

**ADDENDUM TO MINUTES  
OF THE SENATE COMMITTEE ON  
NATURAL RESOURCES**

**MAY 6, 1981**

**ASSEMBLY BILL NO. 279**

**Submitted May 22, 1981**

**ASSEMBLY BILL NO. 279**

**The amendments to this bill  
were considered on May 18, 1981,  
and May 22, 1981.**

**Final agreement on the amendments  
was reached on May 22, 1981.**

MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON NATURAL RESOURCES

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
May 6, 1981

The Senate Committee on Natural Resources was called to order by Chairman Norman Glaser at 1:30 P. M., Wednesday, May 6, 1981, in Room 323 of 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 James H. Bilbray  
Senator Lawrence E. Jacobsen  
Senator Joe Neal

COMMITTEE MEMBER ABSENT:

Senator Floyd R. Lamb

GUEST LEGISLATORS:

Mr. Joseph Dini, Assemblyman  
Mr. Louis Bergevin, Assemblyman  
Mr. Kenneth Redelsperger, Assemblyman

STAFF MEMBERS PRESENT:

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

ASSEMBLY BILL NO. 176

Mr. Jim Weishaupt, Manager of Walker River Irrigation District, opened testimony on this bill. He distributed copies of his statement to the members of the committee (Exhibit C). He supports the amended version of the bill, but noted he has reservations about it.

There ensued a discussion on the number of votes which should be allowed in relation to acreage designated for such a purpose.

Senate Committee on Natural Resources  
May 6, 1981

Mr. Erickson explained that in the 1979 Session, the irrigation district voting was changed to 20 acres qualification for a vote; the legislative representatives from certain districts then discovered they had disenfranchised several voters. This present bill is aimed at returning to those voters their franchise.

Mr. Weishaupt stated he feels the primary agricultural interest, i. e., the larger farmers, should be the one to control the irrigation district, and not the "hobby" farmers whose interests might not be as beneficial to the area involved.

Mr. Myron Goldsworthy, Pershing County Water Conservation District, said the amended version of Assembly Bill No. 176 is not workable for his district. He has problems with the sliding scale of acreage for voters, and with the voting regulations. He added the regulations would complicate the voting procedure even more than it is at the present time; he would be very reluctant to run an election based on the language in the amended bill. He is in favor of the original bill. He would like to have the mechanics of the amended bill more clearly delineated.

The Chairman asked Mr. Erickson to explain the difference between the original and the amended versions of the bill. Mr. Erickson said the first version allowed an elector to cast one vote for the first five acres of land he owned.

Mr. Ira Rackley, Assemblyman representing Pershing County and part of Churchill County, gave a brief history of the bill. He said the testimony before the Assembly Committee on Agriculture and the amendment to the bill seemed to answer the questions which had arisen in the previous legislative session; he added the Assembly Committee on Agriculture recommends passage of the bill as amended.

Mr. Joseph Dini, Assemblyman representing Lyon, Storey and part of Churchill counties, said he is in favor of the amended bill. He said it would leave control of the irrigation district in the hands of the larger agricultural interests, at the same time restoring the voting privilege to smaller land holders. He noted the procedure is a weighted one.

Chairman Glaser said he would favor the amended version as it would give a weighted vote to the larger landowner; there might be a number of subdividers in the area who would not be agriculturally oriented.

Senate Committee on Natural Resources  
May 6, 1981

Senator Bilbray stated he sympathizes with the larger landowner who is the one bearing the majority of the cost in the irrigation district; he suggested the use of a secret ballot as a remedy to the problems Mr. Goldsworthy had raised.

The Chair called for any questions.

Senator Jacobsen asked Mr. Dini if he had had the opportunity to review Senate Bill No. 120. Mr. Dini replied that bill covers about the same material as Assembly Bill No. 176. The Chairman stated Senator Getto had advised him if the Assembly bill is passed, there is no need for the Senate bill; the Chairman noted Assembly Bill No. 176 is making progress and that Senate Bill No. 120 will be tabled for the time being.

#### ASSEMBLY BILL NO. 279

Mr. Dini then testified on this bill, which concerns statutes governing weed control districts. He said it originated with the weed control district in the Mason Valley area where there is a serious problem with upstream weeds; this bill would allow a weed control district to incorporate landowners in other districts in order to effect weed control. He said the bill is very important and he favors it. Upon questioning from the Chairman, he explained the mechanics of how jurisdiction would be obtained in order to accomplish the desired weed control.

Mr. Tony Frade, a dairy farmer from Mason Valley and a member of the Board of Directors of the Walker River Weed Control District, read a prepared statement which he distributed to members of the committee (Exhibit D). He supports the bill. He said that additional language is needed to insure that property in another county included in the weed district will be assessed and the taxes collected for weed control work will be transferred to that weed district. He added the new language in this bill would give the weed district authority to make necessary boundary changes to enable it to effectively carry out its purposes.

Senator Jacobsen said it appears the language is fairly broad where it applies to the weed district going into another county, and he questioned the problem of policing to ascertain if indeed the desired weed control was effective. Mr. Frade conceded it might be difficult but through visual inspection, the origin of a certain weed or weeds could be traced. Senator Jacobsen then questioned the cost of spraying per acre.



Senate Committee on Natural Resources  
May 6, 1981

Mr. Frade replied the cost is determined by assessment according to evaluation of the land for taxation.

Senator Bilbray noted that there might be arbitrary inclusion of land and fee assessment even in the event the landowner does not wish to participate in the program. He added this is a self-serving law with no appeal procedure in it. Mr. Jack Purcell, Lyon County Extension Agent, explained the current assessment rate and the assessment procedure. He said all of the land in the Walker River Irrigation District was included in the weed district except for individuals who petitioned out or incorporated towns. He said no complaint has been received on the amount of assessed valuation for weed control. In addition, individuals will in some cases prefer to take care of their own weeds.

After further discussion of a brief duration, Chairman Glaser said the committee will take the bill under advisement and attempt to come to a conclusion on it. There being no further testimony, the hearing on Assembly Bill No. 279 was closed.

ASSEMBLY BILL NO. 130

Mr. Bergevin, Assemblyman from Douglas County and part of Carson City, opened testimony on this bill, which would create a Nevada beef council. He explained the bill, saying it would accomplish two items: (1), it creates a beef council for the state; (2) it increases the present "special tax" on cattle per head which goes totally to a national beef promotion fund at the present time. The bill under consideration would allow for 20% of fees received to be retained for use of a Nevada beef promotion fund, to be administered by the desired council, and the special tax could be increased to not more than one dollar per head.

He continued it is a totally industry-supported effort and there are no state monies involved. He said there is an allowance for refunds to be made to anyone who does not wish to participate in this particular fund. He said it is considered necessary now to promote beef usage in the state.

Senator Neal asked why it was felt there is a need for a state beef council. Mr. Bergevin answered that prior to this time, funds were not available to establish and maintain such a group, but with the proposed special tax increase per head, such a council would be feasible and desirable, to promote beef statewide.

