

Chairman Jack Jeffrey called the meeting of the Assembly Committee on Economic Development and Natural Resources to order at 2:00 p.m. on April 27, 1981 in Room 222 of the Legislative Building.

MEMBERS PRESENT:

Assemblyman Jack Jeffrey, Chairman
Assemblyman Kenneth Redelsperger, Vice Chairman
Assemblyman Joseph Dini
Assemblyman John DuBois
Assemblyman Edward Kovacs
Assemblyman Donald Mello
Assemblyman John Polish
Assemblyman Dean Rhoads
Assemblyman James Schofield

MEMBERS ABSENT:

None

GUESTS PRESENT:

Peggy Twedt, League of Women Voters
Al Edmundson, Health Division
John Vaden, Health Division
Debi Langston, City of Reno
Sam Hohmann, Legislative Council Bureau
JoAnne Buehler, U.S. Ecology
Joe Greenely, Department of Wildlife
Steve Bradhurst, Nevada MX Office

Chairman Jeffrey stated that because those interested in AJR 37 were unable to attend this meeting, he would reschedule it for another time.

SB 241, Provides for temporary water permits for construction purposes, grants additional powers to political subdivisions and municipal corporations.

Steve Bradhurst, Nevada MX Office, stated that this was proposed by his office and that it was basically a housekeeping bill. He stated that he had asked Russ McDonald to go through the state statutes and determine what areas had to be changed if in fact MX were to come to the State of Nevada.

Section 1 allows for the creation of branch jails in any township other than the one containing the county seat. This would be important if MX comes and there is a main base at Coyote Springs, it would be preferable to have a county jail there rather than have to transport people some "60 miles down the road". This would apply to many areas of the state that might be involved with MX.

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Section 2 is just a followup of Section 1 and cleans up some language regarding this jail situation. Section 3 repeals the provision regarding the disincorporation of townships. In answer to Mr. Jeffrey's question regarding the reason behind Section 3, Mr. Bardhurst stated that it was felt that this section was no longer necessary.

Mr. Redelsperger pointed out that this was also a recommendation of the interim study.

Mr. Bradhurst stated that the next section would prevent the creation of a new incorporation city until July 1, 1983. This would be necessary because of the "boom-bust" type situation that will occur should MX come to Nevada. If these areas were allowed to become incorporated during the boom period it could cause severe financial problems afterwards.

Mr. Redelsperger stated that he did not feel that the section actually accomplished but that with the general law on incorporation moratorium he felt it would be accomplished.

Mr. Bradhurst continued that Sections 5, 6, and 7 were the most important parts of the bill in that Section 5 would allow school boards to accept federal money and property, Section 6 would allow the Board of Wildlife Commissions to accept federal money and property and Section 7 is the "laundry list" which would allow board of county commissioners, state department, incorporated cities, etc. to accept federal funds and property to mitigate the adverse impacts of MX. This will allow these agencies to get the funds to get geared up should the MX program come.

SB 87, Regulates processing and disposal of certain nuclear by-products.

Al Edmundson, Bureau Chief, Consumer Health Protection Services, and John Vaden, Supervisor, Radiological Health Section of the Health Division spoke in support of this bill. Mr. Edmundson explained that this bill was introduced because two years ago when they amended Chapter 459 to take care of uranium mill tailings, being an agreement state until that time they did not have authority to license and regulate uranium mills and mill tailings and within the two years the Nuclear Regulatory Commission has changed some of their requirements. He presented an amendment which they felt should be included. This amendment is found attached to these minutes as Exhibit A. This amendment would go after line 14 on page 2 and be a new subparagraph.

Upon the request of Mr. Jeffrey, Mr. Vaden went through the bill to briefly explain the provisions found in it. Mr. Vaden explained that Section 2 of the bill provides that the end products of the tailing should be taken care of in a manner that the future environment of the state around that site will not be adversely affected by the radiation that is always going to be in these tailings. Requires the Board to hold a hearing and at that hearing a complete Environmental Impact Statement will be presented.

The bill also permits the state to adopt the standards for decontamination and reclamation of the land and provides for licensing requirements.

Mr. Jeffrey inquired if there were any operations of this type in the state at this time. Mr. Vaden stated that there were none at this time but that there is considerable exploration in the northern part of the state. Mr. Edmundson stated that two years ago, they felt there would be some operations on line at this time but with the drop in uranium prices they have been put on the shelf.

JoAnne Buehler, U.S. Ecology, stated that they were in support of the bill even though it doesn't directly apply to them. Their attorney's have however indicated one area of clarification they would like to see in it. On page 2, line 15 and 16, they would like to see language "under this act" be changed to "under section 4 of this act". The reason for this is that if the act is taken as a whole it references byproduct materials as well as uranium and thorium mill tailings. Mrs. Buehler stated that they do not take mill tailings but they do take some byproduct materials at the disposal site in Beatty and it could lead to confusion if it were taken as a whole.

