

MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON HUMAN RESOURCES AND FACILITIES

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
March 26, 1981

The Senate Committee on Human Resources and Facilities was called to order by Chairman Joe Neal at 8:05 a.m., Thursday, March 26, 1981, in Room 323 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator Joe Neal, Chairman  
Senator James N. Kosinski, Vice Chairman  
Senator Richard E. Blakemore  
Senator Wilbur Faiss  
Senator Virgil M. Getto  
Senator James H. Bilbray

STAFF MEMBERS PRESENT:

Connie S. Richards, Committee Secretary

SENATE BILL NUMBER 296

Mr. Bud Goesman, Resident, Silver Springs, Nevada spoke in support of Senate Bill No. 296. He expressed a concern over the word "probability" within the bill and suggested something stronger.

The Chairman asked Mr. Goesman how far Silver Springs is from Lake Lahonton.

Mr. Goesman said Silver Springs actually sits on the edge of the lake.

Ms. Rose MacGirvin, Resident and Secretary of the Silver Springs Advisory Board said she owns a bait farm in Silver Springs. She said the business was devastated when the fish in the lake began to die and the lake was closed. The average number of daily customers in the shop went from 50 or 60 to 0. She commented that she felt the word "probability" as used in the bill is too broad and suggested the word "guarantee" in its place with the guarantee being backed by a bond

SENATE COMMITTEE ON HUMAN RESOURCES AND FACILITIES  
MARCH 26, 1981

or other surity.

Mr. Mark Goldman, Resident, Silver Springs spoke in support of the bill. He pointed out the reason the fish in the lake have died. He said the algae that feed on sewage in the lake also consume the oxygen, leaving the fish to suffocate; killing the lake and Silver Springs with it.

Mr. Earl Still, Resident, Silver Springs observed that during last summer, 2 pick-up loads of dead fish were removed from the lake every day for a two and one half month period. He said this is a great expense to the park system as well as ruining the businesses operating in Silver Springs. He suggested that any entities wishing to dump anything into the water system be required to first run it through a "digester" machine which can pay for its own upkeep through the byproducts it processes.

Ms. Linda Still, Resident, Silver Springs reiterated the points already made by Mr. Earl Still.

Mr. Ramon Arrizabalaga, Jr., Resident of Fallon since 1926 provided pictures taken the morning of March 26, 1981 of the algae and dead fish in and around the Lahonton Lake. He said ranchers are upset because they are afraid to grow crops and or livestock using the foul water for irrigation.

Mr. Bob Sullivan, Representative, Churchill, Lyon, Storey, Douglas, and Carson River Basin Council of Governments offered for the committee's review a copy of a resolution adopted November 15, 1980 regarding intercounty import/export of wastewater. (See Exhibit C). He said Senate Bill No. 296 deals only with water quality, not with the actual sewer system or other alternative.

Senator Kosinski asked Mr. Sullivan whether he had legislation proposed to implement this resolution.

Mr. Sullivan said there is a bill draft request that has been presented to Senator Getto along with other similar requests.

Mr. Bjorn Selinder, Churchill County Manager spoke in support of Senate Bill No. 296.

SENATE COMMITTEE ON HUMAN RESOURCES AND FACILITIES  
MARCH 26, 1981

Mr. Selinder presented a letter in support of Senate Bill No. 296 from the Truckee-Carson Irrigation District, Richard Lattin, Project Manager. This letter is listed as Exhibit D.

Mr. Leonard DeWitt expressed a concern as to who should control the waters belonging to the state. He said he feels the state should have that control.

Mr. Art Molin, Sanitary Engineer, City of Reno spoke in behalf of the City of Reno. He spoke in opposition to portions of Senate Bill No. 296. He said the Truckee Canal Alternative will not be constructed due to public opposition, among other reasons. He said this means that Reno will provide complete treatment at the sewage treatment plant within a period of about four years. He questioned the need and desirability for the statement made in lines 20-25, on page 2. He said laws already exist for the items included in that section: all interested parties on a discharge permit must be notified; if they place their name on the list, they are notified by the state; all applicants must demonstrate that they meet the requirements that are set forth under the law. He believes the state and federal laws were established so that one agency would collect all relevant information, hold public hearings, establish the right and proper direction, and make a final decision. He said he does not believe it is proper to provide for an upset of that decision making process simply because of downstream public opinion.

