

ASSEMBLY JUDICIARY COMMITTEE  
58TH NEVADA ASSEMBLY SESSION

MINUTES

May 8, 1975

This meeting of the Assembly Judiciary Committee was called to order by Chairman Barengo on Thursday, May 8, 1975, at 8:15 A.M.

MEMBERS PRESENT: Messrs. BARENGO, BANNER, HEANEY,  
 HICKEY, LOWMAN, POLISH, SENA,  
 Mrs. HAYES and Mrs. WAGNER.

MEMBERS ABSENT: NONE

A Guest Register from this meeting is attached to these Minutes.

S.B. 578

Mr. Michael J. Deasy appeared in behalf of the Tribal Council, Duckwater Shoshone Tribe, and presented to the Committee copies of a statement, correspondence and resolutions (attached hereto). He said the Duckwater Tribe urges this Committee to act favorably on S.B. 578 to allow the Tribe to retrocede from State jurisdiction to Federal jurisdiction. In answer to Mrs. Wagner's question as to why this was desired, Mr. Deasy said that under Federal jurisdiction the Tribe has stronger avenues of self-determination and the jurisdiction over activities which take place on the reservation. Misdemeanors would be covered under tribal law, and federal law would handle more serious matters. The Tribe wants to have the fullest amount of sovereignty so it can effectuate its own culture. He said the Bureau of Indian Affairs and the Nevada Indian Commission supports the action of the Duckwater Tribe.

A.B. 773

Mr. Bill DuBois, State Inspector of Mines, presented to the Committee a copy of an investigation of Searchlight fatalities of two minor cyclists, and a release concerning warnings on old mine workings (copies attached). He said there are approximately 60,000 to 70,000 mine openings throughout the State and, though he agreed with the sponsors of the bill, there is a problem from a logistic standpoint which may cause undue hardship on some counties to enforce this. He said his office will do everything possible to inform the public and enforce the Health and Safety Standards along this line.

Mr. Heaney noted the problem is not the present day mines, but the old mines which cannot be identified, and suggested some of this work could be carried out by college students in the summer, as well as unemployed workers.

A.B. 548

Mr. Wittenberg presented a proposed amendment to A.B. 548, copy of which is attached hereto. He stated that approximately 32% of the drivers in Nevada do not have the required no-fault insurance, and

felt this might provide a simple solution to the problem.

S.B. 446

Chairman Barengo stated there was one amendment to this bill on Line 19, changing the word "board" to "district attorney" with the same change on the second page.

Mr. Tom Cook said he understood some of the contractors associations in the state, though in favor of the bill, are in question about Section 4.

Mr. Polish moved "Do Pass" as amended on S.B. 446. Mr. Lowman seconded the motion. Motion carried unanimously by those present, Mrs. Hayes and Mr. Banner not present at the time of voting.

S.B. 507

Mr. Lowman moved "Do Pass" on S.B. 507. Mrs. Wagner seconded the motion. Motion carried unanimously by those present, Mrs. Hayes and Mr. Banner not present at the time of voting.

S.B. 524

Mr. Lowman moved "Do Pass" on S.B. 524. Mrs. Wagner seconded the motion. Motion carried unanimously by those present, Mrs. Hayes and Mr. Banner not present at the time of voting.

A.B. 728

The Reverend Larry Dunphy presented a suggested amendment to the Committee.

Meeting adjourned at 9:20 A.M.

Respectfully submitted,



Mildred Cave, Secretary



TO: Chairman and Members of the Assembly Judiciary  
Committee

FROM: Tribal Council, Duckwater Shoshone Tribe via  
Michael J. Deasy *MJD*

RE: S B 5 7 8

The Duckwater Shoshone Tribe is organized under the 1934 Indian Reorganization Act. This Act provides for the adoption of a constitution to govern the affairs of the Tribe. The Duckwater Constitution provides the results of a referendum election are binding on the Tribal Council. A referendum election was held on the Duckwater Reservation on June 6, 1974. The results of this election were 41 voters participated; 34 voted in favor of federal jurisdiction and 7 voted in favor of State jurisdiction. As a result of this referendum election the Duckwater Tribal Council adopted resolution 74-D-25 requesting the State of Nevada to offer jurisdiction to the federal government. (a copy of resolution 74-D-25 is attached). Subsequent to the adoption of this resolution, the Duckwater Tribal Council adopted resolution 75-D-2 requestion legislation be enacted whereby the Duckwater Reservation could retrocede. (a copy of 75-D-2 is attached). We are also attaching a copy of a letter dated June 20, 1974. This letter bears the signitures of 30 of the voters of the Duckwater Reservation. The eligible voting population of the reservation is approximately 50. So, as you can see better than 60% of the eligible voters of the reservation are desireous of the enactment of this legislation.

