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MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON NATURAL RESOURCES

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
March 4, 1981

The Senate Committee on Natural Resources meeting was called to order by Chairman Norman Glaser at 1:30 P. M., Wednesday, March 4, 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 Norman Glaser, Chairman
Senator Wilbur Faiss, Vice Chairman
Senator Lawrence E. Jacobsen
Senator James H. Bilbray
Senator Joe Neal

COMMITTEE MEMBER ABSENT:

Senator Floyd R. Lamb

GUEST LEGISLATOR:

Assemblyman Dean Rhoads

STAFF MEMBERS PRESENT:

Mr. Robert E. Erickson, Senior Research Analyst
Mr. Fred Welden, Senior Research Analyst
Carolyn L. Freeland, Committee Secretary

ASSEMBLY BILL NO. 13--Requires state land registrar to reserve from sales of state land existing routes necessary to public access to public land.

Assemblyman Dean Rhoads, Chairman of the Interim Study Committee and introducer of the bill, presented preliminary information regarding the legislation. He said it is one of several bills that came out of the interim study on access. He remarked that if this type of legislation had been enacted on the state's books when it became a state in 1864, there would not be an access problem existing today. He said the bill passed in the Assembly and he

Senate Committee on Natural Resources
March 4, 1981

sees no problem with it. He explained it requires the state to reserve the right of access across any state land which is sold to private interests. He said that he understood there might be an amendment or two made to the bill and he would concur with these amendments.

Mr. Jac Shaw, Director of the Division of State Lands, testified, saying the bill does not need a great deal of explanation. His department endorses it as it has a great deal of merit; he also endorsed the amendment added in the Assembly.

Senator Jacobsen said he felt it would be wise for the record to show who serves on the Multiple Use Advisory Committee. Mr. Shaw agreed, and enumerated the complement of that committee: thirteen people comprise it, ten representing existing groups which use the public lands, or are involved in the public lands, and three members-at-large appointed by the governor, representing sportsmen, off-road vehiclars, and like users. Senator Jacobsen then asked how active this board is; and Mr. Shaw replied it is probably one of the most significant advisory committees in the state. It has developed a great deal of credibility; its recommendations are listened to at the state executive level, at the Congressional level and the federal management level.

Chairman Glaser noted the thrust of this bill is on present state lands or state lands that might be acquired in the future, and does not infringe on enforcing rights-of-way through presently deeded lands to public lands which now exist.

Mr. Shaw added this bill is basically related to Sagebrush Rebellion legislation and before those "Sagebrush" lands could be leased, exchanged or sold access has to be provided where required.

Mr. George Tackett, representing Nevada Bell Telephone Company, then spoke. He said he was not present in support of, or opposition to, the bill, but only to offer a technical amendment. (See Exhibit C for text of his full remarks). He distributed copies of the amendment to the members of the committee (Exhibit D), and asked for the committee's consideration in this matter.

Mr. Joe Greenley, the Nevada Department of Wildlife Director, testified his department supports this bill. He added there has been an access problem in the past and this legislation will eliminate such problems in the future.

Senate Committee on Natural Resources
March 4, 1981

Mr. John Sweetland, of the Nevada Department of Transportation, stated his department endorses this legislation. He referred to Section 2 where the department is mentioned regarding consultation on the deletion of a particular access and said the department would fully cooperate in this regard.

Mr. Don Quilici of the Nevada Wildlife Federation said his group would like to go on record as being in support of this bill.

Mr. Paul Bottari, representing the Nevada Cattlemen's Association, said he would like to go on record for the association as being in support of Assembly Bill No. 13. He feels it is necessary that access be retained on any of the lands involved in the Sagebrush Rebellion.

There being no further testimony, the hearing on Assembly Bill No. 13 was concluded.

ASSEMBLY JOINT RESOLUTION NO. 4--Requests Secretary of Interior to execute Washoe Project Contract and to release water from Stampede Reservoir for municipal and industrial uses.

Chairman Glaser stated this resolution is the result of an interim study. He then called on Mr. Fred Welden, Senior Research Analyst, Legislative Counsel Bureau, to present a brief background on it.