Senate Committee on Natural Resources  
May 6, 1981

Mr. Bergevin added the council would, in addition to promotion, present educational and nutritional programs, and conduct research in matters which county extension agents do not cover at the present time.

There was discussion on the increase per head. Chairman Glaser expressed concerns about the one dollar per head figure; however he felt the concept of such a council is beneficial. Mr. Bergevin said he had worked with Mr. John Crossley, state auditor, in addressing any problems inherent in the bill from an auditing point of view. He feels the bill is equitable.

Mr. Wayne Marteney, first vice president of the Nevada Cattle-men's Association, said the association is in favor of the bill. He said there is a need for a beef council in the state; if there are minor problems with the bill, they can be worked out in the future.

There being no further testimony, the hearing on Assembly Bill No. 130 was concluded.

#### ASSEMBLY BILL NO. 80

Mr. Rackley explained the purpose of this bill, which requires a certificate of inspection for certain imported bees. He said testimony on the Assembly side was very minor. The main thrust of the bill is to prevent the importation of diseased bees into the state, and to give the Department of Agriculture the opportunity to administer this prevention program.

Mr. Tom Ballow, Executive Director, Department of Agriculture, said there are about 10,000 hives in the state. He said most of these bees are imported, and a great many of them are "mail order bees," over which the department is anxious to obtain control. He is particularly concerned about a particular type of mite which attacks and diseases bees, and wished to keep that out of the state.

There being no further testimony, the hearing on Assembly Bill No. 80 was concluded.

#### ASSEMBLY JOINT RESOLUTION NO. 28

This resolution urges Congress to refrain from establishing a Desert Pupfish National Wildlife Refuge in Nevada. Assemblyman Kenneth Redelsperger distributed copies of S. 41, a bill introduced by Senator Alan Cranston, California, in the Congress (Exhibit E), and traced briefly the history of the pupfish.

Senate Committee on Natural Resources  
May 6, 1981

He said the land being considered for a national refuge for this species contains excellent farming and mining properties and is an area which could produce commercial benefits. He distributed copies of maps indicating the area (Exhibit F). Senator Bilbray asked if there is a need for this resolution; Mr. Redelsperger replied in view of the impending MX system, he feels the state should let the MX Committee know how it feels regarding this matter. He added this legislation was passed unanimously in the Assembly. Senator Bilbray queried if the proposed refuge would have any beneficial uses, and the reply was that it would preserve an endangered species which could disappear if the water level in Devil's Hole should drop. This statement has been challenged, as it is felt by some the water level is not in danger of receding.

Mr. Don Sada, United States Fish and Wildlife Service, presented slides displaying the habitat of not only the pupfish, but other endangered species of plants and animals. He said the area in question, Ash Meadows, contains a group of diverse organisms which are found nowhere else in North America. He said this area is one unique in the world and should be dealt with appropriately.

Dr. Gary Vinyard, Department of Biology, University of Nevada-Reno, and Dr. Nathan Benedict, a professional botanist connected with the University, also presented extensive testimony in behalf of preserving the area under consideration. They pointed out the impact of the ecological system in the region and its relationship to other flora in the general region. They stressed the need to preserve this landscape for future generations and its importance to the rest of the Great Basin ecologically, scientifically and aesthetically. (See Exhibit G).

After extended questioning from members of the committee, the Chair established a subcommittee to consider this matter, consisting of Senator Bilbray, Senator Faiss and Senator Neal, and the three University of Nevada-Reno representatives, in addition to Mr. Erickson. They were asked to confer on May 7, 1981, and report to the committee as a whole on May 8, 1981. Action on the resolution will be considered at that time, when possible amendments will be presented. Chairman Glaser suggested additional language which might be incorporated into the resolution, supporting a feasibility study of the area which could be considered by the Sixty-second Session of the Nevada Legislature. Senator Neal asked if language inviting the eminent explorer, Dr. Jacques Cousteau, to explore Devil's Hole, could be included and it was agreed to draw up a sub resolution to that effect.



Senate Committee on Natural Resources  
May 6, 1981

The committee then proceeded with its work session.

Senator Bilbray moved Amend and Do Pass  
Assembly Bill No. 279 (Exhibit H).

Senator Faiss seconded the motion.

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

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Senator Neal moved Do Pass  
Assembly Bill No. 80 (Exhibit I).

Senator Bilbray seconded the motion.

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

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Senator Bilbray moved Amend and Do Pass  
Assembly Bill No. 176 (Exhibit J).

Senator Neal seconded the motion.

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

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Senator Neal moved Indefinite Postponement  
of Senate Bill No. 120 (Exhibit K).

Senator Bilbray seconded the motion.

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

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Senator Neal moved Indefinite Postponement  
of Senate Bill No. 152 (Exhibit L).

Senator Bilbray seconded the motion.

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

Senate Committee on Natural Resources  
May 6, 1981

\* BDR 40-1991--Separates state environmental commission from  
state department of conservation and natural resources.

The committee concurred in committee introduction  
of BDR 40-1991.

There being no further business, the meeting was adjourned  
at 4:35 P. M.

Respectfully submitted by:

Carolyn L. Freeland  
Carolyn L. Freeland, Secretary

APPROVED:

Norman Glaser  
Senator Norman Glaser, Chairman

DATE: May 12, 1981

\* ( S.B. 650 )

SENATE AGENDA

COMMITTEE MEETINGS

EXHIBIT A

Committee on Natural Resources , Room 323 .

Day Wednesday , Date May 6, 1981 , Time 1:30 P. M.

A. B. No. 279--Revises statutes governing weed control districts.

A. B. No. 80--Requires certificate of inspection for certain imported bees.

A. B. No. 130--Creates Nevada beef council.

A. B. No. 176--Reduces number of acres needed to qualify elector to vote in elections of irrigations districts and provides system of weighted voting. (SEE S. B. NO. 120 listed below.)

WORK SESSION

S. B. No. 120--Allows each irrigation district to determine voting procedures at its general elections. (REFER TO A. B. NO. 176 above.)

A. J. R. No. 28--Urges Congress to refrain from establishing Desert Pupfish National Wildlife Refuge in Nevada. (Presentation by Department of Wildlife).

S. B. No. 152--Provides method of designating measures of length.





HEARING ON AB-176  
MAY 6TH, 1981  
ROOM 323  
LEGISLATIVE BUILDING  
CARSON CITY, NEVADA

EXHIBIT C

THIS PAPER IS PREPARED FOR A HEARING OF ASSEMBLY BILL NUMBER 176, WHICH DEFINES THE NUMBER OF ACRES NEEDED TO QUALIFY AN ELECTOR TO VOTE IN ELECTIONS OF IRRIGATION DISTRICTS.

