

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

**Seventy-Seventh Session
April 11, 2013**

The Senate Committee on Natural Resources was called to order by Chair Aaron D. Ford at 1:08 p.m. on Thursday, April 11, 2013, in Room 2144 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada and to the University of Nevada School of Medicine, 701 Walnut Street, Griswold Hall Room 31, Elko, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Aaron D. Ford, Chair
Senator Mark A. Manendo, Vice Chair
Senator Tick Segerblom
Senator James A. Settelmeyer
Senator Pete Goicoechea

GUEST LEGISLATORS PRESENT:

Senator Ben Kieckhefer, Senatorial District No. 16
Senator David R. Parks, Senatorial District No. 7

STAFF MEMBERS PRESENT:

Michael J. Stewart, Policy Analyst
Brenda Erdoes, Counsel
Lynn Berry, Committee Secretary

OTHERS PRESENT:

Caleb S. Cage, Executive Director, Office of Veterans Services
John F. Warden, Jr., Commander, American Legion, Department of Nevada
Tonja Brown, Gold Star Families of Nevada National Inc.
Jason King, P.E., State Engineer, Division of Water Resources, State
Department of Conservation and Natural Resources

Rob Buonomici, Chief Game Warden, Department of Wildlife
Joel Blakeslee, Coalition for Nevada's Wildlife
Mike Draper, South Tahoe Alliance of Resorts
Warren B. Hardy II, Humane Society of the United States
Paul J. Enos, Noble Energy
Kyle Davis, Nevada Conservation League
Sean T. Higgins, Afton Chemical Corporation
Alfredo Alonso, Alliance of Automobile Manufacturing
Michael D. Hillerby, Honda North America Inc.
Peter Krueger, Nevada Petroleum Marketers and Convenience Store Association

Chair Ford:

Today we will hear two bills. We also have eight bills for a work session. Senator David Parks will introduce Senate Bill (S.B.) 230.

SENATE BILL 230: Authorizes the construction or installation of a memorial dedicated to Nevada's fallen soldiers. (BDR S-553)

Senator David R. Parks (Senatorial District No. 7):

This bill would permit the construction of a fallen soldiers memorial on the Capitol Complex grounds. The cost will be borne by public donations at no cost to the taxpayer. The design, construction and installation of the memorial will be done through a nonprofit effort.

I would like to recognize Tonja Brown who was instrumental in bringing this concept to my attention.

Caleb S. Cage (Executive Director, Office of Veterans Services):

We are requesting an amendment to section 1, subsection 3 to change the duty of selecting the criteria for the names from the Office of Veterans Services to the Nevada Veteran Services Commission. They were agreeable to accepting this duty. The Nevada Veteran Services Commission represents a broader part of the veteran community, such as veteran service organizations, the Nevada Gold Star Families, members of the Legislature and members of the public.

John F. Warden, Jr., (Commander, American Legion, Department of Nevada):

Nevada's fallen soldiers, sailors, marines and airmen have sacrificed their lives to protect the sovereignty of our Nation. Memorials are stepping stones from the past to the future. It is appropriate to share their memories with future

generations. This tribute strengthens the bonds among veterans, their families, their friends and the community. The American Legion, Department of Nevada, supports this legislation and is honored to act as the lead veteran service organization in establishing this memorial to our fallen citizens.

Tonja Brown (Gold Star Families of Nevada National Inc.):

We support S.B. 230. It was our concept to give back to those who made the ultimate sacrifice. This memorial would list names beginning from Nevada's statehood until the present day and beyond. There will be no cost to the taxpayers. We will have statewide fundraisers that will support and maintain the project.

SENATOR SEGERBLOM MOVED TO AMEND AND DO PASS S.B. 230.

SENATOR MANENDO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Ford:

I will close the hearing on S.B. 230 and open the hearing on S.B. 505.

SENATE BILL 505: Abolishes the Columbia Basin Interstate Compact Commission of the State of Nevada. (BDR 48-578)

Michael Stewart (Policy Analyst):

I am presenting S.B. 505 on behalf of the Legislative Commission. As a nonpartisan employee of the Legislative Counsel Bureau (LCB), I cannot advocate for the passage or defeat of any legislation.