Mr. Welden said the impact of Assembly Joint Resolution No. 4 will be in the urban areas of Reno and Sparks. The water situation in those areas is becoming critical; there are currently enough water rights in the Sierra Pacific Power Company to meet the demands of the service areas until 1982. The water from Stampede Reservoir is one source of supplementing the water in the area. The federal Washoe Project Act was passed a while ago to allow the Secretary of the Interior to construct and operate the Stampede Reservoir. Thereafter, there was a definite plan report prepared which called for certain allocations of the water. One of the allocations was for 57% of the water to go to municipal and industrial users in the area. There was a contract drawn up, the Washoe Project Contract, which spelled out the allocations. However, the contract was never signed by the Secretary of the Interior, and as a consequence, there has never been any water made available from the Stampede Reservoir for municipal and industrial uses in Reno and Sparks. This resolution would request the Secretary of the Interior execute the contract, thereby providing the water needed, approximately 16,900 acre feet of water annually.

Senate Committee on Natural Resources
March 4, 1981

Senator Glaser asked Mr. Welden who would receive the remaining 43% allocation. Mr. Weldon replied water was allotted for agricultural uses, for Pyramid Lake, and for other users within the water conservancy district.

Senator Glaser then queried Mr. Welden if the suit which is pending regarding Pyramid is what has been delaying execution of the contract on the part of the Secretary of Interior. Mr. Welden answered that was his understanding.

Senator Jacobsen asked if, during the interim study, there had been any communication from people on the federal level. Mr. Welden replied, "No." Senator Neal asked if these people had been invited, and Mr. Welden answered there had been no specific invitation extended on the issue, but that federal people involved had received announcements of the pertinent agendas.

Senator Neal asked the relationship of Stampede Reservoir to Pyramid Lake--if the ultimate course of the released water would reach Pyramid. Mr. Welden replied such would be the case, and ultimately, the waters would reach Lahontan Reservoir. Senator Neal then wished to determine if there was not yet a contract setting forth the allocations: Mr. Welden advised him the contract has not been executed and is therefore in draft form.

Mr. Richard G. Campbell, Chairman of the Greater Reno Chamber of Commerce Committee on Water Quality and Resources, read a prepared statement into the record (Exhibit E) regarding this legislation. Mr. Campbell referred to a pending lawsuit in the Federal District Court seeking a Writ of Mandamus against the Secretary of the Interior to require him to sign the aforementioned contract.

Senator Neal wanted to know how long the signing of the contract has been delayed, and Mr. Campbell replied since about 1966 or 1967. Senator Neal asked if there is a requirement in the contract that it must be approved by a majority of the voters in the Truckee River areas listed, and Mr. Campbell replied in the affirmative. Senator Neal continued that he would assume some contact has been made with the Department of the Interior relative to non-signing of the contract and he wished to know the reason(s) for lack of signing.

Mr. Campbell explained the reasons that have always been given by the Secretary of the Interior up to the present time, are:
(1) the Compact that was signed between the States of California and Nevada also was involved to some extent over this water due to

Senate Committee on Natural Resources
March 4, 1981

distribution; and (2) that Compact has never been approved by the Secretary of the Interior; coupled with the refusal to sell this water was the fact the he claimed the Pyramid Lake Indian water rights and their fishery had not been properly taken into account in either one of these documents. Mr. Campbell added that out of the water generated in the Stampede Dam, 6400 acre feet of that water is allocated to the fish ladder that was constructed on the Indian reservation in order to facilitate the fish coming upstream.

Senator Neal then wanted to know the reason for lack of signing of the bi-state Compact referred to above. Mr. Campbell answered he believed the reason always advanced was that the Compact did not make adequate provisions for Pyramid Lake.

There ensued a brief discussion on this subject.

Mr. Roland Westergard, Director of the Department of Conservation and Natural Resources, testified he fully supports the enactment of Assembly Joint Resolution No. 4. He stressed the importance of taking this action now due to a new political climate in Washington, and it is extremely timely and appropriate to now act on the issue.

Chairman Glaser noted that Senator Neal had raised the question regarding the allocation of water rights to the Pyramid Lake Indians, and the Chairman wished clarification as to whether the water rights downstream on the Truckee River were taken into consideration on the Washoe Project and also in the bi-state Compact.

Mr. Westergard replied that the purpose and intent of the Compact was to allocate the waters of the Truckee, Carson, Walker Rivers, and Lake Tahoe, between the States of California and Nevada. In that allocation, waters afforded to the State of Nevada, all water users will be required to obtain their supplies. The allocation within the state is based on existing agreements and existing water right laws. The issues raised by Senator Neal are essentially those which have caused the delay in both the signing of the Compact and the execution of the Washoe Project contract.

