

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON NATURAL RESOURCES, AGRICULTURE, AND
MINING**

**Seventy-Fourth Session
April 4, 2007**

The Committee on Natural Resources, Agriculture, and Mining was called to order by Chair Jerry D. Claborn at 1:36 p.m., on Wednesday, April 4, 2007, in Room 3161 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/74th/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman Jerry D. Claborn, Chairman
Assemblyman Joseph M. Hogan, Vice Chairman
Assemblyman Kelvin Atkinson
Assemblyman David Bobzien
Assemblyman John C. Carpenter
Assemblyman Pete Goicoechea
Assemblyman Tom Grady
Assemblyman Ruben Kihuen
Assemblyman John W. Marvel
Assemblyman James Ohrenschall
Assemblywoman Debbie Smith

GUEST LEGISLATORS PRESENT:

Assemblyman Harry Mortenson, Clark County Assembly District No. 42

STAFF MEMBERS PRESENT:

Jennifer Ruedy, Committee Policy Analyst
Randy Stephenson, Committee Counsel
Sherrada Fielder, Committee Secretary
Matt Mowbray, Committee Assistant



OTHERS PRESENT:

Stephen Rowland, Professor of Geology/Paleontology, University of Nevada, Las Vegas
Dave Morrow, Administrator, Division of State Parks, Department of Conservation and Natural Resources
Helen Mortenson, Archaeo-Nevada Society
Rob Mrowka, Manager, Clark County Environmental Division, Department of Air Quality and Environmental Management
Jill Destefano, Founder, Protectors of the Tule Springs Wash
Pamela Wilcox, Administrator and State Land Registrar, Division of State Lands, Department of Conservation and Natural Resources
Ken Mayer, Director, Department of Wildlife
Lynne D. Foster, Marketing Coordinator, Department of Wildlife

Chairman Claborn:

[The meeting was called to order.] We will begin with a work session to address Assembly Bill 343.

Assembly Bill 343: Revises provisions governing hunting and fishing licenses. (BDR 45-1285)

Jennifer Ruedy, Committee Policy Analyst:

Assembly Bill 343 was heard on April 2, 2007. It reduces from five years to six months, the time a person who is 65 years of age or older must reside in Nevada to qualify for a reduced-fee hunting and fishing license. There was an amendment requested by the Nevada Department of Wildlife (NDOW). The amendment authorizes NDOW to seek the recovery of lost fees related to reduced-fee tags through an allocation from the Contingency Fund. During testimony it was observed that in 1995 the residency requirement was changed from six months to five years ([Exhibit C](#)).

Assemblyman Marvel:

I move that we Amend and Do Pass and Rerefer the bill to the Ways and Means Committee.

Chairman Claborn:

Is there any desire to have a discussion on the amendment?

Assemblyman Grady:

I do not agree with the amendment. They need to sell more fishing licenses to make up for lost revenue. They have other requests to increase their funding. I do not support the amendment.

Assemblyman Goicoechea:

Is it necessary to rerefer it to Ways and Means? Why do we not Amend and Do Pass?

Randy Stephenson, Committee Counsel:

This amendment is identical to the one we put in Assembly Bill 105 concerning the Nevada National Guard. It ended up with the Assembly Committee on Ways and Means.

Assemblyman Goicoechea:

I am concerned with the motion to Amend and Do Pass and Rerefer to Ways and Means. Perhaps Ways and Means has a full agenda.

Chairman Claborn:

It is my understanding we would take a motion to Do Pass with the amendment.

Assemblyman Goicoechea:

And not rerefer?

Chairman Claborn:

When it gets to the Floor, we would make a motion to resend it to Ways and Means.

Assemblyman Goicoechea:

It would be up to the Chairman of the Ways and Means Committee to request it. Otherwise it can go back.

Assemblyman Marvel:

I withdraw the motion.

Assemblyman Goicoechea:

Did we actually rerefer the National Guard bill?

Chairman Claborn:

I have seen it done two ways. We did it once in this Committee with Assembly Bill 105 with a Do Pass and sent it to Ways and Means. In another committee I sat on we had a Do Pass with the amendment and sent it to the Floor. From the Floor we resent it to Ways and Means from the second reading.

Assemblyman Goicoechea:

Can we confirm with staff that we are permitted to do it?

Assemblywoman Smith:

I can do that.

Assemblyman Marvel:

If we are going to the Contingency Fund, we have to go through Ways and Means.

