

DRAFT MINUTES
Nevada Board of Wildlife Commissioners
April 6, 2009
Special Telephonic Commission Meeting Agenda

The public is invited to participate in the telephonic meeting at the following locations:

Nevada Department of Wildlife – Headquarters
1100 Valley Road
Reno, NV 89512

Nevada Department of Wildlife
Elko Office
60 Youth Center Road
Elko, NV 89801

Nevada Department of Wildlife
4747 Vegas Drive
Las Vegas, NV 89108

April 6, 2009 – 9 a.m.

- 1 Welcome and Call to Order – Chairman Gerald Lent
- 2 Public Comment Period
- 3 2009 Legislation – Chairman Lent – Action
The Nevada Board of Wildlife Commissioners will review and discuss wildlife related legislation pending in the Nevada State Legislature: Assembly Bill 18, Assembly Bill 73, Assembly Bill 77, Assembly Bill 171, Assembly Bill 183, Assembly Bill 194, Assembly Bill 241, Assembly Bill 246, Assembly Bill 362, Assembly Bill 437, Assembly Bill 516, Senate Bill 42, Senate Bill 108, Senate Bill 146, Senate Bill 280, and Senate Bill 394, and other wildlife related legislation. The Nevada Board of Wildlife Commission may take action to support or oppose legislation.

Monday, April 6, 2009 – 9 a.m.

Chairman Lent welcomed everyone to the meeting and he called the special Commission meeting to order at 9 a.m. He said because this is a telephonic meeting with Commissioners at different locations, roll call votes will be used to ensure that the Commission has a quorum. He asked that if any Commissioners leave the call to advise him, and asked that each location state who is present, starting with Elko.

Attendance and Locations

Elko Nevada Department of Wildlife (NDOW) Office: Chairman Ken Wellington Elko County Advisory Board to Manage Wildlife (CABMW), Brandon Fordin Elko CABMW, and George Corner of Nevada Outfitters and Guides.

NDOW, 1100 Valley Road Office: Chairman Lent, Commissioners Cavin, McNinch, and Wallace. NDOW staff: Management Analyst III Kim Jolly, Director Ken Mayer, Chief Game Warden Rob Buonamici, Recording Secretary Suzanne Scourby, Deputy Attorney General (DAG) Stockton, Deputy Director Rich Haskins. Public: Don Molde, Rick Smith, chairman Washoe CABMW; Dave Hansen; Dan Heinz; Karen Boeger; Glenn Bunch, chairman Mineral CABMW; Tina Nappe; Judi Caron; Larry Johnson Coalition of Nevada's Wildlife, and Daryl Capurro, (NBWC) Legislative Committee.

Las Vegas NDOW Office: Commissioners Ron Lurie and Michael McBeath, Cindy Alexander chairwoman Clark CABMW, Charlie Howe, Clint Bentley, and John Hiatt.

Commissioner Pete Mori participated from Lovelock, Commissioner Scott Raine participated from Eureka, and Commissioner Dan Swanson from Hawaii.

Public Comment – None from Reno, none in Las Vegas, and none in Elko – Chairman Lent closed public comment.

3 2009 Legislation – Chairman Lent - Action

Chairman Lent said, again roll call votes will be used on each motion, and he said he will be voting on each bill as chair of the Legislative Committee, on these bills here, a bill is specific with amendments and intent is a general issue, and he will not process a motion on "intent," the bill must be as read or presented and staff will read the bills as contained in support material. Chairman Lent said we reserve the right to review any amendment with the Legislative Committee, and a bill can be amended that we can support or will not support and one word can change the meaning of any bill. He said we will start with the bills in the order as on the agenda.

Assembly Bill (AB) 18

Management Analyst (MA) III Kim Jolly read the summary as contained in the support material: AB 18 authorizes issuance of bonds for improvements at Lake Tahoe.

Commissioner Lurie asked how many CABMWs met and submitted their recommendations.

Seven CABMWs met and submitted recommendations and their recommendations are in the exhibit file.

Public Comment on AB 18 – None

Commissioner Raine asked impact on change of dates.

MA Jolly said this bill is a continuation of funding of the bonds which is why they update the dates, and is not new.

COMMISSIONER LURIE MOVED TO SUPPORT AB 18. COMMISSIONER MCBEATH SECONDED THE MOTION. MOTION CARRIED WITH EIGHT VOTES, CHAIRMAN LENT DID NOT VOTE.

Commissioner Lurie said for the record all the CABMWs supported this bill.

AB 73

MA Jolly read the summary, and stated this is a bill put forth the by the Department and the purpose is to clarify the age of the driver of a ski boat towing a skier and remove exceptions, and deletes obsolete language, another section in NRS that usurps this, as we follow Coast Guard rules.

Commissioner Raine asked for a history of the changes.

Chief Game Warden Rob Buonamici said the bill is clean-up because language is confusing to Nevada residents and especially visitors to the state and when they come here and boat here they are in noncompliance. He said it is taking language out that is confusing, and is simply stating that to tow a skier you have to be 14 and to be an observer you have to be 12.

Public Comment – None

COMMISSIONER SWANSON MOVED TO SUPPORT RECOMMENDATIONS FOR AB 73. COMMISSIONER LURIE SECONDED THE MOTION.

Commissioner Lurie said for the record the CABMWs support this bill.

ROLL CALL COMMISSIONERS VOTING IN FAVOR OF THE MOTION: LURIE, MCBEATH, RAINE, MORI, SWANSON, WALLACE, MCNINCH, CAVIN, AND LENT. MOTION PASSED UNANIMOUSLY.

AB 77 Wanton Waste

Management Analyst III Jolly read the summary, and she said staff worked with the Commission and members of the public to make amendments to AB 77, but they have not been accepted yet into the record.

Commissioner Raine said his issue with this bill is that we currently have no fair definition of what wanton waste is and knows we are working on one, but currently one not in effect, and he asked how can we go ahead in good conscience and increase fines on people when in his opinion we have no fair definition of the wanton waste violation.