Mr. Westergard then reviewed the lawsuit filed a number of years ago asking the United States Supreme Court to assume original jurisdiction and allocate a certain amount of water to Pyramid Lake. That case was referred back to the district court system and the Pyramid Lake Indians filed action; it was found the decree that had been entered years previous was valid and upheld the rights of the users on the Truckee River stream system.

Senate Committee on Natural Resources
March 4, 1981

That decision was appealed and a finding on the appeal is still pending. The state feels the Compact only allocates water between the states, and any rights to be acquired within that allocation must be obtained either under existing decrees or agreements or in accordance with appropriate procedures.

Mr. Westergard, in reply to a question from Senator Neal, traced the history of water problems on the Truckee River. Senator Neal then asked what is essentially the position of the Indians on this matter, and Mr. Westergard replied the Indians feel decrees entered in 1913, 1926 and 1944 did not properly consider their interests and they were not properly represented by legal counsel.

Mr. Westergard explained the entire distribution of water is on a priority basis; if a court finds the Indians had a prior water right of any given quantity, those quantities would have to be satisfied first, and all other rights, including Stampede Dam, would be subject to those prior rights.

Chairman Glaser noted that the Stampede Dam is just a fraction of the Truckee River flow, and if the Indians win their case, their needs could be supplied from Lake Tahoe and the balance of the Truckee waters.

Mr. Westergard testified that all demands, existing and potential, on the Truckee system could not be met because there is just not that much water available. He enumerated the allotments from the system.

Senator Neal expressed fears, if this bill is passed, that there is no recognition that the Indians have claims and in the judicial machinery will ultimately lose.

There ensued a discussion on Indian rights, Pyramid Lake, fishing water rights, reservation rights and patents granted by the state. Mr. Westergard does not feel this legislation will infringe on the rights of the Indians.

Mr. Harry Swainston of the Attorney General's Office, made comments regarding this matter. He concluded by saying the Indians would be hard-pressed to make a claim to the fishery at Pyramid Lake.

There being no further testimony, that concluded the hearing on Assembly Joint Resolution No. 4.

ASSEMBLY JOINT RESOLUTION NO. 5--Commends Senator Paul Laxalt for his efforts to obtain federal money for repair of Newlands Project and requests further action.

Senate Committee on Natural Resources
March 4, 1981

ASSEMBLY JOINT RESOLUTION NO. 5--continued

Mr. Fred Welden spoke briefly on this resolution, explaining its intent.

Senator Neal moved Do Pass on Assembly Joint Resolution No. 5 (Exhibit F).

Senator Jacobsen seconded the motion.

The motion carried unanimously. (Senator Lamb and Senator Bilbray were absent for the vote).

SENATE BILL NO. 153--Makes various changes relating to sale of petroleum products.

Chairman Glaser called for further discussion on this bill. Mr. Samuel Hohmann, Senior Research Analyst, presented information previously requested by Senator Neal. (Exhibit G).

There ensued a discussion on the various matters covered in the report, and the need for consideration of relegating the decision on changes requested in the bill to the Department of Weights and Measures, thereby eliminating the need for legislation on the matter.

Senator Jacobsen noted that technical problems should be taken into account in regard to the using of local resources which are available, but that a special interest group must not be benefitted.

Mr. Kelly Jackson, from the Department of Energy, said he would tend to agree with Mr. Hohmann's recommendations. He said, for the record, that his department has had in the past complaints regarding the quality of diesel fuel from the particular refinery providing the initial technical information.

After some further testimony from Mr. Jackson, suggesting an amendment giving authority to adopt specifications regarding alcohol fuel, it was agreed by the committee to have Mr. Erickson draft proposed amendments including the alcohol fuels and return them to the committee for further consideration. Senator Jacobsen said he would also contact his company refinery to obtain some input from it. Mr. Jackson is to submit his recommendations to Mr. Erickson. Mr. Erickson is also to incorporate previous amendments suggested at the first hearing on this bill.

Senate Committee on Natural Resources
March 4, 1981

Chairman Glaser concluded the hearing on Senate Bill No. 153, as there was no further testimony.

Chairman Glaser called for reconsideration of matters heard in this meeting, and for the pleasure of the committee in regard to them.