The *Nevada Revised Statute* (NRS) 220.085 allows the LCB and the Director of LCB's Research Division to identify obsolete or antiquated statutes and then request a bill draft to repeal obsolete provisions.

The Columbia Interstate Compact Commission of the State of Nevada was created in 1951. Nevada was included in this compact because the Owyhee River flows through a portion of northern Nevada. This compact never functioned. Oregon and Washington did not adopt similar statutes, and Idaho

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and Utah repealed their provisions. This compact was never approved by the United States Congress.

For these reasons, there no longer appears to be a reason to retain these provisions. Additional information is in my written presentation ([Exhibit C](#)).

Jason King, P.E. (State Engineer, Division of Water Resources, State Department of Conservation and Natural Resources):
Our office supports S.B. 505.

Senator Settelmeyer:
When was the last time this Commission met?

Mr. King:
I do not know. The previous State Engineer did not know, either.

SENATOR SETTELMAYER MOVED TO DO PASS S.B. 505.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Ford:
I will close the hearing on S.B. 505 and open the work session on S.B. 82.

SENATE BILL 82: Prohibits the Board of Wildlife Commissioners from authorizing the hunting of black bears. (BDR 45-409)

Mr. Stewart:
The requester of the bill, the Chair of the Senate Committee on Natural Resources and various interested parties have worked closely to achieve an agreeable compromise on S.B. 82. This compromise involves amending the bill to include conceptual resolution-style language and various legislative findings as shown in your work session document ([Exhibit D](#)).

Chair Ford:

I am pleased that the proponents and opponents of this bill have been able to communicate and develop a compromise. I previously stated that these types of prohibitions need to be regulated at the administrative level. This compromise converted this bill to a resolution.

Senator Manendo:

This has been a contentious issue, and compromise has been achieved.

SENATOR MANENDO MOVED TO AMEND AND DO PASS S.B. 82.

SENATOR SEGERBLOM SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Ford:

I will open the hearing on S.B. 213.

SENATE BILL 213: Revises certain provisions relating to the trapping of wild animals. (BDR 45-450)

Mr. Stewart:

Senate Bill 213 has several amendments as delineated in the work session document ([Exhibit E](#)). These amendments include registration of traps, the reporting of stolen traps and unlawful possession of traps. Additionally, it removes all references to the term "poisoning device" from the bill. It also addresses the 96-hour visitation of traps.

Senator Goicoechea:

What is the penalty for an unregistered trap?

Chair Ford:

The penalty provisions may be in another section of the NRS.

Rob Buonamici (Chief Game Warden, Department of Wildlife):

The penalty is a misdemeanor.

Senator Goicoechea:

Is that a fine of up to \$500 or 6 months in jail?

Mr. Buonamici:

That is correct.

Chair Ford:

This is another successful compromise. The amendment establishes a registration requirement for all traps. It will allow the Department of Wildlife to govern the registration. It does not address flagging and tampering with traps. The visitation will remain at a maximum of 96 hours, but the Board of Wildlife Commissioners (Commission) will have authority to regulate the visitation requirements. The reference to urban areas, parks and neighborhoods is a strong hint that visitation could be set requiring more frequent visitations.

Senator Goicoechea:

Will the employees of the State Department of Agriculture be required to register, or is their current stamp acceptable?

Chair Ford:

The intent was to exempt them.

Senator Goicoechea:

Could Mr. Blakeslee come forward to see if the opponents agree?

Joel Blakeslee (Coalition of Nevada's Wildlife):

We can live with the registration. The visitation is important to us, and we can live with the compromise.

Senator Manendo:

Flagging is a common practice. I did not see it in the amendment. I do not see why it was not addressed.

Chair Ford:

Flagging was not covered.

SENATOR SEGERBLOM MOVED TO AMEND AND DO PASS S.B. 213.