June 20, 1974

General Delivery  
Duckwater, Nevada  
89314

Mr. Harold Wyatt, Director  
Inter-tribal Council of Nevada  
98 Colony Rd.  
Reno, Nevada

Dear Mr. Wyatt,

Many people of the Duckwater Reservation, Nevada were confused about the results of the statewide Retrocession election held on May 7, 1974. The Tribal Council, in attempts to clear up the confusion, found that an overwhelming majority of the community were either confused about what Retrocession exactly meant, or did not understand the wording of the Retrocession 'question' as it appeared on the ballot.

As we point out in the accompanying Tribal Resolution, the Duckwater Tribal Council exercised its rightful responsibilities to the people of the Duckwater Reservation by holding special meetings and conducting a special election on the Retrocession question, both at the request of the tribal community. The result of the June 6, 1974 special election is that the overwhelming desire of the people of the Duckwater Reservation is to retrocede from state jurisdiction.

In view of this fact, Mr. Wyatt, the Duckwater Shoshone Tribal Council, on behalf and at the request of the Indian people of the Duckwater Shoshone Reservation, Nevada request and petition your active support of our self-determined desire to retrocede from the jurisdiction of the State of Nevada, and go under the jurisdiction of the Federal Government of the United States.

Very truly yours,

Paul Walker, Chairman  
Duckwater Shoshone  
Tribal Council

*Mrs. Helen Marie Walker*  
*Jerry McCall*  
*Walter I. McCall*  
*Marlene Thompson*  
*Wendy Thompson*  
*Alison K. Lambik*  
*Anna M. Lambik*  
*Clayton Wade*  
*William H. McCall*  
*William Blackburn*

*Clayton Wade*  
*Benjamin Washburn*  
*Raymond Washburn*  
*Lawrence Blackburn*  
*James McCall*  
*Loene Mike*  
*Paula Canyon*  
*Sharon-Lynn*  
*William Blackburn*

*William Blackburn*  
*David J. J...*  
*Conrad Mike*  
*Stewart Thompson*  
*William Blackburn*  
*William Blackburn*

## Resolution # 75-D-2

- WHEREAS: The Duckwater Shoshone Tribe is organized under the provisions of the 1934 Indian Reorganization Act; and,
- WHEREAS: The Constitution and Bylaws of the Duckwater Shoshone Tribe provide the procedure for referendum elections to be held under the auspices of the Duckwater Shoshone Tribe (see Article IX of attached); and,
- WHEREAS: The Duckwater Tribal Council caused a referendum election to be held in June, 1974 in accordance with the attached Constitution and Bylaws; and,
- WHEREAS: The results of said election are stated in Resolution No. 74-D-25 attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED THAT: The land area known as the Duckwater Reservation, Nevada be retroceded from the jurisdiction of the State of Nevada; and,

BE IT FURTHER RESOLVED THAT: Legislation be enacted by the 1975 session of the Nevada Legislature which will permit the retrocession of that area of Indian country known as the Duckwater Reservation, Nevada; and,

BE IT FURTHER RESOLVED THAT: The Nevada Indian Commission use all efforts and resources in ensuring the enactment of retrocession legislation for the Duckwater Reservation, Nevada during the 1975 session of the Nevada Legislature.

C E R T I F I C A T I O N

The foregoing resolution was adopted at a duly called <sup>SPECIAL</sup> meeting of the Duckwater Tribal Council held on JANUARY 14, 1974 at DUCKWATER RESERVATION by an affirmative vote of 3 for and 0 against and 0 abstaining. A quorum of 3 was present.