Chairman Claborn:

Will you restate your motion?

Assemblyman Marvel:

I withdraw the motion completely because we disagree on this.

Chairman Claborn:

I think there was a motion on the floor that needs to be addressed. Assemblyman Marvel was your motion to amend and do pass?

Assemblyman Marvel:

I withdrew the motion.

Assemblyman Goicoechea:

We have to look at this realistically. The veteran's bill was fairly similar. The motion on that was a Do Pass and Rerefer. If that is the case, I do not remember referring it to Ways and Means and I would like to treat both bills the same way. I do not think we can separate them and would hope NDOW would withdraw their amendment. It would solve the problem.

Chairman Claborn:

My recollection is that we did Do Pass with the amendment and rereferred it to Ways and Means.

Assemblyman Goicoechea:

I do not think we had to refer it to Ways and Means, but the question is if we did, we need to do the same to this bill.

Chairman Claborn:

Does someone want to make a motion?

ASSEMBLYMAN GOICOECHEA MOVED TO AMEND AND DO PASS
A.B. 343.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

Chairman Claborn:

Is there discussion on the motion?

Assemblyman Carpenter:

If you look at the fiscal note prepared by the Department of Wildlife, 5,004 fishing licenses were sold to seniors. Now they project to sell 5,665. If this bill does what it is intended to, NDOW will sell 600 more licenses. People will purchase them for \$13. People who have had to be here five years to qualify for the reduced-fee license would buy a license if they only have to be here six months. Does NDOW have to wait to be refunded or do they wait until they get an actual deficit before they can seek an allocation from the Contingency Fund?

Chairman Claborn:

If they incur any deficiency, they can request an allocation from the Contingency Fund. The money is not actually taken from Ways and Means unless they incur a deficiency.

Assemblyman Bobzien:

Looking ahead at where this legislation goes next, I conferred with Mr. Mayer regarding my initial request on the impact from the 1995 change. When NDOW gets the numbers together next week, Ways and Means can take them into consideration when reviewing the legislation.

THE MOTION PASSED. (ASSEMBLYMEN GRADY AND CARPENTER
VOTED NO. ASSEMBLYMAN HOGAN WAS ABSENT FOR THE VOTE.)

Chairman Claborn:

[Opened hearing on Assembly Bill 469.]

Assembly Bill 469: Provides for the creation of a state park for the protection of certain paleontologically sensitive sites. (BDR 35-717)

Assemblyman Harry Mortenson, Clark County Assembly District No. 42:

This bill creates a state park and evaluates the best use for some valuable, sensitive land. I have a brochure produced by *Scenic Nevada Magazine* and have provided a few pages for you. [Read from prepared text ([Exhibit D](#)).] It is extremely valuable. Within the 8,000 acres is a 1,000-acre reserve which the federal government listed on the National Register of Historic Places. Within that area are 315 state-owned acres. This area happens to be one of the most concentrated areas of archeological and paleontological remains.

This park should be turned into an academic park similar to the La Brea Tar Pits in Los Angeles. The La Brea Tar Pits are a tourist and scientific attraction

where people from around the world can come to study them. I intend to implement the creation of a park that is similar in nature. We may be able to build an academic facility on the 315 acres.

You can see some of our ideas in the following presentation. A glass wall could be built through which people could see enormous exhibits and observe scientists working on fossils. This bill requests the study of this area to determine its highest potential academic and scientific use. It is reasonable to proportionately give up recreational areas as the population grows.

**Stephen Rowland, Professor of Geology/Paleontology, University of Nevada,
Las Vegas:**

[PowerPoint presentation handout distributed ([Exhibit E](#)).]

My presentation supplements what Assemblyman Mortenson has described in this area known as Tule Springs. I will describe where the area is located, why it is an important site, and what types of activities would occur there. I will also provide two examples of similar research parks. They can be observed as examples of what we could develop in the Tule Springs area.

The 315-acre site is in the northern part of the Las Vegas Valley. There is some confusion about the name Tule Springs. Floyd Lamb State Park was known as Tule Springs State Park at one time. In a paleontological context, the entire region of the northern Las Vegas Valley and Upper Las Vegas Wash are commonly referred to as Tule Springs. I will use that name in the presentation today.

This little, sideways blue rectangle represents a 1,000-acre, registered historic site. The smaller, green rectangle is the 315-acre state land which lies within the 1,000-acre area, which is shown in white. That area is the conservation transfer area which is being studied by the Bureau of Land Management (BLM).

