

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

**Seventy-Seventh Session  
March 12, 2013**

The Committee on Natural Resources, Agriculture, and Mining was called to order by Chair Skip Daly at 12:36 p.m. on Tuesday, March 12, 2013, in Room 3161 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, 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 [nelis.leg.state.nv.us/77th2013](http://nelis.leg.state.nv.us/77th2013). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Skip Daly, Chair  
Assemblyman Paul Aizley, Vice Chair  
Assemblyman Paul Anderson  
Assemblyman Richard Carrillo  
Assemblywoman Lesley E. Cohen  
Assemblyman John Ellison  
Assemblyman Ira Hansen  
Assemblyman James W. Healey  
Assemblyman Pete Livermore  
Assemblywoman Heidi Swank  
Assemblyman Jim Wheeler

**COMMITTEE MEMBERS ABSENT:**

None



**GUEST LEGISLATORS PRESENT:**

Assemblywoman Irene Bustamante Adams, Clark County Assembly District  
No. 42

Assemblywoman Maggie Carlton, Clark County Assembly District No. 14

**STAFF MEMBERS PRESENT:**

Amelie Welden, Committee Policy Analyst

Cheryl Williams, Recording Secretary

Steven Sisneros, Committee Assistant

**OTHERS PRESENT:**

Richard L. Haskins II, Deputy Director, Department of Wildlife

Rob Buonomici, Chief Game Warden, Division of Law Enforcement,  
Department of Wildlife

Kyle Davis, representing Nevada Conservation League

Scott Leedom, representing Southern Nevada Water Authority; and  
Las Vegas Valley Water District

Chris Giunchigliani, Commissioner, District E, Clark County Board of  
Commissioners

Larry Johnson, Private Citizen, Reno, Nevada

Elaine Carrick, representing NoBearHuntNV.org

Pamela Gartin, Board Member, NoBearHuntNV.org

Carolyn Stark, Board Member and Treasurer, NoBearHuntNV.org

Patricia Swain, representing TrailSafe Nevada

Jana Wright, Private Citizen, Las Vegas, Nevada

Stephanie Myers, Private Citizen, Las Vegas, Nevada

Karen Layne, President, Las Vegas Valley Humane Society; and  
Public Member, Nevada Board of Wildlife Commissioners

Margaret Martini, Private Citizen, Incline Village, Nevada

Joe Johnson, representing the Toiyabe Chapter of the Sierra Club

Mike Turnipseed, Private Citizen, Genoa, Nevada

Gil Yanuck, Private Citizen, Carson City, Nevada

Bob Brunner, Private Citizen, Reno, Nevada

John Reed, Private Citizen, Reno, Nevada

Joel Blakeslee, representing Coalition for Nevada's Wildlife; Southern Nevada  
Coalition for Wildlife; and Nevada Trappers Association

**Chair Daly:**

[Rules and protocol were explained.] Before we take our first bill today, which will be Assembly Bill 128, we have bill draft request 50-747 for Committee introduction.

**BDR 50-747**—Prohibits the sale or transfer of ownership of a live animal at a swap meet under certain circumstances. (Later introduced as [Assembly Bill 246](#).)

ASSEMBLYMAN HEALEY MOVED TO INTRODUCE BDR 50-747.

ASSEMBLYMAN CARRILLO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

We will open the hearing on Assembly Bill 128. We welcome Assemblywoman Bustamante Adams.

**[Assembly Bill 128](#):** Exempts a person from the payment of a fee for the management of aquatic invasive species under certain circumstances. (BDR 43-809)

**Assemblywoman Irene Bustamante Adams, Clark County Assembly District No. 42:** Good afternoon, Chair Daly and members of the Committee. Thank you so much for the opportunity to present Assembly Bill 128. Last session, I worked with the Department of Wildlife (NDOW) to pass an aquatic invasive species bill called Assembly Bill No. 167 of the 76th Session. Today, I have two individuals from NDOW who will help me in the presentation. To my right is our game warden, Rob Buonamici, and next to him is Rich Haskins, our deputy director for NDOW.

Assembly Bill No. 167 of the 76th Session addressed an issue that was becoming increasingly critical to Nevada. The targeted purpose was to protect Nevada's waters from further infestation of aquatic invasive species (AIS). As you can see from the summary ([Exhibit C](#)) that was handed out to each one of you and is also on Nevada Electronic Legislative Information System (NELIS), the infestation was believed to have occurred through the movement of contaminated trailer watercraft from state to state. It is actually a national problem and not just a Nevada issue. Assembly Bill No. 167 of the 76th Session developed the framework for an effective AIS program to prevent and protect the other Nevada waters that could suffer a similar fate. Today, in our presentation, we are going to give you an overview of what that problem entails for those of you that were not here last session so that you can make an informed decision. Then we are going to go into the bill, and talk about what we want to accomplish with the bill and the education

we are going to be doing throughout this upcoming year. I would like to turn it over to Rich Haskins for the next portion.

**Richard L. Haskins II, Deputy Director, Department of Wildlife:**

Thanks for having us here. As Assemblywoman Bustamante Adams just stated, I will do a quick overview of where we are today. She indicated that A.B. No. 167 gave us the regulatory authority to establish an AIS program. Since that time, we have worked with the Board of Wildlife Commissioners to institute water decontamination protocols and an AIS watercraft decal program. It took a little time to roll that out. We did not get it accomplished the first year after the last session. It took time to establish the business roles for administering that program and to institute contracts with our vendor to issue those decals.

In conjunction with the Board of Wildlife Commissioners, we established a list of aquatic invasive and injurious invasive species; that was the beginning. Since that time, and prior to that, we have had a very rigorous AIS monitoring program. The idea is to be proactive. By going out and collecting water samples we can identify if there is the larva form of the quagga mussel. With that information, if we find that water has been contaminated with quagga or zebra mussels, or something similar, we can then intensify our program to educate boaters who use those waters. We could possibly institute inspection programs or decontamination programs as appropriate. That is an ongoing program. We monitor 17 lakes and reservoirs around the state; we are not the only entity monitoring waters. The federal Bureau of Reclamation also monitors water, Tahoe Regional Planning Agency monitors Lake Tahoe, and there are other entities in the Truckee River Basin that are monitoring reservoirs upstream, so it is a very rigorous approach right now that everyone is interested in maintaining.

Our biggest hope is that we never find additional water that is impaired. We have two waters right now—Lahontan and Rye Patch Reservoirs—that initially had some indication quagga mussels may be there. We have not had any confirmatory tests since that original sample, but we still treat those as potentially impaired waters and regulate them appropriately.

We participate in on-the-ground projects. We keep trying to tell people that it is not a Department of Wildlife problem or a state of Nevada problem; it is a local problem, a state problem, a regional problem, so we are in constant coordination with our partners here in Nevada—Tahoe Regional Planning Agency, local irrigation districts, anyone that is interested in the issue. On a regional basis, we are coordinating with other states. The Colorado River is certainly a focus of everyone's attention as is the western United States right now. We are working with the National Park Service there and other parties to educate folks regarding their responsibilities to clean, drain, and dry their boats. We are focusing right now

on what we call "long-term moored boats," the boats that have been on the lake for an extended period of time. The quagga mussels have a chance for the veligers to settle. They start to form their shell and at that point they become somewhat impervious to desiccation, and certainly once they become more of the adult size—about the size of the end of your finger—they can survive transportation. We have had hundreds of boats that have been attributed to the Colorado River system show up in other states, and believe me, that is cause for concern. A lot of states have programs where they intercept boats at their ports of entry. Certainly, as part of the inspection or interview, they establish where those boats have been; anything that is coming out of Lake Mead is certainly flagged for further inspection.

Our focus has also been on education. Once again, it is a big state. We have diverse waters, a lot of boaters, and not that much in the way of staffing, so the messaging is trying to get across to folks what their responsibilities are—once again, that clean, drain, and dry message. It is actually illegal in Nevada to take a boat from an impaired body of water and launch in another body of water in a state without decontaminating that boat. We are trying to get that message across to folks. We do have some boaters that come out of southern Nevada, Lake Mead, and occasionally go north. They certainly transit to other waters in the western United States, so getting that message across is certainly helping our partners in the West.