Bob Warren, Executive Director, Nevada Mining Association, stated that they also support this bill. He explained that they have looked at this as a continuation of the bill that was passed last session which outlined what they can and cannot do in the way of mining, processing, storage, reclamation, etc. of uranium. The industry worked with the Health Division to develop a bill which would permit the industry to collect a \$1.00 per lb. on the uranium that was produced up to a \$1,000,000 per individual site to be held by the state to be used to guarantee decommission and proper reclamation of the site after it was no longer actively used by mining. This would further strengthen the state's position so that the controls necessary would be available. He added that they had two amendments which they would offer for the committee's consideration.

The first amendment would be the removal of the word "significant" found on page 1, section 2. They suggested this amendment in the Senate committee and they did approve of it, however, it was never included in the bill. Mr. Warren stated that this word is an "alarmist" word and the jury is still out on whether the tailings from the mining of uranium is a significant hazard. Use of this type of word often causes problems with groups that would be anti-mining, etc. He added that the Health Division would not oppose this deletion.

The other amendment Mr. Warren proposed would be on page 2 subparagraph 1. They would like to see language placed in the bill that would read "must be as stringent as but no more stringent than". They feel the NRC regulations are ample to control uranium and that they don't feel that the state should have an invitation by the legislature to be more stringent than the NRC. The Health

Division had informed Mr. Warren that they would have no problems with these amendments.

Mr. Schofield inquired if the Health Division presently has adopted rules and regulations regarding this. Mr. Vaden stated that they have not as they are awaiting final standards as set forth by the NRC. They anticipate that these will be forthcoming perhaps within the next month.

Peggy Twedt, League of Women Voters, stated that the League does support this bill. She pointed out that the second amendment put forth by Mr. Warren had also been suggested at the Senate hearing on the bill and the Senate Committee had rejected it with a 3-3 vote. The reasoning put forth by the Senate Committee had been that they felt the state should have the ability to adopt more stringent regulations if they so desire.

With no more testimony to be heard, Chairman Jeffrey declared that the hearing was finished and that the committee would take action on bills previously heard.

SB 164

Mr. Jeffrey stated that this bill had been previously heard and an amendment had been requested. He stated that the amendment would place a new section, designated Section 3 and the remaining sections would be renumbered 4-10. This would allow the drilling of wells for construction purposes with the State Engineer's permission. Currently it applies only to highways but now general construction would be included. The State Engineer has indicated that he would approve of this amendment.

Mr. Dini moved to "amend and do pass" and Mr. Redelsperger seconded the motion. The motion passed with Mr. Mello and Mr. Rhoads absent at this time and with Mr. Kovacs not voting as he had not had a chance to read the bill.

AB 219

Mr. Redelsperger presented an amendment to this bill which is attached to these minutes as Exhibit B. The amendment merely removes a portion of the bill which was incorrectly included in the bill. The section being removed would be reinserted in AB 222 under the proper NRS statutes.

Joe Greenley, Department of Wildlife, stated that this was merely a cleanup amendment.

AB 222

Mr. Redelsperger presented an amendment to this bill which is attached to these minutes as Exhibit C.

Mr. Dini asked if any discussion had been had on imprest account being established in this bill. He stated that he felt that the

the language should be tightened up so that they would not be allowed to keep the amount specified in cash. It was suggested that John Crossley be asked to testify on this part of the bill.

Mr. Greenley explained the amendment to this bill stating that this incorporates into 502.130 that part of 502.180 which was deleted from AB 219. It doesn't change anything but merely brings into the proper section for administrative purposes.

The deletion of sections 8 through 10 is the main part of the amendment and deals with spotlights. The repealer part of the amendment relates to sections of present law which are no longer necessary and serve no useful purpose.

With the arrival of John Crossley, Legislative Counsel Bureau, discussion was had on the imprest account in the bill.

Mr. Crossley stated that there are other situations where the money is kept partly in the bank and partly in cash and he used the example of the State Treasurer. Mr. Dini pointed out that this would be a wide open petty cash fund. Mr. Crossley stated that as this is written it would be possible to keep the whole \$15,000 in cash.

Mr. Crossley stated that with the present wording the department would not necessarily have to have the \$15,000 but that that amount would be the maximum. Usually an imprest account is a flat amount that the department would be accountable for. He stated that he would be more concerned about this part.

Mr. Greenley stated that the main thing he wanted from this account was to be able to pay vendors as they have been having problems some vendors because of the time it takes to get things paid.

Mr. Crossley stated that he felt with that intent there should be a fixed amount that can be kept in cash. Mr. Crossley also questioned the word minor found in the bill in reference to the use of this fund. He stated that most other state agencies do not have this prerogative. He added that there should be a fixed amount in the fund. Mr. Jeffrey asked Mr. Crossley to develop some language so that this is tied down with a cash amount.

