

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

**Seventy-Ninth Session  
May 31, 2017**

The Committee on Natural Resources, Agriculture, and Mining was called to order by Chair Heidi Swank at 12:56 p.m. on Wednesday, May 31, 2017, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/79th2017](http://www.leg.state.nv.us/App/NELIS/REL/79th2017).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Heidi Swank, Chair  
Assemblywoman Lesley E. Cohen, Vice Chair  
Assemblyman Chris Brooks  
Assemblywoman Maggie Carlton  
Assemblyman John Ellison  
Assemblywoman Sandra Jauregui  
Assemblywoman Lisa Krasner  
Assemblywoman Robin L. Titus  
Assemblyman Justin Watkins  
Assemblyman Jim Wheeler  
Assemblyman Steve Yeager

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Susan E. Scholley, Committee Policy Analyst  
Randy Stephenson, Committee Counsel  
Nancy Davis, Committee Secretary  
Cheryl Williams, Committee Assistant



**OTHERS PRESENT:**

Kelly Crompton, representing City of Las Vegas  
Sean P. McDonald, Administrator, Central Services and Records Division,  
Department of Motor Vehicles  
Brian Wakeling, Administrator, Game Division, Department of Wildlife  
Jeremy Drew, Commissioner, Nevada Board of Wildlife Commissioners, Department  
of Wildlife  
Kyle J. Davis, representing Coalition for Nevada's Wildlife  
Andy MacKay, Director, Nevada Bighorns Unlimited  
Doug Busselman, Executive Vice President, Nevada Farm Bureau Federation

**Chair Swank:**

[Roll was called and standard rules of the Committee were reviewed.] We will begin with Senate Bill 428 (2nd Reprint).

**Senate Bill 428 (2nd Reprint): Provides for the issuance of certain special license plates.**  
**(BDR 43-1015)**

**Kelly Crompton, representing City of Las Vegas:**

I will be very brief in the introduction of Senate Bill 428 (2nd Reprint). The City of Las Vegas would first like to thank the Senate Committee on Transportation for sponsoring this bill and bringing it forward on behalf of the many supporters of Floyd Lamb Park at Tule Springs. Tule Springs Fossil Beds National Monument was created in 2014 through the National Defense Authorization Act. This act helped designate Tule Springs as the first Congressionally designated national monument in southern Nevada.

Many of you will remember a former member of this body, Assemblyman Harry Mortenson, who worked tirelessly along with his wife Helen Mortenson to build a state park to protect these ice age fossils that are located in the Las Vegas Valley Wash. During the Senate presentation, we had Helen Mortenson testify and provide a lot of background on why this was near and dear to her. Because of the end of session and not knowing when this Committee would hear this bill, she is not here to provide testimony today. I can provide her written testimony if you would like.

Senate Bill 428 (2nd Reprint) was brought forward to provide support opportunities in the form of a license plate for the Tule Springs State Park, which will give the park equal opportunity with some of Nevada's other national treasures, such as the Red Rock license plate or the Lake Tahoe Preservation license plate. The key difference in this reprint, as opposed to how it was introduced, is that we have taken out the language to have the Tule Springs Advisory Council handle the proceeds. Instead, those proceeds will be handled through the Ice Age Park Foundation, which is a 501(c)(3) that Helen Mortenson helped organize and design to support the State Park and protect this state treasure. You will also see an amendment that Assemblywoman Swank can provide more detail on. We are in support of that amendment to this bill.

**Assemblyman Wheeler:**

I am wondering why you think the Tule Springs license plates should jump in front of every other plate that has been in the queue for years.

**Kelly Crompton:**

We do not necessarily think it should jump in front of the other plates, we would just like to get it in the queue so that it can be on par with other plates like Lake Tahoe and Red Rock.

**Assemblyman Wheeler:**

The way the bill is written, it states "upon application," which means you are going to jump in front of all those other plates that have been waiting for years. This is a tier 2 plate because it requires a \$5,000 deposit, not a \$25,000 deposit. I am wondering if you would accept standard second tier practices and put it at the end of the queue.

**Kelly Crompton:**

I would be happy to look into that. I can get back to you with the answer.

**Assemblywoman Carlton:**

I have some concerns with section 1.7. I know it evolved from the first reprint to the second reprint, but I believe this section is inappropriate for this bill. Also, along the same lines as some of Assemblyman Wheeler's concerns, I would have some real concerns with allowing this to go forward in front of some of the other plates. I am not sure if anyone is here to provide testimony on section 1.7, but it would be my recommendation that section 1.7 be deleted from this bill.

**Kelly Crompton:**

Again, I am happy to look into that and get back to you.

**Chair Swank:**

I do not see any further questions from the Committee. We are going to look into the queue question. We will move to support of S.B. 428 (R2). Seeing no one, is there anyone in opposition? [There was no one.] Is there anyone here in neutral?