SENATOR MANENDO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Ford:

I will open the hearing on S.B. 371.

SENATE BILL 371: Prohibits a person from intentionally feeding any species of wildlife other than a wild bird. (BDR 45-838)

Senator Ben Kieckhefer (Senatorial District No. 16):

I have spoken with concerned parties and have presented an amendment to exempt coyotes. If there are additional issues, I will continue to address them. This information is in the work session document ([Exhibit F](#)).

SENATOR SETTELMAYER MOVED TO AMEND AND DO PASS S.B. 371.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Ford:

I will open the hearing on S.B. 229.

SENATE BILL 229: Repeals the provisions of Senate Bill No. 271 of the 2011 Session. (BDR 22-726)

Mr. Stewart:

Senate Bill No. 271 of the 76th Session provides for the withdrawal of the State from the Tahoe Regional Planning Compact on October 1, 2015, unless the Tahoe Regional Planning Agency (TRPA) adopts an updated regional plan and certain proposed amendments to the Compact. The amendments are delineated in the work session document ([Exhibit G](#)).

No amendments were offered to this bill; it is a policy choice for the Committee.

Senator Settlemeyer:

There were amendments offered.

Chair Ford:

No amendments were submitted to the staff. There was a memorandum regarding the possibility of the Governor signing a resolution or proclamation that would keep us in the compact until 2017. We can consider this an oral amendment.

Mike Draper (South Tahoe Alliance of Resorts):

We discussed the possibility of a resolution that would formalize the progress made over the last 18 months and ask the Governor to extend the withdrawal date from October 1, 2015, to October 1, 2017. The latest version of the resolution includes requesting Governor Sandoval, Governor Brown of California and the Nevada Legislature working with colleagues in California to hold a summit directly addressing issues relating to the TRPA and the contents of S.B. No. 271 of the 76th Session. Mentioned also in the resolution is the creation of a formal working group, which would include entities beyond the TRPA such as representatives from the school district, tourism industry, business and residential entities, and the environmental community to look at the entire health of the Lake Tahoe Basin. The focus has been on the TRPA for so long we have failed to look at how other issues may impact the Basin. The resolution outlines a road map for 18 months that would say that, in 2015, we could come back and revisit S.B. No. 271 of the 76th Session.

Senator Settlemeyer:

Was this agreeable to Governor Sandoval?

Mr. Draper:

Yes, it was. The Governor's office supports the resolution.

Senator Settlemeyer:

I have spoken with California legislators and have been told if this bill passes, they will no longer be at the table to discuss environmental concerns dealing with Lake Tahoe.

Senator Segerblom:

Lake Tahoe is one of the most beautiful places in the world. Two years ago, I voted against S.B. No. 271 of the 76th Session. California and the TRPA have responded and made some changes. We need to show good faith and show that Nevada cares about the environment. I want to pass this amendment. We want to show that Nevada has done its part, and we recognize what California has done. Let us get back to protecting Lake Tahoe.

Senator Goicoechea:

I am removed from this and have a different focus. The testifiers in the hearing believe they had accomplished great things, especially with the TRPA. The date on this bill is after the next Legislative Session. It is wrong to repeal S.B. No. 271 of the 76th Session at this time. We are gaining ground. Everyone is at the table working. I oppose S.B. 229.

Senator Manendo:

No one wants anything bad to happen to Lake Tahoe. I believe people have the best interest of the community and Lake Tahoe at heart. If not, shame on them. That is why laws are in place and the Compact exists. The testimony I heard said the quality of the Lake has improved in the last 2 years. If it was such a bad thing, why has the quality of the Lake improved?

Chair Ford:

This bill presents a problem for me. I have heard testimony on both sides regarding problems ostensibly caused by the passage of S.B. No 271 of the 76th Session. I cannot make the United States Congress act. We have hung our fate on requiring Congress to act before we become rededicated to the Compact. For that reason, I will be supporting the bill as presented today.

SENATOR SEGERBLOM MOVED TO DO PASS S.B. 229.