With the funding that we are starting to collect now because the decal program is in effect this year, we will be able to ramp up our outreach program in terms of media, billboards, and things like that. As the boating season ramps up around the state, we plan on ramping up our outreach program to let folks know their responsibilities and that we do have this new decal program in place. That is a quick overview.

Everyone sees me focused on quagga and zebra mussels, but there are other species out there that we are concerned about. That is the species that has caught everyone's attention right now, but there are a lot of other species out there. I could go through a laundry list, but we are diligent; we are monitoring for those also.

Mr. Buonamici will be going through the amendment ([Exhibit E](#)) to last year's legislation to the law that we are attempting to deal with the reciprocity issue, which we talked about last session. I will turn it over to Rob Buonamici.

**Rob Buonomici, Chief Game Warden, Division of Law Enforcement, Department of Wildlife:**

Last session as the legislation went through the process, we were specifically asked, "What about reciprocity for Arizona boaters on the Colorado River system; Lake Mohave, Lake Mead, and the Colorado River?" We said that as long as they had an AIS decal program, we would honor their program. We also said the same for Lake Tahoe and Topaz Lake with regard to California.

It was our full intent to go ahead and honor those. The way the legislation came out, the actual language did not allow us to do that, to meet the intent of what we had stated we would do. The reason we were specific to common bodies of water we share with California and Arizona is we have two interstate compacts; they are distinct and separate. One interstate compact is with regard to Arizona and Nevada on the shared bodies of water in the Colorado River system. The other interstate compact is with regard to California and Nevada, specifically Lake Tahoe and Topaz Lake. So we felt comfortable that we should honor those states' AIS programs. We have since found out that those states do not have an AIS decal, per se, like we do. Arizona has folded their AIS fee in with their boat registration. California received an appropriation from their legislature to fund portions of their AIS program, and then passed legislation to fold that into their boat registration program. Henceforth, when we see a California-registered or an Arizona-registered boat on those respective bodies of water, we know they have paid for an AIS program in their respective state. The reason we are allowing that is because this is, as Deputy Director Haskins indicated, a regional/national-type problem.

So the states got together and determined how best to send the same message as close as possible to the boaters across the West, so that when boaters move from one state to the other, or go fishing or water skiing, they have a pretty basic knowledge of what needs to be done with regard to aquatic invasive species. So that is the reason behind that. It has been proposed that we should allow California registered boaters to boat and operate on the Colorado River system, so it minimizes impacts on tourism ([Exhibit D](#)). The issue with that situation is if we allow California boaters to recreate on the Colorado River system without purchasing a Nevada decal, then we open the door to Oregon boaters, Utah boaters, or Colorado boaters who will say, "Wait a minute, you are discriminating against our state because California does not share Lake Mead and Lake Mohave with Nevada; Arizona does." We want to be careful there, and that is the reason why we have selected the path we are on.

With regard to the language in A.B. 128, we looked at how California did not have it associated with boat registration, or an AIS program associated with boat registration at the time, and now they have authority to do that but it is not complete yet. We were going to propose a slight wording change to A.B. 128 in

subsection 6, specifically line 34, where it refers to: "the person has paid a fee" ([Exhibit E](#)). We are more interested in whether California or Arizona has a program as opposed to that particular person paying a fee. We are suggesting that we strike "and the person has paid a fee" and insert directly after that "and Arizona has a program in place." So it would read, "The Colorado River, Lake Mead or Lake Mohave if, as determined by the Department, the vessel is registered in Arizona and Arizona has a program in place for the management of aquatic invasive species . . . ." and strike out "in Arizona" on line 35. The language would mirror that with regard to California on lines 37, 38, and 39. We are suggesting that might read, starting with line 36: ". . . Lake Tahoe or Topaz Lake if, as determined by the Department, the vessel is registered in California and California has a program in place for the management of aquatic invasive species." Our main concern is that they have a program in place and the intent of this regional effort is being met by the states involved.

With that, if there are any questions, I would be glad to answer.

**Assemblyman Carrillo:**

My question is more of just enforcement purposes in general. What is the enforcement process? If someone gets caught once, is it a fine? If they get caught twice, are they banned from the lake? What can you say to that extent?

**Rob Buonamici:**

With regard to the enforcement, our first approach will be in an education phase. People, as they come to these bodies of water, or anywhere in the state for that matter, we are going to be in education mode advising them that this law is in effect and they need an AIS decal and the reason for them. People are more apt to comply with laws if they understand the reason behind them, and they also tell that to their friends. That is our approach. After that, if we see them again out there and they have not purchased the AIS decal, then yes, a citation will likely be issued.

**Assemblyman Carrillo:**

How do you make sure that you are keeping track? Do you have some kind of database that you keep track of people who have been educated, and if they come through again, it is like, "We already told you all about this, this time we are going to slap your hand"?

**Rob Buonamici:**

We have in place what we refer to as our field interview system. That, in all honestly, will probably not be used the first year due to the volume of individuals we will be dealing with. That is entered into a computer database and then if we run that boat or that individual again, it will come back that they have been

warned. But we are anticipating a pretty high volume of noncompliance the first year, which is typical, and so just for efficiency, we are looking at just warning them. If there are some red flags, like they tell us, "We do not care what you say; catch us if you can," then we will jot down that information and if we do catch them again, they will probably receive a citation.

**Assemblyman Ellison:**

I have two little questions. First, are we gaining on the mussels at all? I mean, is there a way to destroy them? Have you found some kind of way to get rid of them? And how much money have we collected from 2012 fees?

**Rich Haskins:**

As far as destroying them, controlling them, if we did find them in a small body of water, there is potential to dry them up. There are chemicals that you can use to control mollusks, but once they get into a system, say the Colorado River system, it is too massive. Or if they were to get into the Humboldt River system or something like that, where they are being transported in the water, it gets a little more problematic there. There is an industry out there looking at working with soil bacteria that will actually kill the mussels. It is probably more effective with outlet structures, dams, things like that. We have people utilizing our facility at Lake Mead Fish Hatchery right now to work with those types of potential systems. Once again, Lake Mead Fish Hatchery receives water that is already impaired. As far as other AIS species that we consider to be invasive we have a better record of being able to control things like that. Once again, the focus is education and making people aware of their responsibilities. There are consequences to ignoring them. It will destroy their fishing and boating opportunities. Those quagga mussels build up on beaches; it makes beaches uncomfortable for bathers to be on, so there is a cause and effect here.

As far as what we collected in 2012, we did not roll it out until this boating season. By the time we got some regulations in place and what I refer to as our business rules, working with our contractor, we would have rolled it out halfway through last year's boating season, and we thought that would be confusing, so we chose to wait until this boating season which begins January 1, and we have rolled it out for this season. So we are just in the process now of collecting funds from the decals.

**Assemblyman Livermore:**

Again, we had a lot of discussion back and forth, but it is there and it is the law. So, in supporting the law and the process I think is still developing, as I think I heard you say, one of the things that is very irritating, is when you go buy that boat sticker, that AIS sticker, there is a processing fee attached to that. I would



rather give the money to NDOW than give the money to a third party purveyor that is charging me a processing fee.

My boat is 13 feet and 7 inches long, so I move into that \$25 or \$30 a boat sticker, but it costs me \$2 extra for the boat sticker. Then I had to buy the AIS sticker; another \$2 extra. Why can you not roll it all into one and put the price in there? If you want to raise your fee \$5 as a cover, I have no problem with that, it just does not suit me well to pay an administrative fee.

**Rich Haskins:**

We have had numerous complaints regarding exactly what you are talking about. The way our contract is set up with the vendor that sells those, it is part of what he collects; it is part of his charge to process and sell the AIS decal or do a boat registration. We understand what you are saying. We would absorb the cost of those transactions, so that is something we are aware of. We have received numerous complaints, so we will be looking at trying to cover those costs in one spot versus per transaction.

