

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

**Seventy-Seventh Session  
February 26, 2013**

The Senate Committee on Natural Resources was called to order by Chair Aaron D. Ford at 1:30 p.m. on Tuesday, February 26, 2013, in Room 2144 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Aaron D. Ford, Chair  
Senator Mark A. Manendo, Vice Chair  
Senator Tick Segerblom  
Senator James A. Settelmeyer  
Senator Pete Goicoechea

**GUEST LEGISLATORS PRESENT:**

Senator Scott T. Hammond, Senatorial District No. 18  
Senator Joseph (Joe) P. Hardy, Senatorial District No. 12  
Assemblyman James Oscarson, Assembly District No. 36

**STAFF MEMBERS PRESENT:**

Michael J. Stewart, Policy Analyst  
Brenda Erdoes, Counsel  
Patricia Devereux, Committee Secretary

**OTHERS PRESENT:**

Joni Eastley, Assistant County Manager, Nye County  
James R. Lawrence, Administrator and State Land Registrar, Division of State Lands, Department of Conservation and Natural Resources  
Mark Davis, Chief of Planning and Development, Division of State Parks, State Department of Conservation and Natural Resources  
Dagny Stapleton, Nevada Association of Counties

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Donna Motis, President, Friends of the Belmont Courthouse  
Patrick Cates, Deputy Director, Department of Wildlife  
Richard L. Haskins II, Deputy Director, Department of Wildlife

**Chair Ford:**

We will open the hearing on Senate Bill (S.B.) 121.

**SENATE BILL 121**: Authorizes the State Land Registrar to transfer the Belmont Courthouse to Nye County. (BDR S-268)

**Senator Goicoechea:**

Senate Bill 121 is a straightforward bill proposing to transfer management of the Belmont Courthouse State Historic Park (the Courthouse) from the Division of State Parks (NDSP), Department of Conservation and Natural Resources, to Nye County (the County).

With the downturn in its budget, the State is unable to do what needs to be done to the Courthouse. The County and the Friends of the Belmont Courthouse (the Friends) feel strongly the building needs to be maintained. It has been retrofitted and is completely seismically secured, and it would be a shame to let it further deteriorate.

**Senator Segerblom:**

How long has the Courthouse been managed by the NDSP?

**Senator Goicoechea:**

The NDSP has had the facility since 1974. The agency made many improvements, but when it is neglected for 2 or 3 years, the building suffers. It needs consistent tender loving care.

**Senator Segerblom:**

Are the building's grounds fenced?

**Senator Goicoechea:**

There was no fence the last time I was there. Like many of our State parks, there is a drop box for admission fees, and then visitors go in to look around.

**Senator Segerblom:**

How many acres constitute the Park?

**Senator Goicoechea:**

I believe it is one block.

**Senator Segerblom:**

Does the County have enough money to administer the Courthouse? I have always been told the County is quite poor.

**Senator Goicoechea:**

I do not know if the County is as poor as the State. We are not here to discuss the County's coffers; we are here to discuss the Courthouse.

**Assemblyman James Oscarson (Assembly District No. 36):**

I represent Assembly District 36, which includes Belmont, Manhattan and a big chunk of the center of the State. I am a Nye County resident. I first visited the Courthouse last summer, when the Friends gave me an extensive tour. A great group of folks is trying to preserve the Courthouse and make it the landmark it should be. There are great stories surrounding it and great opportunities for the Belmont community and the State to showcase the facility.

**Joni Eastley (Assistant County Manager, Nye County):**

In addition to being the Assistant County Manager, I just finished a 12-year term as a Nye County commissioner. During that time, the Friends, which is a 501(c) (3) domestic nonprofit corporation, approached the Nye County Board of Commissioners (the Board) about the County regaining the title to the Courthouse from the NDSP. We thought it was a great idea, and I joined the Friends to help move their plans forward. The Board supports the bill, but the County does not officially say it supports the transfer of the property.

