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MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON NATURAL RESOURCES

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
February 4, 1981

The Senate Committee on Natural Resources was called to order by Chairman Norman Glaser at 1:35 p.m., Wednesday, February 4, 1981, in Room 323 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

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

COMMITTEE MEMBER ABSENT:

Senator Floyd R. Lamb

GUEST LEGISLATOR:

Senator William J. Raggio

STAFF MEMBERS PRESENT:

Robert E. Erickson, Senior Research Analyst
Carolyn L. Freeland, Committee Secretary

SENATE BILL NO. 46--CREATES METRIC SYSTEM ADVISORY COUNCIL

Mr. Fred Daniels, consulting engineer, representing the Nevada Metric Committee, was the first person to speak in regard to this bill. He said his group has been promoting the use of the metric system. There are only four countries in the world, and only one industrialized country, not using the metric system. The industrialized country is the United States. Mr. Daniels said his committee wishes to ease the changeover to such a system. He spoke of the necessity of doing so in relation to international

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trade, and stressed the importance of the metric system in such fields as engineering and mining. He added that use or non-use of such a system has a far-reaching economic impact.

Senator Bilbray remarked that it is a good bill and that "somebody" should get going on it.

Senator Glaser stated that there will be questions from the Floor regarding this bill if the committee passes it out, and one will be if this bill will create a financial obligation on the part of the State. As Senator Glaser reviews it, he sees no such impact, and he asked Mr. Daniels if it would be accurate to say at this point in time the creation of this council does not create a financial obligation. Mr. Daniels answered that was correct.

Senator Jacobsen remarked that he had sponsored the bill and had done so ever since 1975. He said it had been considered in every session since then and he traced the history of such consideration. He said there is, as noted, no financial impact; the Advisory Council would more or less constitute what it is now on a volunteer basis; it behooves the state to stay in touch with what is coming from the Metric Council in Washington--this council could move that information out to the general public; it would allow a forum from which that group could operate; it apparently imposes no burden upon the Department of Agriculture; and finally, it would allow this country to compete in international trade, as noted by Mr. Daniels.

Senator Bilbray suggested that someone from the education community be appointed to serve on this council. He would like to propose an amendment that would add one additional member from the education field.

Senator Jacobsen noted that there is already interest from education in this matter.

Senator Glaser said consideration of an amendment would be included in further consideration of the bill.

Senator Jacobsen said this is strictly a volunteer organization and it is allowed to receive gifts and grants. There is no per diem, no salaries and it has to be so specified in the statutes.

Chairman Glaser called for further testimony in favor of S. B. 46. or, against it.

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Mr. Tom Ballou, Director of the State Department of Agriculture, said in his opinion, it should be possible at this particular time to use either the metric or the historical English system, or both. He wanted to know if that was a proper interpretation of the bill as it is written.

Senator Jacobsen said that was his intent, not to make it specific, and either or both systems could be used.

Mr. Ballou then stated on that basis, he would like to support the bill and that an advisory council such as the one proposed would help in the problems of conversion, as long as it took an educational and informational approach, not a regulatory one.

Chairman Glaser then called for further testimony.

Mr. Gary Crews, the Audit Division of the Legislative Counsel Bureau, then spoke of how gifts and grants accrued to the proposed council would be accounted for. He said from the accounting standpoint, he would like to see a trust fund set up for that purpose. He distributed a proposed amendment to Section 5 (Exhibit C) describing that procedure.

Chairman Glaser thanked Mr. Crews for bringing this matter to the attention of the committee and said it would be considered at the same time as other possible amendments.

Mr. Jim Hannah, Executive Secretary of the Environmental Commission, had a question concerning the companion bill, Senate Bill No. 152. He asked, if S. B. 46 were approved, what would its relationship be with S. B. 152. He said they are similar measures.

Mr. Ballou said his department proposed S. B. 152 and it is coming up for hearing soon. He said it is somewhat similar to S. B. 46 and it could be combined with S. B. 46 and accomplish the same result. He said the intent of both bills is the same and it is just a matter of the wording.