Summie Miller

SECRETARY, DUCKWATER TRIBAL COUNCIL

Resolution of the  
Duckwater Shoshone Tribal Council

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- WHEREAS, the Tribal Council of the Duckwater Shoshone Tribe of the Duckwater Reservation Nevada has determined there was serious misunderstanding of the issues and the ballot by the members of the Duckwater Tribe concerning the May 7, 1971 Retrocession Election, and
- WHEREAS, the Tribal Council has caused several tribal meetings to be held for the purpose of discussing the federal-state jurisdiction question, and
- WHEREAS, the Tribal Council has caused a tribal election to be held whereby the members of the Duckwater Tribe voted on whether the Duckwater Reservation should be under federal or state jurisdiction, and
- WHEREAS, the results of the tribal election are as follows: 41 voters, 34 in favor of federal jurisdiction and 7 in favor of state jurisdiction, and
- WHEREAS, the assumption of jurisdiction by the United States of America can take place only after the State of Nevada offers jurisdiction to the United States of America, and
- WHEREAS, the results of the tribal election indicate to the Tribal Council that it is the desire of the Duckwater Shoshone Tribe to be under federal-tribal jurisdiction.
- BE IT THEREFORE RESOLVED that the desire of the Duckwater Shoshone Tribe is to be under federal jurisdiction.
- BE IT FURTHER RESOLVED that the State of Nevada offer jurisdiction over the Duckwater Reservation to the United States of America upon receipt of this resolution.
- BE IT FURTHER RESOLVED that the Secretary of Interior, United States of America accept jurisdiction over the Duckwater Reservation, Nevada.
- BE IT FURTHER RESOLVED that the State of Nevada, its departments, agencies, commissions and political subdivisions, in particular the Nevada Indian Commission; the United States of America, its departments, agencies and political subdivisions, particularly the Bureau of Indian Affairs; and the Inter-Tribal Council of Nevada assist the Duckwater Shoshone Tribe of the Duckwater Reservation Nevada its efforts to retrocede from state jurisdiction to federal jurisdiction as speedily as possible.



CERTIFICATION

The foregoing resolution was adopted at a duly called meeting of the Duck-water Tribal Council held on June 7, 1974 at 7:00 P.M. by an affirmative vote 5 for, 4 against, and 0 abstentions.

Paul Walker  
Paul Walker, Chairman  
Tribal Council

Lillian M. Bellott  
Secretary, Tribal Council

## NEVADA INDUSTRIAL COMMISSION

## STATE INSPECTOR OF MINES

April 28, 1975

## INVESTIGATION OF SEARCHLIGHT FATALITIES OF TWO MINOR CYCLISTS

Monday, April 28, 1975, I had taken a state vehicle to be repaired and received word there from my office, at 10:00 a.m. that Mr. Decker had called from the Carson Office with instructions to immediately and thoroughly investigate an accident at Searchlight, involving two boys fatally injured in a mine shaft.

I left immediately for Searchlight. After locating Mr. Jene Myers, the Deputy Sheriff and Mr. Bill Moma, the Relief Deputy, we proceeded two miles to the site of the accident.

Mr. Myers gave me the following account:

He received a call from the Clark County Sheriffs' Office at 5:15 p.m. on the 27th of April, asking for help locating two boys. Their parents had first called the Las Vegas Office, when then called Mr. Myers.

The older boy was 13 year old Steven Lee Cope, son of Donald L. Cope, Box 32, Blue Diamond, Nevada. His first cousin, 11 year old Derek Cope, was the son of James R. Cope, 6504 Casada Way, Las Vegas, Nevada.

The two boys participated in a mini bike race that morning. The mini bike races ended at 10:30 a.m. The larger bike races started at noon. The two boys were last seen near

the pit stop area at 11:30 a.m.

With all the cycles and other activity in the area, the parents did not start looking for them until late in the afternoon, without success.

Mr. Myers began searching near the race course which is near the old shaft about two miles from town. About 6:00 p.m. he found tracks of cycles leading up over a dump and down into the shaft. He immediately called for the Clark County Search and Rescue Jeep Posse and the Police Helicopter with lights to shine into the shaft. Approaching the edge of the shaft was impossible on foot. After some two hours delay getting permission, the helicopter confirmed Deputy Myers' suspicions.

With Mr. Harold Scaggs, a County Policeman, in charge, the Jeep Posse stretched a rope across the shaft from two vehicles. They attached a pulley to the rope and lowered a man down carrying lights and a radio. The bodies were then pulled to the surface. Deputy Myers

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said he estimated the amount of rope down the shaft was 250-300 feet.

I asked Deputy Myers if they used any method of testing the air quality before or during the rescue efforts. He said no and the first time he even thought of it was when I mentioned it.

No witnesses to the accident were found.

The vertical shaft appears to be about 70 years old, sunk during the boom of Searchlight. It is approximately 5' wide and 9' long, located about two miles southeast of the center of Searchlight in Section 2; Township 29 S; Range 63 E; right in the southeast corner 1/16 section. About 100 yards East of the airport fence, and directly East of the wind sock.

