

Assembly

55TH NEVADA ASSEMBLY - Committee on Agriculture
Chairman Virgil Getto

March 18, 1969

Members Present: Getto, B. Hafen, Brookman and Young.

Absent : Dini, Close and Howard.

Hearing - A.B. 617 - Places all conservation of renewable natural resources under resource conservation districts.

Guests Present: Carl Sundquist, George Zappettini, James Kielhack, Fred R. Zoya, Dave Secrist, Herb Rountree, President, Nevada Legislative Counsel, a legislative committee composed of the Divisions of the Nevada Farm Bureau and the Nevada Livestock and Cattlemen's Association, and the Nevada Wool Growers; Fred H. Settelmeyer, Gary Stone, Cliff Gardner, Grant Anderson, Noya Miller and Richard G. Miller.

Gary Stone introduced BDR 48-1804 which permits water conservancy subdistricts to levy and collect taxes for construction, operation and maintenance of works of such subdistricts.

Brookman moved to introduce by request and refer back to this committee for consideration. Young seconded. Unanimously carried.

A.B. 617 - Mr. James Kiehlack presented proposed amendments as suggested at the last meeting on March 11th. He presented a letter from Mr. Elmo J. DeRicco, Director, Department of Conservation and Natural Resources dated March 17th, 1969. The letter, in its entirety, is attached as Exhibit "A" to these minutes.

In essence, Mr. DeRicco said that he felt his first letter of March 11th, presented to the committee at the hearing on March 11th, had resulted in a misunderstanding of his objectives. He said he has no objection to A.B. 617, and encourages its rapid approval. His only objection is that a division would be placed in his department without funding and without proper controls from the director.

He has already taken a position on S.B. 374, which proposes to create a Division of Fish and Game within the Department of Conservation and Natural Resources. This bill, similar to A.B. 617, does not give the director sufficient authority to be responsible for the actions of the division. He enclosed a copy of his letter to Senator Titlow re S.B. 374.

He said Assembly Concurrent Resolution No. 22, introduced by Frank Young provides for a study of Boards and Commissions. "This study by the Legislative Commission will have a direct bearing on this subject and before action is taken, I would

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suggest that the results of the study be considered".

Fred Zoya made reference to Page 6, Line 49 of A.B. 617. He said he felt the word "land occupier" was too broad, and suggested changing it to "land owners or property owners".

Chairman Getto said it would also have to be changed in Sec. 64 on Page 18.

Dave Secrist, Lamoille Canyon, Elko County said that in his opinion the bill should be put into a form easier to understand. He said it states that any incorporated town would be part of the district. "They have already allowed for 3 people from these incorporated districts or agencies to be included. It seems to us that all members of this board would be from a non-rural area. It also states the board of supervisors would have the authority to bond. People who actually have no involvement in this area would be in charge." He said he was concerned that with changing over to a single agency, for tax purposes, we would be creating something without funding it.

Kiehlack, regarding the number on the board, said there would never be more than 6. Regarding borrowing money, he said that the control of the boards has been with the urban people.

Zoya asked "what is the estimated cost from the State Department?"

Fred H. Settelmeyer said he was told that there was a combined bill in the Senate for \$25,000.

Kiehlack said that question had come up with Senator White last week - there was another bill. "The State Association knows nothing about any other bill in any form".

Ray Knisely, representing Big Meadow Soil Conservation District, Lovelock. He said this bill is so broad that conceivably, your local chapters have to get into fish and wildlife management and all kinds of things. "This bill is undoubtedly a bill of good intent, but it hasn't been given enough proper study to implement the problems in the State of Nevada. I think if it goes into effect, it will completely kill soil conservation, all inclusive, in this State. I would urge that this bill go back for study and try to come up with something in the next session of the Legislature with something more workable."

Herb Roundtree, President, Nevada Legislative Counsel, a legislative committee composed of the Divisions of the Nevada Farm Bureau and the Nevada Livestock and Cattlemen's Association, and the Nevada Wool Growers. "The representatives on these councils are in accord. They are opposed to the extension by these measures of the powers of soil conservation districts, and opposed to placing within the Department of Natural Resources in this way the soil conservation districts of the State - partly on the basis of budget and partly based on extension of powers. I

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am not going to discuss soil conservation service or ASGS, but I just want to reflect that it is the concerted opinion that funds are not being curtailed as they may be deferred, and they are expanded through soil conservation districts within the State Government as a branch of the Department."