The Board committed capital-projects funding to and partnered with the NDSP to reroof and stabilize the Courthouse. We will continue to work with the Friends to advance their plans to restore fully the facility.

Belmont was the second County seat. When Nye County was founded in 1863, the County seat was Lone. The second seat was Belmont, and after the discovery of silver, Tonopah became the seat.

**Senator Segerblom:**

Will the County use its general funds for the Courthouse, and, if so, will it allocate them every year?

**Ms. Eastley:**

The capital-projects money came from the County's Payment Equal To Taxes funding it gets from the U.S. Department of Energy because we are the situs county for the Yucca Mountain nuclear waste repository.

**Senator Segerblom:**

Will the Courthouse become a county park?

**Ms. Eastley:**

It is possible the Board may develop a plan to bring the Friends in as a partner on the project as the fundraising arm to continue operations and maintenance of the Courthouse.

**Senator Segerblom:**

Maybe you can get Round Mountain Gold Corporation to subsidize the project.

**Ms. Eastley:**

We have had several meetings with Round Mountain Gold Corporation about providing funding to replace the Courthouse windows.

**Senator Goicoechea:**

There are a number of restrictions in the bill concerning protection of the historical and recreational values of the property and guaranteed public access. The bill prohibits the County from disposing of the property without authorization from the Legislature.

**James R. Lawrence (Administrator and State Land Registrar, Division of State Lands, State Department of Conservation and Natural Resources):**

You have my prepared testimony ([Exhibit C](#)). The Courthouse is on approximately 1.6 acres about 45 miles north of Tonopah. There is public access to the Courthouse but no public park facilities. The parcel and property were owned by the County before being transferred to the State in 1974. In 1973, the Legislature appropriated \$25,000 to State Parks for restoration of the Courthouse on the condition the property be transferred to State ownership for management by the NDSP. In August 1974, the quitclaim deed was executed, transferring the property to the State.

The County and the NDSP have told me the long-term protection of this historic resource is best achieved through County management. There are no

restrictions in the 1974 deed that prohibit such a transfer of ownership. Senate Bill 121 includes language to protect the property's historical value and guarantees continued public access through appropriate reversionary language in any transfer deed.

**Mark Davis (Chief of Planning and Development, Division of State Parks, State Department of Conservation and Natural Resources):**

You have my prepared testimony ([Exhibit D](#)). I am representing David K. Morrow, Administrator, Division of State Parks, State Department of Conservation and Natural Resources, who could not be here today. When the Courthouse was transferred to the NDSP in 1974, we used the appropriated \$25,000 to reroof the building to protect it from the elements. Since then, we have done a full stabilization for seismic retrofits.

The Division of State Parks' limited deferred-maintenance budget and the Courthouse's distance from other NDSP facilities have made it impossible to accomplish everything in our master plan for the building. The County and the Friends have been excellent partners to us, providing tours of the Courthouse and funds to replace its roof. Since the facility is an important part of history for the County and State, the Friends are in a better position to preserve, protect and interpret the site.

**Senator Manendo:**

I want to be certain no services will be denied to the County's residents because they are taking on such a task. It is sad that for many sessions, legislators have pushed responsibilities onto Clark County because the State lacks the wherewithal to fund what we should be doing for the State's citizens. We are "passing the buck" down to county and city governments. When my constituents say, "The Legislature is less relevant," it is because we make ourselves less relevant by not funding our responsibilities to State citizens. I want to make sure we will not come back later in the Session and say, "Now that we are taking on added responsibilities, it is a revolving door." That has happened in this body.

**Ms. Eastley:**

We assure you we will not divert services from Belmont residents to take care of the Courthouse.

**Senator Manendo:**

I am concerned all Nye County residents could be affected.

**Ms. Eastley:**

That will not happen. This is an unfunded mandate for which the County will gladly assume responsibility. The Friends are moving several projects forward to help restore the Courthouse. I anticipate very few County resources being diverted to the restoration. We will use the Friends as the fundraising arm for any capital improvements that need to be made.