It was started in the gravel on the valley floor on level ground East and West, sloping approximately 2 degrees South. Apparently it had originally been timbered two sets above the collar to afford dump room. The old lakebed caliche at or near the original collar has remained in place. No timber remained.

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The West side of the dump is about twelve feet high and higher than the dump on the other three sides. It also contains most of the bulk of the material, but is level across the top indicating the height of the collar before caving.

The North and South sides had less material and were the natural places to walk or ride up. The height on the South side where the victims drove up is about six feet. The cone or funnel formed after the timber above ground level (valley floor level) either fell out or was removed in on an angle of about 70 degrees of repose, sloping on all sides directly into the vertical shaft opening.

ONCE THE RIDERS TRAVELED OVER THE CREST OF THE LOWER SADDLE INTO THE CONE THEY HAD NO CHANCE TO STOP OR KEEP FROM FALLING INTO THE SHAFT.

The dump material is all gravel or fine eroded material.

The County Recorder keeps the county mine file maps in the court house annex. I checked the maps with Mr. Joe Pablicco, assistant to Mr. Kay Adams, Deputy under Joan Swift, the County Recorder. They were already in the process of attempting to determine ownership, requested by the Sheriffs' Office. There

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were no maps on file covering this part of Section 2 and no Notice of Location or Certificate of Location.

I did not check for previous ownership before the mapping law. Only approximate information is available on the older claims. Since the mapping law is retroactive, any owner wishing to keep their claims should have filed the required map. Also the original locations were probably filed when Clark County was still a part of Lincoln County prior to 1909.

Some location holes were found with some posts, indicating locations may have been made within the last several years. I judged them to be more than six years old.

This shaft is not on patented or private land.

K. Rollins, Deputy Inspector of Mines

NEVADA INDUSTRIAL COMMISSION

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CLAUDE EVANS  
COMMISSIONER REPRESENTING LABOR  
JAMES S. LORIGAN  
COMMISSIONER REPRESENTING INDUSTRY



ADDRESS ALL CORRESPONDENCE TO  
NEVADA INDUSTRIAL COMMISSION

REPLY TO

May 6, 1975

Inspector of Mines  
515 East Musser Street  
Carson City, Nevada 89701

Chambers of Commerce  
Concerned Citizens  
Information Bureaus  
Law Enforcement Offices  
News Media

RE: Abandoned Mine Warnings

The State Inspector of Mines has re-issued the enclosed list prepared by the Nevada Bureau of Mines and Geology concerning abandoned mine workings.

It is hopeful that the news media or other appropriate entities will cooperate to the fullest extent possible in bringing this vital issue to the attention of both youngsters and adults before they travel to mining country.

Sincerely yours,

Francis E. DuBois, 111  
Inspector of Mines

FED:csb

Encl.

STAY OUT!

(NEVADA BUREAU OF MINES AND GEOLOGY ISSUES WARNING ON OLD MINE WORKINGS)  
By LaVerne Bradley Rollin

The approach of good weather and the lure of outdoor adventure may be a sure path to tragedy in mining country, reminds the Nevada Bureau of Mines and Geology, University of Nevada.

In a re-issue of its warning on the dangers in and around old mine tunnels and shafts, the Bureau is again cautioning citizens about the hundreds, and perhaps thousands, of abandoned mine workings and prospector's diggings that provide much of the charm of Nevada's landscape. To the uninitiated, they are death traps.

Ten of thousands of new citizens have moved into the State in recent years, while tourists come and go by the millions. Many of these are families with children who spend hours exploring the adjacent desert and hills en route to or near the cities and towns where they stop.

WARNING TO THE UNWARY

It is primarily to the newcomers that the Bureau addresses its warning, but it sounds a note of caution to all adventurers who strike out cross-country either by vehicle or on foot without knowledge of the terrain. There are thousands of square miles of beautiful, safe country in Nevada in which to roam, camp, explore, rock hunt, or enjoy for what-

-more-



ever reason. But is it important to know where these areas are -- and never start out alone in an unknown direction. That sleepy, lonely, inviting hill may crest a honeycomb of shafts and tunnels below. 993

Most of the populated areas of Nevada are located near past or present mining activity, with abandoned mines within walking distance of the city limits. Reno and Las Vegas are no exceptions. Some Nevada towns were, of course, built directly on top of mine workings.

