

**MINUTES OF THE
SENATE COMMITTEE ON NATURAL RESOURCES**

**Seventy-third Session
May 9, 2005**

The Senate Committee on Natural Resources was called to order by Chair Dean A. Rhoads at 2:35 p.m. on Monday, May 9, 2005, in Room 2144 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Dean A. Rhoads, Chair
Senator Mike McGinness, Vice Chair
Senator Mark E. Amodei
Senator Bob Beers
Senator Bob Coffin
Senator Michael Schneider
Senator Maggie Carlton

GUEST LEGISLATORS PRESENT:

Assemblyman Pete Goicoechea, Assembly District No. 35
Assemblywoman Debbie Smith, Assembly District No. 30

STAFF MEMBERS PRESENT:

Martin P. Hefner, Committee Policy Analyst
Jonathan Sherwood, Committee Secretary

OTHERS PRESENT:

Bill Bradley, Board of Wildlife Commissioners, Department of Wildlife
Fred Church, Nevada Bow Hunters Association
Joel Blakeslee, Coalition for Nevada's Wildlife
Bob Brunner, Coalition for Nevada's Wildlife
Mel Belding, Coalition for Nevada's Wildlife
Chris MacKenzie, Board of Wildlife Commissioners, Department of Wildlife
David Thain, D.V.M., State Veterinarian, State Department of Agriculture
Don Henderson, Director, State Department of Agriculture

Senate Committee on Natural Resources
May 9, 2005
Page 2

Ron Cerri, Nevada Cattlemen's Association
Doug Busselman, Nevada Farm Bureau
Hugh Ricci, P.E., State Engineer, Division of Water Resources, State Department
of Conservation and Natural Resources

Chair Rhoads opened the hearing on Assembly Bill (A.B.) 15.

[ASSEMBLY BILL 15 \(1st Reprint\)](#): Revises provisions governing expenditure of money in Wildlife Heritage Trust Account. (BDR 45-177)

Bill Bradley, Board of Wildlife Commissioners, Department of Wildlife, spoke in support of A.B. 15. He said the bill was originated by the Wildlife Commission and sent to the county advisory boards for support. He said the bill was also being supported by the sportsmen's associations. He said A.B. 15 was "unfortunately amended" in the Assembly Committee on Natural Resources, Agriculture and Mining. He said the Wildlife Heritage Trust Account was established to allow the Board of Wildlife Commissioners to use the interest gained from the account in order to fund meritorious projects in the State. He said the projects were proposed by various sportsmen's organizations and the Department of Wildlife (DOW). Mr. Bradley said only the interest was able to be drawn from the account each year, but with the interest rates so low, they were only able to draw approximately \$62,000. He said the Game Bureau, Department of Wildlife, would typically take in \$300,000 to \$400,000 a year before the account was established, but the interest was still being used for funding. He explained A.B. 15 would assist the Game Bureau by allowing it to use 75 percent of the funds generated from the previous year with the interest. Mr. Bradley said \$62,000 was not enough to fund the transplant program operated by the DOW. He said the Assembly amended the bill so that a large portion of the 75 percent requested was to go to predator management. He said predator management was contrary to what the Board of Wildlife Commissioners asked for in A.B. 15.

Assemblywoman Debbie Smith, Assembly District No. 30, spoke from a prepared statement ([Exhibit C](#)) in support of A.B. 15. She distributed a proposed amendment ([Exhibit D](#)) to A.B. 15 to the Committee. Chair Rhoads asked if predator management was to be removed from the bill. Mr. Bradley said that decision was up to the Committee, but he said he wanted the intent of the bill to be accurately stated in legislative history.

Mr. Bradley said:

By adding this language, management and control of predatory wildlife will be an available category that could be the recipient of Heritage funds, assuming there is adequate money in the year's numbers to adequately fund the other projects; there are appropriate predator-management studies that are set up like ... the predatory-management fund and there is general support for additional predator management with Heritage Account money.

Chair Rhoads asked if protection was the same as the management and control of predatory wildlife. Assemblywoman Smith said section 1, subsection 1, paragraph (b) of A.B. 15 was supported by the full Assembly. Chair Rhoads asked if there was any disagreement with section 1, subsection 4. Assemblywoman Smith said there was no disagreement with that language.

