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# WORK SESSION

## Assembly Committee on Elections, Procedures, and Ethics

May 22, 2003

PREPARED BY  
RESEARCH DIVISION  
LEGISLATIVE COUNSEL BUREAU  
Nonpartisan Staff of the Nevada State Legislature

The following measures will be considered for action by the Assembly Committee on Elections, Procedures, and Ethics during a work session on Thursday, May 22, 2003.

### **SENATE BILL 406**

Directs Legislative Commission to consider creating document to be used by governmental agencies in determining whether to procure goods and services from public or private sources. (BDR 17-412)

Sponsored by: Senate Committee on Legislative Affairs and Operations

### Discussion

Senate Bill 406 was heard by the Committee on May 15, 2003. The bill contains a legislative declaration that encourages entities of state and local government in Nevada to procure goods and services from privately owned businesses to the extent that it is practicable and in the best interests of the state. It also provides that the Legislative Commission shall consider and study the creation of and, as it deems necessary, create or cause to be created a guidebook, handbook, manual, or other document that may be used by a state or local governmental agency when making purchasing decisions. The measure was requested by the Legislative Committee to Study Competition Between Local Governments and Private Enterprises.

### Proposed Conceptual Amendment(s)

No formal amendments were proposed.

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ASSEMBLY ELECTIONS, PROCEDURES, & ETHICS  
DATE: 5-22-03 ROOM: 3138 EXHIBIT F  
SUBMITTED BY: Michelle Van Geel

**ASSEMBLY CONCURRENT RESOLUTION NO. 21**

Declares that preservation of Walker Lake's freshwater ecosystem is in public interest. (BDR R-1302)

Sponsored by: Assemblywoman Giunchigliani et al.

Discussion

Assembly Concurrent Resolution No. 21 was heard by the Committee on May 13, 2003, and discussed in work session on May 15, 2003. The resolution concerns the preservation of Walker Lake's freshwater ecosystem.

Proposed Conceptual Amendment(s)

See proposed amendment under Tab A.

5/21/2003

**AMEND ASSEMBLY CONCURRENT RESOLUTION NO 21  
AS A WHOLE TO READ AS FOLLOWS:**

ASSEMBLY CONCURRENT RESOLUTION NO. 21—  
ASSEMBLYMEN GIUNCHIGLIANI, GEDDES,  
ANDERSON, ANDONOV, ANGLE, ARBERRY,  
ATKINSON, BEERS, BROWN, BUCKLEY,  
CARPENTER, CHOWNING, CHRISTENSEN, CLABORN,  
COLLINS, CONKLIN, GIBBONS, GOICOECHEA,  
GOLDWATER, GRIFFIN, GUSTAVSON, HARDY,  
HETTRICK, HORNE, KNECHT, KOIVISTO, LESLIE,  
MABEY, MANENDO, MARVEL, MCCLAIN,  
MCCLEARY, MORTENSON, OCEGUERA,  
OHRENSCHALL, PARKS, PERKINS, PIERCE, SHERER,  
WEBER AND WILLIAMS

MAY 6, 2003

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JOINT SPONSORS: SENATORS MCGINNESS, AMODEI,  
CARE, CARLTON, CEGAVSKE, COFFIN, HARDY,  
MATHEWS, NEAL, NOLAN, O'CONNELL, RAGGIO,  
RAWSON, RHOADS, SCHNEIDER, SHAFFER,  
TIFFANY, TITUS, TOWNSEND, WASHINGTON AND  
WIENER

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Referred to Committee on Elections, Procedures, and Ethics

SUMMARY—Declares that preservation of Walker Lake's freshwater ecosystem is in public interest.  
(BDR R-1302)

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~{omitted material}~~ is material to be omitted.

Green numbers along left margin indicate location on the printed bill (e.g., 5-15 indicates page 5, line 15).

ASSEMBLY CONCURRENT RESOLUTION—Declaring that preservation of Walker Lake's freshwater ecosystem is in the public interest.

*WHEREAS, the Walker River is an interstate stream, consisting of the East and West Walker; both of which rise high on the eastern slopes of the Sierra Nevada in California; and*

*WHEREAS, the West Walker flows into Antelope Valley, located mostly in California and then into Smith and Mason Valleys in Nevada; and*

*WHEREAS, the principal streams forming the East Walker combine in Bridgeport Meadows in California and from there the East Walker flows into Mason Valley where it unites with the West Walker to form the main Walker River; and*

*WHEREAS, the main Walker River leaves Mason Valley and flows into and through the Walker River Indian Reservation and into Walker Lake; and*

*WHEREAS, the Walker River Irrigation District, a Nevada irrigation district, owns and operates Bridgeport Reservoir located on the East Walker River in California and partly in Nevada; and*

*WHEREAS, the United States for the benefit of the Walker River Paiute Tribe owns and operates Weber Reservoir located*

*on the Main Walker River and within the Walker River Indian Reservation; and*

1-1 WHEREAS, Walker Lake is a freshwater lake located in west-  
1-2 central Nevada fed by snowmelt from the Sierra Nevada in  
1-3 California and other mountain ranges in Nevada; and

