

J O I N T H E A R I N G

225

M I N U T E S -- 57th Session

ENVIRONMENT AND PUBLIC RESOURCES AND FISH AND GAME COMMITTEE-ASSEMBLY
-AND-
PUBLIC RESOURCES AND ECOLOGY COMMITTEE--SENATE

March 23, 1973

	<u>ASSEMBLY</u>	<u>SENATE</u>
Members Present:	Chairman Bremner	Chairman Wilson
	Vice-Chairman Crawford	Blakemore
	Ford	Dodge
	Gojack	Echols
	Broadbent	Bryan
	Jacobsen	
	Lowman	
	Smalley	

Guests Present: SEE ATTACHED LIST-EXHIBIT I

Chairman Bremner called the meeting to order at 8:10 a.m. on this Friday morning. He announced that this hearing is being held to hear testimony on A.B. 197 and A.B. 678.

A.B. 197--Reorganizes structure of state and county fish and game administration.

A.B. 678--Restructures state and county fish and game administration.

Chairman Bremner announced that Dr. Broadbent, committee member and one of the introducers of A.B. 197, spoke and explained that it would change the Fish and Game Commission from a nine member to a five member commission. Also, this bill makes the County Management Boards advisory, instead of regulatory.

Don Gruwell, Sportsmen Club of Mineral County spoke. He said that there is interjection on some compromise between the 17-man commission and the 9-man commission and maybe 5. Should be from geographical districts for good representation. Mr. Gruwell felt that the Federation had brought out some very good points. He said that nine men did not work as well as seventeen men, and felt that seventeen men had better representation. He did not agree with the change in line 42, on page 3 stating:

"...on fishing and hunting, which [shall] may be considered by the commission..."

Feels this is a step in the wrong direction, by taking the stronger language out of the bill. If the Legislature decides on a five member commission, then it would have to be very geographical, because it would cause some areas to feel they were being neglected in representation in this subject. (A copy of a resolution provided by the Sportsmen's Club of Mineral County is attached as Exhibit 2).

QUESTIONS:

Dr. Broadbent just wanted to comment that if anyone was confused about the different numbers of commission members, that don't be hesitant on asking questions, because it is very confusing to everyone.

Bill Reavly, Regional Executive Director of the National Wildlife Federation in Sacramento, spoke next on A.B. 197 and A.B. 678. He said he was not taking sides on this issue, and was asked to come here and testify on the basis of his experiences around the country with other commissions in Montana and Colorado and others; since 1955 was on the international Wildlife Federation. He mentioned that most of the professional people dealing with wildlife administration have a few number of members involved and the majority are very successful; and would rather do it with three members instead of five. Mr. Reavly listed weaknesses of commissions which are:

- 1) Inclination towards provincialism
- 2) A tendency of taking over administrative functions that should be handled by the director
- 3) Tendency to accede the special interest of pressure groups regarding the merits of the proposals of these groups
- 4) Tendency toward feuding with other commission members or with staff personnel leading to low moral, confusion, and program deterioration
- 5) Inclination to know the answers instead of relying on findings and recommendations of the professional personnel
- 6) Inclination to place political allegiances in considerations first as factors of decision making
- 7) A reluctance to face up to major, difficult policy decisions
- 8) Full authority to control budgets and fish and game regulations are lacking in many states
- 9) Many commissions have too large memberships for greatest effectiveness
- 10) Commissions have little or no power to cope effectively with or alter arbitrary federal policy.

POSSIBLE IMPROVEMENTS

- 1) Split authorities with the Legislature over budget approval and setting up regulations for the use of fish and game resources should be abolished and full authority control these manners listed in the commission.
- 2) Provide better criteria for the selection of candidates for appointment by the Governor to the commission. List of qualifications would need to be very specific, yet reasonably brief, saying five or so items a number. They should clearly define requirements of character, experience, education, attitudes, and philosophy required to help assure some policy decision making in natural resource conservation.
- 3) Provide legislative guidelines clearly defining duties, obligations, limitations of commission service.
- 4) Reduce the size of commission perhaps to no more than five members, and lengthen the term to perhaps seven years and put limitation on age, such as 65-70 years of age at most.

In conclusion to Mr. Reavly's testimony, he said that we can make any system work effectively if we have the right men running it, and the most possible way of doing this is to have fewer members making the decisions.

QUESTIONS:

Mr. Smalley, in reference about the philosophy of fish and game, asked what is the main thing--doing more to help the hunter or doing more to help the game. Mr. Reavly answered that the resources come first, then educating the hunter to realize that going along with the philosophy is best.

Senator Echols said that he was interested in Mr. Reavly's comments about the legislation including requirements about attitude, character, and others, and asked if there are any examples or indications in state legislative acts describing those qualities. Mr. Reavly said he could not answer this question with complete knowledge, but does believe some of them do have qualifications. To his way of thinking, a good commissioner is a self-made businessman who is able to be a good administrator, and is aware of somebody is pulling his leg or not.

Next to testify, was Senator Warren L. Monroe, who served seven and a half years on the Fish and Game Commission. He wrote the original 17-man commission act, but feels differently about it now. He mentioned that the executive board of the 17-man commission was made up of five members, and they were the main source of power and five members is the only way to go. Senator Monroe said that five men appointed commission would represent the state of Nevada as a whole, and should be no connection between the commissioner and the county he comes from. Previously, there had been a great problem with those commissioners only interested in their own districts, instead of the state as a whole.

