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MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON NATURAL RESOURCES

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
April 24, 1981

The Senate Committee on Natural Resources was called to order by Chairman Norman Glaser at 1:30 P. M., Friday, April 24, 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 James N. Kosinski

STAFF MEMBERS PRESENT:

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

Chairman Glaser said there was one bill and some amendments to other bills to handle, and turned the meeting over to Mr. Erickson.

SENATE CONCURRENT RESOLUTION NO. 17

Mr. Erickson discussed amendments to this bill, continuing the Select Committee on Public Lands. The Assembly had amended it to contain three members from the Assembly instead of four members. The Chair asked for a motion to concur.

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Senator Bilbray moved committee concurrence with Assembly amendment to Senate Concurrent Resolution No. 17 (Exhibit C).

Senator Jacobsen seconded the motion.

The motion carried unanimously. (Senator Lamb was absent for the vote).

SENATE BILL NO. 5

Mr. Erickson said this bill allows special privileges on hunting and fishing licenses to the handicapped. The Assembly expanded the definition of the eligibility of persons to be included as handicapped. The Chairman asked for the pleasure of the committee.

Senator Bilbray moved concurrence with Assembly amendment to Senate Bill No. 5 (Exhibit D).

Senator Jacobsen seconded the motion.

The motion carried unanimously. (Senator Lamb was absent for the vote).

SENATE JOINT RESOLUTION NO. 17

Senator James Kosinski presented amendments to this resolution (Exhibit E), explaining them in detail. Certain changes were recommended to the amendments by him as he delineated his recommendations. There were questions from the committee members on certain points.

The Chairman asked Mr. Erickson to have the new amendments drafted to bring back to the committee for further examination.

ASSEMBLY JOINT RESOLUTION NO. 32

Mr. Dick Lattin, Manager, Truckee-Carson Irrigation District, is in support of this resolution and concurs with its language. He expressed the opinion that in water-short years, water should not be released for fish experiments in such a great amount, adversely affecting both municipal and agricultural interests.

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Senator Bilbray asked if the resolution would be effective as water is already being released. Chairman Glaser said there is an urgency in passing this resolution so such release could be halted.

Senator Jacobsen felt the language was not strong enough as contained in the resolution. Chairman Glaser said that instead of delaying the legislation for language changes, the governor, the Regulation Committee, the Sierra Pacific Power Company, the Division of Wildlife, and the Truckee-Carson Irrigation District could place strong supporting letters with the resolution in order to expedite it and get it to the Secretary of the Interior.

Mr. Vincent Laveaga of the Sierra Pacific Power Company, reiterated the comments of Mr. Lattin and is in favor of the resolution. Mr. John Madole, Association of General Contractors, also supports the bill.

Senator Faiss moved Do Pass
Assembly Joint Resolution No. 32
(Exhibit F).

Senator Jacobsen seconded the motion.

The motion carried unanimously. (Senator Lamb and Senator Neal were absent for the vote).

There being no further business to come before the meeting, it was declared adjourned by the Chairman at 2:10 P. M.

Respectfully submitted by:


Carolyn L. Freeland, Secretary

APPROVED:


Senator Norman Glaser, Chairman

DATE: April 28, 1981

SENATE AGENDA

COMMITTEE MEETINGS

EXHIBIT A

Committee on Natural Resources, Room 323.

Day Friday, Date April 24, 1981, Time Immediately upon adjournment

Assembly Joint Resolution No. 32--Protests release of water from Stampede Reservoir for spawning during water shortage.

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

S. C. R. 17

SENATE CONCURRENT RESOLUTION NO. 17—
COMMITTEE ON NATURAL RESOURCES

FEBRUARY 3, 1981

Referred to Committee on Natural Resources

SUMMARY—Continues existence of select committee on public lands. (BDR 86)

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

SENATE CONCURRENT RESOLUTION—Continuing the existence of the Nevada select committee on public lands.