LADIES AND GENTLEMEN OF THE COMMITTEE: MY NAME IS JIM WEISHAUP AND I AM THE MANAGER OF THE WALKER RIVER IRRIGATION DISTRICT AND CHIEF DEPUTY COMMISSIONER FOR THE U. S. BOARD OF WATER COMMISSIONERS FOR THE WALKER RIVER SYSTEM.

TO DEFINE THE QUALIFICATIONS OF AN ELECTOR WHO MAY VOTE IN AN IRRIGATION DISTRICT ELECTION WE MUST FIRST UNDERSTAND THE ROLE OR FUNCTION OF THAT INDIVIDUAL WHO BECOMES ELECTED AS A DIRECTOR AND WHAT IS EXPECTED OF HIM OR HER. ALLOW ME TO DESCRIBE A DIRECTOR FOR THE WALKER RIVER IRRIGATION DISTRICT. WHEN A DIRECTOR FIRST COMES ABOARD AND BEGINS TO MAKE POLICY HE MUST HAVE ALREADY PREPARED HIMSELF:

HE MUST BE VERY FAMILIAR WITH THE LOCAL RULES AND REGULATIONS AND EXISTING POLICIES CONCERNING THE DELIVERY OF WATER.

HE MUST BE AWARE OF THE RELATED LEGAL PARAMETERS THAT AFFECT OUR WATER, THAT IS HE MUST BECOME VERY FAMILIAR WITH THE OPERATING DECREES, CONTRACTS AND AGREEMENTS BY WHICH THE WATER IS MADE AVAILABLE TO THE USERS THAT HE REPRESENTS;

HE MUST BE KNOWLEDGEABLE OF THE UPSTREAM STORAGE RESERVOIRS AND ASSOCIATED RECREATIONAL RESPONSIBILITIES,

HE ALSO MUST BE VERY FAMILIAR WITH THE ECONOMICS OF THE DISTRICT, A DIRECTOR FOR THE DISTRICT FORMULATES POLICIES COMPARABLE TO THAT OF A LARGE BUSINESS. THE PRESENT ANNUAL BUDGET IS APPROXIMATELY \$360,000.00.

THUS, WITH THE MANY TALENTS THAT A DIRECTOR MUST HAVE, HE MUST ALSO BE ABLE TO TIE THESE VARIOUS FUNCTIONS INTO THE MAIN SCHEME OF AN IRRIGATION DISTRICT AND THAT IS TO PRESERVE AND MAINTAIN AGRICULTURAL PRODUCTION AT ITS HIGHEST POTENTIAL. THEREFORE, A DEFINITE LINE OF DISTINCTION MUST BE DRAWN BETWEEN THE "HOBBY FARMER OR GENTLEMAN FARMER", ONE WHO USES IRRIGATION WATER FOR LUXURY CONSUMPTION AND THAT FARMER GROWING FOOD FOR HUMAN CONSUMPTION.

DURING THE LAST SESSION OF THE LEGISLATURE THE WALKER RIVER IRRIGATION DISTRICT FELT THAT FORTY (40) ACRE SHOULD BE THE DIVIDING LINE OF MINIMUM QUALIFICATIONS TO HAVE AN AGRICULTURE INTEREST AND BE QUALIFIED TO BE AN ELECTOR IN AN IRRIGATION DISTRICT ELECTION. WE CONCEDED TO THE TWENTY (20) ACRE LIMITATION.

GENTLEMEN OF THE COMMITTEE ON NATURAL RESOURCES, THE WALKER RIVER IRRIGATION DISTRICT RELUCTANTLY CONCEDES TO THE AMENDED VERSION OF AB 176. IN THE ASSEMBLY THERE HAS BEEN A LOT OF WORK AND COMPROMISES HAVE BEEN EXTENDED, JOE DINI IS TO BE COMMENDED AS WELL AS MR. REDELSPERGER.

TESTIMONY OFFERED BEFORE THE SENATE NATURAL RESOURCES COMMITTEE  
ON A.B. 279  
- MAY 6, 1981

MY NAME IS TONY FRADE. I AM A DAIRY FARMER IN MASON VALLEY, LYON COUNTY, NEVADA. I AM A MEMBER OF THE BOARD OF DIRECTORS OF THE WALKER RIVER WEED CONTROL DISTRICT AND AT THE PRESENT TIME I AM SERVING AS THE CHAIRMAN OF THE BOARD.

THE WALKER RIVER WEED CONTROL DISTRICT WAS ORGANIZED NEARLY 30 YEARS AGO FOR THE PURPOSE OF CONTROLLING NOXIOUS WEEDS. THE WEED COMMONLY CALLED "WHITE TOP" HAS BEEN THE MOST PERSISTANT WEED PROBLEM WITHIN THE DISTRICT. FURTHER, THE WEED, WHITE TOP, IS KNOWN TO INFEST AREAS NEXT TO THE DISTRICT AND ARE LOCATED ON BOTH PRIVATE AND PUBLIC LAND THAT LIES OUTSIDE THE DISTRICT AND COUNTY BOUNDARIES. FOR EFFECTIVE WEED CONTROL WITHIN THE DISTRICT, INFESTATIONS LYING OUTSIDE THE DISTRICT MUST ALSO BE CONTROLLED, PARTICULARLY WHEN THEY ARE LOCATED UPSTREAM. I BELIEVE THE NEW WORDING IN ASSEMBLY BILL NO. 279 ON LINES 14 THROUGH 20 OF PAGE 1 AND THE NEW LANGUAGE ON PAGE 2, LINES 30 THROUGH 39, WILL GIVE THE WEED DISTRICT AUTHORITY TO MAKE NECESSARY BOUNDARY CHANGES TO ENABLE IT TO EFFECTIVELY CARRY OUT ITS PURPOSE. WE DO NEED ADDITIONAL LANGUAGE THAT INSURES THAT PROPERTY IN ANOTHER COUNTY INCLUDED IN THE WEED DISTRICT WILL BE ASSESSED AND THAT THE TAXES COLLECTED FOR WEED CONTROL WORK ARE TRANSFERRED TO THE DISTRICT. THE LANGUAGE ON PAGE 2, LINES 30 THROUGH 34 MAY NOT BE POPULAR, BUT OUR BOARD FEELS IT IS IMPORTANT. WHEN THE WALKER RIVER WEED CONTROL DISTRICT WAS ORGANIZED, SOME PROPERTY OWNERS PETITIONED OUT OF THE DISTRICT.

WHERE NOXIOUS WEEDS ARE GROWING ON THAT PROPERTY, THEY SHOULD BE CONTROLLED AND THE OWNER ASSESSED THE SAME AS THE REST OF THE PROPERTY OWNERS WITHIN THE DISTRICT. IT IS OUR UNDERSTANDING THAT PROPERTY OWNERS MAY PETITION INTO THE DISTRICT. HOWEVER, IF THEY DO NOT TAKE THE INITIATIVE, THERE SHOULD BE A METHOD OF INCLUDING INFESTED TRACTS OF LAND. THE FACT THAT AN INDIVIDUAL OTHER THAN THE BOARD OR THE PROPERTY OWNER MAY REQUEST THAT A PARCEL OF PROPERTY BE INCLUDED DOES NOT BOTHER OUR BOARD AS LONG AS THE LANGUAGE ON PAGE 3, SUBSECTION 7, IS LEFT INTACT.