**Sean P. McDonald, Administrator, Central Services and Records Division, Department of Motor Vehicles:**

We have worked with Senator Manendo on S.B. 428 (R2). Maybe to help with the interpretation of the Tule Springs component, my understanding is that he wanted to bring this forward just so that there could be discussion on that point and that they would wait in the queue. They would be part of the tier 1, and presently there are nine specific organizations in the queue. Tule Springs would take the tenth position, once they filed an application and submitted an appropriate bond. I think it was brought forth as an awareness component. Again, they would be subject to the same provisions that are otherwise provided for with the other organizations.

**Chair Swank:**

Thank you. I will close the hearing on S.B. 428 (R2). We will now have a work session on S.B. 428 (R2).

**Susan E. Scholley, Committee Policy Analyst:**

Senate Bill 428 (2nd Reprint), sponsored by the Senate Committee on Transportation, provides for special plates for Tule Springs National Monument and for certain professional sports teams. An amendment may be proposed to return the bill either to the first reprint version, or the second reprint version, without section 1.7, relating to the Raiders plates or the professional sports teams. I would point out that there were two prior amendments, one proposed by the Senate Committee on Transportation, which changed the name to Tule Springs State Park and substituted the Ice Age Park Foundation. The amendment also added a special plate for the Raiders. An amendment by the Senate Committee on Finance removed the specific reference to the Raiders special license plate and substituted "certain professional sports teams" ([Exhibit C](#)).

**Chair Swank:**

I will accept a motion to amend and do pass.

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS  
SENATE BILL 428 (2ND REPRINT).

ASSEMBLYWOMAN COHEN SECONDED THE MOTION.

Is there any discussion?

**Assemblyman Wheeler:**

Maybe I have been thinking wrong for the last ten years, but there is a \$5,000 surety bond on this, and that is usually a tier 2 plate. I know that a \$25,000 surety bond is a tier 1 plate. The bill also states in section 3, "upon application," which moves it to the front of the line. Will you put on record that is not the case?

**Sean McDonald:**

I think that might be reversed. A tier 1 is the one that has 1,000 active registrations in the queue. Tier 2 is 3,000 active registrations. The larger component of that, the tier 2, has the larger surety bond. Also, the purpose would be to submit an application and a bond in order to wait in that queue, and in this case be in the tenth position.

**Chair Swank:**

With that, we will vote.

THE MOTION PASSED. (ASSEMBLYWOMAN TITUS VOTED NO.)

I will assign the floor statement to Assemblywoman Carlton. I will now open the hearing on Senate Bill 511(1st Reprint).

**Senate Bill 511 (1st Reprint): Revises provisions governing boating and wildlife.  
(BDR 45-896)**

**Brian Wakeling, Administrator, Game Division, Department of Wildlife:**

I would like to give you a brief overview of the process we have used in developing the recommendations we have prepared as part of Senate Bill 511 (1st Reprint). Even before we started drafting anything, we actually engaged in about one and a half years of work effort. We initially looked at a comparison amongst our neighboring states to see what other license structures looked like. We wanted to find a way that we could actually structure our licensing to make it easier to use, more modern, less confusing, and less error prone. In comparing all of the neighboring states, Nevada has the second most complex system and the least most recently updated. Nevada most recently updated its license structure in 2004. We are badly in need of simplification.

We used a qualitative approach where we used focus groups and an outside professional to help us gather licensed hunters and anglers and look at what it is that we have today, what they like about it, and what kind of things they would like to see us do better. In so doing, we identified the breadth of the issues in order to get a true quantitative sense of what our customers were interested in. We then followed up with a survey that went to a statistically reliable sample so we had a sense of the likes and dislikes. Our goal in putting this together was to come up with a simplification structure.

We have reduced the number of licenses, stamps, and privileges from 28 to approximately 8. This will make it easier for our customers when they purchase a license to identify what it is they need. It also reduces the likelihood that they will make an inadvertent error. One of the most common things we hear about is someone who is at a counter trying to buy a fishing license and they often get into a discussion, even an argument, about whether they need a trout stamp. That trout stamp argument goes on to where one of our enforcement officers may actually issue a citation if someone was not actually intending to fish for trout. This removes that issue.

It does not remove the revenues that come from the stamp. The money has been identified to be placed into the appropriate accounts. Those accounts will still be disbursed the way they have been, the decisions that were made have not changed, and the quantity that goes into those accounts will be the same. We have tried to make this approach as revenue-neutral as we possibly can. Our best estimate today is that our annual revenue that we generate from this is just shy of \$7 million. We expect to be within about \$10,000 of that, if everyone were to buy things exactly as they do today. That is hard to predict because some of these changes may change the value that customers perceive and we may see a difference in how they purchase their licenses.

