

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

**Seventy-Eighth Session
March 10, 2015**

The Senate Committee on Natural Resources was called to order by Chair Don Gustavson at 1:30 p.m. on Tuesday, March 10, 2015, in Room 2144 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 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 Don Gustavson, Chair
Senator Pete Goicoechea, Vice Chair
Senator James A. Settelmeyer
Senator David R. Parks
Senator Mark A. Manendo

GUEST LEGISLATORS PRESENT:

Senator Scott Hammond, Senatorial District No. 18

STAFF MEMBERS PRESENT:

Alysa Keller, Policy Analyst
Gayle Farley, Committee Secretary

OTHERS PRESENT:

Mike Bertoldi, Coalition for Nevada's Wildlife
Larry Johnson, President, Coalition for Nevada's Wildlife
Joel Blakeslee, Board Member, Coalition of Nevada's Wildlife; President,
Nevada Trapper's Association; Southern Nevada Coalition for Wildlife
William Molini, Nevada Waterfowl Association
Bob Brunner, Coalition for Nevada's Wildlife
Mike Reese, Southern Nevada Coalition for Wildlife
John Sullivan
Karen Boeger, Nevada Chapter, Backcountry Hunters and Anglers
Kevin C.K. Baily

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Gil Yanuck, President, Friends of Nevada's Wildlife
Mike Cassiday, President, Northern Nevada Chapter, Safari Club International
Doug Martin, Chair, Carson City Advisory Board to Manage Wildlife
Elaine Carrick
Trish Swain, TrailSafe Nevada
Fred Voltz
Carmen Rhoda
Janet Little
Stephanie Myers
Kathi Pasciak
Leah Sturgis, League of Humane Voters
Lloyd Peake
Margaret Flint, Nevadans for Responsible Wildlife Management
Beverlee McGrath, Best Friends Animal Society; Nevada Humane Society;
Northern Nevada SPCA; Nevada Political Action for Animals; Lake Tahoe
Humane Society and SPCA; Pet Network of Lake Tahoe; Wylie Animal
Rescue; Fallon Animal Welfare; Hidden Valley Horse Rescue; Paw Pack;
Compassion Charity for Animals
Tina Nappe
Jeremy Drew, Chair, Board of Wildlife Commissioners
Jack Robb, Deputy Director, Department of Wildlife
Patrick Cates, Deputy Director, Department of Wildlife

Chair Gustavson:

We will now hear Senate Bill (S.B.) 163.

SENATE BILL 163: Creates the Advisory Council on Nevada Wildlife
Conservation and Education. (BDR 45-616)

Senator Scott Hammond (Senatorial District No. 18):

The benefits of wildlife recreation such as hunting, fishing and trapping are an important part of Nevada's economy, an integral part of the State's cultural history and heritage and critical for the conservation, preservation and management of our natural resources. According to the Department of Wildlife (NDOW), hunting, sport fishing, boating and wildlife watching bring an estimated \$1.6 billion per year to our economy. Sport fishing and hunting contribute approximately \$409 million in retail sales, with another \$38 million contributed through local and State tax revenues. Statewide agencies throughout our nation could not survive without the financial contributions of

hunters, fisherfolk and trappers who provide the majority of revenue for them. However, the importance of wildlife recreation goes beyond simple economics, and we need to educate the public about the importance of these activities in Nevada. This bill has two key provisions: the creation of an Advisory Council on Nevada Wildlife Conservation and Education and an account to support the Council. Senate Bill 163 is tasked with promoting and educating the public on the importance of hunting, fishing, trapping and the taking of game. The bill requires the Council to develop and implement, in collaboration with a marketing or advertising agency, a public information program to promote the essential role of sportsmen and sportswomen in furthering wildlife conservation in Nevada. The public information program must include education that hunting, fishing, trapping and the taking of game are necessary for the conservation, preservation and management of Nevada's natural resources, an integral part of the cultural heritage of the State, and important part of the economy. The Council would consist of seven members, with the director of NDOW or his or her designee and the others appointed by the Governor through the advice of the chair of the Wildlife Commission. Appointed members should represent all geographic areas of the State and must include: one member of the Wildlife Commission; three qualified residents who hold hunting, fishing or trapping licenses; one resident who represents small businesses affected by hunting, fishing or trapping; and one resident who has a background in marketing and media. Members of the Council will serve 4-year terms without compensation other than per diem allowances and travel expenses. The Council will meet at least four times a year.

