

MINUTES

ENVIRONMENT AND PUBLIC RESOURCES COMMITTEE
February 3, 1977

Members Present: Chairman Moody
Mr. Coulter
Mr. Chaney
Mr. Jeffrey
Mr. Kissam
Mr. Ross
Mr. Serpa
Mr. Polish
Mr. Howard

Guests Present: Dean A. Rhoads, Assemblyman
Glen K. Griffith, Fish and Game Department
Bill Parsons, Fish and Game Department
Louis Bergevin, Nevada Cattlemens Association
Howard Winn, Nevada Cattlemens Association
Frank Meranto
John Medie

The meeting was called to order by Chairman Moody at 3:00 p.m. He explained that this meeting was for the purpose of taking testimony and discussing A.B. 188 and A.J.R. 18. Mr. Moody called for testimony in behalf of A.B. 188.

ASSEMBLY BILL 188

Mr. Glen Griffith of the Nevada Fish and Game Department and Bill Parsons, Chief of Law Enforcement for the Department appeared to testify. Mr. Griffith said that the bill is department and commission sponsored and Section 1 is to try to establish a means of identifying traps that are being used by trappers. They have had requests from trappers and non-trappers for more responsibility on the part of ethical trappers as traps are being stolen, many times along with the valuable pelt. Marking traps would assist in recovering stolen property and deter stealing of traps. It would help to enforce more responsible trapping. They would like to include "wildlife except unprotected species" in place of the wording now used so as to include raptors, which are birds of prey (hawks, owls and eagles), as the previous wording only covered game animals or game birds. The changes in the wording regarding aircraft and motor driven vehicles is to effect the same situation. He stated that they do have a permit system to allow the use of aircraft for predator control. The changes regarding helicopters in transporting game animals

February 3, 1977

or game birds, hunters or hunting equipment, is primarily concerned with the transportation of raptors, as they bring prices in terms of thousands of dollars. Sophisticated means of poaching are necessary for these birds. It would give better control, also, on the other game animals. Regarding Section 3, the change proposed is to try and effect a more frequent requirement for visiting traps so that non-target species which are trapped could be released before they die. Particularly hawks, owls, eagles and other protected species such as the desert kit fox. As to sub-section 4, this pertains to the capture of raptors, and the commission feels that since in a nest of two birds, one will be dominant and aggressive and survive and the other will die, this change would allow permits to take one of the young birds from the nest and the other would then survive, which would not adversely affect the population of the raptors but would allow persons with permits to obtain birds, especially falcons, while they are young. This would be better than trapping the adult birds. Quotas would be set depending on abundance.

Mr. Polish asked what problems the department is having with trappers not visiting their traps. Mr. Griffith said they have no problems with the responsible trappers. The problem is more with people with stolen traps who don't even check them for considerable periods of time, such as three or four weeks. Mr. Polish thought most trappers already marked their traps. Mr. Griffith said a lot of them do, but the department would like to make it a requirement. It would also make for easier identification of stolen traps. Poachers will take any chance as bobcat pelts, for example, are going for up to \$400. There is a requirement that there be no sight bait as raptors do not hunt by smell but by vision. Poachers many times use sight bait as it is a more sure thing. If the traps are marked the department can determine who is doing the illegal baiting and if those traps had been reported stolen. If they are not marked they can keep a watch for the trappers to return. In one case three eagles were killed in one week by one person using sight bait and an unmarked trap.

Mr. Coulter asked if there had not been a bill in the last session on the same problem. Mr. Griffith replied yes, and it lost because there was a trapper from Sparks who testified vehemently against it.

Mr. Moody asked how the department thought it could be capable of enforcing the 36 hour limit. Mr. Griffith said that it is a little bit arbitrary. But it does give them something to go on. This is especially aimed at people trying to catch pelts because of their value. They are trying to protect the legal trappers.

February 3, 1977

Mr. Serpa wanted to know what the cost would be for enforcement of the 36 hour limit. Mr. Griffith said they are not asking for additional money for this purpose. They will use the personnel they now have and the bill will give them the authority they do not have now for enforcement. Mr. Serpa asked about the permits for hunting coyotes from airplanes, and would they be issued for an extended period of time. Mr. Griffith said permits are issued to ranchers and certified pilots to do this work. It would not be given to just anyone, they would have to meet certain qualifications. It would be on the basis of removing the predatory animals. The permit is covered elsewhere in the statute. Mr. Parsons stated that the permits are issued on the basis of a federal statute and they are usually issued on a fiscal year basis.

