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**SENATE COMMITTEE**  
**ON**  
**NATURAL RESOURCES**

72<sup>nd</sup> Session

2003



***Work Session***  
***May 5, 2003***



**WORK SESSION**  
**SENATE COMMITTEE ON NATURAL RESOURCES**

May 5, 2003

PREPARED BY  
RESEARCH DIVISION  
LEGISLATIVE COUNSEL BUREAU  
Nonpartisan Staff of the Nevada State Legislature

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**ACTION TAKEN**

- ASSEMBLY BILL 36** \_\_\_\_\_
  
- ASSEMBLY BILL 91** \_\_\_\_\_
  
- ASSEMBLY BILL 213** \_\_\_\_\_
  
- ASSEMBLY BILL 215** \_\_\_\_\_
  
- ASSEMBLY BILL 403** \_\_\_\_\_
  
- ASSEMBLY BILL 485** \_\_\_\_\_



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May 5, 2003

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The following measure will be considered for action by the Senate Committee on Natural Resources during the work session:

**ASSEMBLY BILL 36 (ASSEMBLY COMMITTEE ON NAT. RES., AG., AND MINING)**

*Modifies provisions relating to emission inspections and registration of heavy-duty motor vehicles.*

Assembly Bill 36 deletes the requirement that the State Environmental Commission's regulations for heavy-duty motor vehicles must be substantially similar to those in California, and it increases the gross vehicle weight (GVW) of motor vehicles that are subject to these regulations from 8,500 pounds or more to 10,001 pounds or more.

The measure also requires that the "lighter" heavy-duty vehicles (those having a GVW between 8,500 and 10,000 pounds) must, at the time of registration, provide the same evidence of compliance with emission standards as passenger cars and light-duty motor vehicles.

Finally, the bill also removes the requirement that regulations adopted by the State Department of Agriculture pertaining to standards for petroleum products for internal combustion engines must be substantially similar to corresponding California regulations.

Testimony indicated that the provisions of A.B. 36 have the effect of expanding the State's emission inspection program to incorporate vehicles which have a GVW between 8,500 and 10,000 pounds and are powered by diesel or other special fuels. In addition, removal of the language requiring similarity with California's regulations for heavy-duty motor vehicles allows greater flexibility for Nevada's regulatory program.

***Proposed Amendments***

No amendments were proposed, and no testimony was received in opposition to A.B. 36. The attached memorandum, however, indicates that additional vehicle inspections required through the measure will generate approximately \$48,500 in new revenue annually. Thus, the bill has been modified to require a 2/3 majority vote for approval.

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LEGISLATIVE COUNSEL BUREAU

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Lorne J. Malkiewich, *Director, Secretary*

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BRENDA J. ERDOES, *Legislative Counsel* (775) 684-6830

MEMORANDUM

DATE: May 3, 2003  
TO: Senator Maggie Carlton  
FROM: Fred W. Welden, Chief Deputy Research Director *FW*  
Research Division  
SUBJECT: Revenue Generated Through Assembly Bill 36 - Smog Inspections

As you requested, I contacted Lloyd Nelson, Emission Control Manager with the Department of Motor Vehicles (775/684-4682), to obtain an estimate of the amount of revenue (if any) that would be generated if Assembly Bill 36 were enacted.

According to Mr. Nelson, the provisions of A.B. 36 that are relevant to your request have the effect of expanding the State's emissions inspection program to incorporate vehicles that are powered by diesel or other special fuels and have a Gross Vehicle Weight of 8,500 to 10,000 pounds. He indicates that these provisions would add approximately 8,600 heavy-duty motor vehicles that use diesel and 1,100 vehicles running on special fuels, for a total of about 9,700 additional vehicles requiring inspection. At a fee of \$5 per certificate, these vehicle inspections would generate approximately \$48,500 in new revenue annually.

If you would like to discuss these figures in greater detail or if I can provide further assistance in this matter, please contact me at 684-6825.

FWW/gj:W34719  
cc: Brenda Erdoes, Legislative Counsel



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The following measure will be considered for action by the Senate Committee on Natural Resources during the work session:

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**ASSEMBLY BILL 91** (STATE DEPARTMENT OF AGRICULTURE)

*Revises provisions governing the regulation of pesticides.*

Assembly Bill 91 revises provisions governing the regulation of pesticides by providing for the registration of brand names, rather than registering pesticides by their chemical formulas. Specifically, A.B. 91 defines the term "brand" as it is used to describe pesticides, and requires that brands be registered annually with the State Department of Agriculture.