**Senator Manendo:**

I am glad to hear you are in such a good financial situation, so we have to really look at our budget when it comes to ... .

**Ms. Eastley:**

I did not lead you to believe the County is in wonderful financial shape. We are working with the Friends to finance the improvements. Nye County is represented here today by our district attorney, Brian T. Kunzi.

**Dagny Stapleton (Nevada Association of Counties):**

We support S.B. 121 and Nye County's wish to acquire the Courthouse and preserve an important historic asset of the County and the State.

**Donna Motis (President, Friends of the Belmont Courthouse):**

The Friends was established as a nonprofit corporation about 18 months ago to preserve the Courthouse. Thanks to the County, we were able to add a new roof to prevent leak damage. We hope to restore the Courthouse and its historic features—it is on the National Historic Registry—which will be accomplished through grants, donations, membership drives and fundraisers. Our goal is not to ask the County for money, just for support. We want to keep the Courthouse standing so we can conduct tours and show everyone how proud of it we are.

**Senator Manendo:**

Have you already obtained grants and conducted fundraising?

**Ms. Motis:**

We have done fundraisers, membership drives and T-shirt sales for a year. We have made grant requests to a couple of mining companies operating in our area. The Courthouse badly needed a new roof because it was leaking, but

because the Friends was just getting started, we did not have the money to fix it.

**Senator Manendo:**

Fundraising is tough. How much have you raised in the last year?

**Ms. Motis:**

After 18 months, we have more than \$10,000 in our checking account. We have many fundraising activities planned for the upcoming summer. We have scheduled many tours of the Courthouse because, to avoid vandalism, we do not allow unescorted visitors to enter it.

**Senator Goicoechea:**

This is an effort by the residents of Belmont to maintain their historic Courthouse. If you have visited it within the last 35 years, you know the State has not been able to do so. The Courthouse is near and dear to the hearts of Belmont's residents, and they deserve the opportunity to maintain their own facility.

SENATOR SEGERBLOM MOVED TO DO PASS S.B. 121.

SENATOR MANENDO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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**Chair Ford:**

We will close the hearing on S.B. 121 and open the hearing on S.B. 132.

**SENATE BILL 132**: Revises the period of validity of hunting and fishing licenses.  
(BDR 45-783)

**Senator Scott T. Hammond (Senatorial District No. 18):**

Senate Bill 132 has come before this Committee in the past. Assemblyman Paul Aizley, Assembly District No. 41, presented a portion of the bill in the other House.

**Senator Joseph (Joe) P. Hardy (Senatorial District No. 12):**

One of my constituents had a problem with an expired fishing license. After reading the bill draft request, four Department of Wildlife (NDOW) employees came to me and told me it would not work. Therefore, I am presenting a proposed conceptual amendment ([Exhibit E](#)).

The bill's concept is that people are not sure why their hunting and fishing licenses expired because they thought they were good for a year after purchase. In reality, the licenses were often only good for a matter of months. Working with Senator Hammond, I naively put into the bill that fishing or hunting licenses should be valid for 1 year. The NDOW suggested how we could avoid an enactment fiscal note of \$200,400.

We received more egregious complaints about fishing licenses than about hunting licenses. Patrick Cates, Deputy Director, of the NDOW, prepared this spreadsheet ([Exhibit F](#)) of annual license sales. There is an \$8 difference between fishing licenses purchased alone and the fishing/hunting combination license. There is a \$14 difference between the single and combination out-of-State licenses. If fishing and hunting licenses are separated, the total fee collected is about \$230,000. The amount is the same if you just use fishing license fees. Language concerning the ramifications of tag fees and the grants received from the federal government would be too complex for a simple bill.

**Senator Hammond:**

When we talk about how much the fiscal note will be if people do not buy licenses under the current system, several testifiers have stopped buying licenses because of the expiration dates. If we made licenses valid for the calendar year, they would start buying them again. This would bring more money into the State coffers.

