

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

**Seventy-fifth Session  
April 2, 2009**

The Senate Committee on Natural Resources was called to order by Chair David R. Parks at 3:46 p.m. on Thursday, April 2, 2009, 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 David R. Parks, Chair  
Senator Allison Copening, Vice Chair  
Senator Bob Coffin  
Senator Bernice Mathews  
Senator Dean A. Rhoads  
Senator Mark E. Amodei  
Senator Dennis Nolan

**GUEST LEGISLATORS PRESENT:**

Senator Mike McGinness, Central Nevada Senatorial District

**STAFF MEMBERS PRESENT:**

Randy Stephenson, Committee Counsel  
Michelle Van Geel, Committee Policy Analyst  
Shirley Parks, Committee Secretary

**OTHERS PRESENT:**

Karen Goodman  
Chris MacKenzie  
Norman Saake  
Kenneth E. Mayer, Director, Nevada Department of Wildlife  
Doug Busselman, Executive Vice President, Nevada Farm Bureau Federation  
Joe Johnson, Sierra Club  
Gib Mackedon, Greenhead Hunting Club

Senate Committee on Natural Resources  
April 2, 2009  
Page 2

CHAIR PARKS:

We will reverse today's agenda and begin with Senate Bill (S.B.) 110 on the work session list ([Exhibit C](#)).

**SENATE BILL 110**: Authorizes the State Quarantine Officer to adopt regulations specifying a schedule of administrative fines for certain violations relating to noxious weeds. (BDR 49-500)

MICHELLE VAN GEEL (Committee Policy Analyst):

I will give an overview of S.B. 110. This bill was brought up in work session two days ago. It was held back at the request of Senator Rhoads to see if another amendment could be brought that would satisfy all parties.

Two amendments were offered. One amendment would add language to the bill to extend the authority given to the State Quarantine Officer and to a weed control officer and local weed control districts. The second amendment adds language to the bill to require persons who violate provisions concerning noxious weeds to pay all costs associated with an investigation and prosecution.

SENATOR RHOADS MOVED TO AMEND AND DO PASS AS AMENDED  
S.B. 110.

SENATOR COPENING SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR AMODEI VOTED NO.)

\*\*\*\*\*

CHAIR PARKS:

The next bill is S.B. 132.

**SENATE BILL 132**: Revises provisions governing the treatment of animals. (BDR 50-369)

Ms. VAN GEEL:

This is a summary of S.B. 132, heard in committee on March 19, 2009. The bill prohibits a person from tethering, chaining, tying or otherwise restraining a dog using a device that is less than 12 feet in length or for more than 9 hours during

a 24-hour period. The measure prohibits a person from placing a dog in an outdoor enclosure for more than nine hours unless the enclosure is a certain size based upon the size of the dog. There are certain exemptions as well. There is an updated amendment to the bill. This amendment incorporates agreed-upon language. It deletes language referring to penning. It extends the hours for constant chaining from 9 to 14 hours. It further defines a 12-foot tether and adds an exemption for temporary tasks.

SENATOR COPENING:

I have a question concerning the amendment. What would a pet owner have to do to create a specific length of tether or pen size in a small, limited space that would comply with the language in the amendment?

KAREN GOODMAN:

If the yard space is smaller than the requirement, there would need to be additional language to address this specific issue in the amendment. A shorter tether would not be an answer.

SENATOR COPENING:

If a pen is built near a fence in a smaller yard less than the required size, it could be a safety issue for the dog. The dog could conceivably reach the fence and try to jump over it. How will this problem be addressed?

It is necessary to put a second amendment in the bill to allow for the small-yard size requirements. These specifics need to be very clear.

CHAIR PARKS:

This information will be helpful for our Committee Counsel, Randy Stephenson.

RANDY STEPHENSON (Committee Counsel):

Language is a concern. There has to be a standard of what is considered appropriate in terms of local ordinances. Criminal penalties are attached to the bill. The outdoor-enclosure requirement has nothing to do with the restraining requirement. The outdoor enclosure must be appropriate for the size and breed of the dog. These are different requirements. We can address these issues with new language.

Senate Committee on Natural Resources  
April 2, 2009  
Page 4

CHAIR PARKS:

This bill is not quite ready for a vote. We will hold S.B. 132 and the amendment until the next work session, Exhibit C. I will withdraw (S.B.) 133 as requested in a letter received from Senator Randolph Townsend (Exhibit D).

SENATE BILL 133: Prohibits a person from possessing an animal for certain purposes. (BDR 50-26)

CHAIR PARKS:

We will review the next bill on the work session list, S.B. 219 Exhibit C.

SENATE BILL 219: Revises provisions governing assessments on real property located within a weed control district. (BDR 49-499)

MS. VAN GEEL:

Senate Bill 219 removes the requirement that a board of county commissioners must levy an assessment on all real property in the county which is in a weed control district. Instead, the bill makes the assessment discretionary. The amendment provides that if a weed control district were created with the understanding that there would not be an assessment, but then the district subsequently determines it needs to levy an assessment, then a hearing is provided for in Nevada Revised Statute (NRS) 555.203, subsection 3, paragraph (a). It requires that a board of county commissioners hold a public hearing to entertain applications to exclude lands from the weed control district. There was no opposition to the bill or the amendment.