He said the second part of the legislation that concerns the city is the statement that states that a city may not begin construction of any treatment works without a permit issued by the division of environmental protection. He asked what the purpose of this is. The division now controls the operation of treatment plants through a number of methods, such as a monthly monitoring report, water quality standards, and beneficial uses. It also issues a permit to discharge; without which it is against federal and state law to discharge. He said he does not feel additional control by the state is necessary. He said he feels 99 percent sure the division will not issue the permit necessary for the construction on the plant which will cost \$4 million if constructed this year. In 1978, when the project was begun, it would have cost \$2.8 million, next year it will cost \$4.25 million. Each year of delay results in an escalation of the cost due to

SENATE COMMITTEE ON HUMAN RESOURCES AND FACILITIES  
MARCH 26, 1981

inflation.

The Chairman mentioned he could recall a time when the City of Reno came before the committee seeking legislation to exempt them from the schedule for the completion of the treatment plant.

Mr. Molin asked when this had taken place.

The Chairman said he could not recall exactly, but it occurred either in the 59th or 60th session of the Nevada State Legislature (1977 or 1979).

Mr. Molin said in 1976, the facility plan that calls for the construction of the sewage treatment plant was completed. A new discharge permit was issued which acted to increase requirements on the plant. He added that the statement was made by both the federal and state regulatory agencies that the project as proposed could not be constructed, and the facility plan had to be rewritten and has just been completed.

The Chairman asked Mr. Molin how long he had been working with the city.

Mr. Molin replied that he has been working with the city for a period of four years.

Mr. Tom Young, Executive Manager, Nevada Environmental Action Trust spoke in opposition to Senate Bill No. 296. He said the City of Reno has spent in excess of \$30 million and will spend an additional \$30 to 40 million more to clean up the water supplies in the state. He said the bill would impact the entire state, not just the Lahonton Reservoir.

Ms. Deanna Doughty, executive officer for the Builders Association of Northern Nevada spoke in opposition to Senate Bill No. 296 because it is duplicative of laws that already exist. She said the people of Reno and Sparks have approved a bond issue to upgrade the system in the area and studies have been done on the quality of water, design and engineering, and other aspects of the project. She expressed a concern that the greatest cause of the pollution is due to the use of commercial fertilizers rather than the growth and development of housing construction. She said the residents of the areas involved are doing something about the problem.

SENATE COMMITTEE ON HUMAN RESOURCES AND FACILITIES  
MARCH 26, 1981

Mr. Bob Sumner, Nevada Department of Wildlife said if Senate Bill No. 296 will slow down the process of polluting the state's waterways and recreational areas, then he supports the bill.

Mr. John Medor reiterated what Mr. Sumner had said.

Mr. C. Mahannah, irrigation, water resource engineer said he was contacted by the Truckee-Carson irrigation district early last spring in response to what impacts the L-1 alternative on the Reno-Sparks plant might have on the irrigation project. He worked with the irrigation district to review the engineering report and the environmental impact statement that was prepared for the joint sewer plant. Lyon, Storey, and Churchill Counties, along with Fallon, joined with the Truckee-Carson irrigation district to form a water quality committee. He said in reviewing the first environmental draft, it was obvious that there was a strong tendency for the writers to neglect the impacts that occur below Reno and Sparks; the impacts that were primarily addressed were those of population and air quality in the Truckee Meadows itself. The major areas of concern the committee ran into involved diversion rights. The dilution rate in winter is very low, the Truckee Canal originally served the domestic water supplies for the Fernley area, now used primarily for stock watering with shallow wells taking over for the domestic water supply. The wells generally are less than 100 feet in depth and their water supplies relate directly to the irrigation water; less irrigation results in dry wells and/or lower quality of the water that is present. The domestic water supply in Fallon is directly related to irrigation with the wells being only 30 to 40 feet deep. The cost for the use of the water will increase proportionately to the poor quality of the lake itself. It becomes difficult to sell milk from cows that grazed on land that had been irrigated with water with affluent discharge in it as well as any crops that may have been irrigated with the water. The committee submitted to the environmental protection agency a report that included these additional impacts and as a result has issued a second environmental impact statement that does recognize each of the impacts that were discovered by the committee subsequent to the first report.

SENATE COMMITTEE ON HUMAN RESOURCES AND FACILITIES  
MARCH 26, 1981

SENATE BILL NUMBER 169 (EXHIBIT E)

Mr. Bob Sullivan, Carson River Basin Council of Governments spoke in support of Senate Bill No. 169. He said local governments at the county level provide the initial social services for the first 45 to 60 days before the State of Nevada picks it up. The social services policy is determined by the state welfare board. He said he feels that local governments should also have a part in the policy making decisions of the board.