1 WHEREAS, The 58th session of the Nevada legislature directed the
2 legislative commission to study means of deriving additional state bene-
3 fits from the public lands, and the 59th session of the Nevada legislature
4 directed the creation and the 60th session continued the existence of a
5 select committee on public lands which has been charged with:
6 1. Studying Nevada's unique situation with respect to public lands;
7 2. Considering alternatives for the management of public lands
8 which include increasing the amounts of those lands in nonfederal owner-
9 ship and management of those lands by the state;
10 3. Proposing state and federal legislation on public lands; and
11 4. Forming a regional coalition on public lands; and
12 WHEREAS, The select committee has accomplished some of its assigned
13 tasks and continues to work on others, such as modifying federal policy
14 respecting the public lands, which take time and will require continued
15 attention during the next several years; and
16 WHEREAS, The select committee has been instrumental in the forma-
17 tion of a western coalition on public lands but is still looked to for
18 leadership of the movement away from federal control of the public
19 lands; now, therefore, be it
20 *Resolved by the Senate of the State of Nevada, the Assembly con-*
21 *curring,* That the Nevada select committee on public lands be continued
22 through the 61st session of the Nevada legislature and for the interim
23 period until the beginning of the 62nd session; and be it further
24 *Resolved,* That the select committee be composed of three members of
25 the senate appointed by the majority leader of the senate and three mem-
26 bers of the assembly appointed by the speaker of the assembly, chosen to
27 provide for continuity of membership on the committee, and that if any
28 vacancy should occur on the committee, the new member have experience

1 and knowledge about public lands or be a member of an appropriate
2 standing committee of the senate or assembly; and be it further

3 *Resolved*, That the select committee shall:

4 1. Actively support the efforts of the western coalition on public
5 lands;

6 2. Advance knowledge and understanding in local, regional and
7 national forums of Nevada's unique situation with respect to public
8 lands;

9 3. Support Congressional legislation that will enhance state and local
10 roles in the management of public lands and will increase the disposal
11 of public lands; and be it further

12 *Resolved*, That the select committee is an official agency of the legis-
13 lative counsel bureau whose members are entitled to receive out of the
14 legislative fund for each day's attendance at meetings or official business
15 of the select committee after adjournment of the 61st legislative session,
16 if approved by the legislative commission, \$80 per day and the per diem
17 expense allowance and travel expenses provided by law; and be it further

18 *Resolved*, That the select committee shall submit its report to the
19 legislative commission for transmission to the 62nd session of the legis-
20 lature.

(REPRINTED WITH ADOPTED AMENDMENTS)
SECOND 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 *commission.*
- 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, has had one or both legs amputated or has suffered a paralysis of*
- 20 *one or both legs which severely impedes his walking may shoot from any*
- 21 *stopped motor vehicle which is not parked on the traveled portion of a*
- 22 *public highway, but he may not shoot from, over or across any highway*
- 23 *or road specified in NRS 503.175.*
- 24 3. It is unlawful to spot or locate game animals or game birds with

1 any kind of aircraft or helicopter and communicate this information by
2 any means to a person on the ground for the purpose of hunting or
3 trapping.

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

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

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

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

18 3. The provisions of this section [shall] do not apply to peace offi-
19 cers, game wardens, *paraplegics*, *persons with one or both legs amputated*
20 *or who have suffered a paralysis of one or both legs which severely*
21 *impedes walking*, or members of the armed forces of this state or the
22 United States while on duty or going to or returning from duty.

SENATE JOINT RESOLUTION NO. 17

EXHIBIT E

1 assure public access to federal and state lands upon the disposal of lands
2 granted to this state by Congress. ~~These lands must not be sold or other-~~
3 ~~wise disposed of except:~~

4 1. For the expansion of cities and towns or, if necessary, for com-
5 mercial purposes, if approved by the legislature by law.

6 2. For agricultural purposes if found suitable and certified to have
7 water available for that purpose by an officer or officers charged by law
8 with those duties, if approved by the legislature by law.

9 3. For sale or lease to an agency or political subdivision of this state
10 ~~or nonprofit corporation or association for the same public and recrea-~~
11 ~~tional purposes as federal lands may be so sold or leased, if recom-~~
12 ~~ended by the state agency charged with the management of the lands~~
13 ~~and if approved by the governor.~~

14 4. For use by an agency or instrumentality of the Federal Govern-
15 ment, upon the advice of the state agency charged by law with that duty,
16 if approved by the legislature by law.