Senate Bill 163 also creates the account for wildlife conservation and education in the State General Fund. The account will be administered by the director of NDOW and funded by a \$3 wildlife conservation and education fee that must be paid in addition to any other fee charged for an annual hunting, fishing or trapping license. The money in the account is to be used solely to defray costs and expenses of the Council carrying out its duties and for administering the fund.

Hunting, fishing and trapping have been an integral part of the Nevada experience for four generations. The bill you have before you today is to ensure the public has the ability to receive the education needed to know how important these activities are for them to continue to enjoy the natural resources of our great State. I urge your support in this important legislation.

Senator Goicoechea:

I would like to get it on the record that this \$3 fee is not the fee that is presently being used for predator control.

Mike Bertoldi (Coalition for Nevada's Wildlife):

This bill is a sportsmen- and sportswomen-driven bill and will be funded by them. It is not being requested by the NDOW. I have a presentation ([Exhibit C](#), original is on file in the Research Library), with an internal video that was borrowed from the Nimrod Society outlining the Colorado model.

Senator Hammond:

The biblical meaning of nimrod is great hunter, and I want to be recorded and credited for that biblical reference.

Senator Gustavson:

The video really explains the bill.

Mr. Bertoldi:

As you can see in [Exhibit C](#), Colorado passed its wildlife education council's bill, House Bill 1266 in 2005, and Michigan passed its House Bill 4993 in 2013. Oregon has this language proposed in 2015.

We feel the need for this legislation is clear. Nevada is one of the most urbanized States in the Nation. Most of our citizens, including sportsmen and sportswomen, do not understand the North American model of wildlife conservation. The success of the NDOW in restoring and managing our wildlife populations depends on the roles of hunters, trappers and anglers who actively participate and fund the vast majority of wildlife programs in our State. Obviously, wildlife has a tremendous positive impact on our State economy, benefitting all Nevadans.

The proposed fees are \$3 for residents and \$10 for nonresidents as noted on page 8 of [Exhibit C](#). The \$10 fee is directly proportional to the difference in fees for the licenses.

Chair Gustavson:

Are the fees proposed in the amendment or the bill as presented?

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Mr. Bertoldi:

The bill as presented was \$3 for everyone. The amendment (Exhibit D), is \$3 for residents and \$10 for nonresidents.

Chair Gustavson:

Is this the proposed amendment we have in front of us?

Mr. Bertoldi:

That is correct. In the amendment, [Exhibit D](#), we added a \$1 fee on 1-day licenses. This is for residents and nonresidents. Northern Nevada supporters for this legislation are listed on page 6 of [Exhibit C](#) and supporters in southern Nevada on page 7.

Larry Johnson (President, Coalition for Nevada's Wildlife):

I would like to introduce the proposed amendments that I have provided [Exhibit D](#).

Chair Gustavson:

Are these friendly amendments?

Senator Hammond:

Yes. These amendments came to us from stakeholders of this legislation after studying the Colorado and Minnesota models, pages 11-25 of [Exhibit C](#). We are a small population; therefore, the fees for Nevada are greater than more populated states to ensure the revenue collected will be adequate for the program to be successful. This will make a good bill better.

Mr. Johnson:

We sent this to all State game boards in addition to all sportsmen and sportswomen organizations in the State and met with the Wildlife Commission legislative subcommittee. Senator Hammond indicated this was the origin of the proposed amendment.

As former director of Nevada Bighorns Unlimited, the largest sportsmen and sportswomen organization in the State, I would like to record our strong endorsement of this bill.