Mr. Bill LaBadie, State Welfare Division spoke in opposition to Senate Bill No. 169. He said the bill creates a conflict of interests because the division feels that a person appointed by the county commissioners could not be objective in determining policies of the division, adding that many of the policies have a great financial impact. Mr. LaBadie said in his personal opinion, he does not feel that policy boards should be legislated because this deprives many people from serving on the board.

Senator Kosinski asked Mr. LaBadie how many people are presently on the board.

Mr. LaBadie said there are presently seven members on the board. They are appointed by the governor to staggering one, two, and three year terms with the next vacancy occurring in October. He said there is a possibility if the bill passes, someone would have to be removed from the board effective July 1 to add the new member.

Mr. LaBadie noted under Section 1, lines 2 and 3; everyone has an opinion on welfare, but that does not necessarily make that person knowledgeable.

SENATE BILL NUMBER 288 (EXHIBIT F)

Mr. Al Edmundson, Representative, Health Division said the revolving milk fund has been on the books for years, but is no longer used because milk inspectors are no longer required to make the milk inspections as was required by law up until 1975 and have not had to go out of state to make an inspection. The bill does allow the division to collect money from out of state plants and dairies that would be inspected.

SENATE COMMITTEE ON HUMAN RESOURCES AND FACILITIES  
MARCH 26, 1981

SENATE BILL NUMBER 393 (EXHIBIT G)

Mr. Al Edmundson said NRS 439.175 states that "the health division shall make such studies and demonstrations as may be necessary to determine the areas of the state which have a high proportion of mosquito-borne diseases, including malaria and encephalitis...." He said this law has been on the books since 1967 but has never been funded. The Department of Agriculture is the agency that has control of all pesticides that are used and the mosquito abatement districts and is the agency that has been taking care of that program.

Senator Getto moved to "Do Pass" Senate Bill No. 393.

Senator Kosinski seconded the motion.

The motion carried. (Senators Blakemore and Bilbray were not present for the vote.)

SENATE BILL NUMBER 288 (EXHIBIT F)

Senator Faiss moved to "Do Pass" Senate Bill No. 288.

Senator Getto seconded the motion.

The motion carried. (Senators Blakemore and Bilbray were not present for the vote.)

SENATE BILL NUMBER 169 (EXHIBIT E)

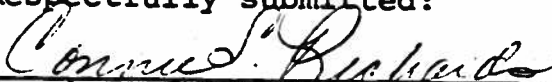
Senator Kosinski moved to "Amend and Do Pass" Senate Bill No. 169 by providing that a director of a county welfare agency or his representative be appointed by the governor as a non-voting member.

Senator Bilbray seconded the motion.

The motion carried unanimously.

There being no further business, the meeting adjourned at 10:45 a.m.

Respectfully submitted:

  
\_\_\_\_\_  
Connie S. Richards, Committee Secretary

APPROVED:

  
\_\_\_\_\_  
Senator Joe Neal, Chairman

DATE: 4-6-81

925

SENATE AGENDA

## COMMITTEE MEETINGS

EXHIBIT A

Committee on Human Resources and Facilities, Room 323 :.  
Day Thursday, Date March 26, Time 8:00 a.m.

S. B. No. 169--Changes qualifications of members of state welfare board.

S. B. No. 288--Abolishes milk inspection revolving fund.

S. B. No. 393--Abolishes state responsibility to control gnats and mosquitoes.



SENATE COMMITTEE ON HUMAN RESOURCES AND FACILITIES

DATE: March 26, 1981

EXHIBIT B

PLEASE PRINT      PLEASE PRINT      PLEASE PRINT      PLEASE PRINT

NAME	ORGANIZATION & ADDRESS	TELEPHONE
Al Edmondson	Health Division	985-4760
Rose C. Macgriuin	Silver Springs <sup>P.O. Box 37 S.S.</sup> Advisory Bd	577-2583
M. Williams & Phillips	Fallow Hill	
W.H. Gosman	Silver Springs Town Bd & Chamber of Commerce	577-2521
Dee L. Langston	City of Reno P.O. Box 1900	785-2215
Perry Hayden	" "	"
B.P. Seilder	Churchill County	423-5736
[unclear]	" "	427-3071
Bert [unclear]	Churchill County	867-3334
[unclear]	[unclear]	
Will P. Carver	Fallow Hill	867-2133
John [unclear]	[unclear]	
G. [unclear]	[unclear]	
Sue [unclear]	[unclear]	
Janine Scarfe	CHLV School	
John Kidder	" "	