**Assemblyman Livermore:**

What you are going to force me to do is mail in my application now. If I mail it in, I do not have to pay that fee. There is no reason you cannot incorporate them all together. It is a mechanical problem, and I think you have got to fix it. You are here to fix something today that we did not perceive two years ago; I think you can fix it now. If you have a third party purveyor out there, that contract can be modified or renegotiated or something like that. I would rather give the money to NDOW to cure the problem you have created the sticker for.

**Chair Daly:**

Do we have any other questions from the Committee at this time? [There were none.] I just have a clarification. We issue a sticker. Do California and Arizona also issue a sticker?

**Rob Buonamici:**

With regard to the decal, Arizona incorporates it in their boat registration. The reason we are very reluctant to do that and not choose that path, quite honestly, is the U.S. Coast Guard, which funds our boating program, has said, "No, that is not acceptable and, in fact, is illegal." We do not want to place ourselves in a position like Arizona or California, where they risk losing their boat funding and their federal funding. We originally wanted to incorporate it in the boat registration, make it seamless and a little more user-friendly, but we place our federal grants at risk if we do that.

**Chair Daly:**

In the original bill last session, we intended to have a reciprocity arrangement and recognize each other's state stickers, correct?

**Rob Buonamici:**

That is correct. On the interstate waters, we did intend for that with the states we share those interstate waters with, and we testified to that. So this is also a matter of integrity in that perspective. We are unable to do that now the way the law currently exists.

**Chair Daly:**

So this bill, and now with the amendment ([Exhibit E](#)), we are going to recognize the California program in joint California-Nevada waters, and we are going to recognize the Arizona program on the Arizona-bordered waters so we can meet our intended obligation and keep our word?

**Rob Buonamici:**

That is correct.

**Chair Daly:**

That is all I have. Does anybody else have any questions at this point?  
[There were none.]

**Assemblywoman Bustamante Adams:**

In closing, I wanted to say, for the new freshmen, how important it is to follow your piece of legislation session after session, because sometimes you have an idea, you propose it, it gets passed, and then there is evolution that happens. You need to stay committed. I did not know anything about aquatic invasive species—I could not even say the word last session—but I am grateful to learn about all of Nevada, different parts of Nevada, and to protect our bodies of water. Thank you for letting us present today.

**Chair Daly:**

Thank you. At this time, we will take testimony in support of A.B. 128.

**Kyle Davis, representing Nevada Conservation League:**

I do not have too much to add here. I did enjoy working with Assemblywoman Bustamante Adams and the Department of Wildlife last session in the development of A.B. No. 167, and I think this is a good cleanup bill to make sure that the program works as effectively as it can.

**Scott Leedom, representing Southern Nevada Water Authority; and Las Vegas Valley Water District:**

We too worked last session on Assembly Bill No. 167 and support the aquatic invasive species fee. We have no concerns with the reciprocity issues in the provisions in A.B. 128, but we did want to mention just briefly for the new members of the committee some of the repercussions that invasive species can have on our state's waters. As I am sure you are all aware, and as you heard earlier, quagga mussels are the big issue in southern Nevada, and we have had a lot of problems with them in Lake Mead and they have posed threats to our ecosystem and our intakes. I have some pictures ([Exhibit F](#)).

As you know, the quagga mussels move very easily from one body to another and we appreciate Assemblywoman Bustamante Adams' leadership on this issue to ensure that the spread of these species is contained. Southern Nevada Water Authority (SNWA) has a monitoring program that includes diver inspections, cleaning intake screens, chemical treatments, and other kinds of treatments to eradicate and mitigate the quagga mussels, but they do have significant financial ramifications on our operation. Today, SNWA spends nearly \$30 million on chemical treatments and temporary measures, and also some permanent measures like selling titanium linings on our intake structures. We also spend anywhere from \$1 million to \$4 million annually on operation and maintenance cost for the quagga mussels.

Thank you for the opportunity to speak and I am happy to answer any questions you have.

**Chair Daly:**

I just want to make sure for the record you guys heard the proposed amendment ([Exhibit E](#)) and you are in agreement with that as well.

**Scott Leedom:**

We have no concerns with the amendment.

**Chair Daly:**

Okay, both are in agreement. Are there any questions for this group from the Committee? [There were none.] We do have a feed down in Las Vegas. Does anybody in Las Vegas have any comments in support on Assembly Bill 128? [There was no response.] We move to opposition. Anybody in opposition to Assembly Bill 128 feel free to come on up now. [There was no response.] We will ask for testimony in neutral on Assembly Bill 128 here or in Las Vegas. [There was no response.] We will close the hearing on Assembly Bill 128. We will thank the sponsor and we look forward to seeing that amendment.

We will open the hearing on Assembly Bill 168 and we will welcome Assemblywoman Carlton back to the Committee on Natural Resources.

**Assembly Bill 168: Requires the membership of each county advisory board to manage wildlife to include one qualified member who represents the interests of the general public. (BDR 45-780)**

**Assemblywoman Maggie Carlton, Clark County Assembly District No. 14:**

Good afternoon, Mr. Chair. Good afternoon Committee members. Nice to see you again. I am here today to present Assembly Bill 168 which was a request of one of our favorite county commissioners who is down south right now sitting there in the back row, Commissioner Chris Giunchigliani. We welcome her input.

There was a time in the recent past where there were a number of folks who actually volunteered and wanted to be part of the Clark County citizen advisory board and they were not allowed to be appointed because they did not fit the criteria that we have now. In discussion with the Commissioner and after sitting through one of the community advisory board meetings one evening, and learning about how the community advisory board worked and the composition of that particular board, she asked me if I would bring forth a piece of legislation that would allow a public member. It is a short bill, but it is a little on the complicated side. I know folks have probably spoken to you about what the definition of a public member would be, or what the interest of the general public would be. I did a little bit of research and came up with a couple of different definitions that I have used in the past. Over the years I have added public members or safety net provider members to different boards and commissions to make sure that they are balanced and the public is represented. When I think of public members, I think of a member that is not representing the special interest of the group involved. Their true representation is of the public. If you look at the noun of a public member, it would be the whole body politic. If you want to look at how it is used as an adjective, it would be open to all belonging to the people. I think what the intention of this is, and a couple questions have arisen, is to make sure that a public member has a seat at the table when we are talking about these important issues when it comes to wildlife.

There is a bit of a question, and I would ask Legal and the Committee and the Commissioner all to weigh in on this. I believe it could be read either way when we include one member who represents the interests. There is a debate on whether that should be a replacement member or that should be an additional member. I stand on both sides of that coin; I am fine with either one. If we would like to have an additional member and have more people involved, I think that is a good thing. If there is an issue with finding enough folks who are willing to

participate and it is a replacement member, I do not think it would be to the detriment of any of the boards.

I believe there are 17 people in this state for the 17 different boards that would be interested in this, but you will hear concerns from other folks that there may not be someone in Esmeralda County with 400 people that may want to do this. So we may have to look at adjustments for populations in different counties, but I bring this forward to you as making sure that public members do have a seat at the table on these important issues. With that, Mr. Chair, I would like to go ahead and turn it over to my county commissioner, Chris Giunchigliani, who is the impetus of this bill.

**Chris Giunchigliani, Commissioner, District E, Clark County Board of Commissioners:**

As Assemblywoman Carlton said, Assembly Bill 168 really became a part of a clarifier that I think we have always tried to do with most of our public boards, and that is to make sure that we had a public representative. We specifically did not call out a conservationist or an environmentalist or anything along those lines, even though I do not think that there would be a problem to have someone on wildlife that had that background, but I think what we were attempting to do was to start out fairly and make sure someone that is not directly affiliated with an organization that is already allowed to be appointed on this board could be an independent person to represent the public.

As Assemblywoman Carlton mentioned, we may need to clarify or define a public member. You can probably look if she has other areas of statutes, you have a lot of other boards that could find it, but the intent is that they be independent and not a hunter, trapper, angler, engaged in ranching or farming in the county.