Mr. Hannah said his organization uses three methods of measurement and he would like to have flexibility in the bill to be able to continue to do so.

The Chair called for any further testimony on S. B. 46. There being none, he concluded the discussion on that bill.

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SENATE JOINT RESOLUTION NO. 9--URGES CONGRESS TO MANDATE
STRONGER CONTROLS OVER THE NUMBER OF WILD HORSES AND BURROS
IN NEVADA.

Chairman Glaser called upon Mr. Ballou to offer comments on this resolution. Mr. Ballou said he would support the resolution, and that the numbers of wild horses and burros given by the Bureau of Land Management are, in his opinion, inaccurate. He feels the numbers are greater.

Mr. Ballou then went on to describe the problems encountered with unbanded horses, and the methods of identifying them. He also spoke of the methods used in disposing of them. He added he would like to see the wild horse population return to that of 1971, which was around 14,000 head, and establish the herds on a herd-to-herd basis and not on a state-wide total. He said in that way, better control could be exercised over the numbers in individual herds. Mr. Ballou also explained the restrictions placed upon disposal of wild horses and burros by the federal government.

Mr. Jac Shaw, Director of State Lands, said his department has become very involved and interested in the wild horse problem due to the Sagebrush Rebellion and State Multiple Use Advisory Committee aspects of his division. He said he is strongly in favor of this resolution. He believes that some initial legislation has to be amended occasionally, in this case, to protect the horses. He says the wild horses are a renewable national resource, but they are also an emotional issue. He feels it is a gross waste to kill them; there has to be a better way. He added that there are discrepancies in good management and handling of the problem in two sections of the same federal department. Mr. Shaw then said that the wild horses are causing a great many problems, and spoke of the devastation they have wreaked around Battle Mountain, as an example.

Mr. Shaw also said he believes the Bureau of Land Management is using funds not intended to do so to handle the horses, and that essentially it is a management problem. Mr. Shaw remarked that everyone admits the horses are causing problems but either they don't have, or want to take, the remedies to rectify them. He feels there has to be some legislation to redirect correction of the problems inherent in the situation.

Mr. Joe Greenley of the Department of Wildlife says he supports S. J. R. No. 9. He said the proliferation of burros has caused bighorn sheep to move out of their normal range into higher

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country due to overgrazing by burros. Such grazing has a great impact on domestic stock grazing and wildlife populations.

Mr. Joe Fallini, of the Nevada Cattlemen's Association, then testified, saying he had a vested interest in the wild horse problem. He described the many problems created by overpopulation,--such as the deer being driven away; horses getting into loco weed, then falling into water holes and contaminating them; having to continually clean out troughs in order to keep them sanitary; false legal maneuvers on the part of the Bureau of Land Management; criteria for forage around water holes; inverse condemnation; and false reports issued by the Bureau of Land Management about overgrazing on the range.

He added that the Bureau of Land Management has let the wild horses relocate themselves and the problem has just gotten out of hand. He would like to see the resolution include something to take the wild horse population back to 1971 levels, and relocation to the 1971 boundaries, removing them from areas where they have been relocated or have relocated themselves. In conclusion, Mr. Fallini stated the Bureau of Land Management is interested in establishing a wild horse empire.

Chairman Glaser then called for any other witnesses, either for or against the resolution.

Mr. Don Quilici, the Nevada Wildlife Federation, said for the record the Federation supports the passage of S. J. R. No. 9.

Chairman Glaser concluded the hearing on S. J. R. No. 9 as there were no further witnesses.

SENATE BILL NO. 5--Consideration of amendments. (Exhibit D)

Senator Glaser noted that there were two perspective sets of amendments to this bill, which was heard on February 2, 1981.

One set of amendments was drafted per instructions from the committee. Another proposed set of amendments has been proposed by Mr. Joe Greenley of the Department of Wildlife. The Chairman said the committee would at this time consider both these amendments.

