

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

**Seventy-Eighth Session
April 14, 2015**

The Senate Committee on Natural Resources was called to order by Chair Don Gustavson at 12:49 p.m. on Tuesday, April 14, 2015, in Room 2144 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file 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:

Assemblyman Ira Hansen, Assembly District No. 32

STAFF MEMBERS PRESENT:

Alysa Keller, Policy Analyst
Matthew Nichols, Counsel
Gayle Farley, Committee Secretary

OTHERS PRESENT:

Donnie Perry, Administrator, Division of Compliance Enforcement,
Department of Motor Vehicles
Glenn Smith, Supervisor, Emission Control, Department of Motor Vehicles
Dan Musgrove, Barrett-Jackson Auction Company
John Wagner, Nevada Committee for Full Statehood
Andrew Zaninovich, Nevada Conservation League

Senate Committee on Natural Resources
April 14, 2015
Page 2

Darrell Pursel, President, Lyon County Farm Bureau, Nevada Farm Bureau
Federation
Daryl Capurro
Alex Tanchek, Nevada Cattlemen's Association

Chair Gustavson:

I will open the meeting with Assembly Bill (A.B.) 37.

ASSEMBLY BILL 37 (1st Reprint): Revises provisions governing consignment auctions of motor vehicles. (BDR 40-379)

Donnie Perry (Administrator, Division of Compliance Enforcement, Department of Motor Vehicles):

The intent of this bill is to clarify that vehicles sold through a consignment auction cannot be part of the inventory of a licensee of the Department of Motor Vehicles (DMV). Consignment auctions exempt the seller from providing the evidence of compliance to emission standards, which is required in certain counties. This bill ensures vehicles sold from a licensees' inventory maintain the emission standards that are required by law.

In addition, this is also a clean-up bill. Assembly Bill No. 321 of the 74th Session was proposed to exempt replica vehicles with a model year that is newer than 1967. The reason for this was the inspection/maintenance program department of the DMV requires emission testing of 1968 and newer model years. The language error resulted in leaving out the 1968 model year from the exemption; however, 1969 and newer model years are exempt.

Chair Gustavson:

Are they exempt if they have a classic car plate?

Glenn Smith (Supervisor, Emission Control, Department of Motor Vehicles):

These particular vehicles replicate a car that was manufactured after 1967; however, they duplicate the looks of an earlier model. These automobiles cannot be considered classic vehicles because they are a newer model year. A replica vehicle is something that is assembled by someone not regulated as a motor vehicle manufacturer, usually an individual. You could have a vehicle that was built in 2014, but it is a replica of a 1929 Model A Ford. This would not qualify for a classic plate because it is too new.

Senator Settlemeyer:

How many vehicles are in this replica category?

Mr. Smith:

The initial intent was 100; however, there are approximately 200 replica vehicles statewide in Nevada.

Dan Musgrove (Barrett-Jackson Auction Company):

Barrett-Jackson Auction Company supports this bill. This bill is actually a cleanup bill pertaining to A.B. No. 176 of the 77th Session, which we brought to you. The bill was about consignment auctions. Barrett-Jackson loves being a part of Nevada and we appreciate the DMV working with us on this. Assembly Bill No. 176 of the 77th Session made it easier for companies like ours to sell consignment auction vehicles, which has also been profitable for Nevada's economy. Last year, our auction in Clark County sold over \$7.6 million in consignment vehicles. We have also collaborated with Hot August Nights and last year, we sold more than \$3 million in consignment vehicles in Reno. We have paid over \$300,000 in taxes to the State in 2013 and 2014 and do many charitable events. One event in particular was in Las Vegas. Dodge donated a very expensive vehicle that sold for \$825,000. The American Bald Eagle Foundation matched funds and \$1.6 million was donated to Opportunity Village.

SENATOR GOICOECHEA MOVED TO DO PASS A.B. 37.

SENATOR PARKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Gustavson:

I will open the hearing on Assembly Joint Resolution (A.J.R.) 2.

ASSEMBLY JOINT RESOLUTION 2 (1st Reprint): Urges the United States Congress and the United States Fish and Wildlife Service to take certain actions to reduce the impact of common ravens on the greater sage grouse and desert tortoise populations in this State. (BDR R-33)

Assemblyman Ira Hansen (Assembly District No. 32):

We all know that sage grouse are faced with being on the endangered species list. One of the causes of that has been documented by at least two studies in Nevada. There has been a rapid expansion of the population of ravens in Nevada during the past 30 years. It has been clearly demonstrated that ravens have an impact on young sage grouse and especially eggs in the nests. In spite of this problem, our ability to control them is minimized by the fact that we are part of an international migratory bird treaty. The cap on the number of birds we can harvest in our State is 3,500 ravens. We have petitioned the federal government to obtain a variance on this treaty. Assembly Joint Resolution 2 urges Congress to allow us flexibility with this number. There is clear evidence established that these birds need to be controlled; however, we need a vehicle to enable us to control them without a violation of the international treaty.