Senator McGinness asked if the Heritage tags were still being sold every year. Mr. Bradley said the tags were still sold every year. Mr. Bradley said the money that used to go to the Game Bureau stopped once the account was established. Senator McGinness asked who requested the money start going to the Heritage Account. Mr. Bradley said the sportsmen groups requested it through legislation. Senator McGinness asked if the money originally went straight to the DOW. Mr. Bradley said yes. Senator McGinness asked if A.B. 15 would change the money again. Mr. Bradley said the bill would simply allow the DOW to receive more money than the original legislation allowed. Senator McGinness asked if the Wildlife Commissioners administered the funds. Mr. Bradley said yes, in terms of requesting projects, evaluating projects and making grants based on the meritorious nature of grant-based projects. Senator McGinness asked if there was any input from the county game-management boards. Mr. Bradley said yes.

Fred Church, Nevada Bow Hunters Association, said A.B. 15 had come out of the Assembly incorrectly and asked the Committee to add the proposed amendment, and pass it as it was originally proposed. Chair Rhoads asked if that meant removing the control of predatory wildlife. Mr. Church said he personally did not have a problem with that provision as long as the 75-percent language was added back into the bill. Senator McGinness asked if the sportsmen's groups in the State had enough input on the changes of the funding over the course of time. Mr. Church said yes.

Joel Blakeslee, Coalition for Nevada's Wildlife, spoke in support of A.B. 15 and echoed Mr. Bradley's comments. Chair Rhoads asked how much money the extra 75 percent would generate every year. Mr. Blakeslee said he did not know. Mr. Bradley said the extra funding would generate between \$300,000 and \$400,000 per year. Mr. Church distributed a copy of a memorandum ([Exhibit E](#)) to the Committee illustrating the expected funding amounts.

Bob Brunner, Coalition for Nevada's Wildlife, said the proposed amendment from Assemblywoman Smith would maintain the endowment in the original bill and allows the Wildlife Commissioners to use the funding as well.

Mel Belding, Coalition for Nevada's Wildlife, spoke in favor of A.B. 15 and the proposed amendment from Assemblywoman Smith. Chair Rhoads asked what types of projects would be funded by the money in A.B. 15. Mr. Belding said the transplant program was the largest one but the cost of new water basins, known as guzzlers, was very high.

Senator Beers asked if the money in A.B. 15 was to be supplemental revenue and if there were plans to not spend it. Mr. Bradley said the plan of the Board of Wildlife Commissioners and the sportsmen's groups is to spend 75 percent of the annual income on Heritage projects. Senator Beers asked if the bill would become part of the revenue mix. Mr. Bradley said it would not be listed as revenue for the DOW. He said it would be unwise to count this funding as revenue every year since the funding amount varies from year to year.

Chris MacKenzie, Board of Wildlife Commissioners, Department of Wildlife, said the funding was used at the discretion of the Wildlife Commissioners and not the DOW. Although the DOW could suggest projects, the funds would not be counted as part of the DOW budget.

Chair Rhoads closed the hearing on A.B. 15 and opened the hearing on A.B. 32.

ASSEMBLY BILL 32 (2nd Reprint): Makes certain information collected by State Department of Agriculture confidential. (BDR 50-657)

David Thain, D.V.M., State Veterinarian, State Department of Agriculture, spoke in support of A.B. 32 from a handout ([Exhibit F](#)) which he gave to the Committee. He said easy access to the location of livestock by terrorists creates a number of concerns and issues amongst producers. He said the current bill

had been amended in the Assembly to address some concerns for the public's right to know. He said A.B. 32 balances the public's right to know with security. Chair Rhoads asked if the State Department of Agriculture had been doing anything differently since the tragedy of September 11, 2001. Mr. Thain said a variety of things have been done differently. He said the funding has been increased and interaction between agencies has improved. Chair Rhoads asked if anyone from the State Department of Agriculture was on the Nevada Commission on Homeland Security. Mr. Thain said there was not, but there had been a bill submitted to place a member of the State Department of Agriculture directly on the Commission.

Don Henderson, Director, State Department of Agriculture, said A.B. 32 would not affect animal disease reporting.

Ron Cerri, Nevada Cattlemen's Association, said the Cattlemen's Association was working on the state and national levels to determine a method of confidentiality which could be incorporated for livestock owners. He said information regarding the health of animals needs to be public. Mr. Cerri said that cattle numbers, herd locations and ranch sizes needed to be private. He said the Cattlemen's Association supported A.B. 32.