Commissioner McBeath said in response to Commissioner Raine his understanding from discussion at the Commission meeting was to not have a detailed definition of wanton waste in statute but to have regulation support the definition to allow Commission flexibility to make changes but before legislation we need the statute first and definitely have to have statute then have the regulation in place to address Commissioner Raine's concern. He said Commissioner Raine is absolutely correct that we need a definition of wanton waste especially before the hunting season.

Chairman Lent said at the last meeting we talked about putting definition of wanton waste in NAC and if a motion made it could be something like that, providing that we will have a definition of wanton waste and the regulation should be ready to be heard at the next Commission meeting.

Commissioner Cavin said he would like Chief Game Warden Buonamici to summarize what the Commission talked about and what was talked about at the Legislative Committee.

Chief Game Warden Buonamici said with regard to the amendments discussed at the Commission meeting, amendments not submitted because the time for that is when the bill is introduced at committee, and when it is, staff is prepared to testify to see minimum changed from \$5,000 to \$500 on civil penalties, which is an amendment, and the other issue was wanton waste. He said, as Chairman Lent said, the edible portion definition regulation will be discussed by the Commission at the May meeting whether this bill goes forward or not.

Commissioner Mori said for clarification on description that was in support material, it said that it increases civil penalty, but Mr. Buonamici said a decrease in civil penalty.

Chief Game Warden Buonamici said that is correct for the minimum, the amendment would read not less than \$500 or more than \$10,000.

Public Comment on AB 77 –

John Hiatt said he understands this makes Nevada liable for enforcement of other state laws and countries for possession of game, and asked if that is correct.

Chief Game Warden Bounamici said Section 1 makes it a mini Lacey Act, for example, if someone poaches something in another state and brings it here, that allows for seizure for the other state and makes the transition of cooperating with other states easier.

Mr. Hiatt said his position is that if we are in the position of enforcing archaic law states, such as any possession of bighorn parts such as a skull in California by the public is illegal, you could be in violation of the law, and he wants to make sure Nevada does not put citizens in violation of the law.

Chief Game Warden Buonamici said the intent is for major wildlife crimes, and cleans up the process and minimizes the liability to the State of Nevada and officers in the field.

George Corner, Nevada Outfitter and Guides, said his organization worked with NDOW on the bill and they support the bill, and attended the Elko CABMW meeting and concurred with all of their recommendations.

Commissioner Raine said part of the issues and his concerns would have been resolved sooner if the Department could have brought the bill to the Commission sooner and that is why it needs so many changes.

Chairman Lent said this did not come before the Commission's Legislative Committee.

MA Jolly said she can speak to that, and noted that the Commission's Legislative Committee did act on this under Chairman Bentley, and that the Department had a deadline of April 3, 2008, to the Governor's Office for bill draft requests. She said the Legislative Committee at that time did approve the bill draft request and this legislation was also reported at the Winnemucca Commission meeting.

Commissioner Raine said that it was brought up but never voted on by the Commission.

COMMISSIONER LURIE MOVED TO SUPPORT AB 77 WITH PROPOSED AMENDMENT OF MINIMUM \$500 FOR THOSE SPECIES, AND MAXIMUM STAY THE SAME AT \$10,000. COMMISSIONER SWANSON SECONDED THE MOTION.

Commissioner Raine said that would make this a better bill however we still have issue of no fair definition of wanton waste and questions of transferability of crimes as Mr. Hiatt mentioned, and with those two items he can't support it although it is better with the two changes.

Commissioner McNinch said this Act becomes effective Jan. 1, 2010, and wanton waste could be resolved, and for the record Washoe CABMW proposed no recommendation, and he believes there was one other board that had no action taken on this, with everyone else is in support.

Commissioner Mori said if he understands the motion correctly that there is no contingency for any amendments to this bill. He asked the motion to be repeated.

Chairman Lent restated the motion: The motion by Commissioner Lurie was to support AB 77 with proposed amendment of the Department, of minimum deer, black bear, goat, antelope, and sheep, minimum of \$500 and maximum staying the same. He said that was the Department's proposed amendment, if the bill gets heard, and the motion is to concur with the intent and would not support the bill if amendment is not proposed. He said no amendment for wanton waste.

ROLL CALL VOTE ON MOTION: COMMISSIONER LURIE, YES; COMMISSIONER MCBEATH, YES; COMMISSIONER RAINE, NO; COMMISSIONER MORI, NO; COMMISSIONER SWANSON, YES; COMMISSIONER WALLACE, YES; COMMISSIONER MCNINCH YES; COMMISSIONER CAVIN, YES; AND CHAIRMAN LENT, YES. VOTE ON MOTION 7 – 2, MOTION PASSED.

Assembly Bill 171 Fish Pedicures

MA Jolly said the bill is sponsored by Segerblom and is to allow fish pedicures and adopt regulations governing the business, and the bill is silent on the type of fish to be used, and the Department is opposed as the species used are invasive species. She said AB 171 has not been scheduled for a hearing to date.

Commissioner Raine said it seems easy to deny as presented and never has seen anything from folks who brought it up but would hate to do anything to hurt somebody's business without hearing their side of the story and inclined to agree with the Department but with only seeing one side however he thinks it would be prudent to not take action.

Director Mayer said the Department opposes alien introduction of any species and does not know of any state that allows these species in, and we will be in line with other states to prevent invasive species, regardless of how it affects a business and our responsibility is to protect the resources of the state.

Commissioner McBeath said he understands what Commissioner Raine said and there are some issues that are so clear and nothing required further, but we just have to look to quaggas and mussels, and this Commission should be intolerable and no additional information required for him.

Commissioner Cavin said that the Board of Wildlife Commission and Department would lose authority and he will be opposed on that issue alone. Our authority should remain over all wildlife that comes into the state.