1-4 WHEREAS, Walker Lake draws a considerable number of  
1-5 tourists and functions as an economic mainstay for the Mineral  
1-6 County economy; and

1-7 WHEREAS, Walker Lake has cultural, historical and spiritual  
1-8 importance to the Walker River Paiute Tribe; and

2-1 WHEREAS, Functioning as the terminus of the Walker River  
2-2 System, Walker Lake is one of the few saline lakes that is  
capable of

2-3 supporting a freshwater trout fishery; and

2-4 WHEREAS, Walker Lake is a major migratory stopover for the  
2-5 largest single inland congregation of common loons west of the  
2-6 Mississippi River as well as other birds such as grebes,  
cormorants,

2-7 pelicans and other waterfowl that rely on the Lake for survival;  
and

2-8 WHEREAS, Walker Lake provides habitat for the Lahontan  
2-9 cutthroat trout; ~~that has been listed as threatened by the United~~  
States

2-10 ~~Fish and Wildlife Service; and~~

2-11 ~~WHEREAS, The fishery and recreational activities at Walker~~  
2-12 ~~Lake have been recognized as beneficial uses of water in the~~  
Lake; and

*WHEREAS, the Walker River system provides significant  
recreation, ecologic and economic benefits in California in  
Bridgeport Meadows, Antelope Valley and at Bridgeport and  
Topaz Reservoirs, and in Nevada, in Topaz Reservoir, in Smith  
and Mason Valleys, at Weber Reservoir, within the Walker River  
Indian Reservation and at Walker Lake; and*

*WHEREAS, there are a number of interrelated issues on the  
Walker River system, including claims by the Walker River  
Paiute Tribe and the United States to surface and underground  
water for federal property within the Walker River Basin in  
Nevada and California; claims to adjudicate and reallocate the  
water of the Walker River system to preserve minimum water  
levels in Walker Lake; and the allocation of the water of the  
Walker River system between California and Nevada (collectively  
the "Walker River Issues"); and*

WHEREAS, The volume of Walker Lake has diminished by 75

percent since the late 1800s, and this continuing decrease is creating high concentrations of dissolved solids that are extremely detrimental and ultimately toxic to fish; and without an immediate influx of fresh water, the food chain and ecosystem of Walker Lake could be lost in the very near future; and

~~2-21—WHEREAS, Without such an influx of fresh water, Walker Lake~~

~~2-22 will be converted into a saltwater lake, requiring either years to~~  
~~2-23 stabilize a new ecosystem or extensive scientific research and~~  
~~huge~~

~~2-24 sums of money to restore a freshwater ecosystem supporting~~  
~~2-25 Lahontan cutthroat trout; and~~

~~2-26—WHEREAS, The United States Bureau of Land Management~~  
~~is~~

~~2-27 preparing an environmental impact statement to assess the~~  
~~2-28 feasibility of acquiring additional fresh water for Walker Lake~~  
~~and~~

~~2-29 appropriate actions to be taken to preserve the desired~~  
~~ecosystem;~~

~~2-30 and~~

***WHEREAS, EFFECTIVE AS OF JANUARY 14, 2003, The United States, the State of Nevada, the State of California, the Walker River Paiute Tribe, the Walker River Irrigation District, Mono County, California, Lyon County, Nevada, Mineral County, Nevada, and the Walker Lake Working Group agreed to attempt to resolve the Walker River Issues through mediation with a third-party neutral mediator;***

***NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, that the Nevada Legislature hereby declares that all reasonable actions to resolve the Walker River Issues through the ongoing mediatin should be taken; and***



***RESOLVED, that the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to Governor Kenny C. Guinn, Governor Gray Davis and to all of the participants in the ongoing mediation.***

~~2-31 WHEREAS, Through section 2507 of Public Law 107-171, the~~

~~2-32 Farm Bill, 2002, and the Omnibus Appropriations Act of 2003, the~~

~~2-33 Federal Government has allocated \$200 million to provide water  
2-34 and assistance for Walker Lake, Pyramid Lake and Summit Lake in~~

~~2-35 the State of Nevada; now, therefore, be it~~

~~2-36 RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE~~

~~2-37 SENATE CONCURRING, That the Nevada Legislature hereby  
2-38 declares that preservation of Walker Lake's freshwater ecosystem~~

~~2-39 which supports Lahontan cutthroat trout is in the public interest and~~

~~2-40 that all reasonable actions to sustain this ecosystem should be taken;~~

~~2-41 and be it further~~

~~2-42 RESOLVED, That the Nevada Legislature finds and declares that~~

~~2-43 conservation is a reasonable means of acquiring water for Walker~~

~~2-44 Lake and that any acquisition of water or water rights for transfer to~~

~~3.1 Walker Lake should be implemented through an agreement  
between  
3.2 a willing buyer and a willing seller; and be it further  
3.3 RESOLVED, That the Chief Clerk of the Assembly prepare and  
3.4 transmit a copy of this resolution to Governor Kenny C. Guinn,  
the  
3.5 Director of the State Department of Conservation and Natural  
3.6 Resources, the Boards of County Commissioners of Douglas,  
Lyon  
3.7 and Mineral Counties, and the Chairman of the Walker River  
Paiute  
3.8 Tribal Council.~~

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