We did not structure the fees until we completed the entire public input process. We received input regarding the value of having a 365-day license, for instance, instead of currently going from March 1 through February 28. We were looking for value and looking for what their input was. We did not calculate those price breakpoints until after the hunting and angling public told us what they value.

We have tried to streamline this and get this as simple as possible, while maintaining the responsibility that we feel we have. At the same time, as this bill went through the process, there were two amendments added. We view them as friendly amendments and do not see that they detract in any way from what we are trying to accomplish.

**Chair Swank:**

I have spoken with Mr. Wasley, Director, Department of Wildlife, several times about this project. This has definitely been an ongoing labor for all of you. It is really exciting to see it come to fruition.

**Assemblywoman Titus:**

Thank you for trying to move our licensing process into the twenty-first century. Currently, an annual fishing license is \$25. That is going to go up to \$40. What was the price for a trout stamp?

**Brian Wakeling:**

The trout stamp was \$10. In looking at the array of licenses and privileges that go along with each of them, for instance, if you were to buy a hunting license, an upland game stamp, and a state duck stamp, that would cost you \$43.

**Assemblywoman Titus:**

There was a plethora of stamps in the hunting area, and an argument could be made that this would lower the overall cost. With fishing in particular, if someone was just fishing, this is going to raise his fee by \$5. If you get the typical person who buys a trout stamp and a fishing license, that would have been \$35. Now we are raising it to \$40. I do not see anything about a second fishing rod; is that separate?

**Brian Wakeling:**

Currently, the average angler spends \$39.64. They can purchase a fishing license, a trout stamp, a second fishing rod stamp, and a Colorado River stamp. All of those combined would be greater than the \$40 that we are currently addressing. On average, our data indicates that the fishermen spend \$39.64. For an additional 36 cents, all of those stamps and privileges are contained in this license and they are able to participate without having to concern themselves whether they have the second rod stamp or the trout stamp.

**Assemblywoman Titus:**

This will give permission to use two rods. Thank you for that clarification. In my neck of the woods, September 1 is a national holiday. That is the opening day of dove season, and

everyone takes the workday off and they have to get a special number from the feds. Does this affect that in anyway? There is not really a stamp for that.

**Brian Wakeling:**

You are absolutely correct. We are not able to affect any of the federal programs through this change. The hunter will still have to call and get the harvest information program, or the HIP sticker. Similarly, this also does not influence the federal duck stamp. The hunter would still need to acquire the stamp and call in to get the HIP number. It does influence the state duck stamp.

**Assemblyman Ellison:**

Is section 6.5 existing law?

**Randy Stephenson, Committee Counsel:**

Section 6.5 does have an amendment. It increases the number of damage compensation tags that are available for damage caused by deer and antelope from 1.5 percent to 2.5 percent.

**Assemblyman Ellison:**

So this is increasing the amount of tags. Would the increase of the tags increase the revenue that you receive?

**Brian Wakeling:**

The information regarding the increase in the cap on the landowner compensation tags is a friendly amendment that is going from 1.5 percent to 2.5 percent. Currently, the way the Nevada Board of Wildlife Commissioners establishes that is based on the quota that they establish for all deer and antelope tags. In rough numbers, if the Commission established 20,000 tags for the general draw for both resident and nonresident, that would allow for a 300 cap on the landowner compensation tags. This year, for instance, that number was 301. However, with the increase to 2.5 percent, that will allow the cap to be increased to 500, based on 20,000 tags.

That number changes every year, based on the number of tags that are available when the Commission makes a final determination. That does not determine how many tags are authorized. The tags are also dependent on landowner cooperators being part of the program and jointly agreeing upon an evening on which a count is conducted. The count is conducted by a department employee who goes out into the field and does a visual count. For instance, this year, the number of people who are eligible to receive a tag is right at 360. For that reason, with the Commission looking at last year's quota, which is the year that the damage occurred, the cap was 329 at the 1.5 percent level. That left 31 tags that we were unable to issue.

**Assemblyman Ellison:**

I was asking about the existing language. If someone received a compensation tag on their private ground, he could not use it without being open to the public, is that correct?

**Brian Wakeling:**

I think you are asking, if someone gains a tag, do they have to provide access to the public. The answer is, if the private land denies access to public land and if there is no reasonable access available, then yes, he would have to provide that access.

**Assemblyman Wheeler:**

Section 3, subsection 2, shows we are going to add an apprentice hunting license. We have never had a fee for that before. If I recall, this was to get kids involved in hunting.

**Brian Wakeling:**

Will you please repeat that question.

**Chair Swank:**

I believe Assemblyman Wheeler was referring to the change in section 3, subsection 2, where there is an amount of \$15 for an apprentice hunting license. What is the rationale for having that fee?