COMMISSIONER LURIE MOVED THAT WE DO NOT SUPPORT AB 171. COMMISSIONER WALLACE SECONDED THE MOTION.

Commissioner Raine said he will support the motion along the lines of what Commissioner McBeath but said but only hearing one side of an issue is a problem to him.

ROLL CALL VOTE: LURIE, YES; MCBEATH, YES; RAINE, YES; MORI, YES; SWANSON, YES; WALLACE, YES; LENT, YES; MCNINCH, YES; CAVIN, YES. MOTION PASSED UNANIMOUSLY.

AB 183 Silver State Tag

MA III Jolly read the summary for AB 183 and said AB 183's hearing is today at 1:30 p.m. in Assembly Natural Resources, and that this bill authorizes another drawing for a big game tag, provides for fees as determined by the Wildlife Commission and money received for the drawing must be deposited into the Wildlife Heritage Trust Account, gives the Commission authority to establish the Silver State Tag drawing, and the legislation originated with a petition to the Wildlife Commission from the Eureka CABMW.

Commissioner McBeath said in reviewing other legislative items, he ran across statute in NRS and in AB 241 material and he asked if any oversight on where the money goes as it is not mentioned.

MA Jolly asked for clarification on the question.

Chairman Lent asked if this went through the Finance Committee.

Commissioner McBeath said none of the legislative items went through the Finance Committee and we need to look at that, and would agree that items that have financial impact should go through that committee.

DAG Stockton concurred that it should be mentioned in NRS and NRS 502.520 for depositing of funds.

Commissioner McBeath said he supports the bill but looking over other NRS that Silver State Tag needs to be added.

Chairman Lent said he would like to comment that with this bill, the way he reads it, these tags can be a drawing or an auction and no guarantee that there has to be a drawing – the tags could be auctioned depending on what the committee recommends. He said we have a limit of 15 big game tags and doing nine right now, or could take six out of the nine, and any combination that we can do. Chairman Lent said a couple comments on where the money is coming from and agreed with Commissioner McBeath that the bill should have went to the Finance Committee. He said he received one comment from Jim Bauman of Eureka Natural Resource Advisory Board, bill does not say just drawing, the tags could be auctioned. Another comment was from Cory Lytle who had comment about harvesting animal from same unit, and Chairman Lent said he threw out statistics that if we add these on, in last four hunting seasons in Unit 205 and 208 Heritage Partnership in Wildlife tags, and 85 percent from one unit and 55 percent from one other. He said at some point we will have to restrict areas.

Commissioner Raine said it is a good bill but will need amendments to make it do what is intended, because tags could be auctioned with current language, and fee of \$15 is for processing and is not clear as written if those processing funds will go to the Heritage Account, and language unclear on that. If clear, he would be happy to support this bill but needs clean-up, and hopes the Department would amend. Commissioner Raine said revenue recommendations not realistic and do not take into account auction funding that could come with it.

Public Comment –

Chairman Rick Smith Washoe CABMW said Washoe CABMW along with all other CABMWs that reported support this bill as well. At the last Commission meeting the comments brought up by Chairman Lent were pretty much beat to death. He said on the 15 tags the Heritage Tags could be auctioned but also raffled. The Heritage Tag could be raffled as well, the intention is not to take the other six tags, but the intent is to give an opportunity to average sportsmen. Mr. Smith said he agreed with Chairman Lent on his comment that some areas are hunted out.

Commissioner Raine said point of order, is that the CABMWs must not represent the county and must be disregarded, and cited pages in the CABMW manual, and stated that the Commission cannot take their testimony.

Rick Smith Washoe CABMW said his understanding is that CABMW members are appointed to make recommendations to the Commission on all issues relating to wildlife and as a county representative CABMW members may not go to the State Legislature on behalf of the county, but they have the authority to make recommendations specifically to the Wildlife Commission on wildlife issues.

Chairman Lent said we can always ask for a formal opinion.

DAG Stockton said he agreed with Mr. Smith, and his advice is, if CABMW members go to the State Legislature directly, they do need county permission, but in this instance their duty is to take input from their county and provide advice to the Commission, and it is proper and their function, to advise the Commission.

Commissioner Raine said not clearly written in the manual and may be an issue for another day.

DAG Stockton said it says state level and the Commission is the state level.

Judi Caron, said she is representing herself, and stated for the record she is a past member of the Washoe CABMW, and past chair. She said for the record that at the last Commission meeting she heard that Chairman Lent had talked to Chairman Smith about taking action as Washoe CABMW. She said Chairman Lent also served on the Washoe CABMW and when he did he was a proponent of all CABMWs coming to the Commission and in Washoe CABMW minutes there is an opinion on file that CABMWs can come to the Commission and knows that Chairman Lent is aware of that and the intimidation that his is practicing is not necessary and as chairman he could have cleared this up and do not have to intimidate anyone from testifying.

Larry Johnson, Coalition for Nevada's Wildlife, said they support the Silver State Tag, and in regard to funds on page 2 the language is clear where the dollars are supposed to go, and he urged the Commission's support.

Clint Bentley said he would strongly urge the Commission to support this bill and as the potential of the bill will help add to the Department's budget and accomplish many good things for the wildlife of state of Nevada.

Commissioner McBeath said he would like to address two comments, one being the comment that the Silver State Tag could be an auction, and believes that the proposed amendment and does not follow that comment. He said the bill language states drawing or auction, the Silver State Tag is a drawing and the word auction refers to Governor's bid tag, and does not see how you can infer auction. If any doubt, we should have additional amendment that defines drawing, and when he reads statute it is exactly what it states, and asked for comment as it states drawing. Second point that the market for this tag is for a completely different group than those who bid on auction tags and what this does is open up a separate market. Commissioner McBeath said he supports the bill from standpoint of revenue, and will be positive revenue. He said the common man needs the same opportunity as someone who can afford the bid tag and this is a fairness issue and provides same opportunity.