In addition, the rash of four-wheel-drive vehicles, motorcycles, and motorbikes streaking across the roadless hills and desert flats of Nevada have brought another potential disaster situation to the State.

#### TRAGEDY

In 1964 a 15-year-old Yerington boy was killed when his motorcycle ran into the open mouth of a shaft in the hills near that city.

Another time, a 19-year-old slid down an extension cord (.) to investigate a tinny noise he heard when he dropped rocks in an abandoned shaft just north of Reno. He lost his hold and fell 45 feet.

Again, a 16-year-old started down a rope to probe a 170-foot abandoned shaft near Sparks. He lost his grip and fell 55 feet.

Both of these boys were lucky -- they survived. But they are alive today only because the shafts were shallow and they had friends along who could go for help.

A Wooster High youngster, exploring a mine tunnel north of Reno, was not so fortunate. He and his friends found an enchanting old ore car still on its tracks in the adit. As the boy took his turn to ride the little car to the mine dump, it broke the barricade and plunged into the gulley below. He died.

And recently there was the woman gathering obsidian in a mine tunnel near Baker, Nevada. The tunnel caved in and she was crushed.

These tragedies and near-tragedies have been repeated in many parts of the State over the years.

#### MINE EXPERT WARNS

Dr. Arthur Baker III, Dean of the Mackay School of Mines, states, "A modern mine worked by well-trained, safety-conscious men is safer than one's own home. An abandoned mine or tunnel entered by laymen with no knowledge of its dangers is infinitely more dangerous than a rush-hour freeway. Old shafts can be deep and deceptive. A rock tossed down a hole to test its depth means very little. The rock could hit a ledge or a piece of timber or metal, and lead one to believe it had struck bottom, while the shaft might continue on for hundreds of feet."

Nor is danger always confined to the inside of a shaft, says Baker. Decomposed rock near the collar, and adjacent tunnel cave-ins, can suddenly give way and plunge a person to almost certain death.

Rotted timber, winzes, cave-ins, bad air, deep water, explosives, rattlesnakes. One can die in many ways in old mine country. He can fall, suffocate, drown, be crushed, buried alive, or blown to bits. A more complete list of the possibilities is given below.

#### RESCUE

Rescue? If there is someone to go for help, call the county sheriff. He will know what is needed and what group to contact.

The U. S. Bureau of Mines has a mine-rescue team in Reno. And Reynolds Electric and Engineering Co., working for the Atomic Energy Commission has a mine-rescue team at Mercury, Nevada. These groups train and operate in connection with working mines, but they have the equipment and know-how to help in an emergency. Other search and rescue groups, as well as fire departments, are also available. But call the sheriff first. He is in a better position to organize a rescue operation.

Before risking the need to be rescued, however, it is important to know that any mine rescue is difficult and dangerous for both the rescued and the rescuer.

Even a small amount of falling rock or timber could kill the victim and it is almost impossible to enter a shaft without dislodging some material.

Also, one of the cardinal rules in mine rescue is to avoid all unnecessary risk. It makes no sense to kill one man to rescue another, par-

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ticularly when there is a good chance that the person to be rescued is already dead. Death or injury faces any professional rescue team that takes chances, and these teams are trained to know the odds. However, it's mathematically certain that in making a given number of rescues, rescuers face the inevitable unknown factor that results in serious injury or death. Anyone, adults as well as children, should consider this when tempted to enter abandoned mines.

The Nevada mining statute (N.R.S. 455.010 through 455.060) which provides for the fencing of abandoned shafts "for the protection of animals and people" is to a large extent unenforceable -- most of these workings are so old that no responsible owner can be traced, and any barriers that are erected are subject to destruction by time and human beings. Old shafts and tunnels might also be covered with steel doors and locked, as suggested by some, but even if authorities were to undertake enforcement of such a measure, nature would impose a continuing deterioration of adjoining surfaces, and an endless job of maintenance. Furthermore, fences or locked doors will not keep out small boys, or grown ones, intent on exploration.

It is a matter of educating the public -- parents as well as children -- to the dangers of loosely indulging a love of adventure in an area of certain risk if not certain harm, according to the Bureau of Mines and Geology authorities. Youngsters interested in exploring, who are drawn to abandoned tunnels and caves in old mine areas, should

secure advice from an experienced source before starting out, and they should stay away from shafts entirely.

