this Title during which it is legal to
10 fish [or to hunt game animals or game birds or to hunt or to trap fur-
11 bearing animals. Such period], *hunt or trap*. "Open season" includes the
12 first day and last day designated. [There shall be no open season on those
13 species of wildlife classified as protected.]
14 SEC. 3. Chapter 501 of NRS is hereby amended by adding thereto a
15 new section which shall read as follows:
16 1. *As used in this section:*
17 (a) "Livestock" means animals of the bovine, caprine, equine, ovine
18 or porcine species.
19 (b) "Rancher" means a person engaged in the breeding, feeding or
20 rearing of livestock for sale as a commercial enterprise.
21 2. *The provisions of this Title do not apply to any rancher, any*
22 *agent of a rancher or any employee under the supervision of a rancher*

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

SENATE BILL NO. 105—COMMITTEE ON ENVIRONMENT,
PUBLIC RESOURCES AND AGRICULTURE

JANUARY 20, 1977

Referred to Committee on Environment, Public Resources
and Agriculture

SUMMARY—Requires certain local government agencies to enforce specified
building standards. (BDR 40-85)

FISCAL NOTE: Local Government Impact: Yes.
State or Industrial Insurance Impact: No.



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

AN ACT relating to cemeteries; requiring certain local government agencies to
enforce regulations pertaining to the construction of specified structures; 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 452.210 is hereby amended to read as follows:
2 452.210 1. [No person, firm or corporation shall] *A person shall*
3 *not* build, construct or erect any mausoleum, vault, crypt or structure
4 intended to hold or contain dead human bodies, which shall be wholly or
5 partially above the surface of the ground, except in compliance with the
6 [rules and] regulations of the state board of health governing their loca-
7 tion, materials and construction. *The state board of health may adopt*
8 *and, except as provided in subsection 2, the health division shall enforce*
9 *such regulations.*
- 10 2. [The state board of health is authorized and empowered to adopt
11 and the health division is authorized to enforce such rules and regulations
12 governing the location, materials and construction of mausoleums, vaults,
13 crypts or other similar structures; but the proper local officials of any
14 incorporated city shall have the authority to make and enforce such addi-
15 tional ordinances, bylaws, rules or regulations as they may deem neces-
16 sary not inconsistent with NRS 452.210 to 452.250, inclusive, or with
17 any rule or regulation adopted or prescribed by the state board of
18 health.] *An incorporated city or a county which:*
- 19 (a) *Has a building or public works department; and*
20 (b) *Has adopted a nationally recognized building code, entirely or with*
21 *variations,*
22 *shall enforce within its respective city limits or unincorporated areas any*

Original bill is 2 pages long.
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a copy of the complete bill.

ASSEMBLY JOINT RESOLUTION NO. 18 — ASSEMBLYMEN
WAGNER, VERGIELS, JEFFREY, GOMES, PRICE, HAYES,
MOODY AND SERPA

JANUARY 31, 1977

Referred to Committee on Environment and Public Resources

SUMMARY—Memorializes Congress to study and act on the hazards of certain
aerosol propellants. (BDR 423)

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

ASSEMBLY JOINT RESOLUTION—Memorializing the Congress of the United
States to study and act on the hazards posed by the use of certain chlorofluoro-
carbon compounds in aerosol propellants.

- 1 WHEREAS, Scientific studies have revealed that certain chlorofluoro-
2 carbon compounds used in aerosol propellants may be destroying the
3 ozone layer in the earth's atmosphere; and
4 WHEREAS, The ozone layer is vital to life on earth, preventing approxi-
5 mately 99 percent of the sun's midultraviolet radiation from reaching the
6 earth's atmosphere; and
7 WHEREAS, Increased intensity of ultraviolet radiation poses a serious
8 threat to life on earth including increased occurrences of skin cancer,
9 damage to food crops, damage to phytoplankton which is vital to the
10 production of oxygen and to the food chain, and unpredictable and
11 irreversible global climatic changes; and
12 WHEREAS, It has been estimated that production of ozone destroying
13 chemicals is increasing at a rate of 10 percent per year, at which rate the
14 ozone layer will be reduced 13 percent by the year 2014; and
15 WHEREAS, It has been estimated that there has already been a ½ to
16 1 percent depletion of the ozone layer; and
17 WHEREAS, It has been estimated that even if there were an immediate
18 halt to production of ozone destroying chemicals, an approximate 3½
19 percent reduction in ozone would occur by 1990; and
20 WHEREAS, The Commissioner of the Food and Drug Administration
21 has announced his intention to propose rules for the gradual ending of
22 nonessential uses of chlorofluorocarbon propellants and has invited the
23 submission of comments and information on his contemplated proposal
24 and related scientific matters; now, therefore, be it
25 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
26 That Congress is memorialized to act quickly and decisively in obtaining

Original bill is 2 pages long.
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a copy of the complete bill.