**Mr. Tony Frade**



*John P. ...*  
*ERNEST NEWBORN*

II

EXHIBIT E

97TH CONGRESS  
1ST SESSION

S. 41

To authorize the establishment of the Desert Pupfish National Wildlife Refuge in the State of Nevada, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JANUARY 5, 1981

Mr. CRANSTON introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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A BILL

To authorize the establishment of the Desert Pupfish National Wildlife Refuge in the State of Nevada, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That, in order to preserve and protect several species of  
4 desert pupfish, and to interpret their evolution in areas of  
5 their natural environment, for the benefit and education of  
6 the people of the United States, the Secretary of the Interior  
7 (hereinafter referred to as the "Secretary") is authorized to  
8 establish the Desert Pupfish National Wildlife Refuge (here-

1 inafter referred to as the "refuge") in the State of Nevada.  
2 The refuge shall contain certain lands in Ash Meadows,  
3 Nevada, comprising approximately forty thousand acres as  
4 depicted on a map entitled "Ash Meadows, Nevada-Califor-  
5 nia", dated January 1981.

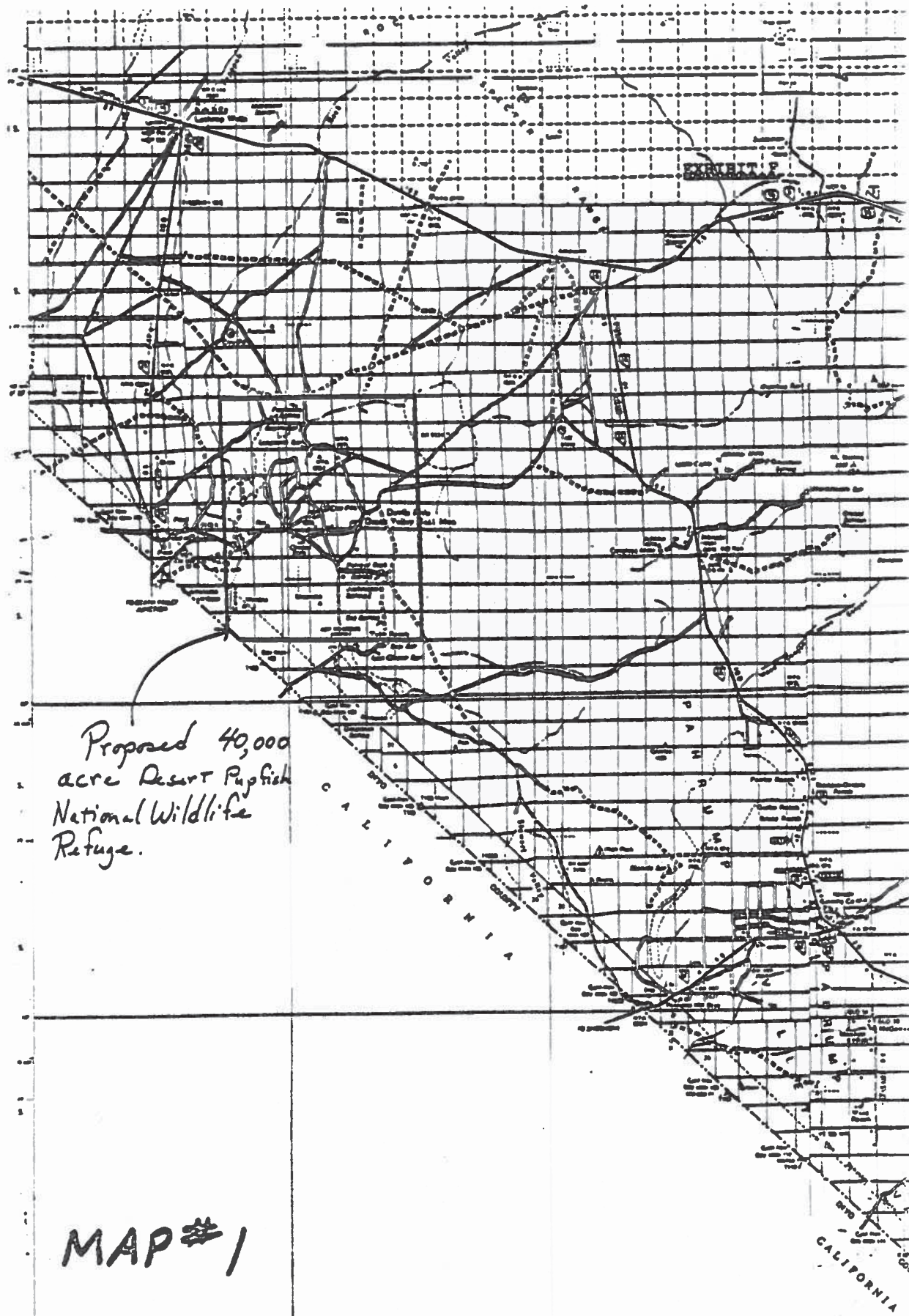
6       SEC. 2. Within the boundary of the refuge, the Secre-  
7 tary may acquire lands, waters, and interests therein by do-  
8 nation, purchase with donated or appropriated funds, or ex-  
9 change. Lands, waters, and interests therein owned by the  
10 State or Nevada, or any political subdivision thereof, may be  
11 acquired only with the consent of such owner. When the Sec-  
12 retary determines that lands, waters, and interests therein  
13 have been acquired sufficient to constitute an efficiently ad-  
14 ministrable unit for the purposes of this Act, he shall estab-  
15 lish the refuge by publication of notice to that effect in the  
16 Federal Register. Pending such establishment and thereafter,  
17 the Secretary shall administer the lands, waters, and inter-  
18 ests therein within the boundary of the refuge in accordance  
19 with the provisions of this Act.

20       SEC. 3. Effective upon establishment of the refuge pur-  
21 suant to section 2, the Devil's Hole portion of Death Valley  
22 National Monument, which was added to the Death Valley  
23 National Monument by Proclamation Numbered 2961 of Jan-  
24 uary 17, 1952 (66 Stat. c 18), is abolished, as such, and the  
25 lands, waters, and interests therein are made a part of the

1 refuge established pursuant to this Act. Any funds available  
2 for the Devil's Hole portion of Death Valley National Monu-  
3 ment on the date of such establishment shall be available for  
4 the purposes of the refuge established pursuant to this Act.

5       SEC. 4. There are authorized to be appropriated such  
6 sums as may be necessary to carry out the provisions of this  
7 Act.

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Proposed 40,000  
acre Desert Pupfish  
National Wildlife  
Refuge.