For the benefit of those not familiar with mines and their dangerous characteristics, the Bureau lists the following:

DANGERS IN AND AROUND ABANDONED MINES  
NEVADA BUREAU OF MINES AND GEOLOGY  
UNIVERSITY OF NEVADA, RENO

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SHAFTS:

FALLING: A MINE SHAFT IS DECEPTIVE TO THE UNINITIATED. BECAUSE THERE IS LITTLE OR NO LIGHT DOWN A DARK HOLE, THE FEELING OF HEIGHT AND NORMAL REACTION TO "PULL BACK" IS NOT EVIDENT IN MOST PERSONS. MANY PEOPLE WHO WOULD HESITATE TO LOOK OVER THE SIDE OF A TALL BUILDING DO NOT SHOW ANY FEAR WHEN LOOKING INTO A MINE SHAFT. THE FALL DOWN A MINE SHAFT IS JUST AS LETHAL AS THE FALL FROM A TALL BUILDING - WITH THE ADDED DISADVANTAGE OF BOUNCING FROM WALL TO WALL IN A MINE SHAFT AND THE LIKELIHOOD OF HAVING FALLING ROCKS AND TIMBERS FOR COMPANY.

LADDERS: THE LADDERS IN MOST ABANDONED MINES ARE UNSAFE. LADDER RUNGS ARE OFTEN MISSING OR BROKEN. SOME WILL FAIL UNDER THE WEIGHT OF A CHILD BECAUSE OF DRY ROT. VERTICAL LADDERS ARE PARTICULARLY DANGEROUS. IT IS IMPOSSIBLE TO CLIMB DOWN A VERTICAL LADDER AND EXAMINE EACH RUNG BEFORE PLACING WEIGHT UPON IT. USE OF A ROPE WILL PROTECT THE CLIMBER FROM FALLING - BUT WILL ALSO ACT TO DISLodge ROCKS AND TIMBERS ABOVE THE CLIMBER.

TIMBER: THE TIMBER IN ABANDONED MINES IS USUALLY DECAYED. THIS DANGER IS NOT APPARENT AS THE TIMBER OFTEN LOOKS VERY SOLID - WHEN IT ACTUALLY CAN BE CRUSHED WITH THE SQUEEZE OF A HAND. OTHER TIMBER, ALTHOUGH IN GOOD CONDITION, BECOMES LOOSE AND WILL FALL AT THE SLIGHTEST TOUCH. UNFORTUNATELY, THE TIMBER DOES NOT ALWAYS FALL UNTIL THE PERSON DESCENDING THE SHAFT IS BELOW THE TIMBER.

LOOSE ROCK: A MINE SHAFT WILL WEATHER IN MUCH THE SAME WAY AS A CLIFF. THERE ARE ALWAYS LOOSE ROCKS ON TIMBERS OR ON THE WALLS. A ROCK THE SIZE OF A PEANUT, WHEN FALLING A HUNDRED FEET, CAN EASILY PENETRATE A PERSON'S SKULL. LARGER ROCKS ARE NOT NECESSARILY MORE LETHAL - THEY ONLY MAKE A TOUGHER JOB FOR THE MORTICIAN, IF THE BODY IS EVER RECOVERED.

COLLAR CAVE-INS: THE COLLAR OR TOP OF A SHAFT IS PERHAPS ITS MOST DANGEROUS AREA TO THE LAYMAN. THE ROCK IS ALREADY DECOMPOSED - THE TIMBERS ARE MORE LIKELY TO HAVE DECAYED - AND CONDITIONS IN GENERAL ALLOW FOR RAPID DISINTEGRATION AT THE OPENING. IT IS FOR THIS REASON THAT MERELY LOOKING DOWN A SHAFT IS DANGEROUS - THE WHOLE AREA IS OFTEN READY AND WILLING TO SLIDE INTO THE SHAFT, ALONG WITH THE CURIOUS.

