

The meeting was called to order at 2:10 p.m. Senator Neal in the Chair.

PRESENT: Senator Joe Neal, Chairman
Senator Norman Glaser, Vice-Chairman
Senator Lawrence Jacobsen
Senator Floyd Lamb
Senator Mike Sloan

EXCUSED: Senator Wilbur Faiss

OTHERS

PRESENT: Mr. John Crossley, Legislative Auditor
Mr. Tom Cates, Nevada Organization for Wildlife
Mr. Mike Toone, Washoe County Game Management Board
Mr. Bob Rose, Southern Nevada Conservation Council
Mr. Ray Knisley
Mr. Roger Teglia, Chairman, Upland Game Bird Committee
Mr. Bob Glassbern, Society of Nevada Sportsmen
Mr. John Sweetland, Carson City Game Management Board
Mr. George Reed, Chairman, Clark County Game Management Board
Mr. Lody Smith, State Forester Firewarden, Nevada Division of Forestry
Mr. Pete Morros, Assistant Director of the Department of Conservation and Natural Resources
Mr. A. Jack Dieringer, Chief of the Fisheries Division, Department of Fish and Game
Mr. John Meder, Administrator, Division of State Parks
Mr. Marshall Humphreys, Division of State Parks
Mr. Charles Zeier, Division of Historic Preservation and Archeology
Mr. Jac Shaw, Administrator of State Lands
Mr. Dave Small, Carson City District Attorney
Mr. Bill Newman, State Engineer
Mr. Roland Westergard, Director of the Department of Conservation and Natural Resources
Mr. Mike Meizel, Superintendent of Buildings and Grounds
Senator Carl Dodge, Western Nevada Senatorial District

The Chairman announced that the committee would consider the amendments suggested for S.B. 333, and hear testimony on S.B. 357 and S.C.R. 25.

S.B. 333 - Revises fish and game laws.

John Crossley, Legislative Auditor, explained the amendments again for those members who were excused when the hearing took place on March 22. A copy of those amendments are attached as Exhibit A. The amendments would effect a more proper and feasible transition for the transfer from an account to a fund. Senator Lamb asked Mr. Crossley to prepare an amendment which could be incorporated when the bill is referred to finance which would provide that the budget is a line-item budget.

Mr. Tom Cates of the Nevada Organization for Wildlife explained the amendments which they suggested which would delete the designations of persons selected for the 5-man commission. That amendment is attached to these minutes as Exhibit B and was also included in the minutes of March 22.

Chairman Neal asked for a motion to adopt the amendment which would change line 1 of page 2 which presently provides for the appointment to the board of "two members each of whom represents the interests of sportsmen and the general public". The amendment would provide for the selection of one member who represents the interest of sportsmen in subsection 1d) and a new section which would provide for the selection of one member who represents the general public as subsection 1e).

Senator Sloan moved the adoption of the amendment.

Seconded by Senator Glaser.

Motion carried.

Mr. Tom Cates informed the committee that the action just taken to adopt the amendment was not the intent of the amendment he proposed. His amendment would strike the words "actively engaged" in line 18, 19 and 20, and use the wording "who represents the interest". This would provide no specific designations so that a rancher could represent the sportsman, and retired persons could be appointed. Senator Sloan pointed out that the bill with the amendment just adopted would give them the flexibility to have a rancher represent the general public or the interest of sportsmen since subsections d) and e) do not use the phrase "actively engaged".

Mr. Mike Toone, Washoe County Game Management Board stated that the intent of the amendment was to have a five-man commission which would not be restricted to representing any one segment, but the general public as a whole. Senator Neal stated that he discussed this amendment with Senator Gibson and he stated that he would have no problems with the changes proposed.

Senators Lamb and Jacobsen felt that the bill should be left as it is with the designations spelled out to protect the ranchers and farmers on whose property most of the hunting and fishing takes place.

Mr. Bob Rose, representing the Southern Nevada Conservation Council whose membership totals 5,000, stated that their position is that they do not want the designation that one member must be a rancher, one a farmer. They feel that the language should provide that one member should have a knowledge or working knowledge of farming, ranching, and be knowledgeable in the other areas specified. They felt that the designations preclude them from having the best man available on the job.

The Southern Nevada Conservation Council also suggested an amendment which would provide that the biennial budget be submitted to the commission for approval prior to being submitted to the Governor.