Senator Bilbray moved Amend and Do Pass
Assembly Bill No. 13 (Exhibit H).

Senator Neal seconded the motion.

The motion carried unanimously. (Senator Lamb was absent for the vote).

Senator Jacobsen moved Do Pass
Assembly Joint Resolution No. 4 (Exhibit I).

Senator Bilbray seconded the motion.

The motion lost for lack of a majority.
Senator Faiss and Senator Neal voted
"No." (Senator Lamb was absent for the vote).

The sub committee on geothermal will meet upon adjournment.

There being no further business, the meeting adjourned at
2:45 P. M.

Respectfully submitted by:


Carolyn L. Freeland, Secretary

APPROVED BY:


Senator Norman Glaser, Chairman

DATE: March 10, 1981

SENATE AGENDA

COMMITTEE MEETINGS

EXHIBIT A

Committee on Natural Resources, Room 323.
Day Wednesday, Date March 4, Time 1:30 P. M.

A. B. No. 13--Requires state land registrar to reserve from sales of state land existing routes necessary to public access to public land.

A.J.R. No. 4--Requests Secretary of Interior to execute Washoe Project Contract and to release water from Stampede Reservoir for municipal and industrial uses.

A.J.R. No. 5--Commends Senator Paul Laxalt for his efforts to obtain federal money for repair of Newlands Project and requests further action.

FINAL ACTION:

S. B. No. 153--Makes various changes relating to sale of petroleum products, Mr. Hohmann to present material.

ATTENDANCE ROSTER FORM

COMMITTEE MEETINGS

SENATE COMMITTEE ON NATURAL RESOURCES

DATE: March 4, 1981

EXHIBIT B

PLEASE PRINT	PLEASE PRINT	PLEASE PRINT	PLEASE PRINT
NAME	ORGANIZATION & ADDRESS		TELEPHONE
GEORGE TACKETT	NEVADA BELL		789-4496
KAREN GEIFFERT	UCSC, SANTA CRUZ, CA		—
Joe Greenley	Dept of Wildlife AB 13		784-6425
DON QUIULI	NEVADA WILDLIFE FEDERATION AB 13		
Ronald A. Stinson	Dept. Cons & Nat. Res (ASR 4)		885-4360
John Smith	Dir of State Lands		4363
Robert Campbell	Cen of Spaul Chamber		323-0570
John Sweetland	N. D. O. T.		885-5470
Paul Botteri	NUCA 975 St. St. ELKO NV		733-6846
HARRY W. SWAINSON	A. GEN CC		888-4170
Sam Johnson	LCB		5637
J. M. Vague	THE ACCUMULATION OF KNOWLEDGE...		- 0 -
ARVE TRUVE	A.G. CC		1410

EXHIBIT C

MR. CHAIRMAN AND COMMITTEE MEMBERS,
FOR THE RECORD MY NAME IS GEORGE TACKETT, ADMINISTRATION MANAGER -
PUBLIC AFFAIRS FOR NEVADA BELL.

I AM NOT HERE IN SUPPORT OR OPPOSITION TO THIS BILL, BUT ONLY TO
OFFER A TECHNICAL AMENDMENT.

FIRST, I MUST APOLOGIZE FOR NOT SUBMITTING MY AMENDMENT WHEN THIS BILL
WAS HEARD IN THE ASSEMBLY. THE TRUTH IS I DIDN'T HAVE MAY ACT
TOGETHER AND THE ASSEMBLY GOVERNMENT AFFAIRS COMMITTEE DID. I HAVE
SINCE SPOKEN TO CHAIRMAN DINI AND EACH OF THE BILL SPONSERS AND NO
ONE HAD ANY OBJECTIONS TO THIS AMENDMENT.

THE INTENT OF THIS AMENDMENT IS TO ASSURE UTILITY RIGHTS BY ADDING
"OR UTILITY EASEMENTS OR RIGHTS OF WAY" IN LINE 6 AFTER "ROUTES".

NEVADA BELL RELIES ON SUCH ROUTES TO PROVIDE SERVICE AND FOR
ACCESS TO OUR FACILITIES.

I BELIEVE THIS AMENDMENT IS NECESSARY TO ASSURE UTILITY RIGHTS
OF WAY AND EASEMENTS ALONG SUCH ROUTES.

I ASK YOUR CONSIDERATION ON THIS MATTER.

THANK YOU FOR ALLOWING ME THE OPPORTUNITY TO EXPRESS MY VIEWS.