This photo shows what the site looks like. It is not an image of how park lands typically look, but the site is still quite paleontologically spectacular. It is also geologically and ecologically significant. If you took a trip there you could find bones, literally weathering out of the ground. That is why this is a significant archaeological and paleontological site.

In 1933 an obsidian flake was discovered within the Tule Springs area. It was found amidst the bones of extinct animals and charcoal. It stimulated further research. A publication issued in 1961 by the Southwest Museum describes some of the archaeological and paleontological finds in the region.

It was very exciting to research the relationship between early North American humans and large mammals, like mammoths, ground sloths, and horses. Much activity occurred a few thousand years ago in North America. The 1961 report stimulated the implementation of an extensive study conducted between 1962 and 1963. Coincidentally, during that time radiocarbon dating was developed.

Willard Libby developed radiocarbon dating. At the time, he wanted to work with archaeologists to find a site to test his new technique of radiocarbon dating. The Tule Springs area in Las Vegas was chosen as the best North American site to test Libby's new radiocarbon dating technique. He wanted to use that technique to determine when humans first arrived in North America. He also wanted to determine whether or not they coexisted with extinct animals.

Most people imagine that archaeologists and paleontologists lie on their bellies with dental tools. They arrived with tractors and bulldozers. They excavated for four months. They dug trenches 12 feet wide and up to 30 feet deep. They excavated two miles of such trenches at regularly spaced intervals across the valley. They were sample transects.

Many interesting things were found. One of the slides illustrates what one of the trenches looks like. The picture portrays a group of high school students from Shadow Ridge High School in Las Vegas. The school is located at the north end of Decatur Boulevard. It is literally across the street from the 315-acre parcel of land we are discussing.

These children were studying the trench. You can see that the walls of the trench have slightly eroded over the last forty-four years. They have not eroded severely. Most of the trenches have been filled in. But there is still some nice, visibly exposed rock.

The 1962 to 1963 study led to the publication of a series of papers. They were published by the Nevada State Museum in 1967. They largely contributed to what we knew about paleontological resources. The site is a point of great historical significance because of that study. The study provided data from the first extensive use of radiocarbon dating.

At the site many human artifacts were discovered. The site was subsequently featured on a National Geographic map of early American people. Close observation of a slide reveals that Tule Springs is displayed with a blue box. The blue box means that it has been designated a Paleo-Indian site.

Approximately 13,000 years ago a Paleo-Indian culture arrived in North America. It is sometimes referred to as the Clovis Culture. It was one of the first cultures to arrive in North America. Tule Springs is an important location paleontologically and archaeologically because it contains the remains of many ice-age animals. Some of them can be seen on a slide.

An abundance of bison remains were found within the state park parcel. The parcel was referred as the "Bone Bed" after the 1962 dig. A slide portrays several bison bones found in the throat of a naturally occurring spring. They were being cleaned by a paleontologist.

Horses became extinct in North America and were reintroduced in the 16th Century. We found horse remains in that area. We also found prehistoric camel remains that reveal a species twice the height of modern camels. They were huge animals. There are also ground sloth, and mammoth remains. Another slide portrays Colombian Mammoths. They are a less hairy species related to commonly known Woolly Mammoths. They were all over this area.

There are approximately 200 sites within the upper Las Vegas Wash area where mammoth bones are weathering out of the ground. The site certainly has historical significance. It also has ongoing scientific importance because most of the fossils are still in the ground. The excavation done in the 1960s only lasted four months. It consisted of a series of transects to see what was there. Nothing has been done since then. So the area has tremendous archaeological and paleontological potential.

One of the slides contains a recent paleontological and archaeological study done in the area. All of the pink circles are vertebrate fossil-sites. They are places where bones are weathering out of the ground. This land unquestionably contains a highly diverse and abundant population of large, extinct mammals.

Another slide demonstrates what some of these sites look like on the ground. As you can see, mammoth bones are weathering right in the desert. These sites need to be studied. The bones need to be collected properly. There are many new scientific tools which allow us to address questions which were not possible to address only a few years ago.

The piece of weathering horse jaw and tooth provide an example. A hole could be drilled in that horse tooth; and every few millimeters some of the enamel from the powder of that tooth could be run through a mass spectrometer like the one in my lab. Carbon isotope data can be produced from that.