Chairman Lent said the language states "any combination thereof," and that could mean drawing or auction to him, and asked DAG Stockton for comment.

DAG Stockton said to Commissioner McBeath in your interpretation of Silver State Tag drawing with caps and problem of the interpretation is through (a) Silver State Tag drawing, is that there is just one, and may be a problem.

Commissioner McBeath said if any doubt, we should change (a) to any.

Chairman Lent said he supports the concept of having the average hunter being able to apply but cannot support the bill because it is not clear and he is not sure if we will get "drawing" because he reads that it could be "auction."

Commissioner McNinch said he sees it as under Heritage we have options and we approve a number of tags and go out with auctions, and this opens up another route to take, and this only authorizes the Commission another option of utilizing the tags, not mandated by proposal but gives Commission authority to provide for a drawing. If Commission decides not to have a drawing or auction, it simply allows for that to happen.

Chairman Lent said it is either or and if the intent of the bill is a drawing it must be a drawing if that is what we want to do for the sportsmen.

Commissioner McBeath said the bill allows the Commission authority to establish an additional drawing for big game tags, and the legislative digest allows a drawing entitled Silver State Tag and is clear to him that this is an addition to auction tags and another way for raising revenue for the Heritage account.

Chairman Lent said he sees his point, and does not see where it maintains only a drawing and can't support bill that is not clear.

Commissioner Raine said on page 2 where you go down to line "not more than \$50 charged for processing" and his problem is the "must be charged for processing" and that sounds like the funds would go to the contractor not the Heritage fund.

DAG Stockton said his opinion is that the processing fee goes to the contractor because we have contract that states they get certain amount for processing the fees and we do have a contract which is how we pay Systems Consultants Inc.

Commissioner Wallace said in Section C the language states that 18 percent would go to the Department.

MA Jolly said that is correct.

Director Mayer said for the record 18 percent is what we take on the Heritage and those dollars that are collected and will go to the Heritage account as per page 3.

Commissioner Mori said he supports the bill as a lot of work and thought went into the bill and we discussed at Commission meeting and voted that this was a good idea; however, bordering on edge of stepping on toes of people who want to hunt in these areas. He said the run of the mill hunter that draws for a certain area and finds out numerous hunters being allowed to use weapon that they can't, and thinks we are on the edge of increasing these tags, and would be max of 15.

Commissioner Cavin commented that he thinks this has been well thought out and there has been a lot of discussion today and there are gray areas and may not be exact language but intent is within system and 15 tags allocated and there is a lot of sentiment to not increase these tags but beauty of staying within Heritage allows the Commission to make those decisions at a later time and have everyone involved, and personally we should move forward.

Public Comment –

Chris MacKenzie said he wanted to point out from his reading of the bill that what you have is that it comes out of a existing program, the Heritage program, and is providing another tool to allow for a raffle, and application fee will be similar to PIW fee, and NDOW would take their percentage out of that pot, and Silver State Tag provides for raffle and same program that allows for auction.

Daryl Capurro, representing himself, said discussion by the proponent of the bill said that not more than 50 percent of total tags be used for auction or drawing, and his interpretation is that it does provide for either or for all or part; however, the proponent indicated that an amendment stating not more than 50 percent would clear up situation on how many are available.

Chairman Lent said he knows the intent and agreed with last comment but can't vote without amendment to make sure it is a drawing not auction. Chairman Lent closed public comment.

COMMISSIONER MCBEATH MOVED THAT THE NEVADA BOARD OF WILDLIFE COMMISSION SUPPORT AB 183 AS WRITTEN WITH AMENDMENT TO NRS 501.3575 SUBSECTION 2 (A) IN PARENTHESES THAT AMENDMENT READ COMMA AFTER WORD AUCTION, STRIKING WORD "OR", COMMA AFTER WORD DRAWING, ADDING THE WORD DRAWING "OR" AND ADDING WORD/LANGUAGE SILVER STATE TAG DRAWING WITH EACH WORD CAPITALIZED. COMMISSIONER SWANSON SECONDED THE MOTION.

ROLL CALL VOTE ON MOTION: COMMISSIONERS LURIE, YES; MCBEATH, YES; MORI, YES; SWANSON, YES; WALLACE, YES; MCNINCH, YES; AND CAVIN, YES. CHAIRMAN LENT, NO. MOTION PASSED – 7 – 1. (COMMISSIONER RAINE NOT PRESENT FOR VOTE.)

Chairman Lent said he voted against the motion as not sure of intent of the bill.

Commissioner Lurie asked who will make the presentation at the Legislative Committee.

Chairman Lent said that has not been decided yet.

AB 194 Guide Bill

Chief Game Warden said AB 194 was proposed by Nevada Guides and Outfitters Association and that the gist of the bill is to enhance the penalty for guiding without a license, currently it is a gross misdemeanor. This bill makes it a felony on the second offense and the first remains a gross misdemeanor. He said the bill was initiated by Nevada Guides and Outfitters Association.

Commissioner Mori said he wanted to know the definition of Category E felony.

Chief Game Warden Buonamici said Category E felony provides that if convicted of a Category E felony that the person does not get sentenced to state prison rather time served is in the county jail, and voting and carrying a firearm rights can be reinstated at some point.

Chairman Lent said he does not see second offense.

George Corner said mock-up of the bill has numerous changes and unfortunately this copy is not the mock-up but his group worked cooperatively with Assemblyman Claborn and Mr. Buonamici and that is included in the mock-up along with definition of guiding. He said the bill as written clarifies language of how someone is hunting with friends, and asked that Mr. Buonamici clarify.

Chairman Lent said the Commission does not have a copy and as he stated at the beginning of the meeting that voting on intent is not responsible.

Chief Game Warden Buonamici said he has a copy of that mock-up, but the bill has since been mocked up again with quite a few changes, and he referenced page 7 section 9, number 1 and he read the mock-up language defining what a guide is.

