

The meeting was called to order at 2:08 p.m. Senator Neal in the Chair.

MEMBERS

PRESENT: Senator Joe Neal, Chairman  
Senator Wilbur Faiss  
Senator Lawrence Jacobsen  
Senator Mike Sloan

MEMBERS

ABSENT: Senator Norman Glaser, Vice-Chairman  
Senator Floyd Lamb

OTHERS

PRESENT: Mr. Joe Manus, Department of Energy  
Mr. Jac Shaw, Division of State Lands  
Assemblyman Joe Dini, District #38  
Mr. Frank Daykin, Legislative Counsel

Senator Neal announced that the committee would consider S.B. 503, S.B. 520, S.B. 521, S.B. 522, A.B. 441 and take action on S.B. 460 and S.B. 461.

S.B. 503 - Gives department of energy general authority to participate in federal programs.

Mr. Joe Manus of the Department of Energy made himself available to answer any questions and to state that the Department is in favor of this bill. The bill is self-explanatory.

Senator Sloan moved that S.B. 503 be passed out of committee with the recommendation: Do pass.

Seconded by Senator Faiss.

Motion carried (Absent - Glaser and Lamb).

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S.B. 520 - Confirms amount of compensation which may be paid to members of well drillers' advisory board to that specified in session law.

Senator Neal stated that this is a correction bill which was requested by the Legislative Counsel and would conform the amount of payment received by the members of the board to the amount in the session law under 482.100.

Senator Faiss moved that S.B. 520 be passed out of committee with the recommendation: Do pass.

Seconded by Senator Sloan.

Motion carried (Absent - Senators Glaser and Lamb).

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S.B. 521 - Corrects reference in statutory provision to administration of Nevada Fair of Mineral Industries.

This bill is also a technical correction bill which was requested by the Legislative Counsel.

Senator Sloan moved that S.B. 521 be passed out of committee with the recommendation: Do pass.

Seconded by Senator Jacobsen.

Motion carried (Absent - Senators Glaser and Lamb).

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S.B. 522 - Clarifying authority of chief of buildings and grounds division of department of general services to lease offices outside state buildings.

Mr. Jac Shaw, Division of State Lands, testified that he felt that Buildings and Grounds certainly should have the authority under 321 to lease buildings and office space that were not state owned. He felt they have this authority anyway, but this bill would make it clear.

Senator Sloan asked if Buildings and Grounds is presently leasing outside office space in Carson City. Mr. Shaw responded that they are presently doing this.

Senator Sloan moved that S.B. 522 be passed out of committee with the recommendation: Do pass.

Seconded by Senator Faiss.

Motion carried (Absent - Senators Glaser and Lamb).

A.B. 441 - Increases number of acres to qualify as an irrigation district elector.

Assemblbyman Joe Dini, District #38, stated that he introduced the bill at the request of the Walker River Irrigation District. The 5-acre provision is antiquated so it was raised to 20 acres. The reason for the 20-acre requirement is because most rural counties have zoned agricultural land in 20-acre denominations.

He stated that the bill became necessary because new subdivisions are breaking ranches up into 5-acre plots and people not related to agriculture can take over irrigation districts by voting in their own board. Irrigation districts should be kept in the hands of people interested in agriculture.

Senator Faiss moved that A.B. 441 be passed out of committee with the recommendation: Do pass.

Seconded by Senator Sloan.

Motion carried (Absent - Senators Glaser and Lamb).

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S.B. 460 - Provides for seizure, care and disposition of animals being cruelly treated and requires frequent visits to certain traps.

Senator Sloan requested that Frank Daykin give the committee an opinion regarding the amount of authority this bill would give a peace officer or officers of a society for the prevention of cruelty to animals.

The committee was in recess at 2:28 p.m. to allow Frank Daykin, Legislative Counsel, to be called to appear before the committee.

The meeting reconvened at 2:31 p.m.

Senator Jacobsen stated his concern that the implications of lines 3 - 7 would be broadening the societies' power of arrest. Mr. Daykin replied that the societies have the same power to make arrests, but they may make them only for violations of the provisions of the particular chapter in NRS dealing with cruelty to animals.