This tooth is an example. It can provide evidence of which foods the animal ate and during which seasons he ate them. This tooth can also provide us with evidence of what type of water the animal drank. We can answer many more complex questions about how these animals lived. What was their diet? How did their diet compare to similar species living near the La Brea Tar Pits?

We can begin to understand the ecology of Ice Age Nevada much better. There were camels here but we do not know whether they were hunted as portrayed in the National Geographic painting. We are uncertain of whether this camel hunt took place, but the evidence is out there in the rocks.

Research on Ice Age archaeology and paleontology is one of the activities that could occur at Tule Springs. Another activity would be ongoing excavations with trained volunteers such as those at the Valley of Fire State Park. Fossil tourism is another point that Assemblyman Mortenson mentioned and cannot be overemphasized because it attracts people.

A great example of a comparable site is the La Brea Tar Pits in Los Angeles, California. The park attracts tens of thousands of people every year. Tourists observe reconstructions of the site, fossils on exhibit and can also participate in the excavations of those fossils. People can go through a training program, learn to excavate fossils and take part in the excavation. This would be a wonderful activity for Nevadans to participate in.

Another comparable example is the Johnson Farm Dinosaur Discovery Site in St. George, Utah. At that location there is a structure built over a site where fossils were discovered. Fossils are in rocks and visitors can walk around them and observe them. Both the La Brea Tar Pits and the Johnson Farm Dinosaur Discovery Site are world-class fossil sites which combine cutting-edge research with high-volume fossil tourism. We have the potential to develop a comparably competitive facility in the Tule Springs area of the Las Vegas Valley.

A site like this would diversify the existing tourist attractions in southern Nevada. In addition it would provide an educationally stimulating setting for residents and visitors. The site would also deepen awareness and respect for Nevada's early natural history. Creation of the type of site that I have described would utilize the abundance of fossils in the area. We need to be able to envision what the site would look like. The proposed two-year feasibility study would provide for the study of nearby localities. It takes political will to expedite this project.

Chairman Claborn:

I know the man on the bulldozer in that slide. That is E. L. Pickett. He worked for Silver State Construction.

Assemblywoman Smith:

Will people be able to go there and pick up these archaeological artifacts? What is the status of the area? Are there groups currently conducting digs?

Stephen Rowland:

No one is actively conducting digs on the state park land. Vertebrate fossil resources on state and BLM land are protected by law. A person would be required to have a state permit or permission to legally collect fossils from the BLM. That does not mean that people do not go out on the weekend with their off-road vehicles (ORV) to collect them.

Assemblywoman Smith:

I thought this bill would change it into a state park.

Assemblyman Mortenson:

We want to find the best use for this land. It could become a state park or it could be reserved for studies through the University of Nevada. Foundations from around the world purchase study time at the La Brea Tar Pits. This study will determine how to optimally utilize this site.

Assemblywoman Smith:

Is the parcel owned by the State of Nevada? Has it been designated a State park?

Assemblyman Mortenson:

The answer to both of your questions is "yes".

Assemblyman Carpenter:

The brochure discusses several options including the creation of a restricted recreation area. Does that mean that a limited number of people will be permitted to view it? Please explain what a restricted recreation area is.

Assemblyman Mortenson:

I used to believe that government-funded studies were a waste of money. I changed my position after I observed the studies done by the City of Las Vegas in preparation for the Floyd Lamb State Park. When professionals and scientists work together to determine a plan based on the available potential, they can produce imaginative ideas of what the highest potential is for a project.

I hope we can pass this bill in spite of the \$50,000 fiscal noted attached to the study. Las Vegas once conducted a study that cost \$100,000. Studies of the Upper Las Vegas Wash area would include the university and park professionals. Some of them might be the same people who worked with the City of Las Vegas on Floyd Lamb Park. They will come up with a great plan. We anticipate that the park will draw in academics as well as the general public.

Assemblyman Marvel:

Did you intend for this to become a state park at some point?

Assemblyman Mortenson:

Mr. Morrow of the Nevada Division of State Parks will address that. The area could be designated a state park. But the study will determine who will manage it and what it will be designated.

Assemblyman Marvel:

Delinquency has become an issue in funding our existing programs. I like the idea of preserving this site, but we have never adequately funded our state parks. So I wonder what will happen.

Assemblyman Mortenson:

I agree. Nothing worse could happen to this area than what is occurring. We stand only to benefit from A.B. 469.

Dave Morrow, Administrator, Division of State Parks, Department of Conservation and Natural Resources:

It is premature to designate the Tule Springs archaeological site as a state park. We believe that the site should be studied to determine its value and the best type of management for it. After determining that, we can begin planning. Planning may or may not include its designation as a state park.

