Minutes of the Nevada State Legislature

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Assembly Committee on ENVIRONMENT & PUBLIC RESOURCES & SENATE NATURAL RESOURCES

Date: March 22, 1979.

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MEMBERS PRESENT:

Senator Neal Senator Faiss Senator Lamb Senator Jacobsen Assemblyman Coulter
Assemblyman Fielding
Assemblyman Polish
Assemblyman Prengaman
Assemblyman Rhoads
Assemblyman Bedrosian
Assemblyman Dini
Assemblyman Bergevin

MEMBERS ABSENT:

Senator Glaser (excused)
Senator Sloan (excused)

Assemblyman Price (excused)

GUESTS PRESENT:

See attached listing.

A quorum of both committees being present, Chairman Neal called the meeting to order at 2:15 p.m. for the purpose of hearing testimony on <u>SB 333</u>:

Revises Fish and Game laws.

Senator James Gibson was the first to testify on this bill as he is the chief sponsor of the bill. He explained that the motivation for the introduction of this bill came out of their efforts from the last session in conjunction with SB 153 which reorganized the Department of Conservation and Natural Resources. It had become apparent that not enough study had been given to the special problems associated with Fish and Game and its related functions in conservation and wildlife preservation. He further explained that, at his request, Mr. Ray Knisley, Russ McDonald and Howard Winn set about working on this problem and in the last two years have devoted hundreds of hours to this problem. Senate Bill 333 is a result of their combined efforts. He advised the committees further that Mr. Knisley travelled to almost every state west of the Mississippi reviewing their laws on fish and game and wildlife. The present legislation, he noted, has been formulated through many different peoples opinions of what should be done. Ones conclusion that they came to early on was that they had reached a limit of the opportunity that could be pursued with the available resources. They have been restricted to the various fees developed through hunting and fishing, etc. The sum and total of these funds which are represented by federal returns to our state have remained fairly static in the face of inflation. The result has brought a deterioration in the ability of the Fish and Game Department to discharge its responsibility and a consequent deterioration in the wildlife throughout our

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Minutes of the Nevada State Legislature

Assembly Committee on ENVIRONMENT & PUBLIC RESOURCES and SENATE NATURAL RESOUR

Date: March 21, 1979

state. Therefore, an essential point of this bill is the beginning of acknowledgment that the state should commit some General Fund resources to the development of our wildlife resources and its preservation. He noted that this is a radical departure from legislative theory in the past. He noted that this bill along with the commitment of General Fund money also develops an agency requiring budget review by the legislature and he feels the two go hand-in-hand. He noted that they decided to change the name from Fish and Game Department to Department of Wildlife because of the connotation in this latter name of preservation of our wildlife, as well as, the sportsmen aspect.

Page: 2

Senator Gibson noted certain particulars. The bill recommends that the Board be reduced to five members and those persons representing different interests, as spelled out in the bill (p. 1, lines 18 through 20 and p. 2, lines 1 through 5). He noted that he remains flexible in this area.

They would establish from within the General Fund the wildlife account. Into this account would be paid the present sources of revenues, federal funds, various fines, etc. This fund is reserved for the use of this department. This would then be the source for the foundation of the budget. He then noted the last section of the bill wherein it designates the appropriations from the General Fund into this account.

Senator Gibson noted that the qualifications for the director are spelled out in this bill (p. 4, lines 22 through 25).

He noted the extent of interest in this bill from all over the State of Nevada and emphasized that the one general impression that he received was the fact that the people are really concerned at the status right now. They agree that some strong efforts must be made in order to improve the situation.

Senator Lamb addressed Senator Gibson and noted that he is not opposed to the Fish and Game, he is opposed to the way it has been managed in the past. He further noted an example of the ranches that have been acquired by them. He said they probably have over 20,000 acres of ranchland that has just been let go. His argument is that they have quit growing the grain that any game bird needs to eat. He cited an example in Yerington. Senator Lamb stated that if he were assured that they were going to sell back these ranches, he would be with this bill 100% He asked of Sen. Gibson what then would be their plan in this Sen. Gibson stated that they are attempting to strengthen the organizational ability to carry out the functions assigned and to commit the added resources needed. As far as the detailed plans go, he doesn't think you can project them at this time until the above is implemented. Senator Lamb noted his concern over our game, such as the antelope and the deer and that there has got to be, therefore, some real management.