Senator Sloan asked if Mr. Rose would have any objections to the language in the bill specifying that "the Governor shall appoint 5 members who have demonstrated an active interest in wildlife affairs" and then let the Governor pick the 5 most qualified. Mr. Rose stated they would have no objections.

Senator Glaser had a problem with that suggestion because most of the water areas where the wildlife population exists in the State of Nevada are on private property. He felt that the drafters of the bill considered the fact that members of the commission should be actively engaged in ranching and farming to represent the private sector that this activity might impact.

Mr. Ray Knisley stated that when the amendment was discussed at a meeting with the present state board, one member suggested some compromise language which would eliminate the reference to a member "actively engaged" and use the phrase "one member who has a demonstrated knowledge of". That board member also suggested there should be a bonafide conservationist, two members representing the sportsmen and all members should act in regard to the public as a whole. Mr. Knisley also commented on Mr. Rose's suggested amendment concerning the budget approval by the commission. He stated that the budget is automatically submitted for review and comment, but not for approval.

Senator Lamb stated that the other side of this issue is that the Fish and Game presently owns in excess of 30,000 acres of farmland, so the board had better be made up of persons who know something about farming. He also felt that the board should be left as strong as possible. Senator Neal reminded Senator Lamb that the Governor is qualified to make the judgment of who has knowledge in these specific areas.

Roger Teglia, Chairman of the Upland Game Bird Committee, felt that the bill is a good bill and he felt changing it would do more harm than good. He remarked that the Governor

would pick members who would be a credit to the Governor's office and to the sportsmen. He felt most of the problems in Nevada arise because there is no public relations with the people who raise the game, the farmers and ranchers. He stated that he has sat on other boards where the membership appointments are specified, and there has been no problem.

Mr. Bob Glassburn from Henderson, representing the Society of Nevada Sportsmen, the Henderson Rod and Gun Club, and a member of the Southern Nevada Conservation Council, stated that he had a resolution from the City of Henderson with 2,000 sportsmen's signatures. He urged the committee to pass the bill with the amendment the sportsmen of the state voted on, which would change the selection of the committee.

Mr. John Sweetland, Carson City Game Management Board, commented that never before in the history of organizations in the State of Nevada was there such consolidated effort to pass legislation. He stated the proposed amendment would allow them a little flexibility to get the best man for the job.

Senator Jacobsen remarked that he has some reservations about the Governor appointing the director of the department, and asked for some discussion of this provision. He felt that if the commission is going to function and be productive, they should pick a person they have confidence in. The Governor may appoint someone who would be incompatible. Mr. Teglia felt the same as Senator Jacobsen. He felt it would be a political matter since the director is not responsible to the commission.

Mr. Knisley commented that this provision was reviewed with Governor List and former Governor O'Callaghan. The provisions of this bill represent a radical change in the structure of the department since it is becoming a general fund agency and will no longer be a special fund agency. There is a precedent in the provision for the nomination of a director, but nowhere in government is there a precedent for the appointment of a director by a commission. If the department is to become a general fund agency, the director must be responsible to, and serve at the pleasure of, the Governor.

Senator Faiss entered the meeting.

Mr. George Reed, Chairman of the Clark County Game Management Board, submitted a letter for the record which states their position in support of S.B. 333, except that they take issue with the designations of the commission members. His letter is attached as Exhibit C. They also objected to reducing the number of members on the board to five. They feel that seven members should be the minimum, since these members would have to attend meetings throughout the state. The smaller the board,

the more difficult it will be to get the sportsmen's input statewide.

Senator Sloan withdrew his previous motion adopting the amendment to change subsection 1d) of Section 5 and add subsection 1e).

Senator Glaser suggested changing the wording in the selection of commissioners from "actively engaged" to "whose primary interest is". This would allow retired persons to be appointed. Senator Sloan preferred "demonstrated knowledge" since he felt it would be an easier test. Mr. Rose stated that the Southern Nevada Conservation Council would prefer the wording "demonstrated ability" or "demonstrated knowledge". The committee agreed to amend the language in the bill to provide that persons be appointed to the board who have "demonstrated interest" in the areas specified.

Senator Sloan moved the adoption of the amendment.

The motion was lost for lack of a second.

Senator Jacobsen then moved the adoption of the amendment previously made but withdrawn by Senator Sloan which would change subsection 1d) of Section 5 and add subsection 1e) of that same section.

Seconded by Senator Glaser.

Ayes - 4

Nays - Sloan and Neal (2)

Motion carried.

