

MEMBERS PRESENT: Chairman Hickey  
Vice Chairman Rackley  
Mr. Banner  
Mr. Kovacs (late)  
Mr. Marvel  
Mr. Redelsperger  
Mr. Sader

MEMBERS ABSENT: Mr. Dini  
Mr. Horn

GUESTS PRESENT: Jack N. Armstrong, Nevada Department of Agriculture  
William X. Smith, State Dairy Commission  
Al Edmondson, Nevada Division of Health  
Jack E. Hampton, Nevada Department of Agriculture  
R. M. Rosen  
Tom Ballow, Nevada Department of Agriculture

Chairman Hickey called the meeting to order at 3:00 p.m. and asked for testimony on AB 603.

AB 603: Authorizes state quarantine officer to adopt regulations requiring processing of food waste before it is fed to animals.

Mr. Jack Armstrong, Nevada Department of Agriculture, testified in favor of AB 603. He explained that the National Pork Producer's Council is extremely concerned with the feeding of unprocessed food because of the danger of African swine fever. The cooking of food wastes, he noted, will destroy the organisms that cause various exotic diseases of swine. He added that the bill does not prohibit families from feeding raw garbage to their swine as long as the swine are consumed by the family themselves. Proper cooking is to attain a temperature of 212° F. for a period of 30 minutes to thoroughly destroy the disease causing organisms within the food wastes.

When Mr. Marvel asked if some of these diseases are transmittable to humans, Mr. Armstrong responded that salmonella and trichinosis are but African swine fever and hog cholera are not, but African swine fever and hog cholera are devastating diseases from the swine industry standpoint.

Mr. Hickey pointed out that this bill was requested by Bob Combs of RC Farms in southern Nevada, the largest in the state, and that most of the garbage collected from the hotels and casinos in Clark County go to his farm.

When Mr. Marvel asked what a reasonable fee would be for a permit, Mr. Armstrong replied that a reasonable annual fee might vary between \$50 and \$100. Mr. Marvel then asked who would set this fee, and Mr. Armstrong indicated that this would be set by the State Board of Agriculture.

(Committee Minutes)

Mr. Armstrong pointed out that if this bill passes, it will allow freedom of movement of all types of swine throughout the United States.

When Mr. Marvel asked if most of the swine are exported from Nevada, Mr. Armstrong indicated that there is no swine kill in this state and most are exported to California.

Since there was no further testimony, Chairman Hickey directed the committee's attention to SB 503.

SB 503: Changes various provisions relating to dairy products and substitutes.

Mr. Hickey said that Senator Jacobsen wished to testify on this bill but was unavailable for this meeting. He noted that the committee would hear testimony from others today and that he would hold the bill until Senator Jacobsen could appear.

Mr. William X. Smith, Executive Director of the State Dairy Commission, said that the original bill took the enforcement of substitute dairy product regulations away from the Dairy Commission because of a mutual agreement with the Bureau of Consumer Health Protection Services that the Dairy Commission with a staff of eleven people would be unable to actually enforce the provisions of that law. He noted that they are responsible for visiting all of the retail stores in the state, regulating the processing plants in the state, and without SB 503 they would be responsible for visiting all restaurants in the state. He pointed out that the Bureau of Consumer Health Protection Services has nine field investigators who are already required to visit restaurants on a regular basis to check sanitary conditions.

Mr. Smith related that when he appeared before the Senate Committee on Human Resources and Facilities, Senator Kosinski asked him what he thought about repealing this provision in light of a contemplated "truth in menu" law in some future session. As a result he explained that in the first reprint the only related provision is that a substitute dairy product cannot be sold below cost and that prices must be filed with the dairy commission; the enforcement of substitute dairy product regulations has been removed.

Mr. Smith continued by pointing out that the only other change under this bill is the repeal of the present sunset status of the Dairy Commission. Mr. Smith recalled that Governor O'Callaghan and the legislature restructured the Dairy Commission in the 1977 session from eight members of the industry to a CPA, an agricultural economist and a member of the banking industry due to the scandal at that time of kickbacks and shelf leasing. He added at this same time prices were rolled back by 10%. He noted that he became the Executive Director just after the 1977 session, and since then he felt the Dairy

Commission has turned this situation around totally and completely and are now providing services to all segments of the industry.