Assembly Committee on ENVIRONMENT & PUBLIC RESOURCES and SENATE NATURAL RESOUR Date: March 21, 1979

Page: 3.

Assemblyman Rhoads explained that he has seen a very serious problem in the Fish and Game in Montana in regard to buying up a lot of these ranches and turning them into game farms. He stated that he'd like to see some wording put into the bill to encourage the rancher or the private land owner to let wildlife people come in and hunt and fish and to do a better job raising the habitat. He noted a very strong negative feeling presently between the Fish and Game people and the private land owner and he would like to see some form of a cooperative program established.

Upon questioning from Senator Faiss, Senator Gibson explained in detail what the difference the new structure would make in the way things have been handled before. He cited page four of the bill, particularly lines 22 through 25.

Senator Jacobsen questioned the need for changing the name to that of the Department of Wildlife. Senator Gibson explained that there is a trend across the country to change the connotation to incorporate more people than just those interested in hunting and fishing, i.e., conservation and environmentalists.

John Crossley, Legislative Auditor, was next to testify on this bill noting certain technical amendments to this bill. A copy of his letter addressing this subject and his attached amendments is attached hereto and entered as <u>Exhibit "A"</u>.

Mr. Thomas Cates, representing the Nevada Organization for Wildlife, was next to testify in support of this bill. He noted, however, that they had some amendments to propose. Said amendments are attached hereto and entered as Exhibit "B".

Assemblyman Rhoads inquired as to whether or not Mr. Cates and his organization would have any objection to having only one member from a county. Mr. Cates said this would by okay.

Upon questioning from Assemblyman Prengaman, Mr. Cates explained that in this representation they do not exclude the representative of the general public as they feel he is included under the interest of the sportsmen.

Mr. Bob Glassburn, representing the City of Henderson, Society of Nevada Sportsmen and Henderson Rod & Gun Club, then testified in support of this bill, including the proposed amendments of Mr. Cates (Exhibit B). He also brought forth a listing of signatures of people who he said support the bill. This listing is attached hereto and entered as Exhibit "C".

Mr. David Rollins, representing the Southern Nevada Conservation Council, testified in support of this bill, including the proposed amendments of Mr. Cates (Exhibit B).

Mr. Robert McDonald, Chairman of the State Board of Fish and Game Commissioners, testified in support of the general funding aspect of the bill, but against reduction of the size of the Commission.

Minutes of the Nevada State Legislature

Assembly Committee on ENVIRONMENT & PUBLIC RESOURCES & SENATE NATURAL RESOURCE DMarch 21, 1979

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A copy of Mr. McDonald's remarks is attached hereto and entered as Exhibit "D".

As to previous statements and questions expressed by Senator Lamb, Mr. McDonald stated that he would furnish these committees with information as to exactly what has happened on these farming lands. Plus, regarding earlier comments of the wildhorse problems in the state, he merely wanted to clarify that they have no jurisdiction over the wildhorse problem. He then detailed the above noted opposition to the makeup of the Fish and Game Commission as proposed They had the thought of enlarging the amount of in this SB 333. members rather than decreasing. He feels that a nine member commission is better than five members. There then followed further discussion as to the makeup of this commission.

Mr. Ray Knisley then testified on this bill as one of the three men who drafted this bill. He stated that they realized what was about to happen to the department was wrong. He noted the problems they encountered trying to get the bill drafted. Mr. Knisley emphasized that not only is Nevada losing its wildlife, but the entire North American continent is losing its wildlife. He then detailed for the committees exactly what he'd encountered in this regard in several states. Mr. Knisley stated that something has to be done. In order to bring back our wildlife, he stated that we have to have a very broad cooperation with the people on the land; there has to be feed provided for the animals and management of that.

Upon questioning from Assemblyman Prengaman concerning why there was no representation noted for a member to represent the general public, Mr. Knisley explained that they didn't want to tie it down too tight. They hoped that anyone appointed to the commission would also realize that he had an inherent right to represent the public at large.