Assemblyman Marvel identified funding as one of the critical issues involved in state parks. The addition of another state park would further tax a system that is already struggling. We cannot endorse any form of fiscal note that is not included in the Governor's recommended budget. We believe that any planning effort should focus on what is being done in the Upper Las Vegas Wash area.

There is evidence that the BLM is carrying out a study that involves Las Vegas, North Las Vegas, and other agencies. We think that it is important to coordinate any study that is being done on the 315-acre Tule Springs site with the BLM study. It is also important to cooperate with Las Vegas and North Las Vegas. They may have duplicate plans or plans that are similar

to what we are proposing. The bill contains a section that designates it a state park. We suggest that a study be done prior to making any designation.

Assemblyman Marvel:

Who would perform the study?

Dave Morrow:

We would work with the University of Nevada, Las Vegas (UNLV) in collaboration with the BLM. We do not have sufficient funding in our current budget to expedite the study. We would attempt to work with the aforementioned entities to determine the best application of that site.

Chairman Claborn:

Is there anyone else who would like to provide testimony?

Helen Mortenson, Archaeo-Nevada Society:

We received letters in support of this bill ([Exhibit F](#)). I will read a letter from Mr. Ronald Yasbin, Dean, College of Sciences and Professor of Microbiology at UNLV.

It is pertinent for this site to become internationally known. Publications addressing this site attract scientists to visit it. Scientists wish to know where Tule Springs is located. We have to raise awareness of this site. One of the paleontologists who conducted research there said that unlike the La Brea Tar Pits, Nevada's cache of ancient treasures could explain how animals and plants lived through multiple eras. The La Brea Tar Pits only contain bones of predators and prey from 38,000 years ago.

When I speak with schoolchildren I wear my Banana Republic jumpsuit. I put on my safari hat. Then I tell them about the fossils. They get excited and become very interested. When I ask them if they know what a mammoth is, they respond that yes, they have seen *Ice Age*. Then I ask them if they realize that there were hundreds of mammoths roaming in their backyards. Speaking with children is also exciting for adults because we teach them about a nonrenewable treasure which is located in our backyards.

Chairman Claborn:

Are there any questions?

Assemblyman Carpenter:

Do all of the white areas in the slide represent land that is intended to be developed ([Exhibit E](#))? Is that part of what you are talking about?

Helen Mortenson:

The white areas represent the Conservation Transfer Area located in the disposal area of the BLM. There is significant pressure from North Las Vegas and from the City of Las Vegas to develop that area. The entire geological formation in the Las Vegas Wash is producing fossils. It is one of the most important sites of its kind west of the Mississippi. Many paleontologists are aware of it. It is an extremely important site because it contained herds of prehistoric animals roaming across it over 100,000 years ago.

Assemblyman Carpenter:

Does this bill address the entire area in white?

Helen Mortenson:

This bill only covers the 315 acres within that land. We cannot control what the BLM has, but it is within the 1,000 acres of the nationally registered site. We could expand it to the 1,000 acres and save the entire site. That is where the scientists worked most intensively. With the current technology we could discover a wealth of information.

Assemblyman Mortenson:

This is one single tooth. It is not a real tooth; it is a plaster cast of something commonly found in the area.

Helen Mortenson:

It is similar to a horse tooth. The ridges indicate that the animal probably ate grass. We have several of these from the Gilcrease Nature Sanctuary. They have an abandoned mammoth dig there. They permit us to create casts from the fossilized remains of mammoths' teeth. Dr. Rowland's graduate students are currently working on this project.

Chairman Claborn:

Are there any further questions or testimony?

Rob Mrowka, Manager, Environmental Division, Department of Air Quality and Environmental Management:

You have heard testimony on how important the Upper Las Vegas Wash area is. It includes the 315 acres discussed today. It provides unique insight into the Pleistocene ecosystem as it compares to today's ecosystem. The area is home to the Las Vegas Valley Bearpoppy. It also shelters Nelson's Buckwheat, which the state is considering listing on an endangered species list.

Clark County is interested in the area's current botanical and biological resources which are not in conflict with the Pleistocene resources.

Clark County is recorded as collaborating with the BLM planning process regarding this 315-acre area. It needs to be preserved to protect the integrity of the ecosystem.

