

MARCH 2, 1971

PRESENT: Ronzone, May, Dreyer, Fry, Olsen, Smith and Homer

ABSENT: None

OTHERS: Assemblyman Swallow and Glen Griffith of the Fish and Game Commission

Chairman Ronzone called the meeting to order at 10:45 A.M. for the purpose of discussing A.B. 367, 451, 514, and 521.

Mr. Swallow began discussion on A.B. 514 which "Prohibits certain hunting without guide and permits Nevada Department of Fish and Game to Limit area of guide licenses and number of nonresident guide licenses." His concern was the protection and preservation of the mountain lion. He contended that in recent years, at least in the South of the State, mountain lions have been rapidly disappearing. Guide service is usually desired when hunting mountain lions but it is not required. Many of these guides as well as the hunters are from out-of-state. Mr. Swallow continued to say that preserving such animals is what prompted A.B. 514 but it is not certain that it will do the trick. Further steps may have to be taken. Mr. Smith agreed with Mr. Swallow that he is concerned that we are losing our mountain lion.

Mr. Griffith of the Nevada Fish and Game Commission informed the Committee that a season exists for hunting mountain lion which is about five months out of the year. The Commission has given much consideration to this matter and it is not felt that there is reason to be extremely protective but there should be regulations. He added that there are reports that there are too many guides in the southern portion of the State. Perhaps the number of guides in that area should be limited. He felt these problems could be solved or at least helped with a minor amendment. He proposed that lines ~~23-25~~ of page ~~21~~ of A.B. 397 reading: "The Commission may establish regulations covering the establishment, conduct and operation of a guide service, including the limitation of guides in any area." should be added to amend A.B. 514. He felt this would be more valid than just limiting the number of guides as A.B. 397 presently does. He said this would give the Commission the power to regulate the number of guides. He also said a request could be made of the Fish and Game Commission to close the area.

Discussion continued that resident guides are complaining that out-of-state guides are coming in and taking away much of their business. Since it is not mandatory to use a guide, Mr. Swallow suggested that it be made mandatory for non-resident hunters to have a guide and Mr. Smith added that perhaps a clause could be added requiring that the guide be a resident. But it was discussed that if Nevada starts imposing this on non-residents, Nevadans might be forced to comply with the same thing when hunting out-of-state. (Presently, most states operate in the same manner as Nevada.) Mr. Swallow then commented that although the matter of guides is important, the main concern is the scarcity of the specie.

Fry then moved to delete Sections 1, 2, and 3 of A.B. 514 and move a "do pass" on Section 4. Mr. Smith seconded. Motion carried.

Discussion was then directed to A.B. 451 introduced by Mr. Olsen which "Changes regulation of zoos in certain counties from State to County." He said he had

been approached by some people who want to form a zoo in Pahrump Valley but there are restrictions preventing it. There are 74,000 school age children in Clark County and they are limited in the type of field trips they can take from school. A zoo would give them a place to go and would also be another tourist attraction. Mr. Smith concurred with Mr. Olsen but thought that rather than working toward a privately operated zoo, a "first-class" zoo right in Las Vegas would be more successful whereas a private party, fund-wise, may have difficulty. Mr. Fry questioned why this is limited to governmental agencies. Mr. Griffith informed the Committee that at one time there were small zoos all along the highways that were not being properly run or were the animals well cared for. These privately operated zoos are more trouble than they are worth. The Commission would like to see a good zoo established and has offered to contribute to such an idea. Mr. Fry then questioned what problem these private zoos were to the Fish and Game Commission. Mr. Griffith said it had to do with trading, purchasing and illegal capture of animals. Chairman Ronzone then decided that further discussion on this bill would be carried over to another day.

Dr. Homer then began discussion on his bill, A.B. 521, which "Affirms state ownership of beds of navigable rivers and lakes, and abrogates common law doctrine of reliction."

He said this establishes the State's rights between the high water marks. State fish are planted in streams and private parties buy both sides of the stream, declare it a private club, and restrict the waters from the general public. This also restricts mining and siltation projects. They are in effect setting up private game reserves and thus restricting the public that has paid for planting this game. Mr. Griffith commented that this is really a problem. While these private parties restrict the public, the Commission contends that on navigable streams the point at which the rivers leave a mark at its high water stage, that property belongs to the public. If it were taken to court, it would probably be upheld but a formal declaration is needed that these are public waters. Mr. Smith foresaw several difficulties. One being Pyramid Lake and other reservation areas along declared navigable waters. Mr. Fry added that another problem would be at Tahoe from people owning beachfront property. Mr. Olsen questioned whether this land would be taken by due process. Mr. Ronzone added that there are cases where the fishermen have caused so much damage to property that the land owners had to protect their land out of self defense. Dr. Homer concluded by saying he still felt there should be some measure to protect the public from being excluded. Why should the sportsmen pay to stock the rivers and then not be able to fish on many parts of the rivers. At this point, Chairman Ronzone stated this bill would be held until such time that it is properly amended.

Discussion then turned to A.B. 367 which "Prohibits recreationists from accruing any property rights in real property used for recreation." Mr. Griffith stated an example in California of a man owning a vacant lot being used as an access to the beach. When he decided to develop it, he could not because it had been used as an access for so long. Mr. Smith moved a "do pass" on this bill. It was seconded by Mr. Fry. Motion carried.

Meeting adjourned at 11:40 A.M.