**Brian Wakeling:**

There are a couple of reasons why we are looking at charging a nominal fee. First, those free licenses were not eligible; they did not receive the stamp privileges at the same time. We are asking for a nominal fee that not only gives the apprentice both hunting and fishing opportunities, but also includes all of the stamp privileges that go along with it. In addition to that, the advantage to charging a fee for this allows us to certify them as an angler or a hunter. Currently, since we do not charge a fee, we are not allowed to certify those licenses in our application for a federal grant. If everyone were to purchase this license as is designed in the bill, in exactly the same number as they have been, we would be able to certify almost 20,000 more anglers, and almost 8,000 more hunters because they would actually be paying a fee for the license, which qualifies us for a greater proportion of our federal funding. This is something that a number of other states have already done. Because they do this, they are actually getting access to a greater slice of the pie. We still have the state match in order to obtain it, but this gives us access to a greater portion.

**Assemblywoman Krasner:**

Because we are raising fees on annual fishing and hunting licenses, I am wondering what other states are doing. Are other states' fees for fishing and hunting licenses higher, lower, or about the same as ours?

**Brian Wakeling:**

There is a wide variety among other states' fees. For instance, one of the things that we have been challenged with is nonresident angling. In many cases, along some of the border waters, other states have nonresident angling fees. That makes it far more attractive for a Nevada resident to buy an Arizona nonresident license; this gives him more opportunities that would cost less than buying a resident license in Nevada.



Overall, 2004 is the last time we changed any fees. The next most recent was Idaho in 2009. Virtually every state has been upgrading their fees and structures. We are very comparable and competitive, even with the changes we are recommending. The average angler spends \$39.64; we are proposing \$40. This is very close to what they are spending now, and we are very competitive on a West-wide basis.

**Chair Swank:**

Is there anyone here in support of S.B. 511 (R1)?

**Jeremy Drew, Commissioner, Nevada Board of Wildlife Commissioners, Department of Wildlife:**

The Commission supports S.B. 511 (R1) as presented today. We have been involved and engaged in the development of S.B. 511 (R1) and the concepts contained for well over a year, as Mr. Wakeling indicated. We have remained supportive throughout. I would point out the differentiation between the cost versus the value. In terms of the apprentice license, there are still the processing fees and added fees associated with that license, as well as the need to buy an upland game stamp for \$10. The cost was free, but the value was not that great. At this point, we are increasing the license fee, but providing more value. All the fees and stamps are included, plus this goes from a license that ends on February 28 to 365 days. That is very important to the Commission. Even though some of the costs went up, the value increase is much greater.

**Kyle J. Davis, representing Coalition for Nevada's Wildlife:**

We want to offer our support for the bill.

**Andy MacKay, Director, Nevada Bighorns Unlimited:**

We are in full support of this bill. I do want to add a little narrative. I was one of the sportsmen who was randomly selected to take part in the focus groups that Department of Wildlife (NDOW) did. I can say unequivocally, although it was one of many focus groups, the majority of what was expressed amongst the participants in that focus group is contained in the bill. The one overarching thing that was said over and over again amongst sportsmen, fishermen, trappers, and hunters was we have a heck of a deal in Nevada. If anything, we are willing to pay more to do this activity. I want to impress upon the Committee that I was randomly selected and NDOW did a bang-up job on this.

**Doug Busselman, Executive Vice President, Nevada Farm Bureau Federation:**

We are here to speak in support of this bill as well. We greatly appreciate the work that the Wildlife Commission and NDOW did in working through some of our concerns with this.

**Chair Swank:**

Is there anyone else in support? [There was no one.] Is there anyone in opposition? [There was no one.] Is there anyone in neutral? Seeing no one, I will close the hearing. I will accept a motion to do pass S.B. 511 (R1).

ASSEMBLYWOMAN COHEN MADE A MOTION TO DO PASS  
SENATE BILL 511 (1ST REPRINT).

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

Is there any discussion?

**Assemblywoman Krasner:**

I know this seems like a small amount of money to some people, but to other people, being able to fish and hunt with a license, to be in compliance and do it the legal way, this is a lot of money. For that reason, I am going to have to vote no.

**Assemblyman Ellison:**

I am going to vote this out of Committee and reserve my right to change my vote on the floor.

**Assemblywoman Titus:**

Ditto.

**Chair Swank:**

We will vote.

THE MOTION PASSED. (ASSEMBLYMEN KRASNER AND WHEELER  
VOTED NO.)

I will take the floor statement. I will open up for public comment. Seeing no public comment, we are adjourned [at 1:33 p.m.].

RESPECTFULLY SUBMITTED:

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Nancy Davis  
Committee Secretary

APPROVED BY:

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Assemblywoman Heidi Swank, Chair

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

## **EXHIBITS**

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for Senate Bill 428 (2nd Reprint), dated May 31, 2017, presented by Susan E. Scholley, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.