Public Comment –

Daryl Capurro, representing himself, said his brother worked with Study Committee and they were in agreement and saw language that was adopted by Assembly and the Study Group was unanimous in its support and that it did as intended. He said the concern was to change to first offense to gross misdemeanor and second felony. The other section dealt with the individual who knowingly hired someone who was not a licensed guide and that was left as a misdemeanor with gross part taken out.

Chairman Lent said if we do make a motion, the motion should be with the amendments.

Commissioner Raine said he sees several issues with this bill: We should not equate guiding with other felonies and use large civil penalties instead of jail time; costs not in fiscal note is increased court costs and jail costs, it is selfish of the Department as the bill dramatically increases incarceration costs, the civil and financial penalties are much more appropriate; Section 5 page 3 and 4 is putting burden on the hunter to check credentials of guide, the burden should be on the guides not the public, this is not reasonable.

Chairman Lent said fiscal notes would come from Legislative Counsel Bureau (LCB) and would not be a Department fiscal note.

Commissioner McNinch said he understands with Class E felony that jail time is not required and is usually probationary.

Chief Game Warden Buonamici said there is no requirement that jail be mandatory, the misdemeanor is up to six months and jail is option available to judge. He said there is a myriad of ways for the courts to handle sentencing and in regard to comment on somebody booking hunt without knowing, he said it is very clear that they have to knowingly do that. There are lots of situations that a guide coaches a client to say they are just friends and not guiding that is why language states "knowingly."

Commissioner Raine said he sees "knowingly" and goes on to say unless person provides proof as holder of license.

Chief Game Warden Buonamici said "knowingly" is intended and meaning gone over with LCB that person "knowingly" knows that person is not a licensed guide and no requirement to check if licensed guide but if they do know it, then it becomes a violation.

COMMISSIONER RAINE MOVED TO NOT SUPPORT AB 194. COMMISSIONER MORI SECONDED THE MOTION.

Commissioner McNinch said sifting through the CABMWs recommendations, Washoe and Carson CABMWs opposed, Lyon no stand, other four CABMWs in favor. He said he will be voting against the motion to not support.

Commissioner Cavin said he would ask since the Commission does not have all of the mock-up language that he would like the bill read again with all changes and would recommend to defer or table action until we get mock-up language.

Commissioner Mori said he seconded the motion because of not having the mock-up language and that he wants to protect the hunter who takes a friend hunting for tank of gas.

Commissioner Wallace said he agreed with Commissioner Cavin and bill sounds okay but needs to read the bill in its entirety.

Chairman Lent said he can't support without the bill language.

ROLL CALL VOTE ON MOTION: COMMISSIONERS LURIE NO; MCBEATH NO; RAINE YES; MORI, YES; SWANSON NO; WALLACE NO; LENT YES; MCNINCH NO; CAVIN YES. MOTION DID NOT PASS FOUR TO FIVE. MOTION FAILED.

Commissioner McNinch said he will make a motion to support but considering testimony the best interest is to table the bill for now.

COMMISSIONER MCNINCH MOVED TO TABLE AB 194 UNTIL WE GET FURTHER INFORMATION, HE PERSONALLY SUPPORTS THE BILL BUT HIS MOTION IS TO TABLE. COMMISSIONER CAVIN SECONDED THE MOTION. ROLL CALL VOTE ON MOTION: COMMISSIONERS LURIE, YES; MCBEATH YES; RAINE, YES; MORI YES; SWANSON YES; WALLACE YES, LENT, YES; MCNINCH, YES; CAVIN, YES. MOTION PASSED UNANIMOUSLY TO TABLE AB 194.

AB 241

MA Jolly said AB 241 requires certain percentage of Wildlife Heritage Account money be used for predator control for mule deer. The Department said the bill will limit the Commission's ability and the Department's ability to use sound science to manage wildlife and make management decisions. The Wildlife Heritage funds are received from purchase of big game species other than mule deer. MA Jolly said the bill was scheduled for hearing but has been removed from Wednesday's agenda, and no known amendments.

Vice Chairman Lurie asked if we know why the bill was pulled off.

MA Jolly said we do not know why.

Public Comment -

Larry Johnson, Coalition for Nevada's Wildlife, said AB 241 is universally opposed by CABMWs and sportsmen, and he is glad it was pulled and suggested to the Commission that AB 516 be discussed so people can get to Carson City today to testify.

Dan Heinz said he is representing backcountry hunters and anglers and must oppose 241 because we must object to political and arbitrary biological decisions.

Rick Smith, Washoe CABMW, said at their meeting they voted to oppose AB 241 as did all other reporting CABMWs and as we saw at the last Commission meeting with the good presentation

on predator control that the biggest factor affecting mule deer is carrying capacity not predators, and to put 40 percent of Heritage Tag fund on one species is insane and they asked that the Board of Wildlife Commissioners oppose this.

Vice Chair Lurie said he does not know anybody who supports AB 241, and to move things along, he would like to make a motion to not support AB 241.

Chairman Lent said he is not ready for a motion yet, we are still discussing it, and although Commissioner Lurie said no one supports AB 241, he has letters from Nevada Cattleman's Association supporting it and one from a major sheep producer, Fred Fulstone, and a Mary Ann *unintelligible last name*, supporting AB 241.

Vice Chair Lurie said he has not seen those letters.

John Hiatt , speaking from the Las Vegas Office, said he strongly urges....

Chairman Lent told Mr. Hiatt that he had closed public input.

Commissioner McNinch said he would caution the Commission about moving forward too quickly and agreed with comment to move ahead but the whole intent was to allow input to the public and is important that everyone speak their mind and have input. His concern with AB 241 is that it messes around with Pittman-Robertson monies because you can't use the money for predator control directly and if a fiscal note with it, that would be substantial, and not even considering what type of press we will get.

Commissioner Wallace said he did not receive the letters from Cattleman's or the letter from sheep grower and as an agricultural representative he wondered why he did not get the information either. He asked if Commissioner Mori received the letters as he is the ranching representative.