SENATOR MANENDO SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS GOICOECHEA AND SETTELMAYER VOTED NO.)

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I will open the hearing on S.B. 245.

SENATE BILL 245: Enacts provisions relating to the importation, possession, sale, transfer and breeding of dangerous wild animals. (BDR 50-161)

Mr. Stewart:

The sponsor of the bill and various interested parties have worked to achieve an agreeable compromise for S.B. 245. This compromise involved amending the bill by deleting all sections of the measure with the exception of section 18 and adding language setting forth a legislative declaration relating to the possession of dangerous wild animals. This is described in the work session document ([Exhibit H](#)).

Section 18 is amended to accommodate the deletion and to clarify that a county may adopt an ordinance addressing dangerous wild animals.

Chair Ford:

I received an email for an oral amendment to change the word “dangerous” to “captive.”

Senator Goicoechea:

Will the preamble remain in the bill? I agree that local governments should have the authority to regulate these captive animals. I am concerned about the language that prohibits ownership and that the animals are dangerous.

Warren B. Hardy II (Humane Society of the United States):

We discussed changing the authority to local governmental control. We do not need to identify a problem specifically, but it is a public policy question that ought to be addressed at some level. The amendment would send it to the local level.

Senator Goicoechea:

I do not have a problem with making it an ordinance for local counties, but I do not think this legislative body should be defining what animals are dangerous.

Mr. Hardy:

We want something to compel local governments to address it. To have the Legislature look at the measure and say it is a policy issue worth discussing gives it some impetus. The terms “dangerous animal” and “captive wild animal” are terms of art in the industry. The American zoos and aquariums have various categories of animals.

Chair Ford:

Are you willing to accept the amendment to change the word "dangerous" to "captive?"

Mr. Hardy:

Yes, I am.

Chair Ford:

Are you willing to accept what Senator Goicoechea is saying, as well?

Mr. Hardy:

We could say the Legislature finds this is a policy issue worth discussing, and we would like local governments to consider it.

Chair Ford:

We can do this as a conceptual amendment.

Senator Settlemeyer:

You may have resolved the issue. Are you agreeable to the preamble being removed from the bill?

Mr. Hardy:

We would like some preamble that says the Legislature has determined this is a public policy question that ought to be addressed at the local level.

Senator Goicoechea:

The language in the conceptual amendment says to provide a legislative finding and declaration that the ownership of dangerous exotic pets among individuals is a public policy matter that needs to be addressed. We will have local governments look at it.

Mr. Hardy:

That would be acceptable. I am speaking for the Humane Society of the United States and not Senator Roberson.

SENATOR GOICOECHEA MOVED TO AMEND AND DO PASS S.B. 245 BY ADDING LANGUAGE SETTING FORTH A LEGISLATIVE FINDING AND DECLARATION THAT THE OWNERSHIP OF EXOTIC PETS AMONG INDIVIDUALS IS A PUBLIC POLICY MATTER THAT NEEDS TO BE ADDRESSED, AND THE COUNTIES HAVE STATUTORY AUTHORIZATION TO ADOPT LOCAL ORDINANCES TO ADDRESS THE OWNERSHIP OF EXOTIC ANIMALS AS PETS.

SENATOR MANENDO SECONDED THE MOTION.

Senator Settlemeyer:

This has been the most active opinion piece in our legislative poll. There are 1,700 people against it and only 70 people in favor. Fourteen of the seventeen counties already regulate this, and all the counties have the ability to regulate this idea. This legislation is not necessary. I will be voting no.

Senator Goicoechea:

This is exactly why we are bringing the bill forward so we can clarify that all counties have the ability to regulate this. It is their issue to take care of.

Chair Ford:

Ultimately, we are letting the counties decide what they want to do with the exotic animal issue. I will be supporting this bill.

THE MOTION CARRIED. (SENATOR SETTELMAYER VOTED NO).

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I will open the hearing on S.B. 390.