Clark County, under state law—I think it is under *Nevada Revised Statutes* (NRS) 501.260—allows for five to seven members to be on the community advisory board and then, under populations of 700,000 allows three to five members to be appointed. I think the Assemblywoman mentions a clarifying piece, depending on the size of your board; I do believe that a public member should always be part of that. If a local jurisdiction has three members, they can choose a hunter, trapper, or angler, or rancher or farmer, and a public member. Therefore, you may want to amend A and B, and you might want to look at hunters, trappers, "and"—instead of "or"—anglers, or engaged in ranching and farming. So you have five to potentially pick from, plus a public member, and that way you do not end up with a stacked committee so to speak, with everybody being an angler, or everybody being a trapper, or something along those lines. So I think you have got some flexibility based on statute, based on the size of the board, or a very simple thing could be for districts under 100,000, maybe you have a three-member board and

larger counties have five-member boards. That way, you could identify and call it out in the statute. There are a couple different ways that you could go. I do think the "or" should be an "and" rather than an "or" because that was part of what we ran into in the county—we wanted to try to get as many different people involved, and the "or" implied that you had to be a hunter or a trapper. What if the applications came in and we want a trapper and rancher and an angler, so those were the debates that came into play, and that might be something to tweak while the Committee is considering this legislation.

I do think, though, that it is absolutely key to have people that weigh in that are not directly affiliated, that are somewhat independent. It does not mean you cannot have a hunting or fishing license, but if you are directly affiliated with one of these organizations to be considered for appointment, you would not be considered then for the public member component.

**Chair Daly:**

Does the Committee have any questions for the presenter or for Commissioner Giunchigliani?

**Assemblyman Ellison:**

It is said that somebody would not be considered, but before that you said if they had a hunting license or a fishing license, they could still be included, but then you said hunter, trapper, or angler. Did I misunderstand that?

**Chris Giunchigliani:**

There is currently a call-out that we have to appoint someone that is affiliated with an association with hunters, a trapper, or an angler, and they actually have to be recommended and sponsored by them, so that will be always the makeup of your board. The public person, though, should be someone not directly affiliated with any of those types of organizations or associations, but it would not prohibit you from having a fishing license and going out to fish. That will be something we will have to vet in our application process, but it comes down to, in statute, under the Wildlife Commission, we could only consider people who actually had an association or a membership or organization for a hunter, or a trapper, or an angler.

**Chair Daly:**

Are there any other further questions from the Committee at this time? [There were none.] I would just say this one thing and we are going to get testimony in support and opposition and neutral going forward, but I was writing down some notes, and we need to try to get a definition for public member, and we need to clarify if it is going to be an additional member or a substitute. It is probably leaning towards additional. We will see if there is pushback from any of the smaller counties. We need to put a population threshold in, and then we need to address member

requirements and the "and/or." I am hoping that you can get back to something that addresses those, so as we move forward with this we will try to get everybody on the same page, which does not sound like it is going to be too hard.

**Assemblywoman Carlton:**

I believe we are all on the same page. The simple thought of adding a public member is quite a complicated issue when you have a number of different folks that do the appointing and the different sizes of the boards. I will be happy to do whatever work you need me to do or work with your staff to address these issues, and through Commissioner Giunchigliani make sure that we truly do get to address the public being able to participate on these boards.

**Chair Daly:**

We need to see that in some context or some form in order to move forward. So yes, I am happy to have you help any way you can.

**Assemblywoman Carlton:**

With that, I have to excuse myself. I have to go to another committee, so I will take my homework and will get back to you as soon as I can.

**Chair Daly:**

At this time we will open the microphones and take testimony in support of Assembly Bill 168. If there is anyone in Las Vegas in support, come on up and we will move down to Vegas in just a couple of minutes.

**Larry Johnson, Private Citizen, Reno, Nevada:**

Today I am representing myself only. One clarification that I would like to make to this Committee is I believe it has been implied that to be appointed to the county advisory board to manage wildlife you have to be a member of essentially a sportsmen's organization. I do not believe, if you refer to the operational manual for county advisory board to manage wildlife, in the section for selection and membership, there is such a requirement that you have to be a member.

I signed up in support of this bill. My personal feelings for support of this bill are that I welcome any opportunity to educate the general public as to the importance of the management of wildlife, and particularly the role of sportsmen in enhancing and protecting their wildlife resources. I have a small concern about how the general public is represented in small counties as Assemblywoman Carlton alluded to. Some of these smaller counties have a tough time filling the positions as it is, let alone asking for a narrow interpretation of what this individual would be. Again, I am in general support any time we can educate the general public and get them involved.

**Chair Daly:**

That is what I was just getting to: how we define that public member. I understand what you are saying is that they do not have to be a member of a group in order to be representing hunters or farmers. I appreciate that. We do need to address the smaller counties, if there are some issues, and hopefully we are going to be able to get that information so we get this in a workable fashion from all sides.

**Larry Johnson:**

I agree entirely.

**Kyle Davis, representing Nevada Conservation League:**

We are in support of this legislation. We think that having a general public position to the county advisory boards is a good way to get a new perspective on the management of wildlife. Speaking both from my experience as well as many others that have been a part of working with wildlife and the management of wildlife in our state, there is a lot that goes into it; there is a lot that anybody can learn, and so the more we can get the general public involved in it and committed to the future of Nevada's wildlife, I think, is a good thing.

**Chair Daly:**

Thank you. Does anybody have any questions? [There were none.] We will take your testimony and then go to Las Vegas before we come back to Reno.

**Elaine Carrick, representing NoBearHuntNV.org:**

I am here to support Assembly Bill 168 to have a general public representative on each of the community advisory boards. The Nevada statute states clearly, wildlife in this state not domesticated and in its natural habitat is part of all the natural resources belonging to the people of the state of Nevada. This is all the people and not just the 2 percent. The public representative that we are talking about must be someone outside of that 2 percent who hunt. On the Department of Wildlife (NDOW) website it states that the job of the community advisory boards, to quote: "Public input is critical to the workings of the 17 County Advisory Boards." This statement sounds great and it sounds fair, however, the next statement on the NDOW website states their job is to "gather information and opinions from area sportsmen." In reality, they are not interested in public input if their job description states that they are simply to get input from sportsmen. If the community advisory boards do not have to gather the information from the public—only from the sportsmen—this is not fair or democratic.

Adding one seat for a general public member is certainly a step in the right direction, but the public will still not be totally represented on this board. We still have a long way to go before the public is represented on the board, but I do



support it as moving in the correct direction. In this century, the times are changing and our population is becoming more urban. All the people own the wildlife in our state and these people want to have a say in how that wildlife is managed. Again, having the one representative—if it were truly a public representative—I do not know how the voting would be. That one representative still could easily be outvoted by the other community advisory board members but again, I will support this bill.

[Vice Chair Aizley assumed the Chair.]

**Vice Chair Aizley:**

Thank you, Ms. Carrick.

**Assemblyman Livermore:**

What is the definition for a "citizen at large" that does not possess a hunting or fishing license, because that is evidently excluded? Could he belong to a conservation group?

**Elaine Carrick:**

No, I would just say that it would have to be someone out of the hunting or trapping community. Someone that could represent people like myself and some of the other people here.

**Assemblyman Livermore:**

My point is this: we all grow in our community and you are known by your community members. I used to serve on the board of supervisors in Carson City and generally when an application came before me, I knew something of them. In this case, maybe you were a champion of wilderness areas, which really fenced the population off from acres and acres of land. Would that serve as the general public, or would that be a specific category that you may not wish to serve as the general public?

**Elaine Carrick:**

I am not sure what your question is.

**Assemblyman Livermore:**

I am trying to get the definition of what "general public" is. Everybody has a cause; everybody has a reason for wishing to serve, and I am trying to say you are excluding hunters and fishermen and the rest of the population. It is probably divided in a half dozen other categories.

**Elaine Carrick:**

Okay, I see where you are going. Basically, the wildlife community advisory boards have to be hunters, fishers, trappers, or anglers, and yes, the population is divided up into many other segments, but I think for the purpose of this one general public member it would have to be someone outside of that category, not specifically in another organization. That was not specified in the bill.

