

Assembly Joint Resolution No. 2—Assemblyman Collins

FILE NUMBER.....

ASSEMBLY JOINT RESOLUTION—Urging Congress to amend the provisions of the Wild Free-Roaming Horses and Burros Act to require the Secretary of the Interior and the Secretary of Agriculture to maintain at a certain level the population of wild horses living on the public lands managed by the Bureau of Land Management and the United States Forest Service.

WHEREAS, On December 15, 1971, Congress enacted the provisions of the Wild Free-Roaming Horses and Burros Act, 16 U.S.C. §§ 1331 et seq.; and

WHEREAS, The purpose of the Act is to preserve the wild horses and burros living on the public lands managed by the Bureau of Land Management and the United States Forest Service and to protect those wild horses and burros from capture, branding, harassment and death; and

WHEREAS, Since 1971, the population of wild horses living on the public lands managed by the Bureau of Land Management and the United States Forest Service has increased dramatically, particularly in Nevada where the largest population of those wild horses exists; and

WHEREAS, The Act requires the Secretary of the Interior and the Secretary of Agriculture to manage the wild horses living on the public lands administered by the Bureau of Land Management and the United States Forest Service in a manner that will achieve and maintain a natural ecological balance on those public lands; and

WHEREAS, Pursuant to that Act, if the Secretary of the Interior or the Secretary of Agriculture determines that an overpopulation of wild horses exists in an area of the public lands managed by the Bureau of Land Management and the United States Forest Service, the secretary must remove the excess wild horses from those areas to achieve an appropriate level of management for the wild horses; and

WHEREAS, Although the provisions of the Act address the issue of overpopulation of wild horses, the Act does not require that the population of wild horses be maintained at a particular level, thereby allowing the population of wild horses to expand far beyond the level envisioned by Congress in 1971; and

WHEREAS, Allowing an excessive number of wild horses to live on the public lands managed by the Bureau of Land Management and the United States Forest Service causes those public lands to deteriorate from overuse and contravenes the purposes of the Taylor Grazing Act, 43 U.S.C. §§ 315 et seq., and the Federal Land Policy and Management Act of 1976, 43 U.S.C. §§ 1701 et seq., which are intended to protect those public lands from deterioration and overuse; and

WHEREAS, Requiring the Secretary of the Interior and the Secretary of Agriculture to maintain the population of wild horses living on the public lands managed by the Bureau of Land Management and the United States Forest Service at the level established for those wild horses in 1975 will:

1. Improve the condition of the ranges used by the wild horses

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2. Increase the population and improve the habitat of deer, antelope and other species of wildlife living on those public lands;
3. Allow an increased use of the public lands and the development of native flora and vegetation;
4. Improve conditions for hunting and other outdoor sports;
5. Reduce the amount of money required to shelter, feed and prepare wild horses for adoption; and
6. Reduce the risk of deaths of wild horses because of freezing, starvation and drought; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That the Nevada Legislature urges Congress to amend the provisions of the Wild Free-Roaming Horses and Burros Act to require the Secretary of the Interior and the Secretary of Agriculture to establish the necessary regulations and procedures whereby horses and burros in excess of the appropriate management levels are gathered in a timely fashion, and unadoptable horses and burros are made available for sale at open market; and be it further

RESOLVED, That the Nevada Legislature urges Congress to include provisions in the Wild Free-Roaming Horses and Burros Act directing that the proceeds of sales of unadoptable horses and burros be granted to the state director of the federal land management agency responsible for the horses and burros which were gathered off public lands, prior to sale, and that these proceeds be used to augment wild horse and burro management programs in the state; and be it further

RESOLVED, That the establishment of the appropriate management levels should be based on sound scientific and locally-collected resource information that incorporates and fully acknowledges other existing multiple uses of the land, such as the needs of other wildlife and livestock living on the land; and be it further

RESOLVED, That the establishment of the appropriate management levels should be concluded by the end of the federal fiscal year 2002, and maintained thereafter, irrespective of the outlet capacity of the federal horse adoption programs; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation and each legislature of the other 49 states; and be it further

RESOLVED, That this resolution becomes effective upon passage and approval.

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