QUESTIONS:

Senator Wilson asked Senator Monroe if the same problems exist for a 9 member commission as for a 17 member commission, and he answered that it sure is.

Senator Dodge wanted to make sure he understood that on a five man basis, they should not be by districts, but by selection from qualifications. Senator Monroe answered yes, but no two commissioners shall be chosen from the same county, and said that he hoped that maybe two would be chosen from large counties, and 3 from small counties.

Mr. Crawford asked what their qualifications were in the past concerning the selection of commissioners, and he answered that they were all elected with no qualifications in particular.

Senator Echols asked if he thought there should be some limit as to length of time to serve, and Senator Monroe answered that there be two 4-year terms.

Mrs. Ford asked what he thought of going to a 17-man advisory board without administration, and the Senator said that he found nothing

wrong with that at all, and thought would be very good.

Joe Greenley, a resident of Idaho and serving on the Idaho Fish and Game Commission spoke in favor of a five man commission and them coming from districts. (Mr. Greenley's testimony is attached as Exhibit 3).

Chairman Bremner then called Assemblyman Lawrence Jacobsen, a member of the Assembly Committee of Environment & Public Resources, to explain A.B. 678, which he authored. This bill creates a nine man elected committee who will be elected from nine districts. One commissioner from each district as follows:

Clark County District	Eureka and Lander
District of Washoe and Storey	Humboldt and Pershing
Carson City and Douglas District	Churchill and Lyon
Elko and White Pine	Mineral and Esmeralda
Nye and Lincoln	

He went on explaining that one qualification is two years residence in the district. Mr. Jacobsen further explained all of the changes in the bill and said that this bill has a number of merits.

Dorcus Criteser was next to speak, representing the Toiyabe Chapter. She said that they have no stand on the number of members of the commission, but does believe that there should be conservationists included on the commission also, with their interests in Nevada's conservation.

QUESTIONS:

Senator Echols questioned if conservationists would have concurrence with sportsmen, and if she had any opinions of how to determine the concurrences such as these two organizations getting together on one commission. Ms. Criteser said that they would hope that sportsmen and conservationists would be one of the same, but just might not work out that way.

Mel Felesina, Chairman of the Carson City Game Management Board, came up and testified that the Management Board was in favor of A.B. 197, and feel that the proposed five man commission will be very efficient and more responsive, representing the state of Nevada as a whole. Mr. Felesina also thought that the County Game Management Boards should be retained as advisory bodies to insure proper lines of communication between the various counties and the commission.

Tina Nappe spoke from a conservationist viewpoint, and was interested, as Ms. Criteser, in the broad enough intention of the word "conservationist", and felt this is essential in the bill, and also in the commission. She suggested a change on line 40 of page 2 as follows:

"organized sportsmen and/or conservationist of the county."

Next to testify was Mr. Clayton D. Johnson who was from a sportsmen

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Public Resources & Ecology-Senate
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club, and he briefly spoke in opposition to this bill. No qualms of how many members, but did feel that 17 men are too restrictive. He believed in having districts, though.

Earl Branson from the Ormsby Sportsmen Association talked about the 17 man commission. He said that 17 men was only a compromise and that the 5 man executive board was the core of the commission, and they did all of the work of the 17 men. There were problems of the commissioners only thinking of their own counties and districts instead of the whole state. Mr. Branson thought this A.B. 197 was very well written.

Mr. Roger Teglia, from the Upland Game Committee, commented that it is a hard job trying to find good qualified men for such commission work without pay. He said that they have got to find a way of financing the Fish and Game Commission, and instead of the sportsmen being the only source of finance, the other people should also. Mr. Teglia was in favor of leaving the commission as it stands right now.

Next, was Mr. Al Bernarda, Director of the Wildlife Federation in Reno. Mr. Bernarda spoke in favor of A.B. 197. One suggestion was to put a period after the word "groups" in Section 2, line 14. Another suggestion was for page 2, section 3 (b-2) where he wanted to put

"members of the commission will serve at the pleasure of the Governor."

(Information supporting A.B. 197 by Mr. Bernarda is attached as Exhibit 4)

Mr. Wayne Kirch, Fish and Game Commissioner from Las Vegas, spoke and said that he has served on the commission for 23 years, and has experience in both procedures of becoming a commissioner. He said that he did not think that Nevada has to conform with every other state and it seems to be doing alright like it is. He said that the commissioners today, in comparison to the commissioners from many years ago are a real credit to the department, and they are more dedicated, also. They travel the state quite a bit, and become involved in all areas of the state and colleagues do the same. They are aware of each other's problems and constantly ask for support of certain areas of the state. Mr. Kirch went on and said that the 9-man commission has not been able to have a chance at it yet, and just now are getting acquainted. He concluded in saying that finances are demanded, and is evident that costs are going up higher all of the time, and need more financing badly.

John Sweetland, an Ormsby Sportsman, and with the Nevada Wildlife Federation in Carson City testified next. He displayed a letter from the Ormsby Sportsmen's Association supporting A.B. 197. (This letter is attached as Exhibit 5).

Jack Young, speaking for Wayne Capurro who is President of the Nevada Wildlife Federation, confronted the committee. He said that Mr. Capurro could not make it because of the necessity of attending a trial, so he read a prepared statement written by Mr. Capurro, to the committees. (Mr. Capurro's letter is attached as Exhibit 6).