I have included a presentation ([Exhibit C](#)) which illustrates studies that were conducted in Nevada, as well as previous studies, revealing the problems with this situation.

John Wagner (Nevada Committee for Full Statehood):

The Nevada Committee for Full Statehood supports this resolution. The ravens are a problem for the sage grouse and the tortoises.

Andrew Zaninovich (Nevada Conservation League):

The Nevada Conservation League supports this resolution.

Darrell Pursel (President, Lyon County Farm Bureau, Nevada Farm Bureau Federation):

The Nevada Farm Bureau strongly supports A.J.R. 2 and the three objectives outlined in the resolution.

Daryl Capurro:

I am here as a sportsman and former commissioner on the Board of Wildlife Commissioners. I am in support of this resolution. One thing that has not been talked about is the destructive nature of this bird with respect to other forms of wildlife. We have seen them peck the eyes out the baby antelope that are unable to defend themselves. A joint study conducted 10 years ago in a scoping session with the U.S. Bureau of Land Management and the U.S. Fish and Wildlife Service, using the Hart Mountain Refuge and the Sheldon Refuge, found that the second-worst predator, with respect to loss of tagged animals, was the

raven. I would hope that the raven would be removed from this Migratory Bird Treaty Act of 1918 or at least give us the ability to control them better than we can today.

Senator Manendo:

If we are trying to protect the sage grouse, why do people hunt them?

Mr. Capurro:

During my time on the Wildlife Commission, we were concerned with the possible listing of the sage grouse as a threatened species. I was one who had suggested we cancel the hunting season for sage grouse to show good faith. The director of the Department of Wildlife was opposed on the basis that we would be eliminating the ability and opportunity for sportsmen and sportswomen to realize a hunting experience in Nevada. Shortly following that meeting and after the season was over, two or three other states surrounding Nevada eliminated their sage grouse hunting seasons. Anyone who has hunted birds knows that sage grouse are a huge and slow bird and a very easy target. I do not consider the sage grouse a game bird, but I do not want to see the economic and farming areas affected.

Senator Manendo:

Are we getting rid of the ravens so we have more sage grouse to hunt?

Mr. Capurro:

No. This would be the last thing on my mind. It is necessary to understand that we are trying to protect wildlife in the State by managing wildlife. We have three predatory birds in Nevada: the raven, the crow and the magpie that target the eggs of sage grouse and other wildlife and only one of these is a protected species. I think A.J.R. 2 will help eliminate this problem.

Senator Parks:

Do these birds actually go down into the burrow of an animal? How would they get to the eggs of a tortoise?

Mr. Capurro:

I am not sure. I have seen situations where we set poisoned eggs with the clutch of eggs that were already in the nests of sage grouse. When we went back to check, the only egg that was left in the clutch was the poisoned egg.

They are smart birds; they do not make the same mistake twice and they watch everything that takes place.

Senator Goicoechea:

It is not the eggs they are interested in as much as the juvenile and newly hatched sage grouse. They are smart enough to realize if they carry them up 100 feet and drop them on the rock, they do not have to crack a shell.

Alex Tanchek (Nevada Cattlemen's Association):

The Nevada Cattlemen's Association supports this resolution.

Senator Manendo:

Would other birds be potentially impacted by these poisoned eggs?

Senator Goicoechea:

The majority would be ravens because other birds would not prey on these eggs.

We can kill 3,500 ravens with controls like this. The utility companies also do this because of the damage the ravens do to power lines. Typically, this is done with eggs because anything that lays an egg will lose it to a raven. How we do this is boil an egg for a minute so it firms up a bit then inject it with poison. The eggs are hidden and scattered around and the ravens will flock to the eggs. It is not immediately lethal but it does slow them down. Typically, hawks, eagles and the majority of birds do not prey on eggs.

Senate Committee on Natural Resources
April 14, 2015
Page 7

Chair Gustavson:

There being no further testimony or public comment, the Senate Committee on Natural Resources is adjourned at 2:24 p.m.

RESPECTFULLY SUBMITTED:

Gayle Farley,
Committee Secretary

APPROVED BY:

Senator Don Gustavson, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	2		Attendance Roster
A.J.R. 2	C	44	Assemblyman Ira Hansen	Presentation