**Senator Segerblom:**

Are you saying that if I buy a fishing license on December 1, I pay for a full year yet can only use it for 1 month?

**Senator Hardy:**

If you buy a fishing license in December, it expires on the last day of February. That date is not on people's calendars as significant, so if you buy it on March 1, the license lasts for a year. The *Nevada Revised Statutes* dictate an uncommon date as to when licenses expire and begin.



**Senator Segerblom:**

Does the State notify people when their licenses are about to lapse?

**Senator Hardy:**

No.

**Senator Goicoechea:**

I have constituents who complain about the odd expiration date. Maybe we could change it to June 1, when many families take fishing trips. On May 1 of the next year, you might go fishing again, knowing it has not been a year since you bought a license. You can then be arrested for an expired license. The proposed amendment to S.B. 132 attempts to address the problem. It would be a good bill, despite the high fiscal note.

**Patrick Cates (Deputy Director, Department of Wildlife):**

You have my prepared testimony ([Exhibit G](#)). My comments will pertain to the original bill, not the proposed amendment. The NDOW is neutral on S.B. 132. We do not object to its provisions in principle, but converting the license period would entail significant administrative and fiscal burdens.

The Nevada sportsmen's license year is March through February for hunting, fishing or combination licenses. An annual license of this type is standard among U.S. wildlife agencies. We have received few complaints about the system, usually toward the end of the license year. We refer callers to our short-term licenses—up to 3 days for fishing—and most people are satisfied with that.

Of the 46 states we surveyed, only Mississippi, North Carolina and Utah have 365-day licenses. Arkansas and Virginia have set license years for hunting and 365-day licenses for fishing. In 2004, at the direction of the Utah Legislature, the Utah Division of Wildlife Resources converted from an annual license, which Nevada has, to a 365-day license after a few years of study and transition. Utah officials report few issues with the system, but the transition entailed some difficulties.

The largest obstacle to instituting a 365-day system in Nevada is fiscal. It would require reprogramming of the NDOW data system for licensing; the application hunt system, which allocates tags; and our online interfaces. The fiscal note for the programming changes is \$200,400. The system is maintained by

independent contractors; Utah has in-house programmers, so their conversion was not as costly. Contracts for our computer systems are about to be solicited in a request for proposal (RFP) bid. The licensing system redesign as proposed in S.B. 132 was not included in the RFP. This means the timing for the change is particularly problematic for our RFP process. The conversion cost could ultimately be higher than what our contractor estimated.

Another NDOW concern over the bill is the handling of licenses issued manually by agents. Most licenses are issued automatically, but a small percent are issued manually, mostly in rural areas. We have an extensive system of agents, including sporting goods stores and Walmart stores, that sell hunting and fishing licenses. The NDOW has proposed the Board of Wildlife Commissioners adopt a fully automated system, but the consensus is to continue offering the manual option to the sporting public. Utah found it necessary to eliminate manually issued licenses before converting to the 365-day system to avoid mistakes as to when licenses expire.

A primary concern for game wardens is the potential to make violators out of honest sportsmen and sportswomen. In Nevada, sportsmen must have valid hunting licenses if they hold valid tags. The March-through-February license year is designed to ensure this is always the case. With a 365-day license, sportsmen or sportswomen could inadvertently let their licenses lapse between the time they draw a tag and when they conduct the actual hunt. Utah only requires a valid hunting license when the tag is purchased. To change the Nevada system would require revamping our regulations and conducting extensive public education.

Utah officials reported it took almost 3 years to educate anglers about the new licensing system. There was a spike in violations among anglers unaccustomed to the 365-day license. Instead of having one statutory deadline at the end of February, every license had an individual expiration date. The proposed amendment, which would only institute a 365-day fishing license, would not address concerns about hunters in the field having valid licenses. There would still be a significant fiscal note. Of the \$200,400 fiscal note, \$168,000 would be for revamping the licensing system. It could possibly increase if there were two separate sets of business rules for hunting and fishing licenses.