Mr. Smith explained that in the 1979 legislature he requested that the sunset provision be removed because he did not think it was fair to his employees, and the result was that the sunset provision was extended to 1983. After the '79 session he requested an audit of the Dairy Commission which he indicated that the members of the committee had received copies of. He added that this audit reflects that the agency is now operating properly and in accordance with the law. He urged the committee to give favorable consideration to SB 503.

When Mr. Redelsperger asked how much milk has increased over the last four years, Mr. Smith answered that it was rolled back to 72 cents in 1977 and has increased 29 cents in the four year period; that this is the third lowest price in the country.

When Mr. Sader questioned which section was the sunset repealer, Mr. Smith indicated that Section 7, paragraph 2 repeals the sunset provision.

When Mr. Redelsperger asked what the intent of the sunset provision was, Mr. Hickey explained that with the scandal in 1977 a whole new system was initiated and the legislature wanted to have a way of getting rid of the system if it was not working.

Mr. Al Edmondson, Bureau Chief of the Consumer Health Protection Services, said that they were supportive of SB 503 as it is written. He reiterated Mr. Smith's comments as to the deletions and the reasons for those deletions in the first reprint. He noted that if a "truth in menu" law was passed, it would be very complicated and difficult to enforce.

Mr. Hickey asked why it was originally thought that there was a need to control dairy substitutes. Mr. Edmondson related the history of butter substitutes and indicated that presently there are some substitutes being offered for milk, but, since the flavor is not good and the cost is about the same, they felt that labeling requirements could solve the problem. He added that most substitute foods must be approved by the Federal Food and Drug Administration, and that if any of these foods were produced in Nevada, they would have the authority to control these plants.

Mr. Andy Eldex, a dairy producer from Minden, testified in support of SB 503. He indicated that since the Dairy Commission was reorganized in 1977, they have been doing a great job without any problems; that the Dairy Commission was definitely needed and is entirely funded by the dairy industry; and that the Dairy Producer's Council supports the Dairy Commission also.

Mr. Hickey informed the committee that BDR 49-1958 was introduced that day on the Assembly floor and referred to the Agriculture Committee.

AB 632: Makes Eureka County separate agricultural district.

Mr. Marvel explained that his county and Eureka County at present are in one agricultural district, but the county seats are so far removed there is no line of communication. He indicated that everyone that he has spoken with in his county is in agreement with making two agricultural districts.

Mr. Hickey said that two districts have been established from one former district; that there was no fiscal cost; and that the total number of agricultural districts would now be 15 instead of 14.

Mr. Tom Ballow, Executive Director of the State Department of Agriculture, said that the primary function of these agriculture districts is to conduct county and state fairs. He understood why Nye County and Eureka County would want to be separated and recommended approval.

Mr. Hickey asked Mr. Ballow to comment on additional members for the Board of Agriculture.

Mr. Ballow said that he had polled the members of the Board and they were unanimously opposed to additional members because they felt a larger number on the board would be cumbersome. He indicated that the Board felt they could render judgments on pest control and the petroleum industry.

When Mr. Marvel asked if they now had the equipment for metering pumps, Mr. Ballow explained that they did not test the electrical equipment but pumped into a five gallon container and checked the pump reading.

When Mr. Redelsperger asked for the makeup of the Board, Mr. Ballow said there are eight members, three from the range-livestock industry (no two from the same county), a dairyman, a row crop operator, a bee keeper, a general farmer, and a nurseryman.

When Mr. Hickey asked how often they had to deal with problems of pesticides or of the petroleum industry, Mr. Ballow said that 99 percent of their problems related to diseases of cattle and the brand inspection program.