The next to testify was Mr. Michael Toon representing Washoe Management Board. He spoke in favor of a five man commission. He read a letter from Mr. Phillip Schneider, Regional Executive of National Wildlife Federation also relating the feelings of Mr. Toon. (This letter of the Nevada Wildlife Federation is attached as Exhibit 7).

Mr. Wells, from Trout Unlimited and the Nevada Wildlife Federation testified in favor of the five man board. He said that they are not looking for representation as such, but for good work and production. The smaller the board the better. He concluded in saying that most effective committee is three members with two of them absent.

Dr. Timothy V. Grinsell, an interested sportsman, and also in favor of a smaller commission had said that if a sportsman wants to get something said to the Fish and Game Commission, he has to go through so many members. He also said that some of the best commissioners neither hunted or fished, and also they represent the state as a whole much better.

Next to speak was Dr. Andy Burnett, executive in sportsmen's club, and in the Nevada Wildlife Federation. He said that the tradition of the state is important, and this state should not have to do what all of the other states do, yet Nevada can learn by other state's mistakes and successes, and the five man commission in other states have been successes. Dr. Burnett said that the present commission has turned its back to available funds that have come from sportsmen's funds and outside of the Commission. He commented on the statement of a previous speaker about the present commissioners not even fully acquainted, and though this bill would have five members, then it would't take very long at all for them to get acquainted. He commented about the attendance of the present commissioners at the meetings. He said that out of twelve meetings, only twice were all the members present.

QUESTIONS:

Senator Echols asked what the average absenteeism there was with the commission, and Dr. Burnett said there was 20% absenteeism, and one of the commissioners was 54%.

Mr. James A. Ornellas from the Organization of the Nevada Big Game Master Guides Association, was not present at the hearing, but wanted to submit a letter regarding his feelings about his organization's opposition to A.B. 197. (Mr. Ornellas' letter is attached as Exhibit 8)

The hearing was adjourned at 10:02 a.m. until Monday's hearing on A.B. 515 at 8 a.m. in room 214.

Respectfully submitted,

Secretary

ASSEMBLY

H E A R I N G

*****SUPERSEDES PREVIOUS HEARING SHEET DATED MARCH 16th*****

COMMITTEE ON ENVIRONMENT & PUBLIC RESOURCES

Date MARCH 23, 1973 Time 8 a.m. Room 131

Bill or Resolution
to be considered

Subject

A.B. 197

Re-organizes structure of state and county fish and game administration. And---

Other Game Board re-organization bills.

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DATED MARCH 23rd***

H E A R I N G

COMMITTEE ON ENVIRONMENT & PUBLIC RESOURCES

Date MARCH 23, 1973 Time 8 a.m. Room 214

Bill or Resolution
to be considered

Subject

A.B. 197

Re-organizes structure of state and county fish and game administration.

A.B. 678

Restructures state and county fish and game administration. And---

Other Game Board re-organization bills.

STATE OF NEVADA

ENVIRONMENT & PUBLIC RESOURCES COMMITTEE

GUEST REGISTER

231
Exhibit I

PLEASE PRINT

DATE: March 23, 1973

JOINT HEARING CONCERNING A.B. 197 and A.B. 678

NAME	REPRESENTING
DAN GRUWELL	SPORTSMEN CLUB OF MINERAL COUNTY
CLAYTON D. JOHNSON	ADVISOR TO FISH AND GAME-DOUGLAS COUNTY
JACK SHELLEY	DOUGLAS COUNTY SPORTSMAN
DUANE D. NEWTON	DOUGLAS COUNTY SPORTSMAN
JIM KOCH	DOUGLAS COUNTY SPORTSMAN
LEWIS BACON	DOUGLAS COUNTY SPORTSMAN
JOHN SWEETLAND	NEVADA WILDLIFE FEDERATION IN CARSON CITY
DON QUILICI	CARSON CITY GAME MANAGEMENT BOARD
BOB LEWIS	NEVADA ORGANIZATION FOR WILDLIFE
GENE MCDOWELL	NEVADA DEPARTMENT OF FISH AND GAME
BOB MCDONALD	FISH AND GAME COMMISSION
JOHN MCKENZIE	FISH AND GAME COMMISSIONER
JERRY D. LONGERO	FISH AND GAME COMMISSIONER
WAYNE E. KIRCH	FISH AND GAME COMMISSIONER-LAS VEGAS
FRED WRIGHT	NEVADA DEPARTMENT OF FISH AND GAME
BILL PARSONS	NEVADA DEPARTMENT OF FISH AND GAME
FRANK GROVES	NEVADA DEPARTMENT OF FISH AND GAME
ROGER TEGLIA	UPLAND GAME COMMITTEE
JOHN E. BAWDEN	ORMSBY SPORTSMEN ASSOCIATION
ALEX GLOTH	ORMSBY SPORTSMEN ASSOCIATION
EARL BRANSON	ORMSBY SPORTSMEN ASSOCIATION
CHARLES A. BUICKE	SPORTSMAN'S CLUB OF MINERAL COUNTY
SENATOR WARREN MONROE	
JOE GREENLEY	DIRECTOR OF IDAHO FISH AND GAME DEPT.
BILL REAVLY	REGIONAL DIRECTOR OF NATIONAL WILDLIFE FED.
DORCUS CRITESER	TOIYABE CHAPTER
TINA NAPPE	FORESTA INSTITUTE
MEL FELESINA	CHAIRMAN OF CARSON GAME MANAGEMENT BOARD
AL BERNARDA	DIRECTOR OF WILDLIFE FEDERATION IN RENO

101 Commission on Environment and Public Resources
From: The Sportsmen's Club of Mineral County and
Game Management Board of Mineral County.