2/10/81
AMENDMENT TO NEVADA ASSEMBLY BILL NO. 13

EXHIBIT D

AMENDMENT NO. 1

On Page 1 of the Bill, as introduced in Assembly on
January 21, 1981, Line 6, after "routes" insert "or
utility easements or rights of way"

Revised
2/6/81

STATEMENT IN SUPPORT OF AJR NO. 4 EXHIBIT E

NAME ADDRESS:

RICHARD G. CAMPBELL
Valley Bank Plaza
50 West Liberty
Suite 1100
Reno, NV 89501

I am chairman of the Greater Reno - Sparks Chamber of Commerce Committee on Water Quality and Resources.

The Proposed Assembly Joint Resolution No. 4.

Our Committee has unanimously approved a recommendation to this body to pass AJR No. 4 for the following reasons:

1. The Federal Act which authorized construction of Stampede Dam was conditioned upon a repayment of 57% of the cost by sale of municipal and industrial water.
2. The residents of the Truckee River area approved by majority vote a contract with the Bureau of Reclamation to purchase the municipal and industrial water available from Stampede Dam.
3. The ^{Carson-}Truckee Conservancy District entered into a contract to sell said water to Sierra Pacific Power Company at rates commensurate with the repayment requirement of the Federal Act.
4. The water can be used by Sierra Pacific Power Company to provide water service in the Reno/Sparks area.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. J. R. 5

ASSEMBLY JOINT RESOLUTION NO. 5—COMMITTEE ON
ECONOMIC DEVELOPMENT AND NATURAL RESOURCES

JANUARY 22, 1981

Referred to Committee on Economic Development
and Natural Resources

SUMMARY—Commends Senator Paul Laxalt for his efforts to obtain federal
money for repair of Newlands Project and requests further action. (BDR 95)

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.

ASSEMBLY JOINT RESOLUTION—Commending Senator Paul Laxalt for his
efforts to obtain a federal appropriation for repairs to and improvement of the
Newlands Project; and urging him to expand his request to include repairs of
facilities on the Carson River and the Lahontan Reservoir.

- 1 WHEREAS, United States Senator Paul Laxalt has requested the water
2 resources subcommittee of the Senate Appropriations Committee to rec-
3 commend an appropriation of \$15 million for repairs to and improvement
4 of the Newlands Project; and
5 WHEREAS, The facilities of the Newlands Project need to be repaired
6 and improved to fulfill the purposes of reclamation for which the project
7 was originally conceived; and
8 WHEREAS, The facilities on the Carson River constructed upstream
9 from Carson City which are used for local irrigation have been severely
10 damaged and are in need of repair; and
11 WHEREAS, The continued deterioration of dams, canals and waterways
12 will adversely affect the economic well-being of the communities which
13 they help to sustain; now, therefore, be it
14 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
15 That the Nevada legislature commends Senator Paul Laxalt for his efforts
16 to obtain federal appropriations for repairs to and improvement of the
17 Newlands Project and urges him to continue his efforts in this regard;
18 and be it further
19 *Resolved,* That the Nevada legislature urges Senator Laxalt to expand
20 his request to include money for repairs of the damaged facilities on the
21 Carson River and the Lahontan Reservoir; and be it further
22 *Resolved,* That a copy of this resolution be immediately transmitted by

- 1 the legislative counsel to Senator Laxalt and to other members of the
- 2 Nevada congressional delegation; and be it further
- 3 *Resolved*, That this resolution shall become effective upon passage and
- 4 approval.

20

ASSEMBLY JOINT RESOLUTION NO. 1—COMMITTEE ON ECONOMIC DEVELOPMENT AND NATURAL RESOURCES

February 22, 1981

Report of the Committee on Economic Development and Natural Resources

RESOLUTION—Senator Laxalt has introduced the bill to amend the Nevada State Constitution to provide for the creation of a Nevada State Council on Economic Development and Natural Resources. (SJR 1)

RESOLUTION—Senator Laxalt has introduced the bill to amend the Nevada State Constitution to provide for the creation of a Nevada State Council on Economic Development and Natural Resources.

RESOLUTION—Senator Laxalt has introduced the bill to amend the Nevada State Constitution to provide for the creation of a Nevada State Council on Economic Development and Natural Resources.

