

MINUTES OF THE JOINT MEETING
OF THE SENATE COMMITTEE ON NATURAL RESOURCES,
THE ASSEMBLY COMMITTEE ON AGRICULTURE,
AND THE ASSEMBLY COMMITTEE ON
ECONOMIC DEVELOPMENT AND NATURAL RESOURCES

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
January 26, 1981

The Joint Hearing of the Senate Committee on Natural Resources, the Assembly Committee on Agriculture, and the Assembly Committee on Economic Development and Natural Resources was called to order by Chairman Norman Glaser at 2:06 p.m., Monday, January 26, 1981, in Room 131 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

SENATE COMMITTEE ON NATURAL RESOURCES:

Senator Norman Glaser, Chairman
Senator Wilbur Faiss, Vice Chairman
Senator James H. Bilbray
Senator Lawrence E. Jacobsen
Senator Joe Neal

ASSEMBLY COMMITTEE ON AGRICULTURE:

Assemblyman Thomas J. Hickey, Chairman
Assemblyman Ira V. Rackley, Vice Chairman
Assemblyman James J. Banner
Assemblyman John W. Marvel
Assemblyman Joseph E. Dini, Jr.
Assemblyman Edward J. Kovacs
Assemblyman Kenneth K. Redelsperger

ASSEMBLY COMMITTEE ON ECONOMIC DEVELOPMENT
AND NATURAL RESOURCES:

Assemblyman John E. Jeffrey, Chairman
Assemblyman Kenneth K. Redelsperger, Vice Chairman
Assemblyman Joseph E. Dini, Jr.
Assemblyman Edward J. Kovacs

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COMMITTEE MEMBERS PRESENT: (continued)

ASSEMBLY COMMITTEE ON ECONOMIC DEVELOPMENT AND NATURAL RESOURCES: (continued)

Assemblyman Donald R. Mello
Assemblyman John M. Polish
Assemblyman James W. Schofield
Assemblyman John B. Dubois
Assemblyman Dean Rhoads

COMMITTEE MEMBERS ABSENT:

SENATE COMMITTEE ON NATURAL RESOURCES:

Senator Floyd R. Lamb

ASSEMBLY COMMITTEE ON AGRICULTURE:

Assemblyman Nicholas J. Horn
Assemblyman Robert M. Sader

STAFF MEMBERS PRESENT:

Robert E. Erickson, Senior Research Analyst
Carolyn L. Freeland, Committee Secretary
Jan Fondi, Committee Secretary
Judy Sappenfield, Committee Secretary

Mr. Robert E. Erickson, Senior Research Analyst, presented an updated report on Selected Boards, Commissions and Committees in Nevada--Public Lands and Natural Resources. Each committee member present received a chart providing general information regarding these groups, and their responsibilities and functions. (Exhibit C). Mr. Erickson referred specifically to each one of the eight boards, commissions or committees and gave limited synopses of their origin and duties.

Mr. Jac Shaw, Administrator, Division of State Lands, presented his Sagebrush Rebellion Report to the Members of the 61st Session of the Nevada Legislature (dated December 1980), as required by Assembly Bill No. 413 of the 60th Session. Copies of the report were distributed to each member of the joint hearing; a copy is on file in the secretary's office.

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Mr. Shaw said he is available to answer any questions or concerns and provide any backup material in reference to this matter. He presented a brief summary of what has been achieved in regard to the "Sagebrush Rebellion" in the last eighteen months.

His summary covered, first, determination that mineral claims filed with the counties complied with the intent and wording of Assembly Bill No. 413. It is unnecessary to file mineral claims in three places, and he referred hearing members to page 25 of the report, dealing with "Regulations of the State Land Registrar Respecting Management of the Public Lands of Nevada," for comprehensive details.

Secondly, he referred to Appendix D, "Proposed Management Policy," on page 28, and said the multiple use concept shall be the basis of management of public lands in order to protect these lands for future users.