SENATE BILL 390: Enacts provisions relating to hydraulic fracturing.
(BDR 46-929)

Mr. Stewart:

This bill requires a person who wishes to engage in hydraulic fracturing to obtain a permit from Nevada's Division of Environmental Protection (NDEP). It also requires applicants to submit to NDEP a hydrologic study, a seismologic study, a plan to monitor the air and water quality, and a list of all chemicals to be used in the hydraulic fracturing. Additional information is in the work session

document ([Exhibit I](#)). I have included an amendment in the work session document [Exhibit I](#). The proponents and opponents have worked to attempt to reach a compromise. They are here today to present their findings.

Paul J. Enos (Noble Energy):

I am here today representing Noble Energy. I want to thank all the parties that worked together to come up with a compromise bill. This compromise allows a framework to exist where we can have a relationship between the Division of Minerals, where the regulatory authority lies, and the NDEP, to ensure our waters are protected and have chemical disclosure in the fracturing process.

I have provided you with the latest proposed amendment ([Exhibit J](#)) that sets up the framework for the Division of Minerals and NDEP to work together to develop a process. This came about because of Noble Energy's exploration project in Elko County. This type of measure is appropriate at this time, since we are still in the early stages of exploration.

Chair Ford:

Mr. Davis, can you confirm what Mr. Enos has said?

Kyle Davis (Nevada Conservation League):

This is definitely a compromise. This is a good step forward that will move us toward an appropriate regulatory structure that will protect our air and water resources. I appreciate all the effort made towards this compromise and I support the amendment.

Chair Ford:

This is a great example of entities coming together to achieve a compromise. This was great government at work.

Senator Settlemeyer:

I want to be clear. This bill will allow the individuals who are beginning the process to work better in the future. We are not changing anything or adding any new requirements and the Division of Minerals will be the lead, since they are the ones regulating digging in the ground. Is that correct?

Mr. Enos:

That is correct.

SENATOR SEGERBLOM MOVED TO AMEND AND DO PASS S.B. 390.

SENATOR MANENDO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Ford:

I will open the hearing on S.B. 399.

[SENATE BILL 399](#): Revises provisions relating to special fuels. (BDR 51-1052)

Mr. Stewart:

Senate Bill 399 revises the definition of “biodiesel” so that fuels other than those composed of mono-alkyl esters of long-chain fatty acids must be derived from renewable resources and must be suitable for use in a diesel engine to be considered a biodiesel fuel. This definition closely matches the definition in most other states. The measure clarifies that it is a misdemeanor for any person to sell, offer for sale, deliver or permit to be sold any biodiesel unless it conforms to American Society for Testing and Materials (ASTM) International Standards relating to biodiesel fuel. It also clarifies that diesel, biodiesel and biodiesel blend fuels are taxed at the same rate of 27 cents per gallon. This information is in the work session document ([Exhibit K](#)).

One amendment has been offered. Mr. Higgins will explain further.

Sean T. Higgins (Afton Chemical Corporation):

There was a question about whether diesel fuel should be included in the tax. Brenda Erdoes, Legislative Counsel, said diesel should remain in the bill as it is a special fuel and does not need to be separated. It does not change the intent of the bill.

Chair Ford:

Was there an issue with the words “and” or “or” in the amendment in section 3?

Mr. Higgins:

It should be “and.”

SENATOR SEGERBLOM MOVED TO AMEND AND DO PASS S.B. 399.

SENATOR MANENDO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Ford:

I will open the hearing on S.B. 433.

SENATE BILL 433: Revises provisions governing motor vehicle fuel.
(BDR 51-1101)

Mr. Stewart:

Senate Bill 433 makes it unlawful to sell motor vehicle fuel where methylcyclopentadienyl manganese tricarbonyl (MMT) has been added. We have one amendment regarding the labeling of gas pumps. I have also included a document prepared by the NDEP regarding manganese in gasoline in the work session document ([Exhibit L](#)).