We would like to see the 315-acre area become a historical, scientific preserve. The Upper Las Vegas Wash area including the 315-acre state parcel is included in the Southern Nevada Regional Planning Coalition's Open Space Plan for the Las Vegas Valley. The area would become a superior location for the public to learn about Pleistocene and present-day ecosystems. We can also implement a perimeter trail system for public use. This area is one of the last great natural resources in the Las Vegas Valley. It undoubtedly needs protection and preservation.

Chairman Claborn:

Are there any other questions or comments?

Jill Destefano, Founder, Protectors of the Tule Springs Wash:

I am the founder of the Protectors of the Tule Springs Wash. We are a group of about 200 citizens who live in Las Vegas and North Las Vegas. Most of us live on the edge of the Upper Las Vegas Wash. Our mission is to preserve the Upper Las Vegas Wash as a 13,000-acre national conservation site.

The additional acres are the northern boundary extending to the Sheep Mountains. They would keep development from encroaching above the Wash. With the current situation at this location, you can see all-terrain vehicles (ATVs) and motorcycles driven over the mammoth fossils. People are unaware of what is there. The area is not fenced or monitored. We are concerned that if the area north of the Las Vegas Wash is developed, it will result in further detrimental human activity.

I have had discussions with the BLM, Mr. Mortenson and people from the Floyd Lamb Park area. The BLM thinks that if we can get the entire 13,000-acre site preserved, we could work together. The BLM would coordinate with the county, city, and state entities to create a large educational and academic tourist site. There is a book that will be distributed to every fourth-grade classroom in Nevada beginning this fall. It is called *Springs in the Desert*. Every fourth grader in Clark County will be required to read a few pages of the book.

The first pages portray the mammoths and camels in the Tule Springs area. They discuss the Tule Springs site as an educational resource. The book addresses what was there 40,000 years ago and what the Las Vegas Valley looked like. If we do not act quickly, this nonrenewable resource will be gone. I am going to a North Las Vegas City Council meeting today where they are

trying to change a comprehensive plan that would run a 10-lane beltway over this area.

Chairman Claborn:

Is there any other testimony in favor of or in opposition to this bill?

Assemblyman Marvel:

Mr. Mortenson, how is the \$50,000 going to be spent? Will it be part of a contract with UNLV?

Assemblyman Mortenson:

Since the land is owned by the State of Nevada, Dave Morrow asked me to ask the University if they would cooperate in this venture. It seems that these two entities will collaborate to determine the best way to proceed in a study of the area.

Assemblyman Marvel:

Is there any way we can make this work without the appropriation? I would hate to see it go to Ways and Means and lose.

Assemblyman Mortenson:

It is \$50,000 and I am hoping. . .

Assemblyman Marvel:

There should be some preservation funding in that area.

Assemblyman Mortenson:

It was a consensus that we try for \$50,000. There are provisions in the bill that allow for contributions to be accepted.

Chairman Claborn:

Are there any other questions or comments?

Dave Morrow:

I would like to suggest an amendment to A.B. 469 in Section 1 of the current legislation. It reads, "This bill creates a state park on approximately 315 acres of land owned by the State in the Upper Las Vegas Wash." I would suggest that it be amended so that we do not create a state park. That way we can conduct a study with the option of partnering with the University. The designation as a state park prematurely makes a decision about what the area will be designated and how it will be managed.

Chairman Claborn:

Can you prepare the amendment?

Dave Morrow:

Yes, I can.

Chairman Claborn:

[Opened hearing on Assembly Joint Resolution 9.]

Assembly Joint Resolution 9: Urges Congress to allow certain proceeds from the Southern Nevada Public Land Management Act to be used for Nevada's state parks. (BDR R-693)

Assemblyman Mortenson, Clark County Assembly District No. 42:

We have land sales in the south through the Southern Nevada Land Management Act (SNLMA). We sell billions of dollars of land. Some of it is designated for schools, some for the water district, and a portion of it is parceled out. But there is a large section left over that Bureau of Land Management (BLM) handles. The Nevada Division of State Parks has the lowest priority when it comes to budget allocation. This bill asks Congress to consider changing the SNLMA to allow the Nevada Division of State Parks to receive some of the money. Local governments can, but the State cannot.

Dave Morrow, Administrator, Division of State Parks, Department of Conservation and Natural Resources:

We appreciate Mr. Mortenson's effort in funding state parks. We have made requests in the past to be included in the SNLMA through other land management bills such as the White Pine County bill. To date, those efforts have been unsuccessful.