Senator Glaser referred first to the committee amendment. Senator Bilbray felt this amendment is inadequate when compared to the amendment drafted by the Department of Wildlife, and proposed that

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the committee not consider its own amendment and only consider the Department of Wildlife amendment.

Chairman Glaser said if it was agreeable with the committee, that it consider the amendment of the Department of Wildlife.

There was a review of the discussion of the bill held on February 2, 1981. Senator Raggio said the original bill dealt with a severe physical handicap which impaired mobility and he would submit to the committee that such is the best language. He did not see a need to limit more specifically the eligibility in the bill.

The amendments decided upon by the committee amend section 1, page 1, line 10 by deleting the period and inserting "as defined in the regulations of the department." Section 2, page 1, is amended by deleting lines 17 through 19 and inserting the following: "motor-driven vehicle, including a snowmobile. A person who is a paraplegic or has had one or both legs amputated may shoot from any stopped motor vehicle which is not parked on the traveled portion of a public highway, but he may not shoot from, over or across any highway or road specified in NRS 503.175."

The bill as a whole is amended by adding a new section designated section 3, following section 2, to read: "Sec. 3. NRS 503.165 is hereby amended to read as follows: 503.165 1. It is unlawful to carry a loaded rifle or loaded shotgun in or on any vehicle which is standing on or along, or is being driven on or along, any public highway or any other way open to the public. 2. A rifle or shotgun is loaded, for the purposes of this section, when there is an unexpended cartridge or shell in the firing chamber, but not when the only cartridges or shells are in the magazine. 3. The provisions of this section (shall) do not apply to peace officers, game wardens, paraplegics or persons with one of both legs amputated, or members of the armed forces of this state or the United States while on duty or going to or returning from duty."

Senator Neal moved that the committee do pass Senate Bill No. 5 as amended, including that section dealing with a loaded gun in a vehicle.

Senator Bilbray seconded the motion.

The motion carried unanimously. (Senator Lamb was not present for the vote).

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Senator Glaser stated that before he took the bill to the Desk, he would bring the amendment back to the committee for it to look over.

Senator Jacobsen said the point he had is that the severely physically handicapped referred to in this bill have to abide by all the other requirements. Senator Raggio agreed.

There was a brief discussion regarding county roads.

Senator Jacobsen asked Mr. Greenley if there was a special category for some of the special dispensations in his department, so at a later date he could provide the committee with all of the special provisions made in the fish and game laws. Senator Jacobsen said he felt it would be of advantage for the committee to be able to look at that information. Mr. Greenley said he would provide the committee members with copies of the special categorization.

Chairman Glaser asked for any other business to come before the committee. There being none, the meeting adjourned at 2:55 p.m.

Respectfully submitted by:


Carolyn L. Freeland, Secretary

APPROVED BY:


Senator Norman Glaser, Chairman

DATE: Feb 9, 1981

SENATE AGENDA

EXHIBIT A

COMMITTEE MEETINGS

Committee on Natural Resources, Room 323.
Day Wednesday, Date February 4, Time 1:30 P. M.

S. B. 46--Creates metric system advisory council.

S. J. R. 9--Urges Congress to mandate stronger controls over the number of wild horses and burros in Nevada.

S. B. 5--Creates special hunting and fishing privileges for severely handicapped persons. Consideration of amendment.

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DONALD R. MELLO, *Assemblyman, Chairman*
Ronald W. Sparks, *Senate Fiscal Analyst*
William A. Bible, *Assembly Fiscal Analyst*

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JOHN R. CROSSLEY, *Legislative Auditor* (702) 885-5620
ANDREW P. GROSE, *Research Director* (702) 885-5637

January 28, 1981

EXHIBIT C

Senator Norman D. Glaser
Chairman, Natural Resources
Legislative Building - Room 323
Carson City, Nevada 89710

Dear Senator Glaser:

S.B. 46 is currently before your committee. Section 5 authorizes the council to accept gifts and grants, however, the bill does not provide for how the grants and gifts will be accounted for. It is our feeling that a separate fund should be established to account for these monies. Therefore, we would like to suggest that Section 5 of this bill be amended as follows:

"SEC. 5 The council may accept gifts or grants from any source, and expend money so received or otherwise available to it to contract with qualified persons or institutions for research in matters related to conversion to the metric system of weights and measures. The money collected pursuant to this section must be deposited in the state treasury for credit to the metric system fund which is hereby created as a trust fund. The money in the fund must be paid out on claims as other claims against the State are paid.

We are available to discuss this bill with you. Also, when this bill is before your committee, we would like to testify regarding this amendment.

Sincerely yours,

JOHN R. CROSSLEY, C.P.A.
LEGISLATIVE COMMISSION

By Wm. Gary Crews
Wm. Gary Crews, C.P.A.
Audit Manager

JRC:WGC:hjr
pc: Senator Jacobsen

(REPRINTED WITH ADOPTED AMENDMENTS)
FIRST REPRINT

S. B. 5

SENATE BILL NO. 5—SENATOR RAGGIO

JANUARY 20, 1981

Referred to Committee on Natural Resources

SUMMARY—Creates special hunting and fishing privileges for severely handicapped persons. (BDR 45-399)

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 wildlife; creating special privileges for severely handicapped persons; 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 502.245 is hereby amended to read as follows:
2 502.245 For a fee of \$2 the department shall issue any hunting or
3 fishing license authorized under the provisions of this chapter, upon
4 proof satisfactory of the requisite facts, to any person who, as of the date
5 of his application for a license []:
6 1. **Has**] *has* resided in this state for the 6-month period immediately
7 preceding []; and
8 2.] : *and*
9 1. Is 65 years of age or older [.] ; or
10 2. *Has a severe physical handicap as defined in the regulations of the*
11 *department.*
12 SEC. 2. NRS 503.010 is hereby amended to read as follows:
13 503.010 1. It is unlawful to molest, rally, stir up or drive any game
14 animals or game birds with any aircraft, helicopter, motor-driven vehicle,
15 including a snowmobile, motorboat or sailboat.
16 2. [Is] *Except as provided in this subsection, it is unlawful to shoot*
17 *at any game animals or game birds from any aircraft, helicopter or*
18 *motor-driven vehicle, including a snowmobile. A person who is a para-*
19 *plegic or has had one or both legs amputated may shoot from any stopped*
20 *motor vehicle which is not parked on the traveled portion of a public*
21 *highway, but he may not shoot from, over or across any highway or road*
22 *specified in NRS 503.175.*
23 3. It is unlawful to spot or locate game animals or game birds with
24 any kind of aircraft or helicopter and communicate this information by

1 any means to a person on the ground for the purpose of hunting or
2 trapping.

3 4. It is unlawful to use a helicopter to transport game, hunters or
4 hunting equipment, except when [such] the cargo or passengers or both
5 are loaded and unloaded at airports, airplane landing fields or heliports,
6 which have been established by a department or agency of the federal or
7 state government or by a county or municipal government or when
8 [such] the loading or unloading is done in the course of an emergency
9 or search and rescue operation.

10 SEC. 3. NRS 503.165 is hereby amended to read as follows:

11 503.165 1. It is unlawful to carry a loaded rifle or loaded shotgun in
12 or on any vehicle which is standing on or along, or is being driven on or
13 along, any public highway or any other way open to the public.

14 2. A rifle or shotgun is loaded, for the purposes of this section, when
15 there is an unexpended cartridge or shell in the firing chamber, but not
16 when the only cartridges or shells are in the magazine.

17 3. The provisions of this section [shall] do not apply to peace offi-
18 cers, game wardens, *paraplegics or persons with one or both legs ampu-*
19 *tated*, or members of the armed forces of this state or the United States
20 while on duty or going to or returning from duty.