RESOLUTION 80-32

EXHIBIT C

REGARDING INTERCOUNTY IMPORT/EXPORT OF WASTEWATER --  
COUNTY RELATIONS

WHEREAS, export of wastewater from one county to another is a concern to the membership of the Nevada Association of Counties; and

WHEREAS, the membership is desirous of maintaining the practice exercised by the State Department of Conservation and Natural Resources wherein intercounty export of wastewater is not allowed unless the receiving county is in full accord of the action and the exporter is in compliance with the ordinances of the receiving county; and

WHEREAS, in December, 1979, the State Environmental Commission, in upholding review authority of the receiving county (as long as that county implements regulatory ordinances to deal with the importation of wastewater), noted that there was an interpretive conflict between past State practice based on State Water Pollution Control Regulations (article 3.3) and the actual wording of the Nevada Revised Statutes (445.261) wherein it is stated that the State has sole authority on site placement of wastewater treatment facilities:

NOW, THEREFORE, BE IT RESOLVED that the Nevada Association of Counties requests the 1981 Legislature to amend the Nevada Revised Statutes to place review authority of intercounty export of wastewater with the receiving county if the receiving county has implemented proper ordinances to deal with the issue (as special use permit). In the event the receiving county does not use county ordinances in addressing the issue, then the review authority will rest with the State.

PASSED AND ADOPTED this 15th day of November, 1980.

*Jack R. Petitti*  
\_\_\_\_\_  
JACK R. PETITTI, PRESIDENT

ATTEST:

*Thalia M. Dondero*  
\_\_\_\_\_  
THALIA M. DONDERO, SECRETARY

PRESIDENT  
JACK R. PETITTI  
CLARK COUNTY

VICE-PRESIDENT  
SAMMYE UGALDE  
HUMBOLDT COUNTY

BOARD OF DIRECTORS

JERALD ALLEN  
EDWARD ARNOLD  
DONALD BARNETT  
PETER L. BENOOCHEA  
HENRY BLAND  
SAM BOWLER  
JAMES F. BURKE  
JOHN C. CARPENTER  
MAX CHILCOTT  
WILLIAM FARR  
BERT GANDOLFO  
DOUGLAS HAYKINS  
JOHN HAYES  
KENNETH KJER  
MARIO PERALDO  
JOHN POLI  
CHARLES A. VACCARO

EXECUTIVE SECRETARY  
THALIA M. DONDERO  
VALLEY BANK PLAZA  
SUITE 1111  
300 SOUTH FOURTH STREET  
LAS VEGAS, NEVADA 89101

AFFILIATES

NEVADA DISTRICT ATTORNEYS ASSOCIATION  
ROBERT MILLER, PRESIDENT

NEVADA FISCAL OFFICERS ASSOCIATION  
W.W. GALLOWAY, PRESIDENT

# TRUCKEE-CARSON IRRIGATION DISTRICT

NEWLANDS PROJECT  
P.O. BOX 1356  
FALLON, NEVADA 89406  
TELEPHONE (702) 423-2141

EXHIBIT D

**BOARD OF DIRECTORS**

JOE SERPA, JR., President  
ERNEST C. SCHANK, Vice President  
THOMAS WM. COOK, Director  
TED J. deBRAGA, Director  
LARRY R. MILLER, Director  
ELBERT L. MILLS, Director  
REX L. WORKMAN, Director

RICHARD S. LATTIN  
Project Manager

DORIS J. MORIN  
Secretary-Treasurer

March 25, 1981

## COMMITTEE ON HUMAN RESOURCES AND FACILITIES

RE: SENATE BILL NO. 296  
AN ACT relating to discharges  
of pollutants into water;  
adding requirements for approval  
of permits; and providing  
other matters properly relating  
thereto.

### Committee Members:

The Truckee-Carson Irrigation District has reviewed Senate Bill No. 296 which, briefly, provides that (1) The department give notice of each application for a permit to discharge from a point source into any waters to each political subdivision of this state located downstream from the point of discharge; (2) if a protest is made against the issuance of the permit, the department shall not issue the permit unless the applicant shows the probability that no adverse effect will occur from the discharge.

The Truckee-Carson Irrigation District on behalf of the water users of the Newlands Project strongly urges that this bill be passed in its entirety, and suggests that it be strengthened by substituting the word "proof" for the phrase "the probability" on line 24, page 1, and lines 22 and 23, page 2. In a state in which water is a severely limited resource, serious consideration must be given to the maintenance of water quality to insure downstream beneficial use.