1 RESOLUTION NO. 2

8 FEBRUARY 1973

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2 Exhibit 2

3 WHEREAS, the Nevada State Fish and Game Commission is
4 impowered in the preservation and conservation of fish and wild-
5 life within the Great State of Nevada, and

6
7 WHEREAS, the commission presently consists of a nine man
8 Nevada State Board of Fish and Game Commissioners, and

9 WHEREAS, major hunting and fishing areas within the
10 Great State of Nevada have no voice in the control of these areas,
11 except by chance of a man being selected to the Nevada State
12 Board of Fish and Game Commissioners, and

13 WHEREAS, each and every county within this great state
14 should be able to have a voice on this important body, and

15
16 WHEREAS, the people within the various counties know
17 the situation within their county better than someone from another
18 county, and

19 WHEREAS, the Mineral County Game Management Board and the
20 Sportsman's Club of Mineral County, Inc., believe it would be pru-
21 dent that the Nevada State Fish and Game Commission either be in-
22 creased to its original seventeen man board of commissioners or
23 be retained at the present nine man board.

24
25 NOW, THEREFORE, BE IT RESOLVED, that the Mineral County
26 Game Management Board and The Sportsman's Club of Mineral County,
27 Inc., urge the Nevada State Fish and Game Commission be increased
28 to the original seventeen man commission or the retention of the
29 present nine man commission along with the retention of the County

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Fish and Game Advisory Board as it is at present, and be it further,
RESOLVED, that copies of this resolution be transmitted
to the Governor of the Great State of Nevada, to the Nevada State
Legislative Delegation and to such other interested groups as the
Chairman of the Mineral County Game Management Board and the Pres-
ident of The Sportsman's Club of Mineral County may determine in
their discretion.

MINERAL COUNTY GAME MANAGEMENT BOARD

BY D. L. Cavin
D. L. CAVIN, CHAIRMAN

THE SPORTSMAN'S CLUB OF MINERAL
COUNTY, INC.

BY Doug Merrill
DOUG MERRILL, PRESIDENT

Turn in By Don Grunell

TESTIMONY TO THE JOINT COMMITTEES
ON RESOURCES AND ENVIRONMENT
NEVADA STATE LEGISLATURE

Exhibit 3

by
Joseph C. Greenley
March 23, 1973

Mr. Chairman, members of the committees, my name is Joseph C. Greenley, I reside in Boise, Idaho, I am Director of the Idaho Fish and Game Department, and I am a former employee of the Nevada Fish and Game Department, working for that Department from 1950 to 1971. I also spent one year during that period on leave of absence from Nevada working as Director of the Game Division of the Alaska Department of Fish and Game.

The views and opinions I express in this testimony are my own. I am not in any way representing the Idaho Fish and Game Commission or Department by being here. I am not in any way representing the Nevada Department of Fish and Game or individuals within the Department nor have they solicited my appearance before this committee in any way. I am here today on my own time at the invitation of members of the Nevada Wildlife Federation because of my experience in Nevada and my unique experience of working for fish and game departments in three different states and working under commissions consisting of 5, 9, 10 and 17 members.

One thing that has been apparent to me in working in the three states that I have is that although fish and game management programs and problems are basically the same, the systems designed to administer those programs in these three states are substantially different. The differences are a reflection of the way they evolved. Alaska, for example, only gained statehood in 1958. Prior to that time, fish and game were administered by the Federal Government. The system they adopted was somewhat a cross between the Federal system and other state systems. Their commission, or

board as they call it, consists of 10 members whose powers are restricted to establishing hunting and fishing regulations. Policy and budgetary matters are controlled by the director, governor and legislature. The director is appointed by the governor but must be confirmed by the legislature. The staff chiefs are unclassified and are appointed by the director with concurrence of the governor. This system is highly political and has been in constant turmoil since its inception.

Idaho's system is very similar to those of the other Western States except Nevada. It consists of five commissioners, appointed by the governor for six-year staggered terms. They come from five districts. Not more than three can be from one political party. After appointment, they must be confirmed by the Senate. The director is appointed by the commission following an examination process.

Unlike either Alaska or Idaho, Nevada has been historically county oriented on fish and game matters. When I went to work for the department in 1950, it was only three years old. Prior to 1947, the county controlled fish and game programs. One of the major reasons it went to state control was to take advantage of Federal Aid monies which were not available under a county system. Reflecting the county orientation, the first commission was established with 17 members, one from each county, and county game management boards who retained certain functions including some fish hatcheries and a strong voice in the season setting process. The unique 17-man commission-county board system was a logical transition from a county to state controlled fish and game program. Though ridiculed by many experts as cumbersome and unwieldy, the system worked remarkably well and, due to the dedication of the individuals on the commission and in the department, the fish and game programs of this State progressed equally well and in many areas better than in states under a different system. It should be pointed out, however, that back in 1947, the department was in the infant

stage and had far less capability than it has today. Many of the fish and game matters which are currently handled by the department had to be handled by the commission and the county boards. Also, fish and game matters today are much more complex than they were at that time. Over the years the department grew modestly, consistent with available funding, gained experience and is today, in my opinion, one of the most efficient fish and game departments in the country.