Mr. Stan Colton, Treasurer of the State of Nevada, was next to testify on this bill. He wanted to call their attention to page 19, lines 7 through 13 of S.B. 333. wherein it refers to a proposed wildlife account. He explained a technical problem related to this in that interest is paid on funds and not on accounts. Senator Neal advised Mr. Colton that this problem has been noted and Senators Lamb and Gibson are working it out through an amendment.

Mr. Hewitt C. Wells, representing the Nevada Wildlife Federation, testified in support of S.B. 333 including the proposed amendments of Mr. Cates (Exhibit B).

Mr. John Sweetland, Carson City Game Management Board, testified in support of this bill. He detailed for the committee the general feelings of the sportsmen of this area by stating that the Department of Fish and Game or Wildlife gets a shot in the They need the monies through the general fund. He stated that there is, in fact, geographical representation and it is his opinion that it is not used to its fullest, i.e. the Game

(Committee Minutes)

Minutes of the Nevada State Legislature

Assembly Committee on ENVIRONMENT & PUBLIC RESOURCES & SENATE NATURAL RESOURCES

Date: March 21, 1979

Page: ____5___

Management Board. In the area of the commission, he stated that he felt a five-man commission would be a good body; it would be more reflective and representative than a larger body.

Upon questioning from Assemblyman Prengaman, Mr. Sweetland explained that the Game Management Board is supposed to reflect the opinions and desires of the sportsmen to the commission to help make recommendations.

Senator Jacobsen asked of Mr. Sweetland if he would like to see mandatory monthly meetings with a member of all the county game management boards being there and the commission picked up the fare for travel and Mr. Sweetland replied that he would be very supportive of something like that.

Assemblyman Dini asked Mr. Sweetland that with the current trend in growth in northern Nevada would anything they might do for the Fish and Game Department actually help the game situation. Mr. Sweetland answered that he thought there were a few areas that could help, such as winter range for deer acquisition that could be salvaged. Assemblyman Bergevin noted that the ranches, etc., that have been acquired so far are not producing as stated before by Senator Lamb. There followed a further detailed discussion of this problem.

Assemblyman Rhoads noted with Assemblyman Bedrosian the problem of the ranchers selling out their hunting rights to private clubs and he has formulated a study on this problem.

Mr. Jeff van Ee, representing the Toiyabe Chapter of the Sierra Club, testified in support of this bill, including the proposed amendments of Mr. Cates.

The following listing is a listing of all the people who testified in support of this bill. The asterisk denotes those who mentioned in particular that they were in favor of the proposed amendments of Mr. Cates (Exhibit B).

Supportive of S.B. 333:

R. Gene DiSanza, Silver Flipper Scuba Club
John Hiatt, Red Rock Audubon Society*
Allen Rosecrans, Nevada BowHunters Association
Fred Radtke, Clear Creek Bowmen
Frank Buckley, Las Vegas Group Sierra Club*
Mike Nissen, Ormsby Sportsmens' Association*
Ted Hunsberger, Nevada Organization for Wildlife
Chuck Sessions, So. Nev. Offroad Enthusiasts
Mike Tanner, So. Nev. Boonie Bounders
Fred Bogart, Boulder City Dirt Riders
Gary Prater, Gamblers Motorcycle Club
Bobbie Shields, So: Nevada Jackrabbit Motorcycle Club
Bob Gabriel, Groundshackers Motorcycle Club
Betty Johnson, So. Nev. Desert Racers
Robert W. Maichle, Motorcycle Racing Ass. of Nevada

Minutes of the Nevada State Legislature

Assembly Committee on ENVIRONMENT & PUBLIC RESOURCES & SENATE NATURAL RESOURCES

Date: March 21, 1979

Page: 6

Listing continued of those who testified on this date in support of S.B. 333:

Richard Short, Silverstate and So. Nev. Bossmasters Steven Tanner, Moapa Valley Sportsmans Association* Don Gruwell, The Sportsmans Club of Mineral County* Don Quilici, Sportsman from Ormsby Sportsmen Mike Toone, Washoe County Game Management Board* Warren T. Fowler, Past president of Ormsby Association Norton Egge, Nev. Frontloaders, Las Vegas David Scheid, Spring Mountain Free Trappers Don Feller, Las Vegas Jeep Club Tom Sacco, Desert Sportsmen Pistol and Rifle Club

Mr. Marv Einerwold, Nevada Fish and Game Commission, was the final person to testified on this bill. He stated that he takes the position that Bob McDonald took on this bill. See Exhibit "D". He did want to note one additional thing, however. Contrary to some statements that had been made during this testimony today, concerning attendance at Game Board meetings, he stated that he hasn't missed a Game Board meeting since he has been a commissioner. He also noted that everyone is in favor of general funding for this bill.