Mr. Marvel moved DO PASS BDR 49.1958 (AB 632) upon receipt of the printed bill, seconded by Mr. Sader and unanimously carried by the members present with Mr. Dini, Mr. Horn and Mr. Kovacs absent.

Mr. Marvel moved DO PASS on AB 603, seconded by Mr. Redelsperger and unanimously carried by members present with Mr. Dini, Mr. Horn and Mr. Kovacs absent.

Chairman Hickey then asked Mr. Sader for a report on AB 82 and Mr. Sader asked his intern, Kevin Reeves, to give his report.

Kevin Reeves, Intern for Mr. Sader, reviewed his report with the committee which is attached to these minutes as EXHIBIT A pages 1 and 2.

When Mr. Hickey asked about the insurance deductibles, Mr. Reeves said that he had spoken with Mr. Southworth who said that they would have to acquire additional insurance policies in order to stay within the deductibles; that they are not pleased with this but can live with it.

Mr. Hickey thanked Mr. Reeves for an excellent report.

Mr. Sader moved DO PASS on AB 82, seconded by Mr. Redelsperger and carried unanimously by the members present with Mr. Dini and Mr. Horn absent.

Mr. Hickey then described the pending trip to Pahrump and Las Vegas with a tour of drip irrigation, a cotton gin, and two different types of ranches.

There being no further business, the meeting adjourned at 3:55 p.m.

Respectfully submitted,

*Patricia Hatch*

Patricia Hatch  
Secretary

ASSEMBLY

AGENDA FOR COMMITTEE ON.....AGRICULTURE.....

Date THURSDAY, MAY 7, Time 3:00 P.M. Room 222

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

THIS AGENDA CANCELS AND SUPERSEDES PREVIOUS AGENDA FOR THIS DATE

- |        |  |
|--------|--|
| SB-503 | Changes various provisions relating to dairy products and substitutes.   |
| AB-603 | Authorizes state quarantine officer to adopt regulations requiring processing of food waste before it is fed to animals. |

WORK SESSION IMMEDIATELY FOLLOWING HEARING

5/5/81 jf

\*Please do not ask for counsel unless necessary.

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61st NEVADA LEGISLATURE  
ASSEMBLY COMMITTEE ON AGRICULTURE  
LEGISLATIVE ACTION

DATE May 7, 1981

SUBJECT AB 632 (BDR 49.1958): Makes Eureka County separate agricultural district.

MOTION: DO PASS  
 Do Pass XX Amend \_\_\_\_\_ Indefinitely Postpone \_\_\_\_\_ Reconsider \_\_\_\_\_  
 Moved By: Mr. Marvel Seconded By: Mr. Sader

AMENDMENT: \_\_\_\_\_  
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 Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

AMENDMENT: \_\_\_\_\_  
 \_\_\_\_\_  
 Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
BANNER	X	_____	_____	_____	_____	_____
DINI	absent	_____	_____	_____	_____	_____
HORN	absent	_____	_____	_____	_____	_____
KOVACS	absent	_____	_____	_____	_____	_____
MARVEL	X	_____	_____	_____	_____	_____
REDELSPERGER	X	_____	_____	_____	_____	_____
SADER	X	_____	_____	_____	_____	_____
RACKLEY	X	_____	_____	_____	_____	_____
HICKEY	X	_____	_____	_____	_____	_____
TALLY	6	0				

ORIGINAL MOTION: Passed XX Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_  
 AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_  
 AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

Attached to Minutes MAY 7, 1981

61st NEVADA LEGISLATURE

ASSEMBLY COMMITTEE ON AGRICULTURE

LEGISLATIVE ACTION

DATE May 7, 1981

SUBJECT AB 603: Authorizes state quarantine officer to adopt regulations requiring processing of food waste before it is fed to animals.