It became apparent to many in the late sixties that the fish and game laws and perhaps the structuring of the commission needed updating. In 1967, an interim committee of the legislature was established to study the fish and game laws and the structure and makeup of the commission for the purpose of recodifying the laws, restructuring the commission and to clarify the responsibilities of the county boards. I was privileged to serve as a staff member to that committee and assure you that the committee under the leadership of Senator Cliff Young worked hard and long at their task. I know at that time the committee intended to reduce the number of commissioners, I believe to five.

I left for Alaska in the fall of 1968 and, therefore, was not here when the committee's recommendations were presented to the 1969 session of the legislature. The result was an excellent recodification of the fish and game laws compared to what they had been; however, a compromise approach to a reduction in the commission. Rather than five, the number was reduced to nine, one to be appointed at large by the governor, the two commission members from Clark and Washoe Counties and the other six to be selected by caucus of the remaining 15 commissioners. Those not chosen were to become members of an advisory board to the commission. The county boards were retained, however, their responsibilities were better defined. Later appointments to the commission were to be

made by the governor. Clark and Washoe Counties were to continue to have representatives on the commission; however, they were the only counties specifically assured of representation.

What this did was devest eight of the then existing commissioners of their authority, assure Clark and Washoe Counties of representation then and in the future, and put the balance of the counties on notice that they would be represented but not necessarily by someone from their county.

Human nature being such as it is, I would have to assume that the eight former members of the commission who had had their authority stripped to an advisory status were somewhat miffed and, if they are still in that capacity, haven't forgotten it. Also, I would have to assume that the sportsmen in the counties which formerly had representation now feel discriminated against since there are still county representatives on the commission and, particularly, because Clark and Washoe Counties are assured of representation.

It appears to me that this system of differential county representation is not conducive to universal support and will be continually hacked at until it is changed. This is no reflection on the people who are on the commission, whom I know personally and are as dedicated as a group as any I know. It is the system under which they must function that creates the problem.

Since the change from a 17-man to a 9-man commission was a move that partially broke the identification of commissioners with counties, it appears to me that to fully realize the benefits of the intent of this change, it is necessary to complete the transition. Section 3 of AB 197 would do this by amending out those subsections relating to the association of any commissioner with any particular county.

I believe if the problem of differential representation by county is resolved, the number of members on the commission will not be the issue that it is. From an administrative standpoint, it is much easier for a director to work with five commissioners than with 9, 10 or 17. It is more demanding of the commission. They must be more statewide oriented and surely spend more time with commission matters. They must shoulder more responsibility for their actions. This, in itself, creates a closer knit relationship with the director and his problems. They are better able to evaluate the performance of the director and provide him more support when he warrants it or replace him if he isn't doing his job. The director certainly knows better where he stands with a small commission than with a large one, and this is important if he is to carry out their policies.

The great majority of commission business is of a statewide rather than county nature. The quality of the individual is far more important than where he is from. Even under the old 17-man commission, the majority of the work was done by the 5-man executive board. Because of their broader knowledge of statewide commission business, they were the leaders even when the full 17-man board convened.

I do believe that the state should be divided into districts with a minimum of three counties in any district and a commissioner appointed from each district. My reason for this is to distribute the commissioners throughout the state and provide a commission with broad knowledge of the state as a whole. AB 197 limits the commission to one from any one county but, unless they are distributed by district, they possibly could come from only one or two sections of the state. By placing a minimum of three counties to a district, then in those districts encompassing Clark and Washoe Counties it would be possible and even desirable to occasionally appoint a commissioner from one of the adjoining counties.

I know that one of the major concerns of the counties, and perhaps one of the major reasons why Nevada has had commission representation by county, has been over the season setting or regulatory function of the commission. I am firmly convinced that in this state with only 17 counties, the county boards, as advisors in the regulatory process, perform a very important function and should be retained as such. The system developed by the department of presenting its findings and recommendations to the county boards which, in turn, make their recommendations to the commission is excellent. It provides the commission with the public input necessary to provide harvest and other regulations which are biologically sound and socially acceptable. Without the boards, the department would be seeking other alternatives to obtain public input. No agency can maintain rapport and reflect the wishes of the public--which it must do--without some input from that public. The boards provide an excellent sounding board for the department programs and officially provide somebody in each area of the state for the department people and commission to work with.

In summary, it is my opinion that the administration of the fish and game programs of Nevada would benefit by reducing the commission to five members, selected as you deem desirable, coming from five districts of the state, said districts including no less than three counties, and retaining the county game management boards for the functions presently spelled out by law.

Information supporting the restructuring of the State and County Fish and Game Administration as it pertains to Assembly Bill #197.

1. Q. Why is it necessary to reorganize the State and County Fish and Game Administration?

A. At present, responsibility and accountability is weak with a nine man Board, which results in poorly defined direction given to Department personnel. Communication and exchange of ideas is extremely difficult among the 51 County Game Board members and the 9 man State Commission. In addition, such a reorganization would be consistent with the administration's efforts to streamline state government.

2. Q. How does Assembly Bill #197 resolve this problem?

A. Assembly Bill #197 basically reduces the number of State Fish and Game Commissioners from nine to five members, and provides that County Game Management Boards become advisory to the Commission.