Senator Manendo:

The Colorado model talks about non-sportsmen and non-sportswomen on its council. How many non-sportsmen and non-sportswomen would be on the Nevada Council?

Mr. Bertoldi:

The media person does not have to be a sportsman or sportswoman, and there is a position that represents the sporting goods industry that does not have to be held by a sportsman or sportswoman. For the most part, however, I would say that most of these members are going to be sportsmen and sportswomen because of the industry in which they work.

Senator Manendo:

Am I correct in understanding that the media person is going to take direction from the members?

Mr. Bertoldi:

Actually, the independent media contractor will advise the Council.

Senator Manendo:

Would the contractor advise the Council on the media side?

Mr. Bertoldi:

That is correct.

Senator Manendo:

The Colorado model appeared to have non-sportsmen and non-sportswomen members, from the slides I saw.

Mr. Bertoldi:

The Colorado model is more extensive than ours. It has nine people on it, but they tried to represent geographical areas.

Mr. Bertoldi:

There is no mandate to have a non-sportsmen or non-sportswomen on the Colorado council. In the presentation on pages 11 and 12 of [Exhibit C](#), there is a copy of the Colorado statute. On pages 13 and 14 is a copy of the Michigan bill.

Senator Manendo:

The slide addressed hunting and fishing. Did the Colorado model discuss trapping in their public relations campaign?

Mr. Bertoldi:

Trapping was outlawed on public lands in Colorado a year before the bill was passed.

Senator Manendo:

Do you know if they had identification on the traps?

Mr. Bertoldi:

No.

Chair Gustavson:

That is a different bill.

Joel Blakeslee (Board Member, Nevada Coalition of Nevada's Wildlife; President, Nevada Trapper's Association; Southern Coalition of Nevada Wildlife):

I would like to say we are catching up with the rest of the world. We have many government campaigns, Prevent Forest Fires, Smokey the Bear; Mining, It Works for Nevada; Beef, It's What's For Dinner; Give a Hoot, Don't Pollute. That is all I have to say. I support the bill.

William Molini (President, Nevada Waterfowl Association):

We support this bill. Nevada is one of the most urban states in the United States. We see a need to educate the public about the value of hunting, fishing and trapping and what the sports have accomplished for Nevada wildlife management.

Bob Brunner (Coalition for Nevada's Wildlife):

When we brought this bill to the counties' advisory boards to manage wildlife, we had a lot of positive feedback. The amendments we have brought forth reflect their recommendations. This is a bill programmed for sportsmen and sportswomen, and all sporting families of Nevada.

Mike Reese (President, Southern Nevada Coalition for Nevada's Wildlife):

As a group, we are excited about this bipartisan bill. We understand that media campaigns are the lifeblood of any business or industry. We would like to hire a

media person to deliver our message to the public. Our desire is to tell our story and the effect we have on Nevada by what we do, how we do it and how much money we bring to business in addition to promoting tourism and stimulus for the State.

John Sullivan:

I am a member of many hunting, trapping and conservation organizations in the State. I am representing myself today and wholeheartedly support this bill. Nevada has a good story to tell through wildlife and conservation. Virtually all wildlife species are abundant, healthy and on the increase in almost every part of the State. This is due to the hard work and cooperation of the NDOW and the sportsmen and sportswomen communities. One example would be the increase of the Desert Bighorn Sheep, our State Animal. The population has increased from 2,000 to 11,000 within the last 30 years. This has been achieved primarily because of the cooperation of the NDOW and two groups that are dedicated to this species, the Nevada Bighorns Unlimited in the north, and the Fraternity of the Desert Bighorn in the south of our State. The public has no idea these programs exist. The public is unaware of the work these organizations do to maintain our wildlife. This education program proposed today will rectify this. It will be extremely helpful in allowing the NDOW, in cooperation with various conservation groups, to continue this significant and beneficial work.