Senator Neal asked for a motion to adopt the amendments presented by John Crossley, Legislative Auditor.

Senator Sloan moved the adoption of the amendments.

Seconded by Senator Glaser

Motion carried.

Senator Neal called for final action on the bill.

Senator Glaser moved that S.B. 333 be passed out of committee with the recommendation: Amend, and do pass as amended.

Seconded by Senator Faiss.

Motion carried.

Senator Neal opened the hearing on S.B. 357.

S.B. 357 - Makes appropriation to division of forestry of state department of conservation and natural resources to provide aid in management of Marlette-Hobart watershed, and reserves related water rights.

Senator Jacobsen explained to the committee members that during the last session of the Legislature, an Assembly bill was passed that proposed a study to provide a management plan for the Marlette-Hobart water system to insure the water quality of the system. The system supplies the water for the Capitol complex, and some water for Carson City, Virginia City and Lakeview.

He stated that since it is a water supply, state and federal considerations must be adhered to, and various state and federal agencies have jurisdiction within the boundaries of the watershed. The plan incorporates the various responsibilities of the concerned agencies into a single, cooperative plan of management. Senator Jacobsen presented the members of the committee with a copy of the management plan, which is attached as Exhibit D.

Senator Jacobsen introduced Mr. Lody Smith, State Forester Firewarden for the Nevada Division of Forestry in the Department of Conservation and Natural Resources. Mr. Smith explained that the management plan consists of a forest management plan which goes into the health and vigor of the forest area, fuel management and firefighting plan for the protection of the area, a road plan which allows an in-depth look at the conditions of the roads, soil erosion and control plan, water quality plan, livestock grazing plan, utility corridor plan, fish and wildlife management plan, equestrian plan, overnight backpacking and camping plan, and natural reserve plan.

Mr. Smith felt that it is important to note that the area has been more or less closed off to the general public for a good many years and as a result there are many areas which are pristine in their character and would lend themselves to a natural reserve plan.

Mr. Smith noted that the management plan submitted by Senator Jacobsen contains details of what each aspect of the management plan consists of and a summary of the budget necessary for the implementation of each plan. Members of each agency were present to answer any questions.

Senator Neal asked for an explanation of the purpose and effect of the language contained in Section 4, lines 12 through 18 on Page 2 of the bill. Mr. Pete Morros, Assistant Director of the Department of Conservation and Natural Resources, addressed that section. He stated that this section protects the state's water rights on the system and affirms the state's position on those rights. It would preclude anybody else from establishing a water right or appropriating that water including the federal government. At the present time there are decreed rights in the State of Nevada, a valid claim of vested rights on the Marlette system, and some appropriative rights which have been perfected and certificated and some appropriative rights which were filed on by the state to pick up the surplus waters which have not gone to beneficial use as of this date, but will sometime in the future.

Senator Sloan asked why the restriction on camping and public access is necessary. Mr. Smith referred to a map displayed on the wall of the committee room which indicated the location of Marlette and Hobart Lakes. He stated that the acreage involved in the Marlette system is approximately 1,842 acres, and 2,117 acres in the Hobart watershed. He pointed out that this is a relatively small area within the forested region. The reason for the restriction of access by the people is because the access and disturbing of the land in the area sometimes causes problems with the quantity and quality of the water. This plan would allow more access by the general public than has ever been permitted before.

This access is permitted because of the monitoring capabilities of the management plan to determine the effects on the water. If the watershed is adversely affected, then public access would have to be altered.

Mr. Smith and the other agency members involved then gave a brief rundown of the specific plans as contained in Exhibit D. Mr. A. Jack Dieringer, Chief of the Fisheries Division of the Department of Fish and Game who is also a member of the Marlette Advisory Board explained the fish and wildlife management plan. He remarked that they have minimized their budgetary request for the next two years so that they can assess the effect the access of the general public will have on the water quality.

Mr. John Meder, Administrator for the Division of State Parks, stated that this area is managed in conjunction with the Tahoe State Park out of the Spooner Summit area. Mr. Marshall Humphreys of the Division of State Parks spoke on the natural reserve plan.

Senator Glaser asked Mr. Lody Smith if the appropriation in the bill is a one-shot appropriation, or if it would be a continuing biennial request. Mr. Smith replied that this would be the beginning biennial request, and each biennium there would be a request for an appropriation to complete a different section of the plan to effect a continuing study operation. Senator Glaser then asked if this was contained in the Governor's budget or if it is another appropriation. Mr. Smith replied that it is not in the Governor's budget.