**Senator Settelmeyer:**

How much does a seasonal fishing permit cost, compared to a 3-day permit?  
Are licenses also issued for a single day?

**Mr. Cates:**

According to [Exhibit F](#), an annual resident fishing license is \$29 and for a nonresident, \$69. Anglers can buy 1-day permits then get 2 more days. The cost for residents is \$9 for the first day and \$3 for the other 2 days.

**Senator Settelmeyer:**

If my fishing trip lasts 4 days, must I buy an annual permit?

**Mr. Cates:**

That is correct.

**Senator Settelmeyer:**

What is the fishing season? Is it 365 days a year?

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

Most State waters have no restrictions on fishing 365 days a year. The NDOW may restrict some waters associated with wildlife-management areas or to protect waterfowl. Unlike California, there is no "opening day" in Nevada.

**Senator Settelmeyer:**

If a person began a weeklong fishing trip on February 26, what would he or she do about a permit? Would that require two annual permits?

**Mr. Haskins:**

Yes, a temporary permit and an annual permit would have to be purchased. There is not much fishing in February and March in most northern Nevada waters. The peak fishing activity on Lakes Mead and Mojave is March through October. The current license year is designed to accommodate hunters. Waterfowl and chukar seasons typically go through January and February, so that is why the license is not based on the calendar year.

**Senator Goicoechea:**

Are you saying that if I buy a hunting or fishing license on February 27, it is only good for 2 days? Is it true that I cannot buy a license on that date that is good for the following year?

**Mr. Haskins:**

You can purchase a temporary license in advance of a fishing trip because they are dated. You can buy it on a Thursday then start your trip on Saturday. I do not know if annual licenses can be bought in advance of the March 1 license year. The system is not set up for that.

**Senator Goicoechea:**

Are you saying that technically, on that hypothetical trip, unless I buy a license on March 1, I would be in violation on March 1 and 2 until I got back to town to buy a new annual pass? I could not legally cover the gap.

**Mr. Haskins:**

That is correct. There will always be a transition period regardless of the type of license period.

**Senator Hardy:**

Some states' license period is January 1 through December 31, a time frame that is easy to understand. About twice as many states begin their license period in February or March, which is more difficult to remember. Looking at [Exhibit F](#), 34,211 hunting, 53,972 fishing and 28,752 hunting/fishing combination licenses are issued annually. If there is an \$8 difference between fishing and a combination license, something needs to be reprogrammed. System glitches should be examined.

**Senator Hammond:**

When people renew their Department of Motor Vehicles vehicle registration, the license plate sticker is not based on the calendar year. A system already exists to deal with this. It is logical that regardless of when you buy a hunting or fishing license, it should be good for a year.

**Senator Segerblom:**

This is a solution looking for a problem. Hunters know how the licensing system works, so we are trying to fix something that is not broken.

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**Chair Ford:**

Seeing no further business before the Senate Committee on Natural Resources,  
this meeting is adjourned at 2:20 p.m.

RESPECTFULLY SUBMITTED:

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Patricia Devereux,  
Committee Secretary

APPROVED BY:

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Senator Aaron D. Ford, Chair

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

<b><u>EXHIBITS</u></b>				
<b>Bill</b>	<b>Exhibit</b>		<b>Witness / Agency</b>	<b>Description</b>
	A	1		Agenda
	B	4		Attendance Roster
S.B. 121	C	1	James R. Lawrence	Written Testimony
S.B. 121	D	1	Mark Davis	Written Testimony
S.B. 132	E	1	Senator Joseph (Joe) P. Hardy	Proposed Conceptual Amendment to S.B. 132
S.B. 132	F	1	Senator Joseph (Joe) P. Hardy	Handout: "NDOW Annual License Sales by Volume"
S.B. 132	G	1	Patrick Cates	Written Testimony