- 1 Whereas, Senator Laxalt has introduced the bill
- 2 to amend the Nevada State Constitution to provide for the
- 3 creation of a Nevada State Council on Economic Development
- 4 and Natural Resources;
- 5 and whereas, the members of the Nevada State Council
- 6 and the members of the Nevada State Council on Economic
- 7 Development and Natural Resources;
- 8 and whereas, the Nevada State Council on Economic
- 9 Development and Natural Resources has been created;
- 10 and whereas, the Nevada State Council on Economic
- 11 Development and Natural Resources has been created;
- 12 and whereas, the Nevada State Council on Economic
- 13 Development and Natural Resources has been created;
- 14 and whereas, the Nevada State Council on Economic
- 15 Development and Natural Resources has been created;
- 16 and whereas, the Nevada State Council on Economic
- 17 Development and Natural Resources has been created;
- 18 and whereas, the Nevada State Council on Economic
- 19 Development and Natural Resources has been created;
- 20 and whereas, the Nevada State Council on Economic
- 21 Development and Natural Resources has been created;
- 22 and whereas, the Nevada State Council on Economic
- 23 Development and Natural Resources has been created;
- 24 and whereas, the Nevada State Council on Economic
- 25 Development and Natural Resources has been created;

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
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LEGISLATIVE COMMISSION (702) 885-5627

KERITH ASHWORTH, Senator, Chairman
Arthur J. Palmer, Director, Secretary

INTERIM FINANCE COMMITTEE (702) 885-5640

DONALD R. MELLO, Assemblyman, Chairman
Ronald W. Sparks, Senate Fiscal Analyst
William A. Bible, Assembly Fiscal Analyst

ARTHUR J. PALMER, Director
(702) 885-5627

FRANK W. DAYKIN, Legislative Counsel (702) 885-5627
JOHN R. CROSSLEY, Legislative Auditor (702) 885-5620
ANDREW P. GROSE, Research Director (702) 885-5637

March 4, 1981

EXHIBIT G

TO: Chairman and Members, Senate Natural Resources
Committee

FROM: Samuel F. Hohmann, Senior Research Analyst
SFH

SUBJECT: Maximum 90% Distillation Temperature of No. 2
Diesel Fuel

This memorandum is in response to your request for information regarding the maximum 90% distillation temperature of No. 2 diesel fuel.

Senate Bill 153 would establish a new standard for the maximum 90% distillation temperature of No. 2 diesel fuel. The proposed maximum temperature is 675°F. Diesel fuel oils whose maximum 90% distillation temperatures fall in the range above the existing standards, that is, from 640°F to 675°F, will be chemically different from those whose maximum 90% distillation temperatures fall in the range of the currently accepted American Society of Testing and Materials (ASTM) standard of 540°F to 640°F.

Differences

According to American Petroleum Institute personnel, the broader range (which would become 540°F to 675°F) would allow for a broader cut diesel fuel oil. The carbon content may be slightly affected, and the specific gravity may be observed to increase slightly due to more heavy ends on the oil molecules. The heavier ends could result in some burning.

Rationale for the ASTM Standard

The basis of the ASTM standard is an experience judgment based on end use performance of fuels with a range of 90% distillation temperatures. Over a range much broader than the standard, there is also considerable variability in performance. Thus, a standard, 540°F to 640°F, has been adopted to insure product consistency in the No. 2 diesel fuel market.

Recommendation

It may be in the interest of the oil refining industry in Nevada to seek to accommodate the use of its unique resource by some method other than statute revision of the standard. One option would be to empower the state sealer of weights and measures to grant exemptions from the standard for intrastate or local use or for specific uses.

I hope this information is helpful. If you have any questions or would like additional information, please do not hesitate to contact me.

SFH:jlc

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 13

ASSEMBLY BILL NO. 13—ASSEMBLYMEN RHOADS,
GLOVER, BERGEVIN AND MARVEL

JANUARY 21, 1981

Referred to Committee on Government Affairs

SUMMARY—Requires state land registrar to reserve from sales of state land existing routes necessary to public access to public land. (BDR 26-88)