SENATOR RHOADS MOVED TO AMEND AND DO PASS AS AMENDED  
S.B. 219.

SENATOR COFFIN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

CHAIR PARKS:

This concludes the work session. I will open the hearing on S.B. 280.

**SENATE BILL 280**: Enacts provisions governing hunting in the Carson Lake Wildlife Management Area. (BDR 45-156)

SENATOR MIKE MCGINNESS (Central Nevada Senatorial District):

I was fortunate to have a bill draft available to address this issue as explained in ([Exhibit E](#)). As long as I can remember, hunters have paid for the privilege to hunt at the Carson Lake Pasture. To the local residents, it is known as the Greenhead Hunting Club. It provides an opportunity for world-class waterfowl hunting. The fees support the area.

With the transfer of the property to the Nevada Department of Wildlife (NDOW), many in the community were unsure if they would be able to continue to enjoy the area, recognizing historic uses. This bill would allow such activities. The proposed amendment would allow for the annual fee to be used to operate and manage the Wildlife Management property. I support the amendment.

SENATOR MATHEWS:

What has happened to the Greenhead Hunting area? Did the owner transfer the property to the State?

SENATOR MCGINNESS:

The control of the area has moved from the Truckee-Carson Irrigation District (TCID) to the NDOW. This is an extremely popular bird-hunting area.

CHRIS MACKENZIE:

The area of the Carson Lake Pasture is a misnomer. This is a marshland area, not a lake. It was a lake many, many years ago. It is comprised of 25,000 acres. As a result of federal legislation in the early 1990s, the land is to be transferred to the State. The date of the transfer is near. The U.S. Bureau of Reclamation is handling the transfer to the State as a result of this legislation.

The Greenhead Hunting Club had an exclusive lease on this property until 1976. Since then, the Greenhead Hunting Club has worked more as a volunteer organization assisting with operations and management of this area through the TCID and the Bureau of Reclamation.

The NDOW is basically receiving a turnkey operation. Carson Lake has a long-standing tradition of use. There is no need to develop raw land as with other wildlife management areas. One of these traditions is collecting an annual

fee from those who hunt the area. With the transfer, NDOW will try to keep everything the same as possible. NDOW has no ability to collect the fee that has been established for many years. This fee is used to maintain and keep a gatekeeper on-site who tracks the hunters going in and coming out. The gatekeeper also notes the birds that are harvested. This is valuable information provided to biologists studying bird flyway status. The fee is key to our volunteer efforts. The Greenhead Hunting Club is a nonprofit service organization. We would like to continue this tradition. There is local support from hunters to collect charges for the annual permit fee. The fee is a continuation and not new. Instead of going to the TCID, it will go to the State. The amendment clarifies how to disperse the money that is received by the NDOW ([Exhibit F](#)).

CHAIR PARKS:

What is the size of this property? Just where is this area located? What is hunted in this area?

MR. MACKENZIE:

The area is approximately 9 miles by 3 miles. It is a large area. Primarily, hunting is limited to waterfowl. The area is located south and east of Fallon on the Schurz Highway.

NORMAN SAAKE:

I was the director of the waterfowl and wetland program for the State for 35 years. I am a cofounder of the Nevada Waterfowl Association. I am a 40-year member of Ducks Unlimited and a 40-year member of the Greenhead Hunting Club. I am here in support of S.B. 280.

Carson Lake is one of the absolute premier wildlife areas in Nevada. It is the jewel of the Western States. I know because I do waterfowl surveys for other states throughout the West. This is a unique wildlife area. The fact that it exists in the driest state in the nation and in the driest county in the driest state is amazing. There is tremendous wildlife diversity. It not only attracts large numbers of hunters, but it is a premier bird-watching area as well.

I encourage you to allow hunters to continue to pay a fee to utilize and support the area. We want to preserve this marshland for future generations.

Senate Committee on Natural Resources  
April 2, 2009  
Page 7

SENATOR MATHEWS:

How much is the fee? Is Carson Lake open to everyone or only to those who have a history with the area?

MR. SAAKE:

The fee to hunt in the area is \$60 annually and \$15 for the day. It has always been open to the public for the same fee. There is no fee for bird-watching.

KENNETH E. MAYER, M.S. (Director, Nevada Department of Wildlife):

Carson Lake property is scheduled to transfer to NDOW in 2012. We have been looking forward to this for nearly 20 years. We are here to lend our support for S.B. 280.

DOUG BUSSELMAN (Executive Vice President, Nevada Farm Bureau Federation):

The Nevada Farm Bureau has organizational policies about this land. It has multiple uses. We support the bill.

JOE JOHNSON (Sierra Club):

The Sierra Club is in support of this bill and the amendment.

GIB MACKEDON (Greenhead Hunting Club):

I am the current president of the Greenhead Hunting Club. I am here in support of S.B. 280. The fee is important to maintenance of the area. Our membership is 100 percent in support of the bill.

Senate Committee on Natural Resources  
April 2, 2009  
Page 8

CHAIR PARKS:

There is no further business to come before the Senate Committee on Natural Resources today. I will adjourn the meeting at 4:28 p.m.

RESPECTFULLY SUBMITTED:

---

Shirley Parks,  
Committee Secretary

APPROVED BY:

---

Senator David R. Parks, Chair

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