Chair Ford:

The proponents and opponents have met to reach a compromise. I asked NDEP for more information regarding the health dangers of MMT. I also asked whether the U.S. Environmental Protection Agency (EPA) could regulate or prohibit the use of MMT. Information received indicated the EPA could regulate it because of health issues. However, the EPA also stated it was not possible to conclude definitely whether health issues could be associated with manganese exposures, [Exhibit L](#). I suggested a labeling alternative as a compromise. I would ask Mr. Higgins to discuss the proposed amendment.

Mr. Higgins:

We could not come to an agreement on the labeling language. The amendment proposes the State Board of Agriculture adopt a regulation requiring a label on any pump that dispenses gasoline containing manganese and determine what information should be included on the label.

Senator Goicoechea:

I know the State Department of Agriculture has dealt with this in the past. The director of the State Department of Agriculture has said the labels are in the final stage. If you are not able to agree with what the label is to say, then we are wasting our time here.

Mr. Higgins:

My client has no objections to the Board of Agriculture making the label.

Alfredo Alonso (Alliance of Automobile Manufacturing):

Until yesterday, Mr. Higgins has said no for any labeling. We have attempted to procure labeling, but the answer was always no. We still believe the ban is the best-case scenario. If this Committee chooses to have a label on pumps, it is important consumers are aware they need to check their owner's manual to make sure the fuel is not prohibited. The individuals who sell gasoline to the retailers need to indicate the gasoline contains MMT. The State Board of Agriculture should be notified there is gasoline containing MMT coming into the State. That would help us keep track. I have given you a proposed amendment ([Exhibit M](#)).

Chair Ford:

If we determine that labeling is required, why do we, as a Committee, instead of the administrative agency, have to determine what goes on the label?

Michael D. Hillerby (Honda North America Inc.):

We submitted similar language last year that went nowhere with the State Board of Agriculture. We need legislative guidance to ensure proper labeling happens to allow consumers to make a choice. We need to know when the additive is being used and to track whether there was a correlation between the use of the additive and any damage to vehicles. It is important for consumers to have a meaningful label that discloses where, when and how much of the additive is being used. I have submitted information from the Code of Federal Regulations (CFR) regarding the possible denial of warranty claims ([Exhibit N](#)).

Senator Settlemeyer:

Does a car dealer have the ability to say it will not warranty the car if you use fuel with MMT in it?

Mr. Alonso:

Yes, they can. That is our concern. It is a consumer protection issue.

Senator Settlemeyer:

Do they really have the ability to void the warranty, or is it a threat? If we make it a law, will the dealers have to honor the warranty anyway?

Mr. Alonso:

We have had discussions collectively with all our members. Their answer is yes. If consumers are using fuel with MMT, have been told it is dangerous and it is in the owner's manual, it could void the warranty.

Chair Ford:

In view of the testimony, I need to hear the other side.

Senator Goicoechea:

It should be sufficient if a label says it contains manganese and to check your owner's manual. That should be sufficient warning.

Mr. Higgins:

Nowhere in federal regulations is there talk about voiding warranties. It says vehicles must be able to operate on any fuel including conventional gas that is lawfully approved. Owner's manuals say it "may" void a warranty, not that it "does" void a warranty.

Senator Settlemeyer:

There were discussions about the concept of renewable biodiesel. When you get to a certain level, it clearly voids the warranty, but it is lawfully sold in the United States.

Chair Ford:

Your point is, even though the fuel was legal, the auto dealer would be able to void the warranty?

Senator Settlemeyer:

That is what I am trying to understand. What about across state lines? You buy fuel legally in Nevada, drive to California and your car breaks down. Does the dealership in the other state have the ability to void a warranty?

Chair Ford:

We have our legal counsel in the room. Could you rearticulate your question?

Senator Settlemeyer:

If we legalize the use of MMT, does the auto manufacturer have the authority to void the warranty even if it is a legal fuel?

Brenda Erdoes (Counsel):

The warranty provisions are usually not restrictive. The seller and the dealer can agree contractually to any provision. I am not aware of any CFR that says the warranty is void.

Chair Ford:

Mr. Higgins, can you provide the CFR?

Mr. Higgins:

It is 40 CFR, section 86.1701-99d. It says vehicles must be able to operate on any fuels, including conventional gasoline that could be sold under federal or state law.