Lastly, he noted that he and Ms. Mable Hoffman, Land Use Planner for the Sagebrush Rebellion, examined and are still examining three basic categories in compiling an inventory of the public lands in the state: (1) land in and around urban areas; (2) lands with potentially productive irrigable soils; and (3) the remaining public domain. They shall be working closely with each county during the next several months to resolve existing issues and to develop preliminary management policies.

Mr. Shaw also used an overlay map of land use in the State of Nevada to aid in his explanation of land categories.

There was discussion between the hearing members and Mr. Shaw regarding many facets of the Sagebrush Rebellion.

Mr. Orvis Reil, speaking as an individual, was concerned about the matter of federal highway funds being withdrawn if the public lands in question are returned to the State of Nevada.

Mr. Robert Warren, representing the Nevada Mining Association, said the mining industry is totally controlled by federal law, and hoped it would be possible to clarify the language of the Sagebrush Rebellion in order that the mining law of 1872 could be perpetuated within it.

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Ms. Diane Campbell, representative for the Nevada Miners and Prospectors, stated there is an obligation to look to the United States Constitution because all law is based on it, and in it. there is no provision for the federal government to hold the public lands which belong to the states.

The meeting adjourned at 4:00 p.m.

Respectfully submitted by:


Carolyn L. Freeland, Secretary

APPROVED BY:


Senator Norman Glaser, Chairman

DATE: Feb. 2, 1981

AGENDA

COMMITTEE MEETINGS

Joint Committee Hearing of the Senate Committee on Natural Resources, and Assembly Committees on Agriculture and Economic Development and Natural Resources, Room 131.

Day Monday, Date January 26, Time 2:00 P. M.

Robert E. Erickson, Senior Research Analyst--Information on Selected Boards, Commissions and Committees in Nevada dealing with Public Lands and Natural Resources Issues.

Jac Shaw, Administrator, Division of State Lands--the Sagebrush Rebellion Report to the Members of the 61st Session of the Nevada Legislature, December, 1980.

SELECTED BOARDS, COMMISSIONS AND COMMITTEES IN NEVADA - PUBLIC LANDS AND NATURAL RESOURCES

GENERAL INFORMATION		MEMBERSHIP			
NAME	YEAR ORIGINALLY CREATED	AUTHORITY CREATED UNDER	NUMBER	ELECTED OR APPOINTED	QUALIFICATIONS REQUIRED
LEGISLATIVE COMMITTEE FOR THE REVIEW OF FEDERAL REGULATIONS	1979	NRS Chapter 218 (A.B. 653 - 1977 Legislature, vetoed 1977, veto override 1979)	4	2 State Senators and 2 State Assemblymen appointed by Chairman of Legislative Commission.	Election to State Legislature.
SELECT COMMITTEE ON PUBLIC LANDS	1977	S.C.R. 9 - 1977 Legislature; S.C.R. 5 - 1979 Legislature.	7	3 State Senators appointed by Majority Leader of Senate and 4 State Assemblymen appointed by Speaker of the Assembly.	Election to State Legislature.
STATE MULTIPLE USE ADVISORY COMMITTEE ON FEDERAL LANDS	1965	NRS 232.151	13	Appointed by Governor.	10 members representing various state natural resource boards and local governments, and 3 representing various land user interests.
COMMISSION ON THE FUTURE OF NEVADA	1979 (terminates 12/31/80)	A.B. 451 - 1979 Legislature	25	Appointed by Governor	7 members from different geographic regions of Nevada, 4 state legislators, 10 members from various interests, 2 from local government and 2 from general public.
LAND USE PLANNING ADVISORY COUNCIL	1973	NRS 221.740	17	Appointed by Governor.	1 locally elected official or representative per county.
STATE CONSERVATION COMMISSION	1973	NRS 548.115	7 appointed members and 2 ex officio members.	Dean of UNR, College of Agriculture and Discretionary Director of State Department of Agriculture as ex officio members, with 7 members appointed by the Governor.	None, other than members shall come from various geographic regions of state and be recommended by the Nevada Association of Conservation Districts.
BOARD OF REVIEW (Under "Sagebrush Rebellion")	1979	A.B. 413 - 1979 Legislature (NRS Chapter 321)	9	Statute specifies that the members are the appointed heads of certain State resource agencies.	Heads of certain state resource agencies involved in natural resource management.
NEVADA RESOURCE ACTION COUNCIL	1960's	None	Approximately 40 agencies represented.	Open voluntary membership.	Generally the administrators or employees of the various state, federal, local and private agencies dealing with natural resources.

