

State panel allows firearms in Nevada parks

By Sean Whaley, Nevada News Bureau

CARSON CITY – A regulation eliminating a prohibition on carrying firearms in state parks has been approved by the Legislative Commission.

The regulation still prohibits the discharge of a firearm in a state park with some limited exceptions, such as designated target shooting areas.

But a provision included in the original draft regulation to specifically recognize the right to self-defense in a state park was not part of the final changes approved last week by the panel of state lawmakers.

A state lawmaker who supported the regulation said the ability to use a weapon for self-defense is covered elsewhere in state law.

Statutory changes were mandated in Assembly Bill 282, a pro-gun omnibus measure that passed with bipartisan support during the 2011 legislative session.

The ban had also been the subject of a federal lawsuit.

Steve Silva, senior law enforcement specialist for the Division of State Parks, told the Legislative Commission that much of the public comment concerned a desire to include, “an affirmative acknowledgment of the right to self-defense.”

But the language was removed from the regulation when it was returned from the Legislative Counsel Bureau, he said.

The wording was supported by some who testified at a public hearing on the regulation on Oct. 12, particularly from

concealed weapons instructors who argued that not including self defense language would cause confusion in teaching their classes, Silva said.

It did not end up being a part of the regulation, however, he said.

"I've been with the division for just short of 32 years," Silva said. "In that entire period we've never prosecuted somebody for utilizing a firearm in self defense."

Sen. James Settelmeyer, R-Gardnerville, said in a phone interview Friday that the right to self-defense is provided for elsewhere in Nevada law, and that it was not needed as part of the state parks regulation.

"That was my concern as well and that's why I pulled the regulation during Legislative Commission . . . to have it reviewed by us," he said. "Because it kind of perplexed me that, yes you can carry a gun on a state park however you cannot discharge it."

But Settelmeyer said it is covered elsewhere allowing the discharge of a weapon to protect one's self or another.

"You don't have a right to walk down the center of the street and discharge a weapon, but you do to save your life," he said.