Karen Boeger (Nevada Chapter, Backcountry Hunters and Anglers):

I am from a family with a heritage of hunting, trapping and fishing that goes back to the early days. However, until I was older and became an activist in support of wildlife, I did not know that sportsmen and sportswomen were the primary funding source for the NDOW. I am a prime example of someone who can benefit from this bill with the education it has to offer the public. Nevada's exceptional model of wildlife management is a model for the world. I have submitted a letter ([Exhibit E](#)) in support of this worthy bill.

Kevin C.K. Baily:

I have been a Carson City resident for 35 years and I am in support of S.B. 163. I am a mentor for an elementary school program that is provided by the NDOW and authorized by the Department of Education known as "Trout in the Classroom." This program is designed for elementary students in Grades 4 and 5. The Department of Wildlife donates fertilized trout eggs and an aquarium chiller for the classroom to enable the students to raise trout while

learning about biology, entomology and the life cycle of the fish. I have 200 to 300 students that I mentor with teachers from several counties in northern Nevada. I am going to read into the record what one student said about what she learned in this program: "So much depends upon oxygen in the water so fish can survive. Oxygen helps fish survive. Without oxygen everything would die. Fish extract oxygen from water through their gills." It is a tremendous gain for Nevada by educating children about wildlife.

Gil Yanuck (President, Friends of Nevada's Wildlife):

I have been on the Advisory Board to Manage Wildlife for 12 years, the Governor's Sage Grouse Conservation Team for 10 years and I created Friends of Nevada's Wildlife in 2008. Friends of Nevada's Wildlife was established as a funding source to sponsor activities that NDOW was unable to make available. One hundred thousand dollars was raised to pay for helicopter flights to explore the bistate area of Nevada and California looking for sage grouse leks. In addition, we funded a joint meeting of the Department of Fish and Wildlife in California and the NDOW to address issues affecting both states. I sent you all an email to invite you to a luncheon next Thursday. You will have an opportunity to speak with many of the nongovernmental organizations (NGOs) about conservation and wildlife. A small percentage of our population has a hunting, fishing or trapping license. Many people appreciate seeing bighorn sheep, deer and elk and enjoy fishing; however, they have no idea what it takes to make this possible. A program like this, totally funded by the sportsmen and sportswomen, would be invaluable to those people. It is very important to get the word out, and the Colorado model is a great example for us to emulate.

Mike Cassiday (President, Northern Nevada Chapter, Safari Club International):

I agree with what has been said and support this bill.

Doug Martin (Chair, Carson City Advisory Board to Manage Wildlife):

This is not a tax bill and is sportsmen and sportswomen funded. The Carson City Advisory Board to Manage Wildlife unanimously supports this bill.

Elaine Carrick:

I oppose S.B. 163. I do not feel this Council is needed. We currently have the NDOW, which does the same thing to support sportsmen and sportswomen activities. This bill creates a lobbying campaign to convince the public to accept the activities of hunting and trapping. Bills passed by the Legislature should benefit all people of Nevada, not only 2 percent of the population. It was

mentioned by Senator Hammond that these activities bring money into our economy. I have provided a recent U.S. Fish and Wildlife survey in addition to my written testimony ([Exhibit F](#)). According to this survey, the expenditures in Nevada by residents and nonresidents for hunting activities totaled \$204 million. The expenditures for wildlife watching totaled \$682 million. According to this survey, wildlife watching brings in three times as much as hunting does. Perhaps a bill should be drafted that would encourage more wildlife watching recreation instead of promoting killing wildlife. As Governor Sandoval has said, we need to look forward to the new Nevada, promoting hunting and trapping was a popular activity in the nineteenth and early twentieth centuries. We need to promote activities for the twenty-first century.