**Vice Chair Aizley:**

Assemblyman Wheeler, did you want to add to this?

**Assemblyman Wheeler:**

I am just wondering, do you know why it was originally written that way—to where it should be a hunter, fisherman, and sportsman in general, on these boards?

**Elaine Carrick:**

I know this was probably done in the '30s or '40s, when there were probably more people hunting and trapping and I think that group wanted to have control of the wildlife so that they could make their management decisions.

**Assemblyman Wheeler:**

I believe the real reason why is that around 80 percent of the conservation money that goes into wildlife preservation comes from hunters, fishermen, and sportsmen. The way I have seen it, the people that really want to conserve and really want to manage the wildlife are the people that actually do this, because they want them to be there for ever and ever and ever.

**Elaine Carrick:**

Yes, there is a certain amount of money that comes from guns and ammunition and so forth. I do not believe it is as high as 80 percent. I believe a lot of the people that also do hunting in areas just for practice and things like that, they get quite a lot of money from the federal government. If the public was more involved in wildlife management, they would certainly be willing to put money into it, but right now their funding is coming from the federal government and from hunters because the public has been excluded from so many activities. There are wildlife viewers, there are photographers, there is a lot of tourist money that is coming from wildlife, but because the public has been excluded from being on the Wildlife Commission or the wildlife community advisory boards, we have not been willing to give more money just for their particular kind of wildlife management. We want to become involved; I certainly would like that.

**Vice Chair Aizley:**

Thank you, Ms. Carrick. We have heard both sides now. I would suggest you talk to Assemblywoman Carlton about the wording for amendments that you have in mind.

**Pamela Gartin, Board Member, NoBearHuntNV.org:**

I was asked to read a written statement from our organization. [Read statement ([Exhibit G](#)).]

We support the passage of Assembly Bill 168 as this bill represents a small step toward providing a broader scope of representation in manners concerning wildlife management in our state.

**Vice Chair Aizley:**

Any questions? [There were none.] Please state your name for the record.

**Carolyn Stark, Board Member and Treasurer, NoBearHuntNV.org:**

Thank you for hearing us today. I am here in support of Assembly Bill 168. I am surprised some people who usually go against my comments are actually in support of it as well. I will try not to repeat what other people have said.

The county advisory boards have more diversification than its current structure of hunter and rancher interests only. As was previously mentioned, there are 17 counties with about 85 community advisory board members, all of which are hunters or ranchers. While wildlife belongs to all of us Nevadans, the general public that does not hunt is not represented in the current structure of the community advisory boards. Every five years, the U.S. Fish and Wildlife Service conducts a survey about wildlife viewing, hunting, fishing. The most recent one that we have for Nevada is 2006. According to their survey, there were 63,000 hunters in Nevada in 2006. There were 2.6 million of us in that year. Conversely, there were 686,000 wildlife viewers who outspent the hunters 3 to 1. Under its current structure with the community advisory board members, there are 685 hunters represented to every 1 representative on the community advisory board, and there are zero representing the 686,000 wildlife watchers and viewers in the state of Nevada. I support change. It is a start in the right direction. It certainly does not represent the demographics of the state of Nevada, but it is a start.

To say that wildlife watchers do not have a voice about wildlife in Nevada because we do not buy a hunting license is not democratic. Warren Buffett does not get to vote 500,000 more times for President of the United States than I do, so it is not democratic to say that we have to buy hunting licenses to have a voice in wildlife.

**Patricia Swain, representing TrailSafe, Nevada:**

I have testified many times before the Washoe County Advisory Board to Manage Wildlife starting in 2007. We have a long history. Our dealings have been civil, but it has been a long, slow, difficult process to change the mindset and come up with any regulations. The only way we were able to come up with any change in trapping regulations was when we got a mandate from the Legislature in the last session to have regulations passed that would protect populated areas in congested areas from traps. That is our history with our local community advisory board and TrailSafe is made up of pioneers in new territory. [Read from prepared testimony ([Exhibit H](#)).]

When we showed up at community advisory board meetings back in 2007, there was major culture shock on both sides. This was an institution that had long existed without persons like myself, with the outlook that I have regarding animals. The humane movement began in 1866 and the movement initially turned its attention to pets and service animals, domestic horses, and so forth, but lately has turned its attention more to the situation of wildlife because we see an incongruity between laws that are passed by these very bodies that protect dogs and cats from what is considered cruel treatment, but there is no equal protection for wildlife. That is an incongruity that bothers us very much. There is no hesitation to kill large numbers of animals, which mostly are predators believed to threaten the game animals. The management is for the preservation of game animals above and beyond any other species, and many of the public object to the methods used. Traps, poisons, and shooting from aircraft are all sanctioned by our local and state boards, and this is in opposition to the philosophy and belief of the humane movement.

The 2008 Operational Manual County Advisory Boards to Manage Wildlife, which was cited here, previously stated that fish and wildlife are considered to be owned by the public and held in trust for all citizens and a legacy for future generations. According to the manual, community advisory boards serve "an important role within the state, acting as a liaison between the Nevada Board of Wildlife Commissioners and citizens in each county on wildlife management." It does not say only hunters or only trappers, it says citizens in the county. This appears not to correlate with NRS 501.265, which states that the board of county commissioners shall appoint qualified persons to the board who are hunters, trappers, or anglers, or engaged in ranching or farming in the community. I do not see the correlation between the public trust that is described in the manual and the NRS.

In addition to hunting and trapping organizations, the Sierra Wildlife Coalition and Friends of Nevada Wilderness have done amazing work preserving habitat for the benefit of wildlife. The Sierra Club has done outstanding work conserving habitat.

I do not accept the statement that there is no support for wildlife or wildlife habitat from nonhunters; I think there is a tremendous amount and I can document that if anyone cares for the documentation. *Nevada Revised Statutes* 501.100 says wildlife in the state not domesticated in its natural habitat belong to the people of the state of Nevada. So why, then, should community advisory board members be exclusively hunters, trappers, anglers, ranchers, or farmers? Now we have Assembly Bill 168, and as others have said, we see this as a step toward greater inclusion of the public and possibly the airing of a differing philosophy. The prevailing interests would not be threatened by the addition of one person to each of these boards, and we in the animal advocacy camp cannot count on votes that agree with us. To be a member of the public is not necessarily to embrace the animal protection point of view; nevertheless it is a promising first step toward balancing the interests of many of us in the general public with the unyielding dominance of the hunters and trappers. I urge you, on behalf of over 1,000 TrailSafe subscribers and our many supporters in humane organizations, to vote for Assembly Bill 168.

**Vice Chair Aizley:**

Do we have any questions for Ms. Swain? [There were none.] We will go to the two people in Las Vegas. If anyone else would like to speak in Carson City, you can come to the table now. In Las Vegas, who do we have?

**Jana Wright, Private Citizen, Las Vegas, Nevada:**

I am before you today in support of Assembly Bill 168. In the last few years, I became involved with the Clark County Advisory Board to Manage Wildlife. I either attend the meeting or I review the tape if I am unable to attend the meeting in person. I question the need of the county advisory boards and would rather see the funding for these boards spent on videoconferencing of the NDOW commission meetings, so we might speak directly to the NDOW commissioners and bypass advisory boards entirely.

*Nevada Revised Statutes* 501.265 requires that the advisory boards be made up of hunters, trappers, or anglers, or those engaged in ranching or farming in the county. Just by the nature of the makeup of these boards, they might be seen as skewed toward the interest of sportsmen. It is my personal opinion that this is true beyond the shadow of a doubt. An appointment of a public person would be a welcome addition if the advisory boards are to remain. According to the minutes of the NDOW commission meeting on Friday, December 7, 2012, there was an information item—Number 7A—on the roles of the commission department. Chairman Robb basically wanted an agenda item because of the tough votes the commission had to take which were in opposition to community advisory board votes taken at their meetings. I am grateful that there are several NDOW commissioners willing to listen to all sides of a controversial issue and cast votes

accordingly, even if the community advisory boards disapprove. I can agree to disagree with my sportsmen friends on the advisory board, but I want to believe that they are open minded to the pros and cons of the issues before them. It is my opinion that this is not happening at the local level. In closing, please support Assembly Bill 168.