MAP #1

R. 31 E.      R. 32 E.      R. 33 E.      R. 34 E.      R. 35 E.      R. 36 E.      R. 37 E.      R. 38 E.      R. 39 E.      R. 40 E.      R. 41 E.      R. 42 E.      R. 43 E.      R. 44 E.      R. 45 E.      R. 46 E.      R. 47 E.      R. 48 E.      R. 49 E.      R. 50 E.      R. 51 E.      R. 52 E.      R. 53 E.      R. 54 E.      R. 55 E.      R. 56 E.      R. 57 E.      R. 58 E.      R. 59 E.      R. 60 E.      R. 61 E.      R. 62 E.      R. 63 E.      R. 64 E.      R. 65 E.      R. 66 E.      R. 67 E.      R. 68 E.      R. 69 E.      R. 70 E.      R. 71 E.      R. 72 E.      R. 73 E.      R. 74 E.      R. 75 E.      R. 76 E.      R. 77 E.      R. 78 E.      R. 79 E.      R. 80 E.      R. 81 E.      R. 82 E.      R. 83 E.      R. 84 E.      R. 85 E.      R. 86 E.      R. 87 E.      R. 88 E.      R. 89 E.      R. 90 E.      R. 91 E.      R. 92 E.      R. 93 E.      R. 94 E.      R. 95 E.      R. 96 E.      R. 97 E.      R. 98 E.      R. 99 E.      R. 100 E.

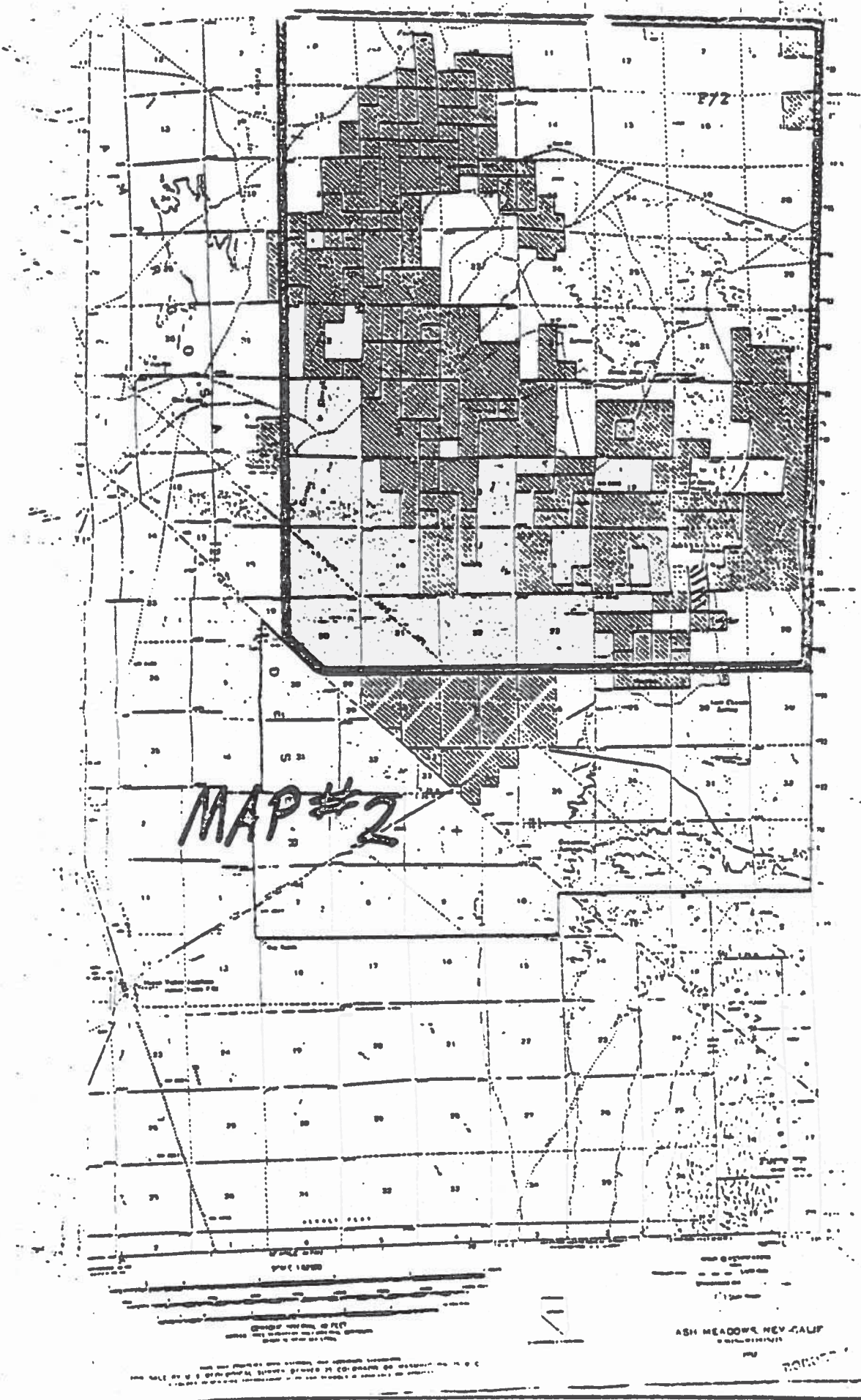
T. 1 N.      T. 2 N.      T. 3 N.      T. 4 N.      T. 5 N.      T. 6 N.      T. 7 N.      T. 8 N.      T. 9 N.      T. 10 N.      T. 11 N.      T. 12 N.      T. 13 N.      T. 14 N.      T. 15 N.      T. 16 N.      T. 17 N.      T. 18 N.      T. 19 N.      T. 20 N.      T. 21 N.      T. 22 N.      T. 23 N.      T. 24 N.      T. 25 N.      T. 26 N.      T. 27 N.      T. 28 N.      T. 29 N.      T. 30 N.      T. 31 N.      T. 32 N.      T. 33 N.      T. 34 N.      T. 35 N.      T. 36 N.      T. 37 N.      T. 38 N.      T. 39 N.      T. 40 N.      T. 41 N.      T. 42 N.      T. 43 N.      T. 44 N.      T. 45 N.      T. 46 N.      T. 47 N.      T. 48 N.      T. 49 N.      T. 50 N.      T. 51 N.      T. 52 N.      T. 53 N.      T. 54 N.      T. 55 N.      T. 56 N.      T. 57 N.      T. 58 N.      T. 59 N.      T. 60 N.      T. 61 N.      T. 62 N.      T. 63 N.      T. 64 N.      T. 65 N.      T. 66 N.      T. 67 N.      T. 68 N.      T. 69 N.      T. 70 N.      T. 71 N.      T. 72 N.      T. 73 N.      T. 74 N.      T. 75 N.      T. 76 N.      T. 77 N.      T. 78 N.      T. 79 N.      T. 80 N.      T. 81 N.      T. 82 N.      T. 83 N.      T. 84 N.      T. 85 N.      T. 86 N.      T. 87 N.      T. 88 N.      T. 89 N.      T. 90 N.      T. 91 N.      T. 92 N.      T. 93 N.      T. 94 N.      T. 95 N.      T. 96 N.      T. 97 N.      T. 98 N.      T. 99 N.      T. 100 N.