Director Mayer said he was made aware of the letters while at a meeting in Assemblyman Claborn's office, but they were not sent to the Department.

Commissioner Mori said he did not receive the letters, and does not mind the intent of designating money for predator work on mule deer, however being on the Heritage Committee it may limit ability to make decisions on projects for other species and we do not know how the projects are coming in, and our focus could be mule deer at this time, but that may change in the future and he would like that flexibility and this bill could tie our hands.

Commissioner McBeath said Mr. Mori's comments are absolutely right on, and would add that one prey species which is mule deer, and if any issue without the Department weighing in is fiscally irresponsible, and he reiterated that it removes discretion from this Commission and

removes that discretion from future Commissions that deal with these issues and times will change.

Chairman Lent said he heard the bill will be amended, with mule deer taken out and concept will be "big game." However, he said we have to vote on bill the way it is.

COMMISSIONER LURIE MOVED TO NOT SUPPORT AB 241. COMMISSIONER MCBEATH SECONDED THE MOTION.

Commissioner McNinch said at some point we will have to have discussion on intent of bills and is not sure where we are precluded from voting on "intent" and may be a point of order for the DAG. He said his concern is that he looks at Heritage Account as a neutral opportunity to do good work on the ground particularly with habitat and provide improvement of wild land. He does not see Heritage Account as sole mechanism to be used for predator control. Commissioner McNinch said he would hope that the vote is more a vote of mandating a certain percentage to the control of predators from the Heritage Account.

Chairman Lent said the motion was to oppose 241 as written, and would call for the vote...

Commissioner McNinch said one more question before the vote, and said scenario we have today is that a hearing on Wed. at 1:30 p.m. and a mock up of AB 241 comes out not less than 40 percent projects to control predators for "big game" and rhetorically asked if that will change how we vote today.

Chairman Lent said hard to say.

Vice Chair Lurie said voting on this today and if they change the bill on Wednesday, chair of Legislative Committee can convene another meeting to discuss.

Commissioner McNinch said the bill has to be passed out of the House on Friday.

Chairman Lent said hard to vote on intent.

ROLL CALL VOTE ON AB 241: LURIE, YES; MCBEATH YES; RAINE NO; MORI, YES; SWANSON, YES; WALLACE, YES; LENT, YES; MCNINCH, YES; CAVIN; YES. MOTION PASSED 8 – 1.

Chairman Lent said AB 246 is next.

Commissioner McNinch asked to skip ahead to AB 516 and AB 362 since there will be hearing on those today.

Chairman Lent said he said he would take them in order at the beginning of the meeting and there may be public here for the Off-Highway legislation.

MA Jolly said that is tomorrow.

Chairman Lent said he would like to stay in order.

AB 246 Apprentice Hunting License

MA Jolly said this bill authorizes an apprentice hunting license which is a try before you buy experience with a mentor. She said a person may only try one time, and the bill exempts the apprentice from hunter safety. MA Jolly said this is based on a Sports Afield program as done in other states. She said there is a revision to the bill and that changes the fiscal note, and this bill is expected to generate revenues that pay for programming costs involved with licensing.

Commissioner Raine said one error is that a mentor could have any number of apprentice hunters out there at one time and he would go against the intent.

Chairman Lent asked Finance Committee members if this bill was brought through the Finance Committee.

Vice Chair Lurie said the committee did not address this as staff did not have time to get a meeting and will bring this up at their next committee meeting.

Commissioner McBeath said fiscal note states that programming will cost \$82,000 and from a fiscal standpoint he would like to get more comfortable as a major hit. Commissioner McBeath said there is a lack of information on revenue side and no indication of how we will recoup the cost.

Chairman Lent said he does not support unfunded mandates and NDOW was down there supporting it.

Director Mayer said we supported this as Nevada struggles with hunter recruitment and 28 states have this program and on average they see an 8 percent increases in license sales over the long haul and the investment of \$82,000 is worth the hunter recruitment. Director Mayer said the program is not just for kids but for adults who do not want to invest in the gun and everything up front and the program is very positive over the long haul.

Commissioner Raine said hunter education is very available and convenient, and having anyone in the field without that basic level of training, and we already have people under current the system mistaking game species and we are downgrading the requirements, and what will

happen with lesser educated people is people shooting wrong sex animals and misidentifying animals as well.

Chairman Lent asked if the amendments are on the ground or theoretical.

MA Jolly said first in response to Commissioner Raine's comment that the language of AB 246 does not permit the apprentice to hunt for big game. She said in response to Chairman Lent, the mockup is not created until scheduled for hearing, and amendments will probably be out before Wednesday.

Chairman Lent said the unfunded mandate section bothers him, as well as the bill not being discussed by the Finance Committee, and he is concerned because we don't have money for Commission committees and would like the Finance Committee to determine if we can afford this bill.

Commissioner Wallace asked if one time deal or every year they can continue and wanted to clarify that.

MA Jolly said one time only.

Director Mayer said fiscally it is estimated that the bill will pay for itself over a three year period, and that does not take into account the money that will be generated by stamps.

Public Comment –

Mr. Rick Smith, Washoe CABMW, said the board voted to support AB 246 and they asked the same questions, and one thing that did not come up, but they asked if in the other 28 states have there been recorded instances of someone shooting wrong duck, told, no , any violations written for the mentor doing something wrong, and told, no. He said as Director Mayer said the \$82,000 investment to increase hunters is worth supporting the bill.

Ms. Judi Caron said she feels this is our opportunity as hunters and conservationists to be good will ambassadors of hunting to the rest of public, and to bring someone into hunting and lower the barriers. She asked if Family Afield grants could be used, and she said that there are more ladies coming forward who are not required to take hunter education if they were born earlier than Jan. 1, 1960. She said that lady sets the tone for her family and for hunting to survive, it has to be a family activity, she said this not something we can pass by, and we can work out legalities and nuts and bolts of the bill later, and the details on mentoring and number of apprentices.