Mr. Redelsperger moved "amend and do pass" and Mr. Kovacs seconded the motion. The amendment would be the suggested one and the one to be developed by Mr. Crossley. The motion passed with Mr. Mello absent at this point.

AB 222

Mr. Redelsperger moved "amend and do pass" and Mr. DuBois seconded the motion. The motion carried with Mr. Mello absent.

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SB 87

Mr. Dini moved "amend and do pass" and Mr. Schofield seconded the motion. Mr. Dini stated that the amendments would be the printed one presented by the Health Division, the two proposed by Mr. Warren and the one suggested by Mrs. Buehler. The motion passed with Mr. Mello absent.

SB 241

Mr. DuBois moved "do pass" and Mr. Polish seconded the motion. The motion carried with Mr. Mello absent.

As there was no further action or testimony to be taken, Chairman Jeffrey adjourned the meeting.

Respectfully submitted,

Sandee Gagnier
Sandee Gagnier
Assembly Attache *Jeffrey*

ASSEMBLY
ECONOMIC DEVELOPMENT
AGENDA FOR COMMITTEE ON AND NATURAL RESOURCES

MONDAY
Date April 27, 1981 Time 2:00 P.M. Room 222

Bills or Resolutions to be considered	Subject	Counsel requested*
AJR 37	Urges Congress of United States to base "MX" missile system at sea.	
SB 87	Regulates processing and disposal of certain nuclear byproducts.	
SB 241	Provides for temporary water permits for construction purposes, grants add- itional powers to political subdivisions and municipal coporations.	

*Please do not ask for counsel unless necessary.



STATE OF NEVADA
DEPARTMENT OF HUMAN RESOURCES
DIVISION OF HEALTH
BUREAU OF CONSUMER HEALTH PROTECTION SERVICES

505 EAST KING STREET
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SENATE BILL NUMBER 87

We have received a letter from the United States Nuclear Regulatory Commission in which they suggested the following change in Senate Bill No. 87 to insure full conformance with the NRC's criteria for states assuming regulatory authority over uranium mills.

Under Section 4, a new subparagraph 3 to be added:

3. If title to the disposal site and the byproduct material which resulted from the licensed activity is transferred to the United States upon termination of the State license, the total funds collected by the State from the licensee for long-term surveillance and maintenance of the site shall be transferred to the United States.

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION	SENATE ACTION	ASSEMBLY	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to ASSEMBLY	
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill No. 219 Joint	
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	Resolution No.	
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR 45-194	
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by Committee on Economic Develop-	
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>	ment and Natural Resources	
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>		
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>		

Amendment No 616



Amend the bill as a whole by deleting section 5 and renumbering sections 6 through 12 as sections 5 through 11.

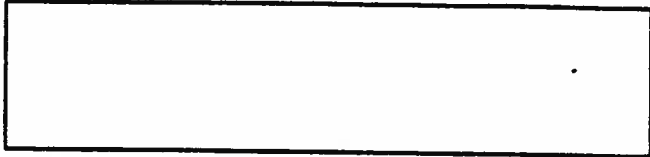
To: E & E
LCB File
Journal
Engagement
Bill

Drafted by DS: ab Date 4-22-81 488

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION		SENATE ACTION		ASSEMBLY	AMENDMENT BLANK
Adopted <input type="checkbox"/>		Adopted <input type="checkbox"/>		AMENDMENTS to.....	ASSEMBLY.....
Lost <input type="checkbox"/>		Lost <input type="checkbox"/>			<u>Joint</u>
Date: <input type="checkbox"/>		Date: <input type="checkbox"/>		Bill No.....	222.....
Initial: <input type="checkbox"/>		Initial: <input type="checkbox"/>			Resolution No.....
Concurred in <input type="checkbox"/>		Concurred in <input type="checkbox"/>		BDR..	45-944.....
Not concurred in <input type="checkbox"/>		Not concurred in <input type="checkbox"/>		Proposed by	Committee on Economic Develop.....
Date: <input type="checkbox"/>		Date: <input type="checkbox"/>			ment and Natural Resources.....
Initial: <input type="checkbox"/>		Initial: <input type="checkbox"/>			

Amendment N^o 617



Amend sec. 7, page 3, line 12, after "wildlife." by inserting:
"The tags may be used in any area in the state during the regular season and may not be limited in number or to any area, unless a special season has been designated in a management area, in which case the commission may limit the number of tags to be used in that management area."

Amend the bill as a whole by deleting section 8 and by renumbering sections 9 through 11 as sections 8 through 10.

Amend sec. 11, page 4, by deleting line 19 and inserting:

"Sec. 10. NRS 502.180, 503.600 and 505.030 are hereby repealed."

To: E & E
 LCB File
 Journal
 Engrossment
 Bill ✓

Drafted by DS:ab Date 4-22-81

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