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BAD AIR: MINERS USE THE TERM "BAD AIR" TO DESCRIBE AN ATMOSPHERE THAT WILL NOT SUPPORT LIFE. THE POOR AIR CIRCULATION IN SHAFTS OFTEN ALLOWS CARBON MONOXIDE OR CARBON DIOXIDE TO ACCUMULATE. BOTH OF THESE GASES ARE TREACHEROUS IN SHAFTS AND EVEN EXPERIENCED MINERS HAVE BEEN KILLED BY ENTERING AREAS CONTAINING THEM. LITTLE EFFORT IS REQUIRED TO GO DOWN A LADDER AND THE EFFECTS OF "BAD AIR" MIGHT NOT BE NOTICED. WHEN CLIMBING OUT OF A SHAFT A PERSON REQUIRES MORE OXYGEN AND WILL BREATHE MUCH DEEPER. THE RESULT IS DIZZINESS FOLLOWED BY UNCONSCIOUSNESS. IF THE GAS DOESN'T KILL YOU, THE FALL BACK INTO THE SHAFT WILL. CARBON DIOXIDE CAN BE DETECTED BY A MATCH OR CANDLE - AS BOTH WILL REFUSE TO BURN. CARBON MONOXIDE CAN NOT BE READILY DETECTED, AND IS LETHAL IN VERY SMALL AMOUNTS.

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WATER: MANY MINE SHAFTS CONTAIN POOLS OF WATER AT THE BOTTOM. DROWNING IS AN OBVIOUS DANGER IN SUCH SITUATIONS.

RATTLESNAKES: ANY PROTECTED HOLE OR LEDGE IS A NATURAL HABITAT FOR SNAKES. THIS IS A PARTICULAR HAZARD IN SHALLOW SHAFTS AND IN SHAFTS WITH NEAR-SURFACE WORK LEVELS OR STOPES.

TUNNELS:

CAVE-INS: CAVE-INS ARE A DANGER IN ANY MINE. AN EXPERIENCED MINER CAN OFTEN DETECT AREAS THAT ARE LIKELY TO CAVE. A LAYMAN STANDS LITTLE CHANCE OF MAKING A PROPER EVALUATION. MINOR DISTURBANCES, SUCH AS VIBRATIONS CAUSED BY WALKING OR SPEAKING, MAY CAUSE A CAVE-IN IN AN ABANDONED MINE. IF A PERSON IS CAUGHT IN A CAVE-IN HIS TROUBLES ARE SOON OVER AS HE WILL USUALLY BE CRUSHED TO DEATH OR SUFFOCATE. A LESS CHEERFUL POSSIBILITY IS TO BE TRAPPED BEHIND A CAVE-IN WITH NO ONE KNOWING THAT YOU ARE TRAPPED. DEATH MAY COME THROUGH STARVATION, THIRST, GRADUAL SUFFOCATION, OR SHEER FRIGHT.

TIMBER: THE TIMBER IN HORIZONTAL WORKINGS IS SUBJECT TO DECAY. A WELL-TIMBERED MINE OPENING CAN GIVE A SENSE OF SECURITY WHEN IN FACT THE TIMBER CAN BARELY SUPPORT ITS OWN WEIGHT. THERE IS THE CONSTANT DANGER OF INADVERTENTLY BRUSHING AGAINST A TIMBER AND CAUSING THE ENTIRE AREA TO COLLAPSE.

BAD AIR: CARBON MONOXIDE AND CARBON DIOXIDE OFTEN COLLECT IN LOW AREAS OR ALONG THE FLOOR IN HORIZONTAL WORKINGS, PARTICULARLY WHEN THERE IS ONLY A SINGLE OPENING. A PERSON CAN WALK INTO THESE AREAS AND SAFELY BREATHE THE GOOD AIR ABOVE THE GASES. HOWEVER, THE MOTION OF THE AIR CAUSED BY WALKING WILL MIX THE GASES WITH THE GOOD AIR, AND, WHEN WALKING OUT OF THE TUNNEL, THE GASES WILL BE MIXED IN LETHAL QUANTITIES WITH THE GOOD AIR. THERE ARE MANY CASES WHERE EXPERIENCED MINERS HAVE BEEN KILLED WHILE WALKING OUT OF A MINE AFTER SAFELY WALKING IN.

WINZES: A SHAFT SUNK FROM A TUNNEL IS CALLED A WINZE. IN MANY OLD MINES WINZES WERE SUNK IN THE FLOOR OF TUNNELS - AND THEN BOARDED OVER. IF THESE BOARDS HAVE DECAYED, A PERFECT TRAP IS WAITING FOR THE FIRST PERSON THAT STEPS ON THE BOARDS.

WATER: MANY TUNNELS IN NEVADA HAVE WATER STANDING IN THEM OR SMALL STREAMS FLOWING OUT OF THEM. WHEN WATER IS STANDING OR FLOWING ON THE BOTTOM OF A TUNNEL, IT IS USUALLY IMPOSSIBLE TO SEE THE BOTTOM AND THERE IS ALWAYS THE DANGER OF STEPPING INTO A WINZE OR OTHER DEEP HOLE.