Chairman Lent closed public comment and returned discussion to the Commission.

Commissioner McBeath said there may be some discretion on how this program gets rolled out and major cost component is online licensing system and is there discretion to rollout this out manually first, to get opportunity to talk to mentor, and yet give the Commission the time to work out fiscal issues before ramping up to full online program.

Chairman Lent said the cost factor and knowing the Department's financial situation is why he wanted the bill to be heard in the Finance Committee.

Director Mayer said the \$82,000 is full implementation, but we can also step it down to make it less onerous.

Chief of Operations Bob Haughian said he cannot add more than what is in the packet and how the \$82,000 is broken down into modules. He said there was discussion on not having the license agents issue the license and can be broken down that way.

ASO III Prather said the \$82,000 was the highest estimate of SCI's projection, and actual cost will be determined on what is actually passed in the legislature and the fiscal note was based on the first bill as introduced with no fees and payback time is not there. He said staff research indicated 25 percent in other states with applicants, and with \$3 fee we will break even within three years and that does not include sale of stamps which we have not included in the fiscal note and will cut payoff to less than three years.

Chairman Lent said that is why he set up the Finance Committee and has qualified people and if they had this they could have made a recommendation and that is the whole purpose of the committee so the Commission can make a decision, and he is for the concept, but wanted the Finance Committee to review.

Commissioner McNinch said it is unfortunate that Finance Committee has not had opportunity to review these, and the same can be said for the Legislative Committee, because the bills should have gone through them for recommendations that we would have received, and that is why we have the Legislative Committee, and it is what it is, but that is not going to stop him from taking action on these bills.

COMMISSIONER MCNINCH MOVED TO SUPPORT AB 246. COMMISSIONER SWANSON SECONDED THE MOTION.

Commissioner Raine said he deals with the public regularly on licenses and sales, and regulations, and the number one complaint he hears is that they are too complicated and now we are taking the hunter education requirement and taking something fairly clear and

muddying the waters and this will complicate regulations and add confusing factor that needs to be taken into account.

Chairman Lent said the motion was made for the bill and he would like to see the motion amended where Department can get other fees and he will not vote for the bill without the amendment to make them required to buy stamps.

Vice Chair Lurie said what is the amendment.

Chairman Lent said the amendment is in the packet.

COMMISSIONER MCNINCH SAID HE WILL AMEND HIS MOTION TO INCLUDE AMENDMENTS AS INCLUDED IN THE PACKET FOR AB 246. COMMISSIONER SWANSON THE SECOND TO THE MOTION SAID HE WILL ACCEPT THE AMENDMENT.

Chairman Lent said with proposed amendment submitted by bill sponsor to recover fees for stamps.

ROLL CALL VOTE ON AB 246: LURIE, YES; MCBEATH, YES, WITH THE UNDERSTANDING THAT WE HAVE OPPORTUNITY TO ROLL THIS OUT IN A FISCALLY RESPONSIBLE MANNER; RAINE, NO; MORI, ON THE FENCE AND WILL ABSTAIN; SWANSON YES; WALLACE, YES; LENT, YES; MCNINCH, YES; CAVIN, YES. MOTION CARRIED 7 – 1, WITH ONE ABSTENTION (COMMISSIONER MORI).

AB 362

MA Jolly said this bill was sponsored by Assemblyman Claborn and revises provisions of certain fees such as \$3 predator fee and original legislation crossed out several items existing in 501.253, and NDOW was notified that this bill is being amended by Assemblyman Claborn to add to Section 3 language stating “That must be approved by Commission and Director,” and the packet had a mock-up which added back the language of “research,” and other items from the original language. She said the support material for this bill, is the bill itself, the mock-up, and new language from Assemblyman Claborn.

Commissioner Mori said he did not receive the mock-up and asked Chairman Lent to provide an explanation of the changes to language. Chairman Lent said the mock-up put everything back in the bill that was crossed off, so if you have the original bill with the lines crossing out sentences, all that has been put back in the mock-up. He said essentially the only change is “must be approved by the Commission and the Director,” and the bill went back to original form.

Public Comment –

Rick Smith, Washoe CABMW, said he along with seven CABMWs reporting, oppose this bill with the mock-up changes because we do not believe the legislation needs to be implemented as current process is more than adequate. He said he does not believe that the bill is necessary nor do the seven other advisory boards.

Dan Heinz, representing backcountry hunters and anglers, said he is opposed to giving the Commission the opportunity to veto biological decisions made by the Director. He said the Commission is composed of lay people and the Department is a professionally trained department and you need to keep them separate.

Chairman Lent said to those comments, that there are five sportsmen on the Commission and between them they have 250 years of hunting experience and they are more than qualified to know what is going on in field, just like ranchers do with their experience and intense time out there, and when he hears that chief biologist at NDOW said he spent zero time in the field last years and he puts a lot of faith on sportsmen just like ranchers in field. He said when you say we are just political appointees he wants to make the point very clear that the Commission is very qualified.

Mr. Heinz said in response that as he testified before the Assembly, that in 1950 he killed his first deer and he missed year or two of hunting while in Africa working as a biologist, and he is a lifetime hunter and worked in the field as a biologist (retired) has been a guide and has an opinion on lots of things but is not an expert. He said he has been getting a haircut for 72 years but that does not mean you want me to give you a haircut.

Mr. Chris MacKenzie said he is a sportsmen and in terms of latest amendment he is concerned, and he supports predator control, and we go both ways but what if you get a Commission in the future who is anti-predators and this could be a situation where you get the opposite viewpoint in the future and knows the intent for the short term but can't go along with language for the long-term.

Chairman Lent said also you could have the Department be anti-predator control and not propose any predator control which is what happened before, and he does not know how true sportsmen could not support this. That happened in the past with Department not having predator control before the \$3 fee. We got additional money and predator control limited before that and predator control is a tool that should be used when needed and again it was not used that much in the past and he is not for killing all predators.