The measure also expands the uses of money in the special account for the disposal of pesticides to include monitoring of pesticides and protecting ground water and surface water from contamination by pesticides.

***Proposed Amendments***

No amendments were proposed, and no testimony was received in opposition to A.B. 91.



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The following measure will be considered for action by the Senate Committee on Natural Resources during the work session:

**ASSEMBLY BILL 213** (ASSEMBLYMAN MORTENSON)

*Modifies statutory provisions concerning domestic wells and temporary permits to appropriate water.*

Assembly Bill 213 removes the July 1, 2005, "sunset" date for statutory conditions that must be met before the State Engineer may revoke a temporary permit and require connection to a municipal water system or require the owner of a domestic well to connect to a municipal water system. Also, provisions associated with paying the required connection fees and the related costs for abandoning and plugging wells are moved from the statutes concerning the State Engineer to the special act relating to the Southern Nevada Water Authority.

In addition, A.B. 213 directs the State Engineer to review whether his administrative powers in designated basins are sufficient and submit a report identifying any additional powers, including the ability to assess a monetary penalty, that he believes are necessary. Testimony indicated that this study is required to determine if the State Engineer needs additional powers in order to reduce over-pumping of wells in designated basins.

***Proposed Amendments***

No amendments were proposed, and no testimony was received in opposition to A.B. 213. Support was expressed by representatives of the Nevada Well Owners Association, the Southern Nevada Water Authority, and the State Engineer's Office.



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The following measure will be considered for action by the Senate Committee on Natural Resources during the work session:

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**ASSEMBLY BILL 215** (ASSEMBLYMAN HETRICK)

*Revises provisions governing conservation districts.*

Assembly Bill 215 revises the State's Conservation District Law by authorizing conservation districts to acquire, maintain, sell, and receive income from real or personal property.

Testimony indicated that apparently this provision had been inadvertently deleted during recodification of the statutes in the 1950s.

***Proposed Amendments***

No testimony was received in opposition to A.B. 215, but the attached amendment was proposed by Clark County to clarify procedures relating to the handling of any required "payments in lieu of taxes."



4/29/2003 Version 2

**Assembly Bill 215  
(First Reprint)**

**SUGGESTED AMENDMENT**

**Proposed by CLARK COUNTY NEVADA**  
*Contact person: Dan Musgrove (702) 860-9900*

Amend section 3, page 2, by deleting lines 23 through 26 and inserting:

***"purpose of facilitating the payments in lieu of taxes, assess the property in the same manner as the taxable property in the county is assessed. The ex officio tax receiver for the county shall mail to the district an individual bill for the payment in lieu".***



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The following measure will be considered for action by the Senate Committee on Natural Resources during the work session:

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**ASSEMBLY BILL 403**

**(ASSEMBLYMAN SHERER)**

*Revises provisions governing the forfeiture of water rights.*

Assembly Bill 403 adds prolonged drought to the list of required considerations used by the State Engineer in determining whether to grant a request for an extension of the time to work a forfeiture of water rights.

***Proposed Amendments***

No amendments were proposed, and no testimony was received in opposition to A.B. 403.



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The following measure will be considered for action by the Senate Committee on Natural Resources during the work session:

**ASSEMBLY BILL 485** (ASSEMBLY COMMITTEE ON NAT. RES., AG., AND MINING)

*Revises Nevada's "Brownfields" Law.*

Testimony indicated that Assembly Bill 485 revises Nevada's existing "Brownfields" statute in a manner modeled after the recently enacted Federal "Brownfields" law.

***Proposed Amendments***

No testimony was received in opposition to A.B. 485, but the attached amendment was proposed by Senator Titus, the sponsor of Nevada's original "Brownfields" law in 1999.

Proposed Amendment to Assembly Bill No. 485, Second Reprint

**Goal:** Require the reporting of any hazardous substance found and of any response action or cleanup performed.

**Suggested Language:**

Amend section 1, page 2, line 27, after "2." by inserting:

*"A person described in paragraph (a), (b), or (c) of subsection 1 shall report to the Division, in a manner prescribed by the Commission, any hazardous substance found on or at real property owned by that person and any response action or cleanup performed with respect to that real property.*

3."

Renumber subsections 3, 4 and 5 appropriately.