RESPONSIBILITIES AND FUNCTIONS				
NAME	POLICY	COORDINATION	REGULATION	ADVISORY
LEGISLATIVE COMMITTEE FOR THE REVIEW OF FEDERAL REGULATIONS	Authorized to comment on behalf of state to federal government on proposed policies, rules and regulations.	In recommending certain courses of action with regard to proposed policies or regulations, may consult with all affected entities for input.	N/A	Responsible to advise the Division of State Lands, federal entities (particularly Secretary of Interior) and state legislature on public land issues.
SELECT COMMITTEE ON PUBLIC LANDS	Responsible to develop policies and carry out actions that primarily involve increasing the amounts of land in non-federal ownership in Nevada.	Serves as a lobbying, coordination and action arm of the state legislature on matters relating to decreasing the federal dominance on public lands in Nevada.	N/A	Responsible to advise the state legislature on best ways to increase the amounts of land in non-federal ownership.
STATE MULTIPLE USE ADVISORY COMMITTEE ON FEDERAL LANDS	N/A	Serves as a forum on public lands issues with recommendations made periodically to the Governor, legislature and governmental entities on the use of federal and state lands including any problem areas.	N/A	Provides advisory recommendations to Governor, legislature, and various governmental agencies concerning state and federal lands and the effect of governmental programs on the uses of the land.
COMMISSION ON THE FUTURE OF NEVADA	Develop policy recommendations on management of growth and other related issues.	Coordination with all affected entities and all levels of government.	N/A	N/A
LAND USE PLANNING ADVISORY COUNCIL	N/A	This body provides a forum for local land use planning issues affecting all parts of Nevada.	May prescribe land use plans and regulations which shall be used by local governments in cases of inconsistencies in local land use plans and in areas of critical environmental concern with approval of Governor.	Responsible to advise Division of State Lands on the development and distribution to cities and counties of information useful to land use planning.
STATE CONSERVATION COMMISSION	Carry out state policies for the conservation of renewable natural resources.	Assists local conservation districts (30 total) and serves as a liaison with federal and state agencies. Each local district has 6 or 7 members; 5 locally elected; 1 appointed by county commissioners; and 1 appointed by incorporated cities, if any.	N/A	Responsible to advise the Director of State Department of Conservation and Natural Resources on conflicts between local districts and other agencies regarding resource conservation.
BOARD OF REVIEW (Under "Sagebrush Rebellion")	Review and decision on appeals made regarding State Land Registrar management decisions on state-owned lands.	N/A	Review and approval authority on regulations for management of state-owned lands.	N/A
NEVADA RESOURCE ACTION COUNCIL	Serves as the U.S. Department of Agriculture Rural Development Committee for Nevada.	Brings together natural resource agencies on a regular basis to discuss current programs and projects. Council seeks to gain cooperative efforts on projects of common interest and to avoid duplications of effort.	N/A	N/A

Other boards and commissions with specific areas of responsibility under natural resources and public lands:

Board of Wildlife Commissioners; State Environmental Commission; Energy Resources Advisory Board; State Board of Agriculture; Central Committee of Nevada; State Grazing Boards; Oil, Gas and Mining Board; State Park Advisory Commission; Rangeland Research and Development Committee.