GENERAL REFERENCE MAP  
 QUADRANGLE 12-5  
 ONE COUNTY 1963  
 PREPARED BY  
 NEVADA STATE HIGHWAY DEPARTMENT  
 PLANNING SURVEY DIVISION

LOCATION DIAGRAM  
 QUADRANGLE LOCATION

498







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## EXHIBIT G

DEPARTMENT OF BIOLOGY

May 6, 1981

Nevada State Senate  
Senate Committee on Natural Resources

Dear Sirs: .

As an aquatic ecologist and an individual concerned with the maintenance of the quality of our natural environment I urge your committee to vote against AJR 28, which opposes the establishment of a Desert Pupfish National Wildlife Refuge in Ash Meadows. The portion of Ash Meadows in question is one of unrivaled ecologic diversity. This area has unique physical characteristics which have made it a center for the development of numerous unique species of plants and animals. There is probably a higher density of unique species present in the relatively restricted and fragile habitats of Ash Meadows than in any other similarly sized area in North America. This area is an almost untouched ecological treasure rich in opportunity to learn much of significance about the functioning of ecological systems.

There is currently an attempt being made by the Calvada Corporation to develop a residential area in the heart of Ash Meadows. The magnitude of the development and the history of the developer both suggest that there will be little regard for the ecological importance of the area. If the development occurs we will be faced with large scale alteration of the ecology of the area, and possible extinction of substantial numbers of the unique species present in the area. There is no certainty that there is adequate water for the development in this arid area, and the greatly increased demands on the already overtaxed water resources in the region will result in devastation of the delicate aquatic habitats in the area. In addition, the large numbers of people likely to move into the area can only lead to greatly increased levels of disturbance and disruption of all the vulnerable habitats in the Meadows.

Ash Meadows and the wildlife which it contains is a part of the heritage of all Nevada and the entire Nation, and its protection will enhance the legacy of the diversity of life on the planet which we can provide for our posterity. With these considerations I urge and implore you to help protect this valuable bit of our heritage, and to oppose AJR 28.

Sincerely,

Gary L. Vinyard, Ph.D.  
Assistant Professor of Biology

GLV/psh



**A. B. 279**

**ASSEMBLY BILL NO. 279—COMMITTEE ON  
GOVERNMENT AFFAIRS**

**MARCH 4, 1981**

Referred to Committee on Agriculture

**SUMMARY—Revises statutes governing weed control  
districts. (BDR 49-1213)**

**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 weed control districts; providing that proceedings for the inclusion of land in a district may be initiated by the district or a person other than the owner of the land; making specific provision for districts which include land situated in two or more counties; 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 555.203 is hereby amended to read as follows:  
2 555.203 1. The board of county commissioners of any county shall  
3 create one or more weed control districts in that portion of the county  
4 which lies outside any incorporated city or incorporated town if there is  
5 filed a petition which:  
6 (a) Designates the area to be included in the weed control district,  
7 either as the entire unincorporated area of the county or by sections or  
8 parts of sections with appropriate township and range references; and  
9 (b) Is signed by owners of land within the proposed weed control dis-  
10 trict who:  
11 (1) Are 60 percent or more of the total number of such owners; and  
12 (2) Own 50 percent or more in assessed valuation, as shown by the  
13 current assessment roll, of the lands to be included.  
14 2. *If the land to be included in the weed control district is situated*  
15 *within two or more counties, the petition must be filed with the board of*  
16 *county commissioners of the county in which is located the larger or*  
17 *largest proportion of the area, and that board of county commissioners*  
18 *has jurisdiction over the entire area for the purpose of creating the dis-*  
19 *trict and carrying out the duties of county commissioners with respect to*  
20 *the district.*



1       3. Before creating a weed control district, the board of county com-  
2 missioners shall hold at least one public hearing, of which they shall give  
3 notice by publication, in a newspaper of general circulation in the county,  
4 of at least one notice published not less than 10 days before the date of  
5 the hearing. At this hearing, the board of county commissioners shall  
6 entertain applications for the exclusion of lands, designated by sections or  
7 parts of sections as prescribed in subsection 1, from the proposed district,  
8 if any such application is made. The board of county commissioners shall  
9 exclude any such lands as to which it is shown to their satisfaction that  
10 any weeds which exist on such land do not render substantially more dif-  
11 ficult the control of weeds on other lands in the proposed district.

12       SEC. 2. NRS 555.217 is hereby amended to read as follows:

13       555.217 1. The boundaries of a weed control district may be changed  
14 in the manner prescribed in this section, but the change of boundaries of  
15 the district **[shall] does** not:

16       (a) Impair or affect its organization or its rights in or to property, or  
17 any of its rights or privileges whatsoever.

18       (b) Affect or impair or discharge any contract, obligation, lien or  
19 charge for or upon which it or the owners of property **[therein] in the**  
20 *district* might be liable or chargeable had **[such] the** change of boundaries  
21 not been made.

22       2. The owners of lands may file with the board of directors a petition  
23 in writing praying that **[such] those** lands be included in or excluded  
24 from the district. The petition **[shall] must** describe the tracts or body of  
25 land owned by the petitioners, and **[such] the** petition shall be deemed to  
26 give the consent of the petitioners to the inclusion in or the exclusion from  
27 the district of the lands described in the petition. The petition must be  
28 acknowledged in the same manner that conveyances of land are required  
29 to be acknowledged.

30       3. *A person other than the owner may initiate proceedings for the*  
31 *inclusion of land in a district by filing with the board of directors a*  
32 *petition in writing describing the tracts or body of land, alleging that*  
33 *the lands described contain certain weeds that are harmful to owners of*  
34 *land in the district and praying that the lands be included in the district.*  
35 *The board of directors of the district may initiate such proceedings by*  
36 *adopting a motion setting forth, in writing, the items required for a peti-*  
37 *tion filed pursuant to this subsection.*

38       4. *Areas proposed for inclusion in a weed control district need not*  
39 *be located in the same county as other portions of the district.*

40       5. The secretary of the board shall **[cause] give** notice of filing of  
41 **[such] the** petition, or initiation of proceedings by the board, to the  
42 owner or owners of the lands described in the petition or motion of the  
43 board and shall cause notice to be published in a newspaper of general  
44 circulation in the county in which the lands described **[in the petition]**  
45 are situated. **[, which shall state the filing of such petition, the names of**  
46 **the petitioners, a description of such lands and the nature of the request**  
47 **of the petitioners. Such notice shall] The notices must** require all persons  
48 interested to appear at the office of the board at the time specified in the  
49 notice and show cause in writing why the **[petition] request** should not  
50 be granted.