3. Q. Why does Assembly Bill #197 suggest a five man Commission... why not 6 or 7?

A. The five man Commission has proven to be a more efficient and economical working group as it requires its members to be more responsive to the public and environmental needs of the State. In effect, the actions of each Commissioner are more conspicuous, as they cannot hide themselves in a large group.

4. Q. What is the economic impact of the proposals as contained in Assembly Bill #197?

A. Aside from the fact that Commission administrative cost will be less because fewer people are involved, responsibility toward budget review and analysis will be increased.

5. Q. Has any precedent been established supporting the five man Commission concept as stated in Assembly Bill #197?

A. Very definitely. As far back as 1943, the International Association of Fish and Game Commissioners recommended the five man Commission as the most efficient group. In addition, the Wildlife

Management Institute, after an in depth study on State Fish and Game Commissions in 1953, recommended a five man group, as did our own Nevada Legislative Council Bureau in 1959.

More important is the fact that our neighboring western states, California, Oregon, Idaho, Utah, Montana and Arizona have five or less Commissioners. Washington and New Mexico have six. (In New Mexico one Commissioner serves as Director.)

6. Q. Why would the five man Commission be more effective than the nine man Commission now in existence?

A. Under present procedures, there are sixty individuals involved in the Fish and Game policy making process.

7. Q. How does this number of people become involved in the decision making process?

A. Presently, the Governor appoints a 17 man State Advisory Board, made up of representatives from each county. Two of these Board Members, representing Clark and Washoe Counties respectively, automatically serve on the Fish and Game Commission. The remaining 15 Advisory Board Members select six individuals from their number to serve on the Commission. In addition, the Governor appoints one at large member, which brings the total number of commissioners to nine.

8. Q. How do you account for the additional 42 people involved?

A. The County Commissioners of each county, whose representative has been selected to serve on the State Board of Fish and Game Commission, then appoint a representative to serve as County Game Board Chairman of that county. In addition, every Board of County Commissioners in the State appoint two other members to serve on the County Game Management Board, so that each county is represented by a three man Board.

9. Q. How effective has each County Game Management Board been in the implementation of Fish and Game Policies?

A. Historically, sportsmen attendance at County Game Board meetings has been insignificant, and the effectiveness of the Board has been on a minimal advisory capacity only.

10. Q. Under the present law, is there an effective chain of command that is responsible to an elected official?
- A. No. There are no specific provisions for removal of a Commissioner because of poor performance, lack of involvement or attendance. The present law does allow the Governor to declare a vacancy in the event of death, conflict of residency, or resignation.
11. Q. In the event of a vacancy just described, is the Governor then allowed to appoint a new representative?
- A. Only if the representative is from Clark, Washoe, or the at large Commissioner. In all other cases, the appointment is made by the original appointing authority... the 15 man State Fish and Game Advisory Board.
12. Q. Is this procedure consistent with the appointment of other Commissions serving the State?
- A. No. Other Commissions serve at the pleasure of, and have direct accountability to, the Governor or our State.
13. Q. How does Assembly Bill #197 protect the interests of the game rich areas of the State?
- A. Assembly Bill #197 provides that no more than one Commissioner shall be appointed from any county. In addition, no more than three shall be from the same political party. All Commissioners shall be directly appointed by the Governor.
14. Q. How does Assembly Bill #197 protect the interest of the sportsmen of the State?
- A. Assembly Bill #197 provides that each Commissioner shall be appointed by the Governor with the concurrence of organized sportsmen and conservation groups.
15. Q. Isn't this an unusual procedure?
- A. No. Other State Commission members are appointed by the Governor from a selective list submitted by interested groups or associations.



Ormsby Sportsmen's Association

Box 847, Carson City, Nevada, 89701

March 21, 1973

Exhibit 5

Honorable Roger Bremner, Chairman
Environment and Public Resources Committee
Nevada State Assembly
Carson City, Nevada 89701

Dear Sir:

The Ormsby Sportsmen's Association takes this opportunity to extend full support to A. B. 197. We believe the 5-man Fish and Game Commission will provide a more efficient and responsive working body for the welfare of Nevada sportsmen.

An essential facet of the proposal is the composition of the commission -- providing that no county could have more than one commissioner. We feel this provision provides better sportsman representation and prohibits large county control.

We believe the 5-member commission to be the common sense alignment of power and control of the Fish and Game Commission. This composition most nearly approximates that of the 5-man executive board of the former 17-member commission.

We thank you for the consideration of our strong support of A. B. 197.

Very truly yours,



George D. Wilkerson
President

GDW/DGW:ph

cc: Wayne Capurro
Nevada Wildlife Federation



NEVADA WILDLIFE FEDERATION, INC.