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 state lands; requiring the state land registrar to reserve from sales of state land existing routes designated as necessary to public access to certain public lands; 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 321 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *Before any state land may be leased, exchanged, sold or con-*
4 *tracted for sale, the state land registrar, in consultation with the state*
5 *multiple use advisory committee on federal lands and with counties and*
6 *local governments, shall designate any existing routes over the land which*
7 *he determines to be necessary for public access to any other land that is*
8 *open to public use. If such a route is designated, the land must be con-*
9 *veyed with a right of way and all rights of access and abutter's rights for*
10 *the route reserved in the name of the State of Nevada.*
11 2. *After the land is conveyed, if the route is determined by the state*
12 *land registrar, in consultation with the department of transportation and*
13 *the state multiple use advisory committee on federal lands and with coun-*
14 *ties and local governments, to be no longer necessary for public access to*
15 *other land which is open to public use, the state land registrar shall,*
16 *subject to the provisions of subsections 3 and 4, release the right, title*
17 *and interest of the state in and to the right of way to the purchaser or*
18 *lessee of the land, his assigns or successors in interest.*
19 3. *Before releasing the state's interest in the right of way, the state*
20 *land registrar shall cause to be published in some newspaper of general*
21 *circulation in the county where the right of way is located a notice of*

1 *intent to release that interest. The notice must be published at least 30*
2 *days before the proposed date for the release and must contain:*

- 3 (a) *A description of the location of the right of way;*
4 (b) *The date upon which the release is to be effective; and*
5 (c) *The mailing address of the state land registrar to which persons*
6 *may send protests against the proposed release.*

7 4. *The state land registrar may, or upon the receipt of a written pro-*
8 *test against the proposed release shall, hold a public hearing. The hearing*
9 *must be:*

- 10 (a) *Held in the county in which the right of way is located; and*
11 (b) *Advertised at least 30 days before the date of the hearing in a*
12 *newspaper of general circulation in the county where the right of way*
13 *is located.*

A. J. R. 4

**ASSEMBLY JOINT RESOLUTION NO. 4—COMMITTEE ON
ECONOMIC DEVELOPMENT AND NATURAL RESOURCES**

JANUARY 22, 1981

Referred to Committee on Economic Development
and Natural Resources

SUMMARY—Requests Secretary of Interior to execute Washoe Project Contract and to release water from Stampede Reservoir for municipal and industrial uses. (BDR 108)

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.

ASSEMBLY JOINT RESOLUTION—Requesting the Secretary of the Interior to execute the Washoe Project Contract and to release water from Stampede Reservoir for municipal and industrial uses within the Carson-Truckee Conservancy District.

- 1 WHEREAS, The Congress of the United States enacted the Washoe Project
2 Act (§ 1, 70 Stat. 775) which authorizes the Secretary of the Interior
3 to construct, operate and maintain the Stampede Reservoir and to furnish
4 water for beneficial uses; and
5 WHEREAS, The Washoe Project Contract provides for the release of
6 water from Stampede Reservoir for use within the Carson-Truckee Con-
7 servancy District; and
8 WHEREAS, The Definite Plan Report prepared by the United States
9 Department of the Interior for the Washoe Project allocates 57 percent
10 of the estimated yield of the Stampede Reservoir for municipal and
11 industrial uses within the Carson-Truckee Conservancy District; and
12 WHEREAS, The Congress of the United States expressed its intent to
13 authorize the release of water from Stampede Reservoir for municipal and
14 industrial uses by amending the federal reclamation laws (43 U.S.C. §§
15 421 et seq.) to allow the Secretary of the Interior to do so; and
16 WHEREAS, Water for municipal and industrial uses is needed because
17 of the increase in population of the cities of Reno and Sparks; now, there-
18 fore, be it
19 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
20 That the Nevada legislature requests the Secretary of the Interior to exe-
21 cute the Washoe Project Contract in accordance with the expressed intent
22 of the Congress of the United States and to release water from Stampede

- 1 Reservoir for municipal and industrial uses within the Carson-Truckee
- 2 Water Conservancy District; and be it further
- 3 *Resolved, That copies of this resolution be immediately transmitted by*
- 4 *the legislative counsel to the Secretary of the Interior and to all members*
- 5 *of the Nevada congressional delegation; and be it further*
- 6 *Resolved, That this resolution shall become effective upon passage and*
- 7 *approval.*

1911

RESOLUTION OF THE LEGISLATIVE COUNCIL OF THE STATE OF NEVADA

RESOLVED, That copies of this resolution be immediately transmitted by the legislative counsel to the Secretary of the Interior and to all members of the Nevada congressional delegation; and be it further

Resolved, That this resolution shall become effective upon passage and approval.

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