Senator Sloan asked what a person would have to show in the way of credentials to indicate that he has the authority of a peace officer. Mr. Daykin stated that the statutes provide that the person making the arrest must exhibit and expose a suitable badge adopted by the society.

Senator Sloan asked if the provision stating that the officer is not liable for any action arising out of the taking of any animal on Page 2, lines 7 and 8, is a correct statement of the law. Mr. Daykin felt that was a broad immunity bath. Senator Sloan then asked if that protection were taken out, would the officer be protected under the normal immunity. Mr. Daykin felt that any officer of a society who had be commissioned by the district judge (which is required in this instance by statute) would enjoy the same immunity conferred by law upon the employees of state and local governments.

Senator Glaser entered the meeting.

Senator Sloan asked that the bill be held over until some information can be ascertained on how many officers the society has in Nevada.

S.B. 461 - Regulates euthanasia of animals.

Senator Jacobsen stated that sometimes the legislature requires that certain devices be used but does not provide the money to purchase the device, and he felt that was wrong.

Senator Neal suggested changing the date for the dismantling of the decompression chambers to 1983, so that it would give the people involved a chance to raise any money necessary to carry out the provisions of the bill. Senator Jacobsen felt that by that time there might be a newer, quicker method for euthanizing animals.

Senators Sloan and Faiss felt that the suggested amendment would be alright, but commented that they did not have 4 votes to pass the bill out of committee.

Senator Jacobsen moved that S.B. 461 be indefinitely postponed.


Seconded by Senator Glaser.

Ayes - 4  
Nays - Neal (1)  
Absent - Lamb (1)

Motion carried.


There being no further business, the meeting was adjourned  
at 2:47 p.m.

Respectfully submitted,



Eileen Wynkoop  
Committee Secretary

APPROVED:

  
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Joe Neal, Chairman

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ASSEMBLY BILL NO. 441—ASSEMBLYMAN DINI

FEBRUARY 22, 1979

Referred to Committee on Agriculture

SUMMARY—Increases number of acres to qualify as an irrigation district elector. (BDR 48-1245)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.



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

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AN ACT relating to irrigation districts; increasing to 10 acres the number which must be owned to qualify as an elector in irrigation districts; 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 539.123 is hereby amended to read as follows:  
2 539.123 1. Any person, male or female, of the age of 21 years or  
3 over, whether a resident of the district or not, who is or has declared his  
4 intention to become a citizen of the United States is an "elector" for the  
5 purposes of this chapter and is entitled to one vote at any election held  
6 under the provisions of this chapter, except an election governed by  
7 NRS 539.553, if the following conditions as to ownership of land are  
8 met:

9 (a) The elector shall be the bona fide holder of title or evidence of  
10 title, as defined in NRS 539.020 and 539.023, to land within the district  
11 or have a contract right to acquire title to land within the district upon  
12 payment of a fixed sum to the record titleholder.

13 (b) The acreage of such land must be [5] 10 acres or more. The  
14 holder of an undivided interest in land is an elector only if the product  
15 of the fraction representing his interest multiplied by the number of  
16 acres subject to his interest equals [5] 10 or more, but if an elector  
17 qualifies with respect to [10] 20 acres or more and his interest is com-  
18 munity property, his spouse is an elector whether or not such spouse  
19 appears of record as the owner of an interest in such acreage. If two or  
20 more persons hold undivided or community interests in [5] 10 acres  
21 or more, and none of them otherwise qualifies as an elector under this  
22 subsection, one such person may vote upon presenting the written con-  
23 sent of his fellow holders.

24 (c) A surface water right must be appurtenant to the acreage.

Original bill is 3 pages long.  
Contact the Research Library for  
a copy of the complete bill.

SENATE BILL NO. 461—COMMITTEE ON  
NATURAL RESOURCES

APRIL 12, 1979

Referred to Committee on Natural Resources

SUMMARY—Regulates euthanasia of animals. (BDR 50-1681)

FISCAL NOTE: Effect on Local Government: Yes.  
Effect on the State or on Industrial Insurance: No.