Several members of the committee expressed the desire to see the area for themselves. Senator Jacobsen apologized to those members who have never had the opportunity to visit the area, but stated that the area is presently snowbound. Mr. Smith offered to provide the committee with a slide presentation of the area.

Senator Glaser stated that he was concerned that this bill would be going the wrong way. He felt that perhaps this area should not be opened up for public access for fear it would destroy the value of the watershed. He was also concerned about the increased risk of a fire by allowing more public access. Mr. Smith stated that any activity in the area would be monitored and kept in constant watch. He stated that there has been an awful lot of pressure to have them open this area up to more than just the water. They do feel they can control this situation because it would be through a permit system with the State Parks and would be constantly monitored by the person who fills the position of Forester in the appropriation.

Senator Jacobsen stated that if Marlette Lake Advisory Committee has done nothing else, they have obtained water rights which had never been filed on since the area was purchased as a state park in 1968. He stated that although there is an appropriation involved, the effect of the management plan and the forester position would probably be a savings to the state since he would be doing the same functions that 4 or 5 groups had done previously. Mr. Smith added that it would probably cut down on movement through the area since the monitoring will enable them to cut down on the unnecessary trips.

Mr. Charles Zeier of the Division of Historic Preservation and Archeology explained their role in the management study, which is to recommend appropriate action to see that the character of the system and the surrounding environment was taken into consideration.

Mr. Jac Shaw, Administrator of State Lands, stated that he has read and agrees with the plan. He stated that the

consideration of the bill today should be in regard to the philosophical thought rather than the dollar thought. He felt that the administration of this plan is one of the most badly needed things in Nevada.

Mr. Dave Small, Carson City District Attorney, responded to a question regarding who gets the water from Marlette, stating that Carson City is the only entity who has used Marlette since the tunnel collapsed some years ago. Mr. Shaw felt that statement by Mr. Small was untrue. He stated that they have been pumping every summer since 1968, and the water is used by the Capitol Complex, Lakeview, and Virginia City. Virginia City has a prior right because they were guaranteed so many million gallons of water when the state bought the system.

Senator Neal asked if he understood correctly that the bill would take away all the rights to the water in Marlette Lake, Franktown Creek and Hobart Creek not lawfully appropriated prior to April 26, 1963. Mr. Bill Newman, State Engineer, answered that that provision is just to confirm what the state had at the time of purchase. Senator Jacobsen further explained the state filed on all the water rights in the Hobart-Marlette area and there was no protest. Mr. Roland Westergard, Director of the Department of Conservation and Natural Resources, concurred in the statement made by Senator Jacobsen and further stated that Chapter 462 sets out three different areas where the state acquired the water rights from the predecessor. All this bill does is exempt those rights acquired at that time from the abandonment procedure. He stated that abandonment could be alleged, but he doubted seriously if abandonment could ever be proven.

Mr. Mike Meizel, Superintendent of Buildings and Grounds, reaffirmed the testimony of Mr. Smith. He felt the bill gives a chance for everybody to look at the area and decide which way to go.

Mr. Dave Small, Carson City District Attorney, stated that Carson City is very much in favor of comprehensive management of the area. He stated that anything that Carson City pretends to have in the way of water rights, this bill is designed to extinguish. He remarked that the state is changing the rules for itself when it is holding the water.

Mr. Small stated that other legislation to be processed would ask that Carson City be allowed to participate in the management of the area to maximize the watershed with the hope that water will be available for purchase by Carson City from the state. Carson City previously sought water rights in the Marlette area, but was convinced that this was not a saleable item in the legislature.

He stated that although philosophically the area is a beautiful place for raising wildlife, it is an important resource for Carson City. He stated that they can live with the second page, and they support the first page.

Senator Neal closed the hearing on S.B. 357.

S.C.R. 25 - Admonishes Bureau of Land Management of Department of the Interior to cease its consideration for designation as wilderness land certain ineligible lands in Nevada.

Senator Carl Dodge, Southern Nevada District, explained that he introduced this resolution because of a situation which happened in Pershing County. The BLM had a meeting held on March 9th where they asked for comments by March 15th of a proposal to consider 3 areas as part of the federal wilderness areas. These areas should not have been acceptable as wilderness area. One area, for example, was the Black Rock Desert which is a dried up part of Winnemucca Lake. All three areas have quite a few existing, well-traveled roads which are not the type of areas conceived to belong in the Federal Wilderness Act. Senator Dodge stated that, basically, the resolution admonishes the BLM only to take into consideration those lands which reasonably do possess wilderness characteristics, as required by federal law.