**Vice Chair Aizley:**

Thank you very much, Ms. Wright. Are there any questions for Ms. Wright? [There were none.] Next in Las Vegas.

**Stephanie Myers, Private Citizen, Las Vegas, Nevada:**

It is all semantics. Lately, all I have heard from the hunters and the trappers in reaction to this bill, "We are the public too, why do you not include us as the public?" Obviously hunters, fishermen, and trappers are members of the public. However, that public—the ones that want to kill wildlife—are estimated at less than 4 percent of the population of Nevada. Presently, in order to serve on the county advisory boards, you have to be an active hunter, fisher, or trapper, or rancher or farmer. This makes these boards, which report directly to the Board of Wildlife Commissioners, much too insulated from the real world, and they represent only their narrow interests. What about the other 96 percent?

One seat on the community advisory board representing the other 96 percent is not enough. Actually, we should be asking for much more than one seat. Even the Board of Wildlife Commissioners now has one seat.

**Vice Chair Aizley:**

The way this operation works, Ms. Myers, is that if you are speaking in support of the bill, you must support it as written. If you are appointing to add more seats, you would be in opposition to the amendment and you could speak at that time. This is for people who are supporting Assembly Bill 168 as written.

**Stephanie Myers:**

I do. The Board of Wildlife Commissioners now has one public seat with Dr. Karen Lane. I have a big garden in the summer, so does that qualify me as the farming seat? I also think trapping is an antiquated, cruel method of killing wildlife on land that belongs to the public. Killing animals that belong to the public and all for private profit—should that opinion disqualify me from serving on an advisory board? Instead of being ridiculed at community advisory board meetings, I would really appreciate the feeling that there are more members of the advisory board who care about the opinions of nonhunters, nonanglers, and nontrappers, those of us who make up more than 96 percent of the population of Nevada. Assembly Bill 168 is one step in the right direction.

**Vice Chair Aizley:**

Thank you, Ms. Myers. Are there any questions for Ms. Myers? [There were none.] We will come back to Carson City now.

**Stephanie Myers:**

We have one more person in Las Vegas.

**Vice Chair Aizley:**

That is fine. Go ahead in Las Vegas.

**Karen Layne, President, Las Vegas Valley Humane Society; and Public Member, Nevada Board of Wildlife Commissioners:**

I have been attending the community advisory board meetings here in Clark County since 2010 as someone who is very interested in the humane issues involving the local community advisory boards and the information that goes to the commission. I want to make clear to you that I do support, as the president of the Las Vegas Valley Humane Society, Assembly Bill 168. I think it is very important that there be more public input on the community advisory boards. I would point out to you that in Clark County, there are over two million people and most of the people who hold licenses in Clark County are actually fishermen, not necessarily hunters or trappers. I think that is very important to note that.

I think that the Legislature should recognize that there is a public member now on the commission who represents those nonconsumptive users of wildlife. Because of that, I think it is important to try to put that same ability on the community advisory boards, so that there is also someone outside of the consumptive users of wildlife; I think this is extremely important, particularly in an urbanized area of over two million people.

I think it is very difficult for the county commissions here to do anything other than what is already specified in the law, because it is very clear that there is no public member outside of the consumptive users of wildlife.

**Margaret Martini, Private Citizen, Incline Village, Nevada:**

I support Assembly Bill 168. I appreciate the position of the sponsor of this bill and support the concept, but I am a person inclined to support a specific statement. Therefore I hope a specific designation of non-hunter/fisher/trapper be clarified for consideration to provide a modicum of balance to these boards and commissions who are charged to manage our public trust for the benefit of the entire public, and not just a handful of our residents of Nevada. Currently the advisory boards, the Board of Wildlife Commissioners, et cetera, are comprised of persons who favor the interest of approximately 2 to 4 percent of Nevada residents who are hunters, fishers, et cetera. That would qualify as a special interest group. Therefore, I am

saying that anyone who buys a license for hunting, fishing, trapping, et cetera, should be disqualified from being the public interest representative on these boards because they obviously have an interest in other than just the general public. I think in order to make the boards very fair and balanced, the person that this bill affects should be more qualifying on that line. If you want to say "general public," then you have to exclude all special interests, and you need one that holds a license for the harvesting—or however they want to call it—of wildlife should be disqualified.

**Vice Chair Aizley:**

I want to remind you that is not the way the bill is written, so you are really not speaking in support.

**Margaret Martini:**

I am speaking in support of putting a genuine public interest person on the board. What I am saying in support of the bill, yes do that, but the qualifying needs to be there as to public interest as opposed to special interest. I am just asking for a qualification on the support.

**Vice Chair Aizley:**

I think Commissioner Giunchigliani is gone, but she had specifically said not to exclude fishermen or hunters.

**Margaret Martini:**

Is that written in the bill?

**Vice Chair Aizley:**

It is not excluded by the bill.

**Margaret Martini:**

That is what I am saying. In the supporting of this bill, the clarification needs to be there as to supporting a person that is totally outside of that interest.

**Vice Chair Aizley:**

I would suggest you submit that to Assemblywoman Carlton as part of an amendment.

**Margaret Martini:**

Okay. I would also like to clarify one of the comments on who supports the Department of Wildlife. It is not the hunting licenses and trapping, et cetera, it is actually more supported by the sale of guns and ammo. Most of the sales of guns and ammo are not for hunting purposes. It is the general public that is buying the guns and ammo that are supporting the Department of Wildlife.



**Vice Chair Aizley:**

Are there any questions for Ms. Martini? [There were none.]

**Joe Johnson, representing the Toiyabe Chapter of the Sierra Club:**

We are in support of Assembly Bill 168. We would also entertain some amendments that have been proposed, and perhaps Assemblywoman Carlton will be aware of some of those things. On another note, just that I have been around here for a long time, I served two consecutive terms for approximately seven years on the State Environmental Commission. In the past, I was a member of the public. I think the language here could be problematic for some small counties, but again, I think the language is fairly prevalent in boards and advisory commissions across the state. Thank you.

**Vice Chair Aizley:**

Thank you, Mr. Johnson. Are there any other people speaking in support in either Las Vegas or Carson City? [There were none.] We will go on to those opposed.

**Mike Turnipseed, Private Citizen, Genoa, Nevada:**

My testimony ([Exhibit I](#)) today is not the position of the board. I have not heard anything to date that says the system is broken. I heard Larry Johnson testify last week on Senate Bill 82, and he stated that wildlife is his passion. I guess I am in that same category. I hold a hunting license, but I also view and photograph wildlife. I have more of them in my yard than I want; one of them is on the grill of my wife's car. I view deer every day. I view Red-tailed Hawks and Rough-legged Hawks every day. On occasion, I view Bald Eagles and Golden Eagles this time of year. I can show you a nesting pair of Bald Eagles right now, but I would have to blindfold you to take you there. I spend more time and money on conservation organizations than most of the people behind me. I am a member and past board director of the High Sierra Fly Casters, and I have not killed a fish in 10 to 15 years; everything I catch is released.

I have helped shock fish on the Walker River; I have helped plant fish on the Carson River. I belong to the Rocky Mountain Elk Foundation, I belong to Nevada Muleys, I have been a member of Ducks Unlimited for over 30 years, I am a lifetime member of Nevada Bighorns Unlimited, I am a past member of Nevada Waterfall Association, and I am a member of the Carson Valley Chukar Club. Any one of these groups that want to put more money into wildlife management can go to any one of these fundraisers; they do not have to have a hunting license to go to the Chukar Club dinner. When you join the big boys—the Nevada Bighorns—the fundraising dinner is April 5 and they can get the desert bighorn heritage tag for about \$110,000. They do not have to kill one, they do not have to have a license to buy it. They can buy the heritage elk tag for about \$75,000, and all that money goes into wildlife management.