Local parks and other entities in Clark County are eligible to receive those funds and it is extremely important that the Division of State Parks also be eligible. That does not mean that we would automatically be considered. We would only be able to compete for the funding with other similar agencies in Clark County. We appreciate any consideration you would give and if nothing else, the resolution is a great morale booster for our agency.

Assemblyman Mortenson:

At one time, did one of the bills for White Pine County include state parks?

Dave Morrow:

We worked with the Congressional Delegation in drafting the White Pine County bill. At different stages during that process the Nevada Division of State Parks

was considered for funding under SNLMA, but it did not make it out in the final bill.

Chairman Claborn:

Are there any questions? [There were none.]

Stephen Rowland, Professor of Geology/Paleontology, University of Nevada, Las Vegas:

I strongly support this joint resolution. As a faculty member who frequently uses state lands for educational and research purposes, state parks are among the most treasured natural resources in Nevada. I support any additional resources we can get out of SNLMA to further allow the land managers to properly manage those lands. We sometimes forget that animals like coyotes, raccoons and skunks have been around too. We have lost the larger animals, but the smaller animals are still around today.

Chairman Claborn:

Are there any questions? [There were none.]

Pamela Wilcox, Administrator, Division of State Lands, Department of Conservation and Natural Resources:

Mr. Morrow mentioned everything that I was going to discuss. I agree with everything he stated.

Helen Mortenson, Archaeo-Nevada Society:

I am the former president of the Red Rock Canyon Interpretive Association. I am also on the Nevada Trails Committee and have been president of the Archaeo-Nevada Society and the Nevada Archaeological Association. I am also a member of the Clark County Planning Steering Committee.

When I saw the SNLMA funds come through I thought that the State would have a chance to participate in it, especially the state parks in Clark County. Taking the opportunity away from them is unfair because state parks have the trails, the recreational opportunities, and the same things that city and county parks have. We are connecting trails to make them flow together. It is challenging when local governments have good funding and state parks do not. The population growth in Clark County is a tremendous burden on all recreational facilities. It is necessary to pass this resolution to urge Congress to incorporate our State needs in it. It is not fair to leave us out, not with the opportunities we offer our citizens.

Chairman Claborn:

The SNLMA was passed with regard to parks and also to handle our ATVs and ORVs. It is a sad situation when we start taking money out of that fund. It is exceedingly challenging to make provisions for ORVs because we have federal lands and parks. I agree with you that we need to start utilizing the money.

Is there any more testimony? [There was none. Closed hearing on Assembly Joint Resolution 9.]

Chairman Claborn:

[Opened hearing on Assembly Bill 573.]

**Assembly Bill 573: Revises certain provisions governing wildlife.
(BDR 45-1413)**

Ken Mayer, Director, Department of Wildlife:

Assembly Bill 573 has two parts. One part consists of the creation of a one-day family fishing permit. It is a continuation of our effort to try to get more people involved in hunting and fishing. The second part is the fee reduction of the nonresident elk tag from \$1,200 to \$500.

In 2005 we had 156 nonresident tags available and only 17 were issued. Only 10 of 124 tags were issued in 2006. We believe that people are unwilling to pay \$1,200 to take an elk that does not have antlers. If we reduce the fee from \$1,200 to \$500 we can sell more tags.

The survey we conducted reflects that \$500 is a reasonable fee for the tags. We took a conservative approach. The fiscal note we projected would increase sales by 22 percent. Lynne Foster will provide you with information pertaining to the family fishing permit.

Lynne D. Foster, Marketing Coordinator, Department of Wildlife:

The family fishing permit was created to recruit new anglers into the sport and to recoup lapsed anglers back into angling. It provides for a low-cost option for a family outing. The benefits include increased revenue in license sales and associated federal aid.

You have an amendment to the fiscal note that changed the structure of the family fishing license from a flat rate to a tiered structure ([Exhibit G](#)). We made that change for three reasons: It better serves customers, it allows for documentation for license certification, which is required in order to receive federal aid, and it eases integration into our automated licensing system, which allows for implementation at a much lower cost.

Assemblyman Goicoechea:

When you reduce the fees it increases revenues by 22 percent. When we reduce the fees it decreases by \$16,000 dollars.