Trish Swain (TrailSafe Nevada):

We oppose this bill for several reasons. The Department of Wildlife has sold approximately 48,000 hunting licenses, 1,200 trapping licenses and 80,000 fishing licenses this past year. Further promotion of hunting, trapping and fishing is unnecessary. Our NDOW already has a conservation education division. When you go to their Web site, you can see unbiased information on just about every species found in Nevada. We are not an antihunting organization. This proposal is blatantly undemocratic and troublesome to us because public agencies are involved. There is no opportunity for 98 percent of Nevadans who perform nonlethal wildlife watching to participate. I have provided a proposed amendment to this bill ([Exhibit G](#)).

Fred Voltz:

I am opposed to this bill and have provided written testimony ([Exhibit H](#)). In the January budget presentation by the NDOW, it was indicated that less than 30 percent of their budget comes from direct licensing fees. Today, it has been suggested that these licenses are supporting the NDOW when it is actually funded by grants such as the Pittman-Robertson Act. This money comes from gun owners exercising their Second Amendment rights. It is misleading to say hunting and trapping are making a difference compared to ecotourism in our State. Individual hunters not affiliated with the named organizations listed in the presentation, [Exhibit C](#), this afternoon have not been asked if they want this tax. Nevada is not Colorado, and 2 states out of 50 is not compelling evidence this Council is necessary.

Carmen Rhoda:

I am here to oppose S.B. 163.

Janet Little:

I am here to oppose S.B. 163 because I do not agree that government should be involved with this Council.

Stephanie Myers:

I oppose S.B. 163.

Kathi Pasciak:

I oppose S.B. 163 because I am against trapping. While walking my dog March 7 next to the Carson River, my dog ran right next to a trap. As I walked farther up there was another trap. When I contacted the NDOW, they stated that these were conibear traps and they had been legally placed there for bears. I want to know what would happen if a child gets caught in one of these traps. I no longer feel safe walking my dog there because of these traps.

Leah Sturgis (League of Humane Voters):

I oppose this bill because it mandates all members of the Council be sportsmen and sportswomen. I do not agree that we need a Council to gain more influence over local wildlife policy. Please see my written statement ([Exhibit I](#)).

Lloyd Peake:

I am opposed to this bill. Hunters are not underserved in this State, and this Council is unnecessary. There are five hunters who sit on the Board of Wildlife Commissioners in this State. We do not need further government involvement.

Margaret Flint (Nevadans for Responsible Wildlife Management):

The Nevadans for Responsible Wildlife Management opposes this bill.

Beverlee McGrath (Best Friends Animal Society; Nevada Humane Society; Northern Nevada SPCA; Nevada Political Action for Animals; Lake Tahoe Humane Society & SPCA; Pet Network of Lake Tahoe; Wylie Animal Rescue; Fallon Animal Welfare; Hidden Valley Horse Rescue; Paw Pack; Compassion Charity for Animals):

All my organizations oppose this bill and are in support of the proposed amendment, [Exhibit G](#), from TrailSafe.

Tina Nappe:

I am a conservationist and am concerned about funding. Without the sportsmen and sportswomen, there would be no NDOW. Various sportsmen and sportswomen of these organizations have funded this department, and I am continually amazed at how much they are willing to expend. I am a lifelong Sierra Club member and there are many people here today from humane organizations. However, none of us contributes significantly to wildlife management within this agency or for the most part outside of this agency. I do have concerns about this legislation in regard to creating a special interest group that does not coordinate appropriately with the NDOW. I cannot see the nexus as NDOW already has an education program. On the other hand, throughout the State there is a tremendous lack of knowledge about our wildlife populations. Education is something that we should all be concerned about, and there should be more money expended from the State General Fund for this. Consideration needs to be given to finding the nexus between the NDOW and this Council. In addition, I am concerned about the fee, as we have imposed so many conditions on our sportsmen and sportswomen. We do not want to make it so expensive that people cannot afford to hunt and fish.

Jeremy Drew (Chair, Board of Wildlife Commissioners):

The Commission as a whole is neutral right now because we have not had the opportunity to review this bill together. However, we did hold a legislative committee meeting last week. The committee's recommendation is to support the concept of the bill and suggest broadening the message. This appears to have been incorporated into the amendment, [Exhibit D](#).