The primary objective of the Department of Wildlife is to only harvest 10 percent of the population, so the other 90 percent is still there for people to view, photograph, or enjoy however they want to do it. If they do not want to spend the money to attend one of these fundraising dinners, they can take a Boys and Girls Club group or a Boy Scout or Girl Scout group and show them the difference between a Green Head, a Shoveler, a Canvasback, or a Scott. Take out a group and show them a Black-necked Stilt; an American Havistat. Show them the different between a Trumpeter Swan and a Whistler; this will be a little tough because you have to do it in Overton. All of these can be found in Nevada at no cost. I have two sons and three grandsons and I guarantee by the time my grandsons are adults, they will be able to identify any of those. I urge you to kill Assembly Bill 168.

**Vice Chair Aizley:**

Thank you. Are there questions?

**Assemblywoman Swank:**

What would it hurt to have one public member on the board?

**Mike Turnipseed:**

Frankly, I think they would be bored to tears. We set duck seasons in one meeting and we set the quota in the next meeting. We have one meeting dedicated to fishing seasons and the next meeting for quotas. It is ten meetings a year that way. The general public might have an interest in that, but my guess is not.

**Assemblywoman Swank:**

It is probably up to them if they want to be bored. As somebody who is a member of the general public, it would be interesting for me to attend these. I am not sure what it would hurt to have them on your board.

**Mike Turnipseed:**

It would not hurt, except I heard today that they want a voice; they want more public input. Every one of our meetings is public. We take into consideration what they are talking to us about. Nobody has ever been cut off. Typically we have two members of the public show up except when we had the bear issue. In that, by the way, I believe there was a petition for 1,600 people—you probably got the same petition—and the majority of them were from out of state, and the majority of those people were from states that hunt bears.

**Assemblyman Wheeler:**

Mr. Turnipseed, to that end, do you happen to know anybody in Douglas County who does not have a fishing license, a hunting license, and that would actually want to be on the board?

**Mike Turnipseed:**

I do not, although I typically do not run with that group.

**Vice Chair Aizley:**

Thank you. Any further questions?

**Assemblyman Ellison:**

One of my biggest problems is we do a lot of shooting. We go out to the range a lot and we have deer on the ranch. We do not hunt anymore, but we still support and go to all the different functions to support this. Those ranchers help keep those deer alive. If it was not for those ranchers, you would not have elk, deer, antelope, and some other things like chukars, sagehens because they created the waterfalls. These numbers are thrown out there, do you believe they are right? Two percent of the population does not hunt and does not believe in this. I totally agree. I have 15 members of my family and we do not hunt, but we still go to all the functions. Is that correct?

**Mike Turnipseed:**

Yes, in fact, I would like to comment on that. I heard 80 percent of the money comes from the feds; that is not true. The Division of Wildlife was under me when I was director of the Department of Conservation and Natural Resources. At that time, their General Fund budget was \$30,000 out of several million. The majority of that money comes from Nevada Bighorns, Carson Valley Chukar Club, Nevada Waterfowl Association and those kinds of conservation organizations.

**Assemblyman Wheeler:**

I would just like to clarify. You may have misheard it; I said 80 percent of the money comes from the conservationist organizations, hunters, fishermen, sportsmen.

**Mike Turnipseed:**

I was referring to one of the people who was opposed to the bill that said the majority of the money comes from Pitmann-Robertson or Dingell-Johnson, and that is just simply not true.

**Vice Chair Aizley:**

Okay, next in Carson City.

**Gil Yanuck, Private Citizen, Carson City, Nevada:**

I am here today to discuss Assembly Bill 168 and why I feel there is really no need to change the makeup of the county advisory boards. [Read from prepared testimony ([Exhibit J](#)).]

I live in Carson City and in addition to being a member of the public, I am a member of the Carson City Advisory Board to Manage Wildlife. I have been associated with the Carson City Advisory Board since the year 2000. During this period, I have held the position of secretary, vice chair, and I am currently the chair. In addition, I am the chair of the Finance Committee of the Nevada State Wildlife Commission. As a member of the public, I am vice president of the Carson City Chamber of Commerce, I am on the Membership Committee of the Carson Tahoe Health System, and a trustee and member of the Board of Directors for Carson Tahoe Regional Health Care. I am responsible for the operation of AARP's foundation tax day program that provides free tax preparation services to tax payers at 14 different locations in northern Nevada.

My wife and I operate Friends of Nevada Wildlife, a nonprofit Nevada corporation. During the past five years, it raised over \$100,000 that has been used for wildlife conservation and wildlife habitat projects here in Nevada, primarily for sage-grouse conservation. Friends also sponsor events to bring the sportsmen and sportswomen of Nevada together with their state legislators and the many sporting and conservation groups that are active here in Nevada. Just last month, we held the legislative luncheon where we had 16 to 18 legislators come and meet the various conservation groups and the sportsmen that wanted to talk to them about issues that were important to them.

The public is always welcome to participate at county advisory board meetings. One of the primary goals of each county advisory board is to represent all residents of the county, not just the hunters, fishermen, or trappers. It would be extremely difficult for a member of the county advisory board to adequately fulfill the responsibilities of their position without some firsthand knowledge of the challenges facing the hunter, fisherman, or trapper, and especially the Nevada Department of Wildlife. In 2008, another county advisory board member from Mineral County, one of the Wildlife commissioners, a representative of the Department of Wildlife, and I took on the challenge of creating an operational manual for the County Advisory Board. It took us about nine months to put together. The manual is and remains the basic "go to" reference for all county advisory board members.

*Nevada Revised Statutes* 501.265 and NRS 501.297-501.303 require that county advisory boards must study and give recommendations on wildlife management issues. The board's purpose is to primarily communicate ideas and concerns to the Nevada State Wildlife Commission, thus enabling the wildlife commissioners to do the job they were appointed to do. Members of the county advisory boards are selected with the intent to provide representation from a cross section of the community to ensure that all major viewpoints are examined, and that any faction or special interest group does not dominate the board.

Regular county advisory board meetings facilitate proper identification and presentation of these concerns and serves as an open forum for the public to voice wildlife issues in their community. The Carson City Advisory Board has five members. One member is the head of the science department at the Carson High School, one is a regional conservation district manager, another is a retired Bureau of Land Management law enforcement officer who in his free time, provides free instruction in the art of fly fishing and fly tying. Two of our board members donate their time as certified hunter safety instructors, teaching people of all ages the safety issues of being in the field while hunting. Another board member teaches archery to the young people of Carson City. The makeup of our advisory board is typical of what you will find throughout the 17 counties in Nevada. They are members of the public that have decided to get involved with wildlife, fishing, and trapping issues in their community. It is a good system that fairly represents the men, women, and children of Nevada. In conclusion, I hope I provided you with some better insight into the fact that the public is well represented on the county advisory boards, and there is really no reason to change a system that currently works. I would be glad to answer any questions you might have.

**Assemblyman Livermore:**

I was one of the aye votes that appointed Mr. Yanuck to the wildlife commission in Carson City, and I want to compliment him on his testimony today because I think it is a fair representation of how citizens of Carson City function and see the natural resources in Nevada. Fire prevention, habitat restoration, outdoor activities—bikes, trails, pathways—you have championed all of those. I just wanted to go on record as complimenting your testimony.

**Vice Chair Aizley:**

Thank you, Assemblyman Livermore. Are there any more questions for Mr. Yanuck? [There were none.] Thank you for the work you do, especially with Friends of Nevada Wildlife.

**Bob Brunner, Private Citizen, Reno, Nevada:**

I am opposed to this bill for several reasons. The first one is that the county game boards and the state commission is designed to protect wildlife first, and they make decisions that help wildlife. The reason that we have the most antelope and bears in this state right now in recorded history is because the system works. Their responsibility is to wildlife and if they need to use hunters or fishermen to raise money to pay for the whole thing, then that is what they are doing to make sure that they can hire an independent police force just to protect the wildlife. The reason that you have sportsmen and sportswomen on the community advisory boards and on the commission is the same reason that everybody on the tax board is a tax person. I pay taxes and I am a member of the general public, so you could

put me on the tax board, but I would say, "Let us not tax the people in Reno." Then you would have to stop the meeting and explain past tax law, current tax law, and everything else that was going on.