Senator Dodge informed the committee that the people of Lovelock gathered 1,194 signatures on a petition in opposition of the BLM proposal within 4 days. They were upset also about the short time allowed for public notice and comment.

Senator Glaser mentioned a resolution sent to him by Utah which he felt might have a little stronger language which might be incorporated in this bill. Senator Dodge stated that anything to make this resolution stronger would be acceptable to him.

Senator Neal questioned the definition of a wilderness area. Senator Dodge stated that one of the considerations is that there be no established roads in the area. These should be pristine areas to be saved for the future.

Senator Jacobsen asked if there is a time frame involved, or if the BLM can just designate a wilderness area. Senator Dodge answered that this is just a preliminary consideration at this time. He asked Mr. Jac Shaw to explain some of the federal guidelines for consideration as a wilderness area.

Mr. Shaw read the appropriate guidelines for inclusion of wilderness areas from the BLM Wilderness Inventory Handbook. That statement is attached as Exhibit E. He stated that the interpretation of the regulations is left up to the 6 district managers in Nevada. In this case, the district manager who announced that 50% of BLM land in the Winnemucca district would be under study for wilderness designation, also stated that he doubted that any of it would be included. The problem then arises that under another regulation if the land is under study, they have to treat it as a wilderness area so that nothing will change it. It will cost time and money to get this area released at the next step of the process.

Senator Glaser will report back to the committee on the language in the resolution he received from Utah.

Senator Neal closed the hearing on S.C.R. 25.

There being no further business, the meeting was adjourned at 4:25 p.m.

Respectfully submitted,


Eileen Wynkoop
Committee Secretary

APPROVED:



JOE NEAL, CHAIRMAN

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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,

A handwritten signature in cursive script, appearing to read "John R. Crossley".

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.

BLM - Wilderness Inventory Handbook

In adopting this definition it is recognized that there will still be a wide range of opinions as to what constitutes a "road." Therefore, in determining "roadlessness," the BLM will be guided by the following principles:

The widest possible range of public opinion from diverse points of view will be sought in looking for the presence or absence of "roads." Good judgment based on common sense and a balanced and objective analysis of what people say and how they feel is the best guide that can be given.

Knowing that some cases will be hard to judge, State Directors and District Managers will remember that it is the purpose of the wilderness inventory to find those places on the public lands which, by their very nature, truly have the attributes and the character of wilderness, so that the American people will have the opportunity through the process of study, recommendation, and determination by Congress to choose which of these places should become part of the National Wilderness Preservation System. That is certainly the intent of the law.

Wise, unbiased, and careful use of the road definition as adopted, with full public involvement, will insure that this intent will be achieved.

Key Factors of Wilderness Characteristics

In the inventory process to identify roadless areas with wilderness characteristics, the key factors to be used:

1. Size. At least 5,000 contiguous roadless acres of public land.
2. Naturalness. The imprint of man's work must be substantially unnoticeable.
3. Either:
 - a. An outstanding opportunity for solitude, or
 - b. An outstanding opportunity for a primitive and unconfined type of recreation.

To qualify for wilderness study identification an area of public land must be shown to meet both factors 2 and 3. An island may be of any size. For an area of public land of less than 5,000 contiguous roadless acres to be considered for Wilderness Study Area identification, it must, in addition to possessing factors 2 and 3, be either:

1. Contiguous with land managed by another agency which has been formally determined to have wilderness or potential wilderness values, or
2. Contiguous with an area of less than 5,000 acres of other Federal lands administered by an agency with authority to study and preserve wilderness lands, and the combined total is 5,000 acres or more, or
3. Subject to strong public support for such identification and it is clearly and obviously of sufficient size as to make practicable its preservation and use in an unimpaired condition, and of a size suitable for wilderness management.

These factors are described in detail with examples in the inventory procedures section of this handbook.

PART 4—OTHER RESOURCE USES AND VALUES

Protecting Environmental Values Other Than Wilderness

Wilderness protection is but one of many methods available to BLM to protect and manage environmental values. Wilderness designation will not be used as a substitute for these other management methods.