Jack Robb (Deputy Director, Department of Wildlife):

We are neutral on this bill; however, we do support the idea of getting the message out about the tremendous things that the NDOW and our NGOs have done by increasing and enhancing wildlife in our State. Our biggest concern with the Council is the fee structure. I have outlined our concerns in my written statement ([Exhibit J](#)). The NDOW will soon be approaching the Legislature with a fee re-structuring bill for the first time since 2003. We understand the Council wants to have anonymity to get their message out, but with the impending fee re-structuring legislation, this puts the NDOW in an awkward situation.

Sentor Manendo:

What was the amount of the fee increase in 2003?

Mr. Robb:

I do not know. I will get that information to you.

Senator Goicoechea:

If this \$3 fee were passed, would the NDOW be compensated for administration?

Patrick Cates (Deputy Director, Administrative Services, Department of Wildlife):

We did file a fiscal note on this bill. We are still working on the language for the bill regarding the arrangement between the NDOW and the Council. This would be an agreement to accept public monies in a State account, so any procurement for a contractor such as advertising would be administered through the NDOW. We do have cost estimates in the fiscal note for travel costs, staffing and general administrative overhead for the Council.

Senator Goicoechea:

What are the costs in the fiscal note?

Mr. Cates:

Based on the original draft of the \$3 fee, this would generate about \$484,000 in new revenue to the NDOW. We estimated Council travel costs at about \$42,000, clerical staff at \$15,000, and we applied our indirect cost rate at \$70,000. The indirect cost rate is applied to most programs we administer. This leaves approximately \$355,000 for actual advertising and marketing.

Chair Gustavson:

There being no further testimony, I would ask Senator Hammond for closing remarks.

Senator Hammond:

I would like to address Senator Goicoechea's last question about costs. This is covered in subsection 4 of section 6 of the bill. It is also addressed in the amendment.

Senator Goicoechea:

My intention was to clarify what the NDOW will be collecting for administering the fund.

Senator Hammond:

The fee increases in this bill are projected to raise about \$537,000. As part of my closing statement, I would like to address why these constituents chose me to sponsor this bill. I grew up in Alaska and have a background of fishing and hunting. Sportsmen and sportswomen contribute tremendously to the conservation of this State. I was told 86 percent of the NDOW budget comes from the fees paid by sportsmen and sportswomen. The reintroduction of wildlife in this State is put into the hands of these NGOs. When people come into this State to enjoy our environment, to look at the bighorn sheep, backpack, day hike or watch the wildlife, they are able to do that because of the management system we have. This is due to the people who participate in hunting, fishing and trapping. These people want to get their story out, and to let the public know what they contribute to the system we have in place, which is the reason for this bill. There are several of us who may not participate in hunting or trapping, but we certainly do not want to deny them this right. There has been a lot of hyperbole here today. I would caution and remind you that the bill we are hearing is not about whether we should trap or not trap, it is about whether we should create a Council to educate people about what sportsmen and sportswomen bring to our system in Nevada.

The remainder of this page intentionally left blank. Signature page to follow.

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Chair Gustavson:

There being no further testimony or public comment, the Senate Committee on Natural Resources is adjourned at 3:15 p.m.

RESPECTFULLY SUBMITTED:

Gayle Farley,
Committee Secretary

APPROVED BY:

Senator Don Gustavson, Chair

DATE: _____

DATE: EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	7		Attendance Roster
S.B. 163	C	33	Mike Bertoldi	Presentation
S.B. 163	D	2	Larry Johnson	Proposed Amendment
S.B. 163	E	1	Karen Boeger	Letter of Support
S.B. 163	F	5	Elaine Carrick	Written Testimony
S.B. 163	G	8	Trish Swain	Proposed Amendment
S.B. 163	H	1	Fred Voltz	Written Testimony
S.B. 163	I	1	Leah Sturgis	Written Testimony
S.B. 163	J	2	Jack Robb	Written Statement