There being no further testimony, Senator Neal closed the hearings on S.B. 333 at 4:15 p.m.

Respectfully submitted.

Anne M. Peirce, Assembly Attache

(Committee Minutes)

SIAIE UF NEVADA

LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710

ARTHUR J. PALMER, Director (702) \$85-5627



DONALD R. MELLO, Assemblyman, Chairman Arthur J. Palmer, Director, Secretary

INTERIM FINANCE COMMITTEE (702) \$85-5 FLOYD R. LAMB, Senator, Chairman

Ronald W. Sparks, Senate Fiscal Analyst
William A. Bible, Assembly Fiscal Analyst

FRANK W. DAYKIN, Legislative Counsel (702) 835-5 JOHN R. CROSSLEY, Legislative Auditor (702) 885-55 ANDREW P. GROSE, Research Director (702) 885-55

March 20, 1979

Senator Joe Neal Chairman Senate Committee on Natural Resources

Assemblyman Steven A. Coulter Chairman Assembly Committee on Environment and Public Resources

S.B. 333, to revise the Fish and Game laws, is going to be heard at a joint meeting of your committees on Thursday March 22, 1979, at 2:00 p.m. in room 131.

The accounting outlined in the bill is fine. We do, however, have a problem with Section 60 as to the timing of the transfer of money into the Wildlife Account in the State General Fund. Accordingly, we have developed at the request, and with the cooperation, of the Department of Fish and Game the attached amendments.

We will be at the meeting on the 22nd and, if appropriate, will explain why we feel these amendments are necessary.

Sincerely yours,

John R. Crossley, C.P.A.

Legislative Auditor

JRC:hjr
Attachment
pc: Senator James I. Gibson
Mr. Glen Griffith

SB 333 PROPOSED AMENDMENTS

Page 25, Section 60

Delete the present wording of Section 60 and replace with the following:

- "1. Prior to July 30, 1979, the department shall deposit all money which is in the fish and game reserve fund with the State Treasurer for credit to the wildlife account in the state general fund.
- 2. Prior to July 30, 1979, the department shall deposit the money invested in accordance with NRS 501.356(2) with the State Treasurer for credit to the wildlife account in the state general fund.
- 3. From July 1, 1979, until the state controller closes the books for the fiscal year 1978-79, money may be transferred from the wildlife account in the state general fund to the fish and game fund for the payment of expenditures upon approval of the department and the budget office of the department of administration.
- 4. When the State Controller closes the books for fiscal year 1978-79, he shall transfer any remaining money in the fish and game fund to the wildlife account in the state general fund."

DATE: March 22, 1979

TO: Members, Assembly Environment and Public Resources Committee

Members, Senate Natural Resources Committee

RE: Joint Hearing on Senate Bill 333

- 1. Passage of Senate Bill 333.
- 2. The Governor shall appoint 5 members who have demonstrated an active interest in wildlife affairs. These members shall represent the interests of the sportsman, the rancher, the farmer, and the conservationist.
- 3. The authority to approve the Department of Fish and Game budget for the Legislature should be returned to the Commission prior to submission to the Governor.
- 4. The Council is in full agreement that general funding of the Fish and Game Department is needed. General funding will raise the budget to a level which will adequately serve the people of the State of Nevada and enable the Department of Fish and Game to meet its total responsibilities.

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STATE OF NEVADA BOARD OF FISH AND GAME COMMISSIONERS

Position Statement on SB 333

March 22, 1979

Mr. Chairman and members of the joint committee:

In review of proposed legislation in Senate Bill #333, I would like to direct my comments to the size and structure of the Fish and Game Commission and Fish and Game funding.

The proponents of this legislation to reduce the size of the Commission and the manner by which they are selected have not considered the wishes nor the interests of the sportsmen in Nevada.