Chris MacKenzie said the current form of the bill having it go through the Department and Commission worries him politically.

Chairman Lent said proposed amendment weighs it out, where both sides have to agree, and one side does not have the exclusivity right now.

Rick Smith, Washoe CABMW, said on the discussions going on, he said no one questions that the five sportsmen don't have sportsmen interests at heart and last week they had 15 sportsmen in attendance. He said all motions at the meeting were 100 percent supported and no opposition, and no Commission members were present. He implored the sportsmen reps to hear what sportsmen are saying and they are opposed to this bill.

John Hiatt, said he is opposed to AB 362 the way it is written and that dedicating money to predator control while ignoring issues of habitat, he cannot support the bill.

Brandon Fordin, speaking for himself, said as far as conversation and knowledge that people have, but a lot of sportsmen do not have a clue as to what is going on out there and to see a Commission not go with sportsmen and have the Commission go against, it should be up to the Department to decide what happens.

Commissioner McBeath said the budget in place with allocating these funds in a certain manner and if this is approved, the Commission will revamp that, and obviously there might be fiscal issues immediately and more importantly if these funds used in the past in certain manner and then are reallocated to the Commission. He said his final comment is that AB 362 not brought to Commission or Finance Committee to address these issues, and seems like an end run on some of this legislation and committees that would be in on it.

ASO III Prather said from Commissioner McBeath's comment he is not sure he fully understands and from Department standpoint no fiscal note on this legislation because it would be requiring approval by the Commission and the impact will be from the other side, and whether the bill would require additional Commission meetings and where contracts go to Board of Examiners and Interim Finance Committee. He said we are not in jeopardy of losing federal funds. As far as predator fees now, they are not matched with any federal dollars. He asked Commissioner McBeath if that was what he needed to know.

Commissioner McBeath said if projects funded in the current budget what will the impact be if funds used for certain purposes that were changed, would we be searching for revenue sources.

Commissioner McNinch said the difference between now and the past with this bill is that it will require that the Commission approve the projects. He said there is a two step process now, and in the past it was vetted in a Commission committee appointed by the chair, and then to the Commission's agenda for public input. The Commission has reviewed projects as well as the public and anyone else, and does not see where mandating that the Commission do this changes that but does see that by requiring that the Director and the Commission approve could make a loggerheads, and he has heard since being on Commission that science always needs to take precedence. Commissioner McNinch said he himself has a wildlife management degree but would not pit himself against NDOW staff as he has been out of school for a while.

Commissioner Mori said \$3 fee is called the predator fee and does not see anything different other with the bill that we are already not doing but adding input through Director. The CABMWs did not have opportunity to see changes, and it appears to him that the changes to the bill are to gain support and he is ready for a motion in support.

Commissioner Raine said when Commission has say, at the very least CABMWs have a voice, but if Commission has no say, then there is no say for CABMWs, and if opposed they want to lose their voice. Therefore he likes to see CABMWs have a voice and supports the bill with the changes.

Chairman Lent said he supports AB 362 because the Department and Commission should be on the same wavelength.

COMMISSIONER MORI MOVED TO SUPPORT AB 362 AS AMENDED. COMMISSIONER RAINE SECONDED THE MOTION.

Commissioner Wallace said he has a question, and as far as CABMWs go it is an overwhelming no on this, but has heard that not every single CABMW may have had the amendment before their meeting.

Staff said the new language was emailed to the CABMWs on Friday.

ROLL CALL VOTE ON MOTION TO SUPPORT AB 362: LURIE, NO; MCBEATH, NO; RAINE, YES; MORI, YES; SWANSON, NO; WALLACE, NO; LENT, YES; MCNINCH, NO; CAVIN, NO. MOTION FAILED 3 – 6.

COMMISSIONER MCNINCH MOVED TO NOT SUPPORT AB 362. COMMISSIONER SWANSON SECONDED THE MOTION.

ROLL CALL VOTE TO NOT SUPPORT AB 362: LURIE, YES; MCBEATH, YES, BECAUSE CABMWS DID NOT HAVE SUFFICIENT OPPORTUNITY TO WEIGH IN; RAINE, NO; MORI, NO; SWANSON YES; WALLACE YES; LENT, NO; MCNINCH, YES; CAVIN, YES. MOTION PASSED 6 – 3.

AB 437 Dream Tag

MA Jolly said AB 437 is a bill that relates to wildlife and allows for the Commission to establish a program for issuance of additional big game tags to be known as “Dream Tag,” with sale through a nonprofit organization with certain qualifications such as same mission as Department and provides for resale of tags through the nonprofit and expenditure of money received by nonprofit. Legislative impact is that the bill would provide for multiple chances for individuals to apply for Dream Tags through a raffle, and could provide funding estimated at

one-quarter of one million dollars for wildfire rehabilitation through the nonprofit. She said although lotteries are prohibited in Nevada, that because the nonprofit administers the funds that would allow for the lottery. She said there are no amendments to this bill and is awaiting a hearing by the Assembly Natural Resources Committee.

Chairman Lent asked MA Jolly where the language is relative to wildfire rehabilitation in the bill that is in the Department memorandum.

MA Jolly said that the information on wildfire rehabilitation in the memorandum came from conversations had with the bill author and CABMW members helping to put this together, and the agency has not been asked for a fiscal note yet.

Chairman Lent said that is no guarantee and asked for Commission input on this matter.

Commissioner Wallace said his question is this strictly for wildfire rehabilitation or is it at the discretion of the nonprofit.

Chairman Lent said we don't know.

Commissioner Wallace said he talked to several people from the general public over the last week, and the comments he heard was that this is not like the Silver State Tag with the money back to the Department, on this the money goes to a different group other than the Department, and no control by Department biologists with what we will be done with the money, and he feels the same and if the money was