Affiliated with the National Wildlife Federation

P. O. BOX 49 SPARKS, NEVADA 89431

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Exhibit 6

WAYNE N. CAPURRO, PRES.
RENO

MRS. LOWELL MONDAY, SEC.
SPARKS

JACK YOUNG, TREAS.
RENO

VICE-PRES. DISTRICT NO. 1
VERLIS FISCHER
LAS VEGAS

DIRECTORS:
EVE CRAFT, LAS VEGAS
JEAN FORD, LAS VEGAS
RICHARD BRYAN, LAS VEGAS
JAMES BRUNNER, LAS VEGAS
GORDON EGGLESTON, N. LAS VEGAS
PHILIP T. GREGORY, JR., LAS VEGAS

VICE-PRES. DISTRICT NO. 2
JOHN SWEETLAND
CARSON CITY

DIRECTORS:
ANDREW BURNETT, SPARKS
LOUIE GARDELLA, RENO
AL BERNADA, RENO
BURL SUTER, RENO
MEL FELESINA, CARSON CITY
AL RAICHE, SPARKS
MARY GOJACK, RENO
BILL BRUNELL, SPARKS
HEWITT WELLS, RENO
RUSSELL RHODIG, SPARKS
DON QUILICI, CARSON CITY
JAMES TOONE, RENO

VICE-PRES. DISTRICT NO. 3
SYLVAN PETERS
ELKO

DIRECTORS:
CLAUDE GERBER, DEETH
WM. GREEN, ELKO
LINDA WRIGHT, DEETH

VICE-PRES. DISTRICT NO. 4
JEAN DUHME, ROUND MOUNTAIN

DIRECTOR:
HANK PUCKETT, HAWTHORNE

VICE-PRES. DISTRICT NO. 5
AL STONE
ELY

March 22, 1973

Hon. Roger Bremner, Chairman
Environment and Natural Resources Committee
Nevada State Assembly
Carson City, Nevada

Re: A.B. 197

Dear Mr. Bremner:

I regret that I will be unable to personally attend the hearing before your Committee with regard to A.B. 197. Unfortunately, I will be in trial on Friday, March 23, 1973. However, I have asked Mr. Jack Young, one of the Directors of the Nevada Wildlife Federation, Inc., to appear on my behalf and to read this letter, which is intended to be my testimony concerning this most important bill.

The Nevada Wildlife Federation is composed of 16 affiliate sportsmen organizations from throughout the State of Nevada. The membership of these sportsmen's organizations totals between 800 and 1,000. In addition, we have between 800 and 1,000 individual or "associate" members. The Federation has favored a 5-man Fish and Game Commission for a number of years, and that position was reiterated in Resolution No. 7 adopted at our semi-annual meeting in Elko, Nevada, on June 3, 1972. A photocopy of the resolution in question is attached to this letter.

At the outset, it should be noted that the goal which the Nevada Wildlife Federation seeks to achieve is the most efficient administration of the State Fish and Game Department. We also seek a commission which is responsive and one which can be held accountable for its actions. We also believe that criteria for the selection of commissioners should be clarified in

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Environment and Natural Resources Committee
Nevada State Assembly
Carson City, Nevada
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March 22, 1973

order to foster appointments of the most qualified and able individuals as commissioners--individuals who will willingly shoulder the extensive responsibility in this position, and who will devote whatever time is necessary to such responsibility. We believe that A.B. 197 fits these goals and we strongly urge its passage.

The concept of a 5-man Fish and Game Commission is not new. The International Association of Fish and Game Commissioners adopted a report in 1943 which recommended a 5-man group as the most efficient commission. The Nevada Fish and Game Commission itself, after its reorganization in 1948, decided to employ a leader in the field in order to analyze the administration of Fish and Game matters in the State. The result of this study was published 1951, when Dr. Ira N. Gabrielson, the expert selected for the analysis, submitted his report. The Gabrielson report recommended the appointment of a bipartisan 5-man State Fish and Game Commission, chosen at large, with the Commission to act primarily as a policy and budgetary body. Also, the Wildlife Management Institute conducted an exhaustive nationwide study, and issued its report in 1953, recommending a 5-man group. Our own Nevada Legislative Council Bureau, in Bulletin No. 36, dated January, 1959, also endorsed the concept of a 5-man commission. This report was the result of an extensive study by a committee of nine citizens and sportsmen appointed by the Legislative Commission, together with a 5-man technical staff with outstanding credentials, including leaders in the field of fish and game administration, game management and fisheries management. It certainly cannot be coincidental that each of these outstanding groups has agreed that a membership of five is the optimum number for the task.

Nevada would certainly not be alone in adopting the smaller commission. California, Oregon, Idaho, Utah, Montana and Arizona have five or less commissioners, and from all indications which we have received, such commissions are continuing to operate efficiently and as planned.

We also believe that A.B. 197 fosters a statewide approach to the administration of fish and game matters, rather than a regional approach. A smaller group will simply be forced

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Environment and Natural Resources Committee
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to face the issues confronting them as representatives of ALL sportsmen in the State of Nevada. By the same token, however, A.B. 197 insures that the game rich areas of the State are prominently represented. Thus, not more than one commissioner may reside in a given county, a provision in the Bill which all but guarantees that input from such game areas is assured. In a 5-man commission, an individual (or even a Commissioner, for that matter) who desires to suggest initiation of a given program, may do so in a much more effective and efficient manner. We believe that the concept of a 5-man commission will serve to redirect the priorities of fish and game administration, insuring that matters of primary importance, such as policy determination and budgetary matters be approached in a businesslike fashion. We feel that bag limits and seasons must be ranked as secondary in importance to these other matters. Under the present situation, there are sixty individuals involved in the policy making process for fish and game matters, and this process is cumbersome and self-defeating.

The Nevada Wildlife Federation is also confident that communication and the assignment of responsibility would improve by revamping the present system. The County Game Management Boards would be retained as advisory bodies, providing input to the Commissioners relative to all matters. However, the final responsibility would lie with a readily identifiable body. The failure by the Commissioners to carry out the responsibility entrusted in them in a reasonable manner would be conspicuous. By the same token, outstanding efforts and dedication on the part of such commission would be noticeable.