1     **[4.]** 6. The board shall at the time specified in the notice, or at  
2 **[such]** *the* time or times to which the hearing may be adjourned, proceed  
3 to hear the **[petition]** *request* and all written objections presented to  
4 show cause why **[such petition]** *the request* should not be granted by the  
5 board. The failure of any person interested to show cause in writing  
6 **[shall]** *must* be considered an approval *by that person* of the inclusion  
7 in or the exclusion from the district of **[such lands in the district as**  
8 **prayed for in the petition.**

9     **5.]** *the lands as requested.*

10    7. Upon conclusion of the hearing the board by resolution shall grant  
11 or deny the request. **[of the petition.]** *In the case of proceedings initiated*  
12 *pursuant to subsection 3, the board may approve the inclusion in the dis-*  
13 *trict of the described lands only if it determines that the lands contain*  
14 *weeds that are harmful to owners of land in the district.* The board **[in its**  
15 **discretion]** may defer adoption of **[such]** *the* resolution to a special  
16 meeting or its *first* regular meeting **[next succeeding]** *after* conclusion of  
17 the hearing, whichever is sooner.

18     **[6.]** 8. A copy of the resolution, adopted pursuant to subsection **[5,**  
19 **shall]** 7, *must* be filed with the board of county commissioners of each  
20 county in which all or a part of the district is located.



**A. B. 80**

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ASSEMBLY BILL NO. 80—COMMITTEE ON AGRICULTURE

JANUARY 29, 1981

Referred to Committee on Agriculture

SUMMARY—Requires certificate of inspection for certain imported bees. (BDR 49-202)

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 the importation of bees; requiring a certificate of inspection; authorizing the destruction of the bees under certain circumstances; 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 552 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 1. *No person may ship or transport into this state any queens or*  
4 *other bees in screened cages without comb unless the shipment is accom-*  
5 *panied by a certificate of an authorized officer of the state of origin certi-*  
6 *fying that all bees intended for shipment:*  
7 (a) *Were inspected within 60 days before the date of shipment; and*  
8 (b) *Were found to be free from disease and pests.*  
9 2. *The department shall hold a shipment which is not accompanied*  
10 *by the certificate of inspection and notify the person who owns or con-*  
11 *trols the bees that they will be destroyed after 48 hours from the time of*  
12 *the notice unless a proper certificate of inspection is supplied. If the cer-*  
13 *tificate is not supplied within that time, the bees may be destroyed.*

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 176

ASSEMBLY BILL NO. 176—ASSEMBLYMAN DINI

FEBRUARY 17, 1981

Referred to Committee on Agriculture

SUMMARY—Reduces number of acres needed to qualify elector to vote in elections of irrigation districts and provides system of weighted voting. (BDR 48-517)

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 irrigation districts; reducing the number of acres needed to qualify an elector to vote in elections of such districts; providing a system of weighted voting; 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  
3 of age or over, whether a resident of the district or not, who is or has  
4 declared his intention to become a citizen of the United States is an  
5 "elector" for the purposes for this chapter and is entitled to [one] vote  
6 at any election held under the provisions of this chapter, except an elec-  
7 tion governed by NRS 539.553, if the following conditions as to owner-  
8 ship of land are met:  
9 (a) The elector [shall] must be the bona fide holder of title or evi-  
10 dence of title, as defined in NRS 539.020 and 539.023, to land within  
11 the district or have a [contract] contractual right to acquire title to land  
12 within the district upon payment of a fixed sum to the record titleholder.  
13 (b) The acreage of [such] the land must be [20] 5 acres or more.  
14 The holder of an undivided interest in land is an elector only if the  
15 product of the fraction representing his interest multiplied by the number  
16 of acres subject to his interest equals [20] 5 or more, but if an elector  
17 qualifies with respect to [40] 10 acres or more and his interest is com-  
18 munity property, his spouse is an elector whether or not [such] the  
19 spouse appears of record as the owner of an interest in [such] the acre-  
20 age. If two or more persons hold undivided or community interests in  
21 [20] 5 acres or more, and none of them otherwise qualifies as an elector  
22 under this subsection, one such person may vote upon presenting the  
23 written consent of his fellow holders.



- 1 (c) A surface water right must be appurtenant to the acreage.  
2 2. *An elector is entitled to vote according to the land which he owns*  
3 *outright or as the fractional equivalent of an undivided interest as deter-*  
4 *mined under the formula in paragraph (b) of subsection 1, as follows:*  
5 (a) *Five acres or more, but less than 10 acres, 1 vote.*  
6 (b) *Ten acres or more, but less than 15 acres, 2 votes.*  
7 (c) *Fifteen acres or more, but less than 20 acres, 3 votes.*  
8 (d) *Twenty acres or more, but less than 120 acres, 4 votes.*  
9 (e) *For each additional 100 acres, 1 vote.*

10 *The district shall issue a separate ballot for each vote which an elector is*  
11 *entitled to cast.*

12 [2.] 3. Any elector [residing] *who resides* outside [of] the district  
13 [owning], *who owns* at least [20] 5 acres of land in the district, and  
14 *who is qualified to vote at district elections [,]* shall be considered [as] a  
15 resident of that division and precinct of the district in which the major  
16 portion of his lands are located, for the purpose of determining his place  
17 of voting and qualifications for holding office.

18 [3.] 4. Any elector [residing] *who resides* within the district bound-  
19 aries shall be deemed a resident of the division in which he actually  
20 resides, for the purpose of determining his qualification for voting and  
21 holding office.

22 [4.] 5. A guardian, executor or administrator shall be considered  
23 [as] the holder of title or evidence of title, as prescribed in NRS 539.020  
24 and 539.023, to the land in the state for which he is [such] *the* guardian,  
25 executor or administrator, and [shall have] *has* the right to sign peti-  
26 tions, vote and do all things that any elector may [or can] do under this  
27 chapter.

28 [5.] 6. Corporations holding land in the district shall be considered  
29 [as] persons entitled to exercise all the rights of natural persons, and the  
30 president of [the] *such a* corporation, or other person [duly] authorized  
31 *in writing* by the president [of the corporation, or other person duly  
32 authorized by the president] or vice president [, in writing,] *of the cor-*  
33 *poration*, may sign any petition authorized by this chapter, and register  
34 and cast the vote of the corporation at any election.

35 SEC. 2. NRS 539.553 is hereby amended to read as follows:

36 539.553 In any election to approve any bond issue, contract or other  
37 proposal which would subject the lands in any district to the repayment  
38 of an obligation to be incurred for capital purposes, the following proce-  
39 dure [shall] *must* be followed:

40 1. The secretary of the district shall prepare from the assessment  
41 book a list of all electors qualified by an ownership of land which meets  
42 the conditions prescribed in paragraphs (a), (b) and (c) of subsection 1  
43 of NRS 539.123, showing the number of acres listed to each such elector.  
44 For the purposes of this section, the number of acres listed to an elector  
45 who holds an undivided interest in land [shall be] *is* the product of the  
46 fraction representing his interest multiplied by the number of acres sub-  
47 ject to his interest.