Chair Ford:

Does this say that as long as you are using federally or state-approved fuel, your warranty cannot be voided? You can contract around that authorization. If manufacturers are finding MMT is adversely affecting catalytic convertors, contractually they should be able not to allow the use of the fuel.

Ms. Erdoes:

Before I could give a reasonable answer, I would need to look at the basis and context of that provision.

Senator Goicoechea:

Is there any federal prohibition for MMT?

Peter Krueger (Nevada Petroleum Marketers and Convenience Store Association):

The MMT is an additive approved by the federal EPA. The automobile manufacturers, under EPA regulations, cannot void a warranty for the use of a legal fuel.

SENATOR MANENDO MOVED TO AMEND AND DO PASS S.B. 433 WITH THE PROPOSED AMENDMENT FROM MR. ALONSO AND REMOVING SECTION 1, PARAGRAPHS (C) AND (D).

SENATOR SEGERBLOM SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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SENATOR MANENDO MOVED TO RESCIND THE PREVIOUS ACTION TAKEN ON S.B. 433.

SENATOR SEGERBLOM SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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SENATOR MANENDO MOVED TO AMEND AND DO PASS S.B. 433 REMOVING SECTION 1 FROM THE PROPOSED ALONSO AMENDMENT.

SENATOR SEGERBLOM SECONDED THE MOTION.

Senator Goicoechea:

I want to make sure the labeling happens in this bill. The State Department of Agriculture has held workshops to discuss the language for the label. The label needs to be on the pump. It needs to say there is manganese in the fuel and the vehicle owner's manual should be checked.

Senator Settlemeyer:

Would you like the bill to specify a date the labeling needs to be in place?

Senator Goicoechea:

Yes.

Chair Ford:

Would that be a friendly amendment?

Senator Goicoechea:

I have just spoken with Jim Barbee, Director, State Department of Agriculture. He indicated the passage of this bill will force them to do it. They can have the labels ready by January 1, 2014. This would be a friendly amendment.

SENATOR MANENDO AMENDED THE PREVIOUS MOTION TO INCLUDE JANUARY 1, 2014 AS AN EFFECTIVE DATE FOR LABELS, REMOVE SECTION 1 OF THE BILL AND INCLUDE THE PROPOSED AMENDMENT SUBMITTED BY ALFREDO ALONSO.

SENATOR SEGERBLOM SECONDED THE MOTION.

Senator Manendo:

Who will be paying for the labels?

Ms. Erdoes:

The owners of the pump would be required to pay and put them on the pump. It would be controlled by the regulation.

Senator Goicoechea:

Labels are already being installed that say the fuel may contain up to 10 percent ethanol. It is a requirement of the pump owners.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Ford:

There being no more business, the Senate Committee on Natural Resources is adjourned at 2:51 p.m.

RESPECTFULLY SUBMITTED:

Lynn Berry,
Committee Secretary

APPROVED BY:

Senator Aaron D. Ford, Chair

DATE: _____

<u>EXHIBITS</u>				
Bill	Exhibit		Witness / Agency	Description
	A	2		Agenda
	B	8		Attendance Roster
S.B. 505	C	4	Michael Stewart	Written Presentation
S.B. 82	D	4	Michael Stewart	Work Session Document
S.B. 213	E	2	Michael Stewart	Work Session Document
S.B. 371	F	4	Senator Ben Kieckhefer	Work Session Document
S.B. 229	G	1	Michael Stewart	Work Session Document
S.B. 245	H	3	Michael Stewart	Work Session Document
S.B. 390	I	3	Michael Stewart	Work Session Document
S.B. 390	J	1	Paul Enos	Proposed Amendment
S.B. 399	K	2	Michael Stewart	Work Session Document
S.B. 433	L	2	Michael Stewart	Work Session Document
S.B. 433	M	1	Alfredo Alonso	Proposed Amendment
S.B. 433	N	3	Michael Hillerby	Code of Federal Regulations Warranty Information