The manner in which a commissioner must serve, does not allow him to be completely knowledgeable and familiar with all areas of the State. The number and distribution of commissioners throughout the State could very well be the Commission's greatest asset. The present Commission may even be too small to represent a State as large as Nevada and its various resources. I do not believe we should create an attitude of provincialism, but I do feel every area of the State should be represented. Any further reduction of the Fish and Game Commission would only lead to an already fragmented situation.

I really hope that the Commission's size and structure does not contaminate the better part of Senate Bill #333 -- and that is general funding.

In recent years the Fish and Game Commission and Department have become financially bound and unable to meet the growing demands on our wildlife resources.

The greatest loss of revenue to the Fish and Game Commission came with the implementation of the quota system on deer. The Commission realized the consequences of this system but were more concerned with the management aspect rather than monetary gain and have addressed their responsibilities to the wildlife resources of Nevada by this action.

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Position Statement on SB 333 Page 2

I am sure that other factors have influenced the financial ability of the Fish and Game Commission and Department which are general and common to all state agencies and I am sure you are aware of that.

With the good, sound support of general funding, the Fish and Game Commission and Department would be allowed to function and address their responsibilities.

This 1979 Session and particularly these Committees present today would also indicate to the people of Nevada their genuine concern for this great State's wildlife resources.

Thank you.

Robert McDonald, Chairman State Board of Fish and Game Commissioners

SENATE Natural Resources COMMITTEE

GUEST LIST

| | DATE: |
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| NAME NAME | AGENCY OR ORGANIZATION |
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| Dave Rollins | Southern Nevada Conservation Council |
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| R. Gene Di Sanza | Silver Flipper Scuba Club |
| VOHN HIATT | TRED ROCK AUDUCON SOCIETY |
| ALLEN MOSKERANS | WEUMDA BOWHUNTERS ASSOCIATION |
| FRED KADTHE | CLEAR CREEK KOWNEN |
| TRANK Buckley | LAS VEGAS GROUP SIERREA CLUB |
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Assembly Environment & Hablic Resources SENATE Natural Resources COMMITTEE

GUEST LIST

| NAME AGENCY OR ORGANIZATION MIKE TOOME WASHOE CU GAME MANAGEMENT BOKE Warren T. Fowler OSA WORTON EGGE NEV. FRONTLORIZES L. V. DAVID CO SALVE MOUNTAIN FOR TOOMS DON Feller LAS VESAS TOO Class Tom Sacco Desser Spression Piston & Fifle Club NE WASH Condition of Company WASH Condition of Company WAR Condition of Company WAR Condition of Company Warr Correspond Might Sink of Managements |
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RESOLUTION NO. 622

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, URGING THE 60TH SESSION OF THE NEVADA LEGISLATURE TO APPROVE SENATE BILL NO. 333."

WHEREAS, representatives of certain sportsmen groups have expressed support for the revision of state laws pertaining to fish and game, including establishment of a wildlife account within the State General Fund; and

WHEREAS, the Henderson City Council upon request of said representatives is willing to support amendment of state laws related to fish and game to the extent set forth in Senate Bill No. 333.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Henderson does urge the Nevada Legislature to approve Senate Bill No. 333.

PASSED AND ADOPTED this 19th day of March, 1979

LONIN L. WILLIAMS, MAYOR

ATTEST:

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DOROTHY A. VONDENBRINK, CITY CLERK

[Please note that we have cut the tops off the of the signed petitions to make them fit in the minutes better.

Vivien Topken
Librarian]

In any legislation which addresses itself to the Department of Fish and Game or to the Nevada State Board of Fish and Game Commissioners, we, the undersigned urge the Nevada Legislature to consider the following proposals:

That the Nevada Department of Fish and Game become a General Fund agency with a budget adequate to meet its obligations to the wildlife resource and to the people of the state,

That any change in the makeup of the State Board of Fish and Game Commissioners does not reduce its number to fewer than seven members,

That the Nevada State Board of Fish and Game Commissioners be structured to represent the consumptive and non-consumptive users of the wildlife resource proportionate to the Department's sources of income and the services it provides,

That approval of the fish and game budget for submission to the legislature be vested with the Commission rather than the Department.

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