48 2. At the time and place appointed for the election, [such list shall]  
49 *the list must* be open for inspection. An inspector of election shall mark  
50 indelibly upon the ballot issued to each elector the number of acres listed



1 to [such] the elector. If both spouses vote with respect to acreage in  
2 which their interest is community property, the number of acres listed  
3 [shall] must be divided equally between them. If one holder of an undi-  
4 vided interest votes with the consent of his fellow holders of an acreage  
5 of [20] 5 acres or more with respect to which there is no otherwise  
6 qualified elector, the entire acreage [shall] must be attributed to him.

7 3. An elector is entitled to vote on the proposal according to the land  
8 which he owns outright or as the fractional equivalent of an undivided  
9 interest as determined by the formula in subsection 1, as follows:

- 10 (a) Five acres or more, but less than 10 acres, 1 vote.  
11 (b) Ten acres or more, but less than 15 acres, 2 votes.  
12 (c) Fifteen acres or more, but less than 20 acres, 3 votes.  
13 (d) Twenty acres or more, but less than 120 acres, 4 votes.  
14 (e) For each additional 100 acres, 1 vote.

15 4. At the end of the time appointed for voting, the secretary of the  
16 district shall determine the total number of [electors] votes cast approv-  
17 ing the proposal and shall declare it passed if [:

18 (a) The] the proposal is approved by a majority of the [electors  
19 voting; and

20 (b) The proposal is approved by electors holding property represent-  
21 ing a majority of the number of acres listed to electors voting in the  
22 election.

23 4.] votes cast.

24 5. If the proposal is not so approved, [the proposal] it is rejected  
25 and [such result shall] the result must be entered of record.

26 [5.] 6. No informalities in conducting the election [shall] invali-  
27 date the result if the election is fairly conducted and the result can be  
28 clearly ascertained.

29 [6.] 7. For the purposes of this section, eligibility to vote and the  
30 number of acres listed to each elector [shall] must be determined from  
31 the current assessment book. The board may by regulation permit hold-  
32 ers of real property in the district to establish eligibility to vote by pro-  
33 viding proof of acquisition of an interest in real property in the district  
34 since the last assessment roll was closed.

S. B. 120

SENATE BILL NO. 120—SENATORS GETTO AND GLASER

JANUARY 29, 1981

Referred to Committee on Natural Resources

SUMMARY—Allows each irrigation district to determine voting procedures at its general elections. (BDR 48-380)

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 irrigation districts; allowing each district to determine procedures to be used at its general elections; reducing the acreage required for qualification to vote in bond elections; 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 539 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 *The board of directors of each irrigation district shall by regulation*  
4 *determine procedures for voting and the qualifications required to be an*  
5 *elector for purposes of voting at the district's general elections.*  
6 SEC. 2. NRS 539.553 is hereby amended to read as follows:  
7 539.553 In any election to approve any bond issue, contract or other  
8 proposal which would subject the lands in any district to the repayment  
9 of an obligation to be incurred for capital purposes, the following procedure shall be followed:  
10 1. The secretary of the district shall prepare from the assessment  
11 book a list of all electors qualified by an ownership of land which meets  
12 the conditions prescribed in [paragraphs (a), (b) and (c) of subsection  
13 1 of NRS 539.123,] subsection 2, showing the number of acres listed to  
14 each such elector. For the purposes of this section, the number of acres  
15 listed to an elector who holds an undivided interest in land shall be the  
16 product of the fraction representing his interest multiplied by the number  
17 of acres subject to his interest.  
18 2. *To be an elector, a person must meet the following conditions as*  
19 *to ownership of land:*  
20 (a) *The person must be the bona fide holder of title or evidence of*  
21 *title, as defined in NRS 539.020 and 539.023, to land within the district*  
22



1 *or have a contract right to acquire title to land within the district upon*  
2 *payment of a fixed sum to the record titleholder.*

3 (b) The acreage of the land must be 5 acres or more. The holder of  
4 an undivided interest in land is an elector only if the product of the  
5 fraction representing his interest multiplied by the number of acres sub-  
6 ject to his interest equals 5 or more, but if an elector qualifies with  
7 respect to 10 acres or more and his interest is community property, his  
8 spouse is an elector whether or not the spouse appears of record as the  
9 owner of an interest in such acreage. If two or more persons hold  
10 undivided or community interests in 5 acres or more, and none of them  
11 otherwise qualifies as an elector under this subsection, one such person  
12 may vote upon presenting the written consent of his fellow holders.

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

14 3. At the time and place appointed for the election, [such list shall]  
15 *the list must* be open for inspection. An inspector of election shall mark  
16 indelibly upon the ballot issued to each elector the number of acres listed  
17 to such elector. If both spouses vote with respect to acreage in which  
18 their interest is community property, the number of acres listed shall be  
19 divided equally between them. If one holder of an undivided interest  
20 votes with the consent of his fellow holders of an acreage of 20 acres or  
21 more with respect to which there is no otherwise qualified elector, the  
22 entire acreage shall be attributed to him.

23 [3.] 4. At the end of the time appointed for voting the secretary of  
24 the district shall determine the total number of electors approving the  
25 proposal and shall declare it passed if:

26 (a) The proposal is approved by a majority of the electors voting;  
27 and

28 (b) The proposal is approved by electors holding property represent-  
29 ing a majority of the number of acres listed to electors voting in the elec-  
30 tion.

31 [4.] 5. If the proposal is not so approved, the proposal is rejected  
32 and such result shall be entered of record.

33 [5.] 6. No informalities in conducting the election [shall] invali-  
34 date the result if the election is fairly conducted and the result can be  
35 clearly ascertained.

36 [6.] 7. For the purposes of this section, eligibility to vote and the  
37 number of acres listed to each elector [shall] *must* be determined from  
38 the current assessment book. The board may by regulation permit hold-  
39 ers of real property in the district to establish eligibility to vote by pro-  
40 viding proof of acquisition of an interest in real property in the district  
41 since the last assessment roll was closed.

42 SEC. 3. NRS 539.123 is hereby repealed.

**S. B. 152**

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**SENATE BILL NO. 152—SENATOR JACOBSEN**

**JANUARY 30, 1981**

—○—  
**Referred to Committee on Natural Resources**

**SUMMARY—Provides method of designating measures of length. (BDR 51-201)**

**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 weights and measures; providing the method of designating measures of length; 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 581.290 is hereby amended to read as follows:  
2 581.290 Designation by weight [shall] *must* be in terms of avoirdupois  
3 pounds and ounces, *designation by length must in terms of the*  
4 *standard yard, feet and inches* and designation by liquid measure [shall]  
5 *must* be in terms of the standard gallon, quarts, pints or fluid ounces. In  
6 lieu thereof, these designations may be in terms of the metric system of  
7 weights and measures.

②