SENATE BILL NO. 107—COMMITTEE ON ENVIRONMENT,
PUBLIC RESOURCES AND AGRICULTURE

JANUARY 20, 1977

Referred to Committee on Environment, Public Resources
and Agriculture

SUMMARY—Revises provisions relating to subdivisions. (BDR 22-84)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: Yes.

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

AN ACT relating to the division of land; revising provisions of NRS respecting the review of proposed subdivisions by certain state and local government agencies; requiring courts to consider zoning requirements in certain proceedings; 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 40 of NRS is hereby amended by adding thereto
2 a new section which shall read as follows:

3 *In any proceeding involving the disposition of land, the court shall con-*
4 *sider lot size and other applicable zoning requirements before ordering*
5 *a physical division of the land.*

6 SEC. 2. Chapter 278 of NRS is hereby amended by adding thereto
7 the provisions set forth as sections 3 to 5, inclusive, of this act.

8 SEC. 3. 1. *The authority of the health division of the department of*
9 *human resources to review and certify proposed subdivisions and conduct*
10 *construction or installation inspections shall be exercised by the district*
11 *board of health or, where there is no district board of health, then by*
12 *the incorporated city within whose limits, or the county in whose unin-*
13 *corporated area, the subdivision is to be situated if:*

14 (a) *The district board of health or the city or county requests such*
15 *authority of the health division; and*

16 (b) *The health division determines that the district board of health or*
17 *the city or county is adequately staffed to conduct the subdivision review*
18 *and inspections.*

19 2. *A district board of health or a city or county which conducts*
20 *reviews and inspections under this section shall certify to the health divi-*
21 *sion within 10 days after approving the tentative map and the final map*
22 *that the subdivision meets all the requirements of the law concerning*
23 *sewage disposal, water pollution, water quality and water supply facilities.*

Original bill is 7 pages long.
Contact the Research Library for
a copy of the complete bill.

ASSEMBLY JOINT RESOLUTION NO. 11—ASSEMBLYMEN DINI, MELLO, SERPA, HOWARD, JACOBSEN, MOODY, DEMERS, VERGIELS, SENA, MANN, BARENGO, COULTER, GOODMAN, BREMNER, WESTALL, BROOKMAN, HICKEY, PRICE, MAY, KISSAM, DREYER, WAGNER, WEISE AND GLOVER

JANUARY 19, 1977

Referred to Committee on Environment and Public Resources

SUMMARY—Memorializes Congress to study the feasibility of long-distance transfer of surplus water. (BDR 524)



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

ASSEMBLY JOINT RESOLUTION—Memorializing Congress to study the feasibility of long-distance transfer of surplus water to alleviate future water shortages.

- 1 WHEREAS, Many western states are faced with dwindling water supplies and ever-increasing populations; and
2
3 WHEREAS, Many western states already lack sufficient water to meet
4 domestic, industrial and agricultural needs; and
5 WHEREAS, Millions of acre-feet of water flow from the rivers of the
6 northwestern United States into the Pacific Ocean each year and are lost
7 to reclamation; and
8 WHEREAS, Long-distance transfer of surplus water would alleviate
9 future water shortages in the western states; and
10 WHEREAS, Long-distance transfer of vital resources has proven to be
11 technologically feasible; now, therefore, be it
12 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
13 That the legislature hereby memorializes the Congress of the United
14 States to study the feasibility of long-distance transfer of the surplus
15 waters of the northwestern United States to the water-deficient areas of
16 the western states; and be it further
17 *Resolved,* That the state engineer assist the Federal Government in the
18 study and represent Nevada's interests and needs; and be it further
19 *Resolved,* That copies of this resolution be prepared by the legislative
20 counsel and transmitted forthwith to the Vice President of the United
21 States as presiding officer of the Senate, the Speaker of the House of
22 Representatives and to all members of the Nevada congressional delegation;
23 and be it further
24 *Resolved,* That this resolution shall become effective upon passage
25 and approval.

50

Original bill is on file at
the Research Library.

SENATE BILL NO. 141—SENATOR DODGE

JANUARY 26, 1977

Referred to Committee on Environment, Public Resources
and Agriculture

SUMMARY—Creates the state Carey Act commission, increases certain fees of the commission and provides an appropriation to the Carey Act trust fund. (BDR 26-536)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: Yes.