It would be very difficult to get an impartial person—a member of the general public—to put up with what is frankly a very thankless job. I mean, you should understand that. Hopefully some of your constituents thank you for your service, but wildlife is not going to come and thank these folks for what they do. You have to be passionate to be able to do that. You either have a passion for the wildlife or a specific agenda, which means you are not representing the general public if you have a specific agenda. If you are representing a very small group of people, then you are not representing the general public. We have seen this on the state level just now. They do not speak for the general public, they have an agenda. We need to make sure we are protecting wildlife. We have wildlife out there to photograph and to watch and everything because this system does work.

**Vice Chair Aizley:**

Thank you, Mr. Brunner. Any questions? [There were none.]

**John Reed, Private Citizen, Reno, Nevada:**

Although I am on the Washoe County Advisory Board to Manage Wildlife, I am representing only myself today. Although I am signed up in opposition, I do not really have strong feelings about this bill at this time, but please allow me to explain. First, this is the opposite of the bill to change the composition of Nevada Board of Wildlife Commissioners. Where that bill's requirements for single commission position is too expansive, this one is too vague. For example, if I have a hunting license, am I disqualified to compete for this position as a member of the public? It seems to me there were a lot of outstanding candidates throughout the Nevada community at large and for a variety of reasons. The Operational Manual for County Advisory Boards to Manage Wildlife has specific criteria laid out on page 10. Notwithstanding these criteria, my personal experience would solicit members that care for Nevada's wildlife enough to have spent time, effort, and money to enjoy our diverse species. That includes attending community advisory board and Wildlife Commission meetings, participation and conservation in outdoors organizations, and some participation in the public sector. Trying to discern whether someone is going to be open minded is a bit harder to achieve. Therefore, recommendations and outward support of a candidate are important.

I come late to the table. I did not start hunting until I was 39 years old. Additionally, we did not return to northern Nevada until 1988, although my family has been here since 1964. I personally take a lot of pride in representing the nonconsumable wildlife issues that are out there. There are a lot of other animals

that we look at besides the ones that bring in money to the Department of Wildlife, such as pygmy rabbits, birds, and tortoises.

If you look at the Washoe County Advisory Board's current members, you will find an eclectic group of people with outstanding qualifications. I am certainly the weak link, but hope I have been effective in continuing this role for another term. I cannot begin to tell you how proud I am of our members, the county advisory board's leadership, and the other committed members of other county advisory boards around the state. Again, my opposition to the bill is only due to the vague nature of the public member and who that may include.

**Assemblywoman Swank:**

I have heard a lot of people talk about the problematic nature of this "public member." I am wondering if it might be easier and more amenable if it was a just someone from a conservation group or that was associated with a conservation group because then that would take into account that segment of the society in Nevada.

**John Reed:**

I think if they are qualified and knowledgeable, I am sure they would be welcome.

**Vice Chair Aizley:**

Thank you. Any further questions? [There were none.]

**Bob Brunner:**

A lot of this is brought up because a lot of folks felt that they were not heard at the county advisory boards and the State Wildlife Commission. We just heard Senate Bill 82, which went very much like Wildlife Commission. Everybody was heard, but testimony was 3 to 1 against S.B. 82. Your legislative website shows 2 to 1 for S.B. 82. The commission heard the testimony, they heard the public, and they were just outnumbered; somebody had to win and somebody had to lose.

**Assemblyman Hansen:**

For the edification of the members of this Committee, I am probably the only person in the room that goes back to 1989 when this was changed. I was actually involved in changing these makeups. The first thing I want to do is defend the current process and the people who serve on those county advisory boards, because I have been involved with them in a big way for a long time. Contrary to the impression that has been left by some of the testimony, these people go out of their way to listen to public testimony, and they go out of their way to make their decision based on what really are the requirements of law, and that is scientific wildlife principles. This is a perfectly reasonable thing to do. But because people reject that scientific evidence, they automatically assume these people are not

doing it based on whatever reasons. While I personally do not have a problem with this bill because I do not have any issues with having one member of the general public on it, I have a real problem with the way some of these things have been presented to us today. We are going to have to have a lesson on what wildlife management is, because wildlife management and the concept of nonconsumptive use are actually diametrically opposed to each other. The idea that you are going to put somebody on the board that is intentionally there to promote nonconsumptive use of a board that by state law is supposed to make wildlife management decisions based on scientific principles is a contradiction of terms.

Also, I represent Esmeralda County, Mineral County, and Lander County; these are very, very small counties. Their ability to get anybody, including sportsmen, to serve on these boards is limited because they have very small populations, so we have to make sure that we do not limit whoever it does—assuming this bill passes—to only people who do not have a hunting, fishing, or trapping license, or whatever the background is. Frankly, when you have 700 people in the entire county, you are going to have a hard time getting 5 people to serve on these boards. One thing I would like to ask, Rich Haskins, of the 17 counties, how many currently have active boards? I mean, we are down to ten boards or something where people actually participate; it is pretty small. My point is, while we are making this out to be this big, huge problem, in fact, there is not a problem. Having said that, I do not have a problem with putting "general public member" on it, but for the committee's edification, I think it is important to understand this system has worked extremely well and typically you will find the people who are unhappy with it are people who just flat out do not want any harvest of any animals.

**Vice Chair Aizley:**

Thank you, Assemblyman Hansen. There were also some other exhibits [([Exhibit K](#)), ([Exhibit L](#)), and ([Exhibit M](#))] that were submitted to the Committee but not referenced during the hearing. There is no further opposition to the bill? Okay, we go to the neutral comments.

**Joel Blakeslee, representing Coalition for Nevada's Wildlife, Southern Nevada Coalition for Wildlife, Nevada Trappers Association:**

I have a neutral position today because we have not had a board meeting and a vote on this yet. The main point that I would like to make is that I do not think any sportsmen have a problem with the general public being heard in these boards, and I think they are. However, if this is to go forward, there are some problems that have been correctly identified. The main point I would like to make is that the general public is not necessarily antihunting, antifishing, antitrapping. There are some people over here and there are some people over here, and there are a whole



bunch in the middle. Let us make sure this is truly a public thing and not something that is totally on the other side. That is really all I have.

**Vice Chair Aizley:**

Thank you Mr. Blakeslee. Are there any other neutral comments? [There were none.] If not, we will close the discussion on the bill and move to public comment. I see nobody wishing to make public comment. Anybody in Las Vegas? [There was no response.] The meeting is adjourned [at 2:29 p.m.].

RESPECTFULLY SUBMITTED:

RESPECTFULLY SUBMITTED:

\_\_\_\_\_  
Cheryl Williams  
Recording Secretary

\_\_\_\_\_  
McCall Miller  
Transcribing Secretary

APPROVED BY:

\_\_\_\_\_  
Assemblyman Skip Daly, Chair

DATE: \_\_\_\_\_

**EXHIBITS**

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

**Date:** March 12, 2013

**Time of Meeting:** 12:36 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 128	C	Assemblywoman Bustamante Adams	Informational Notes
A.B. 128	D	Rob Buonamici / City of Bullhead City, Arizona	Resolution
A.B. 128	E	Rob Buonamici, Department of Wildlife	Proposed Amendment
A.B. 128	F	Scott Leedom, Southern Nevada Water Authority	Pictures
A.B. 168	G	Pamela Gartin	NoBearHuntNV.org statement
A.B. 168	H	Patricia Swain	Testimony
A.B. 168	I	Mike Turnipseed	Testimony
A.B. 168	J	Gil Yanuck	Testimony
A.B. 128	K	Sam Medrano	Proposed Amendment
A.B. 168	L	Cathy Smith	Testimony
A.B. 168	M	Tina Nappe	Testimony