He referred to Par. 7, Sec. 69, Line 10, "The commission shall: Submit a report to the governor when it determines that there exists a substantial conflict between the resource conservation program of a district and the proposed plan or activities directly affecting resource conservation by any other local governmental unit or agency of this state, and that the conflict cannot be resolved through the consultation procedures provided for in this chapter."

Assemblymen Brookman: "We are speaking about 2 different organizations?"

Kiehlack: "Two organizations - one local, and one State."

Grant Anderson: "The State Soil Conservation District is empowered to create a district within that area. Then that group of people are governed by our own community districts."

Chairman Getto to Cliff Gardner: "I understand the Ruby Valley Conservation District is 100% for this bill."

Gardner: "Not 100%, but a majority are in favor."

Settelmeyer: "I look at this as a farmer and as a former member of the Carson Soil Conservation District. I have been concerned for many years about liberalization - the new agencies that sooner or later will have been funded. In this bill, I would like to call your attention to Sec. 67, Page 18, Line 35, "The state department of conservation and natural resources shall provide needed office facilities for the commission;" and Sec. 69 regarding naming of the agency."

Fred Zoya, Elko County Farm Bureau, speaking as a Board member. "We agree that there would be changes made in the soil conservation structure, but as it is written now, it is too broad. It gives us too much leeway. We should stop this now and come up with a feasible bill, something that limits powers."

Settelmeyer: "I am also a member of the Agricultural Council, and want to confirm what Herb (Roundtree) said, who is the Counsel. I happen to represent livestock, and the Nevada State Cattlemen's Association."

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Grant Anderson" We appreciate very much what your committee has done." He said it has given everyone an opportunity to really get together and state their opinions. However, "the atmosphere here today says your Committee will give it a "no pass" recommendation. However, I think it is time to go ahead and get a representative group together and find something that will be acceptable."

Kiehlack: "We are amazed that anyone takes exception to any of this. We are not lawyers. All we want to do is cause the local areas to assume the job that someone else is doing for them. They had better assume the responsibility, or someone else is going to do it."

Mrs. Noya Miller, League of Women Voters. Said she would like to see, in general, a move to get more dialogue between urban and city people. "This is a move the League is interested in and one in which I am personally interested. We find we are not communicating with the people in the isolated areas. One of our members spoke to one of the urban districts and pointed out self reliance and things we have analyzed about farm people, but because these people are living in isolated areas, until we come to a time like this, we find we are not understanding the language of a particular bill. This has been my observation on other bills. I would like to see something happen that would allow me to talk to, for instance, Mr. Knisely on rural matters other times than just when we are here in these halls."

Brookman: "There is no way we could discuss this bill with just 2 committee members here. I think the concept of the idea is great, but I think something has to be separated in here. Everything has been thrown in one, unfortunately."

Knisely: "There is no emergency issue pressing on the soil conservation district that needs immediate attention by the Legislature."

"I defy any member of this body to tell me the limitations of this bill - it is too broadly worded, and too loosely worded. I submit the soil conservation should become a State Agency. I think it is needed, but I am not sure that it isn't undesirable as presently written. It has to be presented in a more orderly manner at the next session."

Young: "I won't agree that only 50% or more of the qualified voters, the commission may determine the need for actions with or without a hearing". (Page 19, Sec. 70).

Chairman Getto told Mr. Kiehlack, Mr. Rountree, Mr. Knisely, Mr. Settelmeyer, Mr. Gardner and Mr. Anderson that perhaps they could go back and try to work out the criticisms that had been brought up in the two hearings held on A.B. 617, thanks each and every one who had worked on the bill, and announced the meeting was adjourned.

ELMO J. DeRiCCO, Director
NORMAN S. HALL, Assistant Director

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Governor

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DIVISIONS
FORESTRY
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OIL AND GAS CONSERVATION

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STATE OF NEVADA

Department of Conservation and Natural Resources

OFFICE OF THE DIRECTOR

Carson City, Nevada 89701

March 17, 1969

The Honorable Virgil Getto
Assemblyman, Churchill
State Capitol
Carson City, Nevada 89701

Dear Mr. Getto:

Reference is made to my memorandum of March 14 regarding A.B. 617. I believe that my memorandum resulted in a misunderstanding of my objectives when it was discussed earlier today.