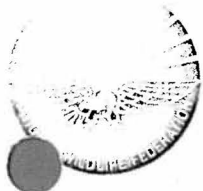
In summary, the Nevada Wildlife Federation is convinced that the best interests of the sportsmen of the State of Nevada would be served by the passage of A.B. 197.

Thank you for your consideration in this matter.

Sincerely,



WAYNE N. CAPURRO
President



National Wildlife Federation

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1412 16TH ST., N.W., WASHINGTON, D.C. 20036

Phone: 202-483-1550

8755 S. W. Woodside Drive
Portland, Oregon 97225

March 8, 1973

Exhibit 7

The Honorable Roger Bremner, Chairman
Environmental and Public Resources Committee
Nevada State Assembly
Carson City, Nevada

Dear Sir:

Recent conversations with Mr. Wayne Capurro, President of the Nevada Wildlife Federation, indicated that you are currently considering a measure having to do with the number of commission members of the Nevada Fish and Game Commission. It is my understanding that this measure proposes the reduction of the present membership of nine commissioners to five. Because of my previous association he has requested that I convey to you any thoughts I might have on this subject.

My experience with this question results from 29 years of employment by the Oregon Game Commission, of which about 18½ years were spent as Director. Throughout this time the Oregon law provided for a five-man commission and this provision still prevails. From time to time during this period various proposals were considered for increasing or decreasing the number of commissioners. Consistently, following appropriate study of the question, the conclusion was reached to maintain the membership at five in number.

There were a number of reasons for this. As I recall some of them were as follows:

1. The Commission under the Oregon law represented the policy and regulatory body for the agency. As such, there was need for maintaining a broad perspective of accountability for a statewide resource of enormous value.
2. A commission member and the commission as a whole dealt with the resources on a statewide basis and in its total context of stewardship. It was the duty of the staff to execute the program within the policy framework the commission established. Local details and the nuts and bolts of program execution were the responsibility of the chief executive officer who in turn was responsible to

The Honorable Roger Bremner

March 8, 1973

the commission for compliance with policy. To do otherwise would burden the commission with unnecessary detail and onerous time-consuming consideration of administrative matters. Under the Oregon law the director was hired by the commission. All other employees were under State Civil Service.

3. It was the concensus of those addressing this question that when the number of commissioners became greater in number, there would ensue a disposition on the part of the individual commissioners, to concentrate their attention primarily upon those matters within their local area. This would, in the opinion of many, generate a burden of administrative detail by virtue of being identified primarily with a local area and the myriad of minutae properly a function of administration. In addition it was felt that the value of commissioners addressing fish and wildlife resources on a statewide basis and as a total entity would achieve more objectivity and balance in their decision-making process.
4. An examination of kindred organizations around the country, plus consultation with a number of them, appeared to cast the balance in favor of a five-member board as being ideal. At the time, Nevada had a seventeen-member commission as I recall, and it was our understanding that during this time they operated during a large part of the year through one executive committee of five. This information likewise tended to bolster the conclusion to retain the five-member size.

It should be mentioned that throughout the period recited above the State of Oregon also had a separate agency that concerned itself with the commercial fishery policies and regulations. This commission, the Oregon Fish Commission, consisted of three members. Their purview and operations followed a very similar pattern of the Game Commission, although somewhat narrower in resource responsibilities.

In communicating the foregoing thoughts to you it is not my purpose to imply there is any magic in the number of five. They are simply offered for what assistance they may be in your reaching a decision based upon the experience of one situation.

In the final analysis, the performance of any board or commission and their agency is the product of the dedication, ability and qualifications of the individual members. It has been my

The Honorable Roger Bremner

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privilege to be personally acquainted and to have worked with both commission members and the director and staff of Nevada on many occasions over the years. Nevada has been fortunate to have had the services of the extra-ordinary skills and dedication of its members.

In balance, your consideration of moving in the direction indicated is in my opinion correct. If indeed you do adopt an amendment to establish a five-member commission, I believe it will inure to the benefit of the resources involved. This, in the final analysis, is the acid test and judgment you have before you.

Sincerely,



Phillip W. Schneider
Regional Executive

NEVADA BIG GAME

Exhibit 8
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Master Guides Association

BOX 351, ELY, NEVADA 89301

MARCH-23-73

Roger Bremner; Assemblyman
Dist. No. 3 - Clark
Las Vegas, Nevada

Dear Mr Bremner:

In reply to your letter dated
MARCH-9-73, pertaining to BILL AS-197. I wish to
express that our organization the "NEVADA BIG GAME
MASTER GUIDES ASSN." is against this Bill.

Our reasons being we have always been met
with opposition and lack of cooperation from the
FISH-GAME DEPT. WHAT EVER CONSIDERATION AND COOP-
ERATION our organization and its members have
RECEIVED, has come by the FISH-GAME COMMISSION
MEMBERS. They are the only people that have been
willing to listen, learn and cooperate with our
organization. Our organization consists of the
PROFESSIONAL LICENSED GUIDES IN NEVADA.

I have just learned that the LEGISLATIVE AND
SENATE FISH-GAME COMMITTEES have been abolis-
now they want to cut the commission down more,
contrary to Mr Broadbents REMARKS, the lack
of communication has NOT BEEN by the Commission
but within the Dept. This has BEEN my EXPERIENCE
Thanking you for your letter.

Very Truly Yours