RATTLESNAKES: OLD MINE TUNNELS ARE AMONG THEIR FAVORITE HAUNTS - TO COOL OFF IN SUMMER - OR IN SEARCH OF RODENTS AND OTHER SMALL ANIMALS.

EXPLOSIVES: GOOD MINERS NEVER CARELESSLY DISCARD EXPLOSIVES; HOWEVER, MANY ABANDONED MINES, BOTH SHAFTS AND TUNNELS, CONTAIN OLD EXPLOSIVES LEFT BY CARELESS WORKERS. THIS IS ILLEGAL AND VERY DANGEROUS. EXPLOSIVES FOUND IN OLD MINES INCLUDE DYNAMITE AND FUSES AND CAPS. EXPLOSIVES SHOULD NEVER BE HANDLED BY ANYONE NOT THOROUGHLY FAMILIAR WITH THEM. EVEN EXPERIENCED MINERS HESITATE TO HANDLE OLD EXPLOSIVES AS THEY ARE EXTREMELY DANGEROUS. OLD DYNAMITE OFTEN CONTAINS FREE NITROGLYCERIN AND WILL EXPLODE WITH THE SLIGHTEST DISTURBANCE.

DYNAMITE CAPS ARE PERHAPS THE MOST DANGEROUS. MICE AND RATS, COMMON IN ALL MINES, SCATTER DYNAMITE CAPS ON THE FLOORS. IF THESE CAPS ARE STEPPED UPON THEY WILL EXPLODE. SUCH DYNAMITE CAPS ARE OFTEN COVERED WITH DUST AND DIFFICULT TO SEE. THE ONLY WAY TO AVOID THIS DANGER IS NOT TO ENTER MINE WORKINGS IN THE FIRST PLACE.

IN FACT, THERE IS ONLY ONE SAFE WAY FOR ANY INEXPERIENCED PERSON TO DEAL WITH ABANDONED MINES AND TUNNELS -- STAY OUT.

#### RESCUE PROBLEMS

RESCUING A PERSON FROM A MINE ACCIDENT IS USUALLY DIFFICULT AND DANGEROUS FOR BOTH THE RESCUED AND THE RESCUER. A RESCUER MUST AVOID DISLODGING ANY TIMBER OR ROCK THAT MIGHT FALL ON THE VICTIM -- AND THIS IS AN ALMOST IMPOSSIBLE JOB.

ONE OF THE CARDINAL RULES IN MINE RESCUE IS TO AVOID ALL UNNECESSARY RISK. IT MAKES NO SENSE TO KILL ONE MAN TO RESCUE ANOTHER, PARTICULARLY WHEN THERE IS A GOOD CHANCE THAT THE PERSON TO BE RESCUED IS ALREADY DEAD. DEATH OR INJURY FACES ANY PROFESSIONAL RESCUE TEAM THAT TAKES CHANCES AND THESE TEAMS ARE TRAINED TO KNOW THE ODDS. HOWEVER, IT IS MATHEMATICALLY CERTAIN THAT IN MAKING A GIVEN NUMBER OF RESCUES, RESCUERS FACE THE INEVITABLE UNKNOWN FACTOR THAT



RESULTS IN SERIOUS INJURY OR DEATH. ANYONE, ADULTS AS WELL AS CHILDREN, SHOULD CONSIDER THIS WHEN TEMPTED TO ENTER ABANDONED MINES.

(COPIES OF THE ABOVE WARNING MAY BE OBTAINED FOR POSTING OR DISTRIBUTION BY WRITING THE STATE INSPECTOR OF MINES, 515 EAST MUSSER STREET, CARSON CITY, NEVADA 89701)

-END-

PROPOSED DRAFT

Assembly Amendment to Assembly Bill 548

BDR 57-1514

Mr. Wittenberg

Amend section 1, page 1, delete lines 6 through 14 and insert:

"2. Whenever a person operating a motor vehicle is halted by a peace officer for violation of a traffic law and is issued a citation, he shall be informed that he is required to provide the court with proof that he had the security required by NRS 698.190 at the time the traffic citation was issued.

3. In addition to any other fine and assessment of demerit points, any such person who does not provide the court with proof that he had the security required by NRS 698.190 shall be punished by a fine of \$100 and assessed four demerit points."

Amend the bill as a whole, delete section 2.