Ken Mayer:

Concerning the bill we discussed earlier, the data available on the fiscal note included the number of 65-year-old people who paid full price for the license. That was the data we worked from. The amendment provides that if we are in a deficit situation, we could come back and request money from the Contingency Fund. We were not going to ask that to be added to our budget. The first fiscal note was \$90,000, but when we dug deeper we found it was a revamp of our existing system. We came up with a different approach in which it would only cost \$3,000 to reprogram the system.

Assemblyman Grady:

Are you going to seek to cover your loss through the General Fund?

Ken Mayer:

Our estimate shows we are not going into a deficit. That is the result of the available data and our analysis we made, not because it was our idea. I gathered from the Governor and our constituents that they appreciate us. They want us to seek creative ways to provide discount licenses. They do not want for us to do it on the backs of people currently buying fishing licenses. I have taken that as an important directive. That is how we arrived at this.

Assemblyman Grady:

You need to go back and be more creative on the other two issues also.

Ken Mayer:

Mr. Bobzien has asked us to examine 1995. He wanted us to look at how many 65-year-old people were buying licenses and what differences there are between then and now.

Assemblyman Bobzien:

From a policy basis, I applaud you for seeking new ways in which to expand the sport and participation in it.

Assemblywoman Smith:

I favor the idea of the one-day permit. Considering the Big Brothers-Big Sisters, is there a way we can incorporate language which would allow for people who do not have legal guardianship of a child? Fishing derby days are a great experience for the kids involved in those types of organizations. If we are truly

trying to provide opportunities for this to take place, then we should figure out a way to come up with some language to expedite that.

Lynne D. Foster:

We tried that, but we were concerned that our license sales would be cannibalized in other categories. This license would be taken advantage of. Numerous research articles indicate that family units are the core social unit that influences fishing. Fishing with family members as a child correlates to a large degree with the activity of adult anglers. The family unit is critical. We are trying to protect our revenues and create an opportunity for families to fish.

Assemblywoman Smith:

I appreciate that, but in every other committee we talk about the number of kids who do not have an adult in their lives who is a role model or who spends time with them doing something productive. There are many programs trying to accomplish that. If we can come up with some different language, it is worthwhile. We have several adults working in mentor programs who might find this helpful. It would encourage them to use this opportunity to teach a young person to fish.

Ken Mayer:

That is an interesting idea and we will have staff work on it to see what we can come up with.

Assemblyman Bobzien:

The important element of this proposal as you are presenting it, is that you visualize the possibility to expand the license base rather than cannibalize it. I am a combination license holder. I do not see anything that cannibalizes it now.

Assemblyman Goicoechea:

A number of us have families. We might have a son whose friend wants to go fishing. It would be unfortunate to purchase a family tag which would criminalize taking a friend along to go fishing. You would probably want to make sure that other child could be incorporated into a fishing trip.

Ken Mayer:

These are all creative ideas. We should think about them to see if we can incorporate them. Our intent is to get as many people hunting and fishing as we can. That should begin with a young person fishing early on with a mentor.

There are also many single mothers who do not know about fishing. They might have a friend who wants to take their son or daughter fishing.

Chairman Claborn:

Are there any questions? [There were none.]

Assemblyman Goicoechea:

Was the reduction on the elk tags from \$1,200 to \$500?

Ken Mayer:

Yes it was.

Chairman Claborn:

Is there any other testimony on Assembly Bill 573? [There was none.] Closed the hearing on Assembly Bill 573. I would like to put these on a work session for Monday.

Chairman Claborn:

The meeting was adjourned [at 3:05 p.m.].

RESPECTFULLY SUBMITTED:

Sherrada Fielder
Committee Secretary

Christina van Fosson
Transcribing Secretary

APPROVED BY:

Assemblyman Jerry D. Claborn, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Natural Resources, Agriculture, and Mining

Date: April 4, 2007

Time of Meeting: 1:30 p.m.

Bill	Exhibit	Witness / Agency	Description
***	A	*****	Agenda
***	B	*****	Attendance Roster
A.B. 343	C	Jennifer Ruedy / Legislative Counsel Bureau	Work Session Document
A.B. 469	D	Assemblyman Harry Mortenson / Assembly District 42	<i>Scenic Nevada Magazine</i> – Pages 22 and 23
A.B. 469	E	Stephen Rowland / University of Nevada Las Vegas	PowerPoint Presentation: Paleonto- Archaeological Research Park and Fossil Tourism Site for Las Vegas
A.B. 469	F	Helen Mortenson / Nevada Society	Support Letters
A.B. 573	G	Lynne D. Foster / State Department of Wildlife	Amendment to Assembly Bill 573.