Mr. Howard stated that it seemed to him that the main problem was in enforcement and the marking of the traps would take care of that and offset the seven day time limit being changed to 36 hours as there would be no better law enforcement with the 36 hours rather than the seven days. Mr. Griffith said the advantage of the shorter visitation time was the protection of the animals which should be released before they die. Mr. Howard believed that the law against sight bait and the identifying of the trap would solve that problem without the 36 hour limit. Some of the government and old time trappers with long trap lines have a physical impossibility of visiting the traps in that short a period of time. Mr. Griffith stated that some trappers are using artificial fur and foil as bait which is not illegal as it is not part of an animal so it can be used as sight bait.

Mr. Chaney asked if the department would have to use more personnel to enforce the 36 hour checking of the traps. Mr. Griffith said this did not mean that all the traps would be checked every 36 hours, but this would give them a means of enforcement.

Assemblyman Dean Rhoads testified in opposition to A.B. 188. He is a cattle rancher with a coyote problem. He is opposed to marking traps as it is kind of like gun control. The good guys will mark theirs and the violators won't. How is the Fish and Game Department going to determine the ownership of unmarked traps? He feels it is unenforceable and unnecessary. There are too many regulations on the books. He doesn't approve of the change in terminology. He feels that the wildlife designation is too broad. He also felt that the 36 hour visitation of traps is an impossibility and impossible to enforce. It would be impossible to take care of predator control along with the restrictions on poison and airplane

February 3, 1977

restrictions and it would be a rough blow to the livestock industry. Mr. Rhoads feels that the bill is not needed.

Louis Bergevin of the Nevada Cattlemens Association stated that his organization is totally opposed to Section 2 of the bill where they strike out the words "game animals" and insert "wildlife", and making it unlawful to shoot from aircraft and helicopters. Even with the permit system, they could be denied the permit. The ranching industry, especially cattle and sheep, are on the verge of bankruptcy and they don't need any more problems for existence. He feels the present law is sufficient. He also feels that the Fish and Game Department might be arbitrary in issuance of permits for disposing of predators.

Mr. Griffith stated that the permit system for shooting from aircraft and helicopters has been on the federal and state books for years and this new bill would not change anything in relation to the permit system. They are merely trying to protect endangered species.

Chairman Moody concluded the hearing on A.B. 188.

ASSEMBLY JOINT RESOLUTION 18

This is a resolution memorializing Congress to study and act on the hazards of certain aerosol propellants. Mr. Serpa explained that this has to do with the breakdown of the ozone layer and it should be something that we look into and be aware of.

Mr. Jeffrey stated that in the last session they passed a similar resolution. Since that time quite a bit of work has been done on this problem. Although this may be an unneeded resolution, he feels that it should be approved.

Mr. Coulter moved that the resolution be passed, he was seconded by Mr. Howard and the resolution was passed unanimously.

Chairman Moody instructed members of the committee to read the minutes of the February 1, 1977, meeting and some form of action will be taken on A.B. 126 and A.B. 155 on February 8.

ASSEMBLY BILL 188

Mr. Moody asked for discussion on A.B. 188 which was just heard. Mr. Howard feels that it is a needless act. Following a general discussion regarding the changing in the wording

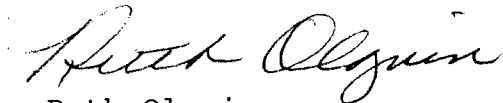
February 3, 1977

and the fact that this had been presented at the last session and not passed, and the same objections having been raised this time, the members of the committee did not feel that this law is necessary at this time. Mr. Serpa felt that more problems would be caused by identifying the traps than would be solved. Mr. Kissam said no evidence was heard that the 36 hour trap inspection is feasible, and the department only said that they wanted it, but did not present enough good reasons.

Mr. Kissam made a motion that A.B. 188 be indefinitely postponed. The motion was seconded by Mr. Howard and passed unanimously.

Mr. Serpa moved for adjournment, was seconded by Mr. Coulter and the motion was passed. The meeting was adjourned at 3:40 p.m.

Respectfully submitted,



Ruth Olguin
Assembly Attache