Under FLPMA, the Bureau will identify Areas of Critical Environmental Concern and provide for their appropriate protection. This includes management for cultural and historical resources, endangered species, critical wildlife habitat, environmental education areas, outstanding and research natural areas, and the like.

Information regarding critical environmental values which does not relate specifically to wilderness characteristics criteria may be obtained during the wilderness inventory. This information is important and will be used in making management decisions to provide the most appropriate protection for the critical environmental resources identified. This will be done as part of BLM's ongoing land use planning and multiple use resource management program.

However, Wilderness Study Areas must be identified only on the basis of the roadless and wilderness characteristics criteria in Section 603 of FLPMA.

Multiple Use Resource Management and Wilderness Inventory

The comparison of wilderness values with other resource values is not part of the wilderness inventory process. The wilderness inventory is only for the purpose of determining the presence of roadless areas with wilderness characteristics. It is on that basis that Wilderness Study Areas are identified.

Library Note:

During the examination of this set of minutes, Exhibits D and E were found to be missing. The exhibits are also missing from the microfiche.

Research Library
November 2010

SENATE BILL NO. 333—SENATOR GIBSON

MARCH 14, 1979

Referred to Committee on Natural Resources

SUMMARY—Revises fish and game laws. (BDR 45-297)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to fish and game; changing the name of the Nevada department of fish and game to the department of wildlife; changing the name of the state board of fish and game commissioners to the board of wildlife commissioners and reducing the number of its members; eliminating the fish and game fund and the fish and game reserve fund and creating the wildlife account in the state general fund; transferring certain functions to the state land registrar; changing the allocation of revenue from taxes on fuel used in watercraft; clarifying certain provisions; making an appropriation; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 501.020 is hereby amended to read as follows:
2 501.020 As used in this Title, "commission" means the [state board
3 of fish and game] *board of wildlife* commissioners.
4 SEC. 2. NRS 501.027 is hereby amended to read as follows:
5 501.027 As used in this Title, "department" means the [Nevada
6 department of fish and game.] *department of wildlife*.
7 SEC. 3. NRS 501.029 is hereby amended to read as follows:
8 501.029 As used in this Title, "director" means the director of the
9 [Nevada department of fish and game.] *department of wildlife*.
10 SEC. 4. NRS 501.167 is hereby amended to read as follows:
11 501.167 [The state board of fish and game] *The board of wildlife*
12 commissioners, consisting of [nine] *five* members appointed by the gov-
13 ernor, is hereby created.
14 SEC. 5. NRS 501.171 is hereby amended to read as follows:
15 501.171 1. The governor shall appoint: [nine members who have
16 demonstrated an active interest in wildlife affairs for not less than 5
17 years.]
18 (a) *One member who is actively engaged in the conservation of wildlife;*
19 (b) *One member who is actively engaged in farming;*
20 (c) *One member who is actively engaged in ranching;*

SENATE BILL NO. 312—COMMITTEE ON
COMMERCE AND LABOR

MARCH 8, 1979

Referred to Committee on Commerce and Labor

SUMMARY—Authorizes registered nurses to perform certain obstetrical acts under certain circumstances. (BDR 54-1318)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to nursing; authorizing registered nurses to perform certain obstetrical acts under certain circumstances; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 632 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.
3 SEC. 2. 1. *Except as provided in this section and section 3 of this*
4 *act, a registered nurse may perform, under emergency or other special*
5 *conditions prescribed by the board by regulation, acts which are recog-*
6 *nized by the medical and nursing professions as proper to be performed*
7 *by a registered nurse under those conditions, even though the acts con-*
8 *stitute the practice of obstetrics or might otherwise be considered diag-*
9 *nosis and prescription. The special conditions must include special*
10 *training, and in the case of acts constituting the practice of obstetrics,*
11 *supervision by a licensed physician.*
12 2. *A registered nurse may not perform acts constituting the practice*
13 *of obstetrics which involve surgery or other procedures specified by regu-*
14 *lation of the board as improper to be performed by a nurse under this*
15 *section.*
16 SEC. 3. *Nothing in this chapter authorizes registered nurses to per-*
17 *form those functions and duties specifically delegated by law to those*
18 *persons licensed as dentists, podiatrists, optometrists or chiropractors.*
19 SEC. 4. NRS 632.010 is hereby amended to read as follows:
20 632.010 As used in this chapter:
21 1. "Accredited school of nursing" means a school of nursing which
22 is accredited by the board or other body or agency authorized by law to

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.