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

AN ACT relating to cruelty to animals; regulating the euthanasia of animals;  
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 574 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 8, inclusive, of this act.

3 SEC. 2. 1. *Except as provided in subsection 2 of this section and*  
4 *section 3 of this act, no device, whether it is sealed or not, or method*  
5 *used in the euthanasia of animals may be used in the killing of any dog*  
6 *or cat, except the administration of bottled carbon monoxide gas or the*  
7 *injection of sodium pentobarbital.*

8 2. *Carbon monoxide gas may not be used in the euthanasia of new-*  
9 *born dogs or cats whose eyes have not yet opened. Carbon dioxide may*  
10 *be used for that purpose.*

11 SEC. 3. *In the case of an extreme emergency where the devices or*  
12 *methods provided for in sections 2 to 8, inclusive, of this act are not*  
13 *available, any person may use a gun to kill an animal who is suffering.*

14 SEC. 4. *No high altitude decompression chamber or nitrogen gas*  
15 *cabinet may be used in the euthanasia of animals, and these devices must*  
16 *be dismantled no later than October 1, 1979.*

17 SEC. 5. *No employee of a pound may use bottled carbon monoxide*  
18 *gas, carbon dioxide or sodium pentobarbital in the euthanasia of animals*  
19 *unless he is certified as competent to use those substances:*

20 1. *With respect to carbon monoxide gas, by the supplier of the*  
21 *carbon monoxide gas chamber.*

22 2. *With respect to carbon dioxide or sodium pentobarbital, a veteri-*  
23 *narian licensed in this state.*

24 SEC. 6. 1. *Any chamber located in a pound which uses bottled*

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



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SENATE BILL NO. 522—COMMITTEE ON  
NATURAL RESOURCES

APRIL 25, 1979

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Referred to Committee on Natural Resources

SUMMARY—Clarifying authority of chief of buildings and grounds division of department of general services to lease offices outside state buildings. (BDR 26-2102)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.



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

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AN ACT relating to the control and sale of state lands; clarifying the authority of the chief of the buildings and grounds division of the department of general services to lease offices outside state buildings for the use of state officers and employees; 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 321.001 is hereby amended to read as follows:  
2 321.001 1. The division of state lands shall acquire and hold in the  
3 name of the State of Nevada all lands and interests in land owned or  
4 required by the state except:  
5 (a) Lands or interests used or acquired for highway purposes;  
6 (b) Lands or interests the title to which is vested in the board of  
7 regents of the University of Nevada [ , ] ; or  
8 (c) *Offices outside state buildings leased by the chief of the buildings*  
9 *and grounds division of the department of general services for the use of*  
10 *state officers and employees,*  
11 and shall administer all [such] *the* lands not assigned for administration  
12 to another state agency.  
13 2. When additional land or an interest in land is required for the use  
14 of any state agency except the department of highways or the University  
15 of Nevada, the agency shall select a site and, if the state public works  
16 board approves the selection, the division of state lands shall obtain the  
17 land or interest by negotiation or if necessary by the exercise of the state's  
18 power of eminent domain. Title [shall] *must* be taken in the name of the  
19 State of Nevada.



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SENATE BILL NO. 521—COMMITTEE ON NATURAL  
RESOURCES

APRIL 25, 1979

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Referred to Committee on Natural Resources

SUMMARY—Corrects reference in statutory provision to administration of Nevada Fair of Mineral Industries. (BDR 49-2105)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.