I basically have no objection whatsoever to A.B. 617, and in fact, I encourage its rapid approval. The Soil Conservation Districts in our State have not received their just consideration in the administrative structure of our government and this legislation will be a step toward making these most important organizations more effective. The only objection to the legislation as printed is that a division would be placed in my department without funding and without proper controls from the director.

I have already taken a position on this matter with regard to Senate Bill 374, which proposes to create a Division of Fish and Game within the Department of Conservation and Natural Resources. This bill, similar to A.B. 617, does not give the director sufficient authority to be responsible for the actions of the division. I am also enclosing a copy of my letter to Emerson Titlow regarding S.B. 374. I would suggest that the provisions in A.B. 617 relating to incorporating the Resource Conservation Commission as a division in the Department of Conservation and Natural Resources, be eliminated at this time. I would further suggest that an interim study of the administrative structure of the Department and the qualifications of the director, be made by the Legislative Commission, that the desirability of incorporating the Resource Conservation Commission, the Fish and Game Commission, and other agencies which are a part of resource programs in this Department, be reviewed by said interim study, and that recommendations be made to the Legislature on this subject.

EXHIBIT "A"

The Honorable Virgil Getto

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In addition, Assembly Concurrent Resolution No. 22, introduced by Frank Young provides for a study of Boards and Commissions. This study by the Legislative Commission will have a direct bearing on this subject and before action is taken, I would suggest that the results of the study be considered.

Again, I would like to emphasize that I strongly support A.B. 617 and encourage its rapid passage.

Very truly yours



ELMO J. DERICCO
Director

EJD:em
cc Governor Laxalt
Encl.

ASSEMBLY COMMITTEE ON AGRICULTURE RECORD OF BILL HANDLING

Date Rfrd	Bill No.	Introducer	Summary	Committee Action
1/22	A.B. 38	Howard, Getto Jacobsen	Authorizes State Dairy Commission Administer and Regulate use and Labeling of Substitute Dairy Products	1/23 DO PASS
1/22	A.B. 39		Prescribes Limitation of actions against bonds or deposits of livestock auction operators.	2/11 Hold for new bill
1/29	A.B. 121		Revises law relating to labeling, sale & transportation of seeds	3/6 DO PASS as amended.
1/29	A.B. 122		Prescribes manner of collecting fees for services rendered by State Department of Agriculture.	2/11 DO PASS
1/29	A.B. 123		Clarifies certain provisions dealing with weights & measures.	3/6 DO PASS as amended.
1/29	A.B. 124		Further limits charges for care of estrays	2/11 DO PASS
1/29	A.B. 125		Requires weighmasters to obtain certain info in using weight certificates.	2/11 DO PASS
1/29	A.B. 126		Requires showing of good character, responsibility & good faith for custom pest control license.	2/11 Indef. pp. 3/6 reconsidered. DO PASS as amended.
2/14	A.B. 320		Allows State Firewrdn to enter into contracts, conduct studies, & perform work to restore forests & vegetative cover.	2/27 DO PASS as amended.
2/18	A.B. 367		Provides fees for meat promotion efforts.	
2/18	A.B. 369		Specified procedures for obtaining water rights.	
2/20	A.B. 420		Amends weed control district law.	

RECORD OF BILL HANDLING

BILL
NO.SUMMARYDATE AND COMMITTEE ACTION

SB-322	Clarifies method of establishing cost paid by private owners for eradication of forest pests.	3-3-1969	Do pass as amended
AB-369	Specifies procedures for obtaining water rights.	2-18-69	Postpone indefinitely
AB-617	Places all conservation of renewable natural resources under resource conservation districts.	3-5-1969	Postpone indefinitely
AB-627	Limits action on surety bonds and similar deposits	3-6-1969	Pass and re-refer to Judiciary
AB-718	Permits water conservancy subdistricts permitting such to levy and collect taxes, etc.	3-19-1969	Deferred to Thurs. 3-27-69
AB-367	Provides fees for meat promotion efforts	2-18-1969	Deferred to Thurs 3-27-69 for discussion on definition of words.