Doug Busselman, Nevada Farm Bureau, spoke in support of A.B. 32. He said the primary concern came from someone making a request for information from the State Department of Agriculture's cattle head-tax rolls. He said A.B. 32 would prevent that type of information from being distributed. Mr. Busselman said if there are no measures for privacy in place at the State Department of Agriculture, then people would be hesitant as to what information they provided.

Chair Rhoads closed the hearing on A.B. 32 and opened the work session on A.B. 80.

ASSEMBLY BILL 80 (1st Reprint): Revises provisions relating to wells.
(BDR 48-982)

Martin P. Hefner, Committee Policy Analyst, gave an overview of A.B. 80 using the work session document ([Exhibit G](#)) provided to the Committee.

Senator Carlton asked why an abandoned well would not be capped. Assemblyman Pete Goicoechea, Assembly District No. 35, said it was technically not capping. He said abandoned wells required plugging and A.B. 80 would allow a variance if the well is structurally sound. He said the wells would still be sealed so no one could fall into them.

Hugh Ricci, P.E., State Engineer, Division of Water Resources, State Department of Conservation and Natural Resources, said A.B. 80 would allow his office to look at a waiver requirement for the plugging and abandonment of a particular well instead of just capping it and leaving it.

SENATOR MCGINNESS MOVED TO DO PASS A.B. 80.

SENATOR BEERS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR SCHNEIDER WAS ABSENT FOR THE VOTE.)

Chair Rhoads opened the work session on A.B. 112.

[ASSEMBLY BILL 112 \(1st Reprint\)](#): Requires certain vessels to carry on board certain safety devices. (BDR 43-770)

Senator Amodei explained his proposed amendment in [Exhibit G](#). He explained that language for training was already in the *Nevada Revised Statute* (NRS) 488.730, a copy of which was contained in [Exhibit G](#).

SENATOR AMODEI MOVED TO AMEND AND DO PASS AS AMENDED A.B. 112.

SENATOR MCGINNESS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR SCHNEIDER WAS ABSENT FOR THE VOTE.)

Chair Rhoads opened the work session on A.B. 159.

ASSEMBLY BILL 159 (1st Reprint): Revises number of members who may be appointed to county advisory board to manage wildlife in larger counties. (BDR 45-333)

Mr. Hefner used Exhibit G to give an overview of A.B. 159.

SENATOR MCGINNESS MOVED TO DO PASS A.B. 159.

SENATOR CARLTON SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR SCHNEIDER WAS ABSENT FOR THE VOTE.)

Chair Rhoads opened the work session on A.B. 181.

ASSEMBLY BILL 181: Removes requirement that person obtain license to act as cash buyer or agent of cash buyer of farm products or livestock. (BDR 50-980)

Mr. Hefner gave an overview of A.B. 181 using Exhibit G.

SENATOR BEERS MOVED TO DO PASS A.B. 181.

SENATOR MCGINNESS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR CARLTON VOTED NO. SENATORS AMODEI AND SCHNEIDER WERE ABSENT FOR THE VOTE.)

Chair Rhoads opened the work session on Assembly Joint Resolution (A.J.R.) 4.

ASSEMBLY JOINT RESOLUTION 4 (1st Reprint): Urges Federal Government to recognize unsuitability of Yucca Mountain as site for repository to store

and dispose of spent nuclear fuel and high-level radioactive waste.
(BDR R-199)

Mr. Hefner used [Exhibit G](#) to give an explanation of A.J.R. 4. He said there had been a question from the Committee regarding tourism impacts and provided the Committee with a booklet ([Exhibit H](#), original is on file at the Research Library) provided by the Clark County Department of Comprehensive Planning illustrating the impacts on tourism. He also provided a handout ([Exhibit I](#)) from the Clark County Department of Comprehensive Planning describing the highlights of [Exhibit H](#).

SENATOR COFFIN MOVED TO DO PASS A.J.R. 4.

SENATOR CARLTON SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR SCHNEIDER WAS ABSENT FOR THE VOTE.)

Senate Committee on Natural Resources
May 9, 2005
Page 9

Chair Rhoads adjourned the meeting of the Senate Committee on Natural Resources at 3:24 p.m.

RESPECTFULLY SUBMITTED:

Jonathan Sherwood,
Committee Secretary

APPROVED BY:

Senator Dean A. Rhoads, Chair

DATE: _____