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

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AN ACT relating to fairs and exhibits; correcting a reference in a statutory provision to the administration of the Nevada Fair of Mineral Industries; removing an obsolete provision of law; 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 551.010 is hereby amended to read as follows:  
2 551.010 1. A statewide mining, petroleum and industrial exhibition,  
3 to be known as the Nevada Fair of Mineral Industries, shall be held  
4 at Ely, Nevada, annually, under the administration of the district board  
5 of agriculture of agricultural district No. [6,] 13, and may, at the  
6 discretion of the board, be held in connection with an agricultural dis-  
7 trict exhibition to include other fields of endeavor.  
8 2. In addition to its other responsibilities, the agricultural district  
9 shall use all suitable means to collect and disseminate, throughout the  
10 state, information calculated to educate and benefit the mineral indus-  
11 tries within the State of Nevada, including the petroleum industry.  
12 [3. The district board of agriculture of agricultural district No. 6  
13 shall have the possession and care of all of the property of the Nevada  
14 State Industrial Show and is entrusted with the direction of its entire  
15 business and financial affairs.]

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SENATE BILL NO. 520—COMMITTEE ON  
NATURAL RESOURCES

APRIL 25, 1979

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Referred to Committee on Natural Resources

SUMMARY—Conforms amount of compensation which may be paid to members of well drillers' advisory board to that specified in session law. (BDR 48-2100)

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



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

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AN ACT relating to underground water and wells; conforming the amount of compensation which may be paid to the members of the well drillers' advisory board to that specified in section 51 of chapter 241, Statutes of Nevada 1975; 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 534.150 is hereby amended to read as follows:  
2 534.150 1. For the purpose of examining applicants for well drillers'  
3 licenses, the state engineer may appoint a well drillers' advisory board,  
4 [or boards,] referred to in this section as the "board." [Such] *The*  
5 board may be on a regional or statewide basis.  
6 2. In making the initial appointments, the state engineer shall appoint  
7 members to staggered terms of 1, 2 and 3 years. After the initial terms,  
8 members shall serve for 3-year terms.  
9 3. The state engineer may fill vacancies on the board.  
10 4. Each member of the board is entitled to receive [ \$25 ] \$40 for  
11 each day and [ \$12.50 ] \$20 for each half day spent doing the work of  
12 the board. Any time spent by members of the board in work or travel  
13 necessary to the discharge of their duties which is less than a full day  
14 but more than a half day [shall] *must* be treated for compensation pur-  
15 poses as a full day. Any time less than a half day shall be treated as a  
16 half day. Each member of the board is entitled to receive *the* travel  
17 expenses and subsistence allowances provided by law.  
18 5. The purpose of the board is to determine the qualifications of an  
19 applicant as a well driller and to submit [such] *its* findings to the state  
20 engineer.  
21 6. Regulations of the board on examining applicants for well drillers'

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

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SENATE BILL NO. 503—COMMITTEE ON  
COMMERCE AND LABOR

APRIL 21, 1979

Referred to Committee on Natural Resources

SUMMARY—Gives department of energy general authority to participate in federal programs. (BDR 46-1794)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.



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

AN ACT relating to the department of energy; giving the department general authority to participate in federal programs; 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 523.051 is hereby amended to read as follows:  
2 523.051 The director may:  
3 1. Receive and administer any gifts, grants or funds which are avail-  
4 able from public or private sources.  
5 2. Expend money received from public or private sources or from  
6 legislative appropriations to contract with qualified persons or institu-  
7 tions for reseach in the production and efficient use of energy resources.  
8 3. Enter into any cooperative agreement with any federal or state  
9 agency or political subdivision.  
10 4. *Participate in any program established by the Federal Govern-*  
11 *ment relating to energy resources and adopt regulations appropriate to*  
12 *that program.*  
13 SEC. 2. NRS 523.141 is hereby amended to read as follows:  
14 523.141 1. The director shall prepare a state energy conservation  
15 plan which provides methods for conserving and improving efficiency  
16 in the use of energy resources and establishes procedures for reducing  
17 the rate of growth of energy demand and minimizing the adverse social,  
18 economic, political and environmental effects of increasing energy  
19 resource consumption.  
20 2. [In preparing this plan, the director may participate in any pro-  
21 gram established by the Federal Government which is designed to  
22 provide assistance to the states in the conservation of energy resources.  
23 3.] The plan [shall] *must* be presented to the governor, and upon  
24 approval by the governor, may be submitted by him in compliance with  
25 any program established by the Federal Government.