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

AN ACT relating to Carey Act lands; creating the state Carey Act commission; increasing certain fees charged for Carey Act land; making an appropriation to the Carey Act trust fund; 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 324.010 is hereby amended to read as follows:
2 324.010 As used in this chapter:
3 1. "Carey Act" means section 4 of an Act of Congress entitled "An
4 act making appropriations for sundry civil expenses of the government for
5 the fiscal year ending June 30th, 1895, and for other purposes," approved
6 August 18, 1894, being 43 U.S.C. § 641, and all acts amendatory thereof
7 or supplemental thereto.
8 2. "Commission" means the state [commission of industry, agricul-
9 ture and irrigation.] *Carey Act commission.*
10 SEC. 2. NRS 324.030 is hereby amended to read as follows:
11 324.030 1. The selection, management and disposal of such land
12 [shall be] *is* vested in the state [commission of industry, agriculture
13 and irrigation,] *Carey Act commission*, which is hereby created, consist-
14 ing of the state engineer, the administrator of the division of state lands
15 of the state department of conservation and natural resources and, *as*
16 *chairman*, the dean of the college of agriculture of the University of
17 Nevada System.
18 2. The commission may sue and be sued in any action at law brought
19 under the provisions of this chapter in the name of "The State [Com-
20 mission of Industry, Agriculture and Irrigation.]" *Carey Act Commis-*
21 *sion.*
22 SEC. 3. NRS 324.080 is hereby amended to read as follows:

SENATE BILL NO. 136—SENATORS YOUNG,
RAGGIO AND BRYAN

JANUARY 25, 1977

Referred to Committee on Environment, Public Resources
and Agriculture

SUMMARY—Establishes state duck stamp program. (BDR 45-694)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to fish and game; establishing a state duck stamp program;
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 502.035 is hereby amended to read as follows:
2 502.035 Licenses, state pheasant stamps, *state duck stamps* and per-
3 mits granting the privilege to hunt, fish or trap during the open season as
4 provided in this Title shall be issued by the department, upon payment of
5 the fees required under this Title.
6 SEC. 2. NRS 502.300 is hereby amended to read as follows:
7 502.300 1. It is unlawful for any person, except a person under the
8 age of 12, as provided in NRS 502.010, to hunt: [any]
9 (a) Any pheasant unless at the time [of such] *he is* hunting he carries
10 on his person an unexpired state pheasant stamp validated by his signature
11 in ink across the face of the stamp.
12 (b) Any migratory game bird, except jacksnipe, coot, gallinule, western
13 mourning dove, white-winged dove and band-tailed pigeon, unless at the
14 time he is hunting he carries on his person an unexpired state duck stamp
15 validated by his signature in ink across the face of the stamp.
16 2. State pheasant stamps and state duck stamps shall be sold for a
17 fee of \$2 each by the department and by persons authorized by the
18 department to sell hunting licenses as provided in NRS 502.040. The
19 department shall issue [such] stamps only to holders of valid hunting
20 licenses. The form of [such] the stamps shall be determined by the
21 department.
22 SEC. 3. NRS 502.310 is hereby amended to read as follows:
23 502.310 All funds derived from the sale of state pheasant stamps
24 and state duck stamps shall be deposited in the fish and game fund. The

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

ASSEMBLY JOINT RESOLUTION NO. 5—ASSEMBLYMEN
DEMERS, HARMON, DINI AND MELLO

JANUARY 18, 1977

Referred to Committee on Commerce

SUMMARY—Memorializes Congress to enact legislation granting tax depletion allowances to private firms engaged in geothermal well production. (BDR 87)

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

ASSEMBLY JOINT RESOLUTION—Memorializing the Congress of the United States to enact legislation which would provide depletion allowances to private firms engaged in the development of geothermal well production.

- 1 WHEREAS, The United States requires an adequate, regular and con-
2 tinuous supply of energy to maintain its industrial growth, development
3 and general standard of living; and
4 WHEREAS, The United States now depends upon fossil fuels for most
5 of its fuel consumption, and the percentage of the world's crude oil
6 reserves in the United States has decreased from 14 to 7 percent; and
7 WHEREAS, Supplies of foreign petroleum are sizable but have become
8 increasingly costly and undependable under current economic, techno-
9 logical and international conditions; and
10 WHEREAS, Fossil fuel extraction, production and consumption are
11 often damaging to the air, water and land of the United States; and
12 WHEREAS, Depletion allowances have proved to be strong incentives
13 for the exploration and exploitation of oil resources in the United States;
14 and
15 WHEREAS, In certain parts of our country, including Nevada, geo-
16 thermal resources are available for the production of electrical power;
17 and
18 WHEREAS, The use of geothermal resources for production of electri-
19 cal power offers an alternative to fossil fuels and is not damaging to the
20 air, water or land; now, therefore, be it
21 *Resolved by the Assembly and the Senate of the State of Nevada,*
22 *jointly,* That Congress is hereby memorialized to introduce, consider and
23 enact legislation which would provide depletion allowances as incentives
24 to private firms engaged in the exploration and exploitation of geo-
25 thermal energy resources; and be it further
26 *Resolved,* That copies of this resolution be prepared and transmitted

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.