Specifically, the District urges that the Committee review the conditions which existed during the summer of 1980 at Lahontan Reservoir which ultimately forced the closure of that reservoir to water contact sports. Recreation resources such as Lahontan are strictly limited in number and must be preserved for future generations. Concern cannot be limited to that of recreational pursuits, but must include agriculture, wildlife and domestic water supplies, among others. Control of similar situations

Committee on Human Resources and Facilities  
March 25, 1981  
Page -2-

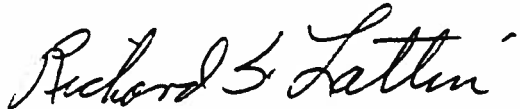
EXHIBIT D

in the future can only be brought about by requiring applicants for discharge permits to provide proof that the discharge will not further degredate the water quality of the stream. It is only reasonable that the entity seeking the application be required to provide such proof at its expense.

Again, the District wholeheartedly endorses Senate Bill No. 296 and urges that the above suggestion be incorporated therein and the bill as amended be passed.

Sincerely,

TRUCKEE-CARSON IRRIGATION DISTRICT



Richard S. Lattin  
Project Manager

**S. B. 169**

---

SENATE BILL NO. 169—SENATOR GETTO

FEBRUARY 3, 1981

---

Referred to Committee on Human Resources and Facilities

**SUMMARY**—Changes qualifications of members of state welfare board. (BDR 38-910)

**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.

AN ACT relating to the state welfare board; changing the qualifications for a certain member of the state welfare board; 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 422.080 is hereby amended to read as follows:  
2 422.080 1. The governor shall appoint members who have an inter-  
3 est in and a knowledge of the field of public welfare.  
4 2. Members of the board [shall] *must* be selected to give statewide  
5 representation, and not more than three members may be residents of the  
6 same county.  
7 3. *At least one of the members of the board must be a director of a*  
8 *county welfare agency or his representative.*  
9 4. Members of the board may be removed for failure to attend  
10 board meetings.  
11 SEC. 2. Notwithstanding the requirements of subsection 3 of NRS  
12 422.080, if the state welfare board does not have among its members on  
13 July 1, 1981, a director of a county welfare agency or his representative,  
14 the governor may comply with the requirements of that subsection by  
15 appointing such a person to a vacancy among the members of the board.

**S. B. 288**

---

SENATE BILL NO. 288—SENATOR GETTO (by request)

FEBRUARY 24, 1981

Referred to Committee on Human Resources and Facilities

SUMMARY—Abolishes milk inspection revolving fund. (BDR 51-210)

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.

---

AN ACT relating to milk inspection; abolishing the revolving 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 584.200 is hereby amended to read as follows:  
2 584.200 1. Whenever any inspection of the dairy farms, milk plants  
3 or facilities of an applicant or a permittee necessitates departing beyond  
4 the territorial limits of the State of Nevada, the applicant or permittee on  
5 whose behalf such inspection is to be made shall [be required to] pay the  
6 per diem expense allowance and travel expenses of the inspector or  
7 inspectors for the amount of their travel beyond the territorial limits of  
8 the State of Nevada in an amount equivalent to that paid other state offi-  
9 cers performing similiar duties. Claims for per diem expense allowances  
10 and travel expenses of inspectors [shall be paid from the milk inspection  
11 revolving fund which is hereby created in the state treasury.] *must be*  
12 *paid by the health division of the department of human resources.*  
13 2. [After] *Before* an inspection is made outside the State of Nevada,  
14 the health division [of the department of human resources] shall collect  
15 from the applicant or permittee an amount of money equal to the expenses  
16 *to be* incurred for the inspection. [and deposit the same to the credit of  
17 the milk inspection revolving fund.] *The money must be deposited with*  
18 *the state treasurer for credit to the appropriate account of the health divi-*  
19 *sion and may be used only to pay for claims filed in accordance with this*  
20 *section.*  
21 3. Failure of an applicant or a permittee to pay the amount demanded  
22 by the health division pursuant to the provisions of subsection 2 is a  
23 ground for the denial, suspension or revocation of a permit. [Moneys]  
24 *Money* paid by any applicant or permittee pursuant to the provisions of  
25 subsection 2 [shall] *must* not be refunded.

\*

**S. B. 393**

---

**SENATE BILL NO. 393—SENATOR GETTO**  
(by request)

**MARCH 10, 1981**

---

Referred to Committee on Human Resources and Facilities

**SUMMARY—Abolishes state responsibility to control  
gnats and mosquitoes. (BDR 40-1053)**

**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.**

---

**AN ACT relating to public health: abolishing the state's responsibility to control  
gnats and mosquitoes; 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 439.175 is hereby repealed.**

20