17 5. For mining claims which are located or patented pursuant to fed-
18 eral or state law, and for leases for the extraction of minerals, oil or gas or
19 the use of geothermal energy pursuant to state law. Provision must be
20 made for the reservation or sale of rights to minerals known to exist in the
21 lands when disposed of by the state in any manner other than by location
22 or patent.

23 6. By leases for the grazing of livestock in the same manner and for
24 ~~the same purposes as federal lands may be so leased, if approved by the~~
25 ~~state agency charged by law with that duty.~~

26 7. By other leases and easements and rights of way for a period not
27 to exceed 99 years if the rental is at fair market value and is revalued at
28 intervals not to exceed 5 years, if recommended by the state agency
29 charged with the management of the lands and if approved by

30 (a) a state agency charged with that duty, and by the governor, or
31 (b) the legislature by law.

32 The legislature may provide by law for approval of such leases by a com-
33 mittee of the legislature when the legislature is not in regular session, but
34 that approval must be ratified by the legislature at its next regular session.

35 8. By exchanges, for the purpose of consolidation and better man-
36 agement and use of the land, for parcels of equivalent size or value, if
37 recommended to the legislature by the state agency charged with the
38 management of the lands and approved by the legislature by law.

39 9. For sales of land in parcels not larger than a nominal section
40 which, because of their location or other characteristics are difficult and
41 uneconomic to manage, if recommended to the legislature by the state
42 agency charged with the management of the lands and approved by the
43 legislature by a vote of two thirds of the members elected to each
44 house.

45 The legislature may require by law that local governments within whose
46 jurisdictions the lands are located make recommendations concerning any
47 sales or other disposals of those lands.
48 and be it further

49 Resolved, That section 3 of article 11 of the constitution of the State of
50 Nevada be amended to read as follows:

No parcel of land may

for
in a manner provided
by law.

recommended by the
state agency charged with the
management of the lands
and if approved in a manner
provided by law.

in a manner provided by law.

law.
for
shall provide

Copy where use:
"approved individually in a manner
provided by law."
Except H 3 and H 6 use "approved
individually by the legislature by law."

A. J. R. 32

**ASSEMBLY JOINT RESOLUTION NO. 32—ASSEMBLYMEN
BARENGO, RUSK, MELLO, SADER, PRENGAMAN, BEYER,
WESTALL, COULTER, NICHOLAS AND CAFFERATA**

APRIL 6, 1981

Referred to Committee on Economic Development
and Natural Resources

SUMMARY—Protests release of water from Stampede Reservoir
for spawning during water shortage. (BDR 1576)

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.

ASSEMBLY JOINT RESOLUTION—Protesting the release of water from Stampede Reservoir to promote the spawning of fish during a water shortage.

- 1 **WHEREAS,** The United States Fish and Wildlife Service has requested
- 2 the Secretary of the Interior to release 1,000 second-feet of water from
- 3 Stampede Reservoir to attract the Cui-ui fish to make their spawning run
- 4 from Pyramid Lake up the Truckee River; and
- 5 **WHEREAS,** The Cui-ui are now able to spawn within the lake itself; and
- 6 **WHEREAS,** The yield from Stampede Reservoir is predicted to be critically low for at least the upcoming year and water shortage is expected
- 7 in the Truckee Meadows; and
- 8 **WHEREAS,** This low yield may create an insufficient supply of water for
- 9 agricultural, municipal and industrial use; now, therefore, be it
- 10 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
- 11 That the Nevada legislature hereby protests the release of water from
- 12 Stampede Reservoir to promote the spawning of fish during a water
- 13 shortage; and be it further
- 14 *Resolved,* That the Secretary of the Interior is urged not to release
- 15 water for this purpose during any period in which a water shortage exists;
- 16 and be it further
- 17 *Resolved,* That a copy of this resolution be immediately transmitted to
- 18 the Secretary of the Interior and to every member of the Nevada congressional delegation; and be it further
- 19 *Resolved,* That this resolution shall become effective upon passage and
- 20 approval.
- 21
- 22