MOTION: DO PASS

Do Pass XX Amend \_\_\_\_\_ Indefinitely Postpone \_\_\_\_\_ Reconsider \_\_\_\_\_

Moved By: Mr. Marvel Seconded By: Mr. Redelsperger

AMENDMENT: \_\_\_\_\_

Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

AMENDMENT: \_\_\_\_\_

Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

MOTION

AMEND

AMEND

NOTE:

	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
BANNER	<u>X</u>	_____	_____	_____	_____	_____
DINI	<u>absent</u>	_____	_____	_____	_____	_____
HORN	<u>absent</u>	_____	_____	_____	_____	_____
KOVACS	<u>absent</u>	_____	_____	_____	_____	_____
MARVEL	<u>X</u>	_____	_____	_____	_____	_____
REDELSPERGER	<u>X</u>	_____	_____	_____	_____	_____
SADER	<u>X</u>	_____	_____	_____	_____	_____
RACKLEY	<u>X</u>	_____	_____	_____	_____	_____
HICKEY	<u>X</u>	_____	_____	_____	_____	_____

TALLY 6 0

ORIGINAL MOTION: Passed XX Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

Attached to Minutes MAY 7, 1981



61st NEVADA LEGISLATURE  
ASSEMBLY COMMITTEE ON AGRICULTURE  
LEGISLATIVE ACTION

DATE May 7, 1981

SUBJECT AB 82: Makes administrative changes to law relating to control of pests.

MOTION: DO PASS  
 Do Pass XX Amend \_\_\_\_\_ Indefinitely Postpone \_\_\_\_\_ Reconsiderer \_\_\_\_\_  
 Moved By: Mr. Sader Seconded By: Mr. Redelsperger

AMENDMENT:  
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 Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

AMENDMENT:  
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 Moved By: \_\_\_\_\_ Seconded By: \_\_\_\_\_

	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
<u>NOTE:</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
BANNER	<u>X</u>	_____	_____	_____	_____	_____
DINI	<u>absent</u>	_____	_____	_____	_____	_____
HORN	<u>absent</u>	_____	_____	_____	_____	_____
KOVACS	<u>X</u>	_____	_____	_____	_____	_____
MARVEL	<u>X</u>	_____	_____	_____	_____	_____
REDELSPERGER	<u>X</u>	_____	_____	_____	_____	_____
SADER	<u>X</u>	_____	_____	_____	_____	_____
RACKLEY	<u>X</u>	_____	_____	_____	_____	_____
HICKEY	<u>X</u>	_____	_____	_____	_____	_____
<b>TALLY</b>	<b>7</b>	<b>0</b>				

ORIGINAL MOTION: Passed XX Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_  
 AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_  
 AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

Attached to Minutes MAY 7, 1981

M E M O R A N D U M

TO: Assemblyman Robert Sader  
FROM: Kevin Reeves, Legislative Intern  
RE: A.B. 82: Makes administrative changes to law relating to control of pests.

As you requested, I met with representatives from the Department of Agriculture and the Nevada Pest Control Association in regard to possible amendments to A.B. 82. The following are my conclusions and recommendations.

Section 2, lines 12 - 19

The N.P.C.A. originally complained that the definition of pesticide was too broad. They no longer hold this contention. Federal and state statutes reveal that this is a standard definition of pesticides.

Section 4, line 27

The department and the N.P.C.A. agree that the licensing requirements for agents does not have to be as stringent as those for operators or pilots. However, rather than amending the bill the N.P.C.A. and the department agree that the best solution to this problem is through changes in departmental regulations regarding testing of agents.

Section 7, line 17

The N.P.C.A. questioned the intent of the \$200,000 maximum on proof of public liability and property damage insurance. This maximum is a restriction on the executive director and not the applicant. The applicant may carry insurance in excess of this amount if desired.

Section 7, lines 18 - 21

The N.P.C.A. expressed concern about the deductible amounts. They would like the deductible clause to conform with the National Pest Control Association's insurance deductibles. I was to receive additional information in regard to this matter; as yet it has not been received. In the past, the members of the N.P.C.A. have been able to deal with this problem by acquiring additional insurance policies. Until a better method is devised I recommend the deductible clause be left as is.

Memorandum - Robert Sader

Page 2

As written A.B. 82 would achieve the original intent of the department which is to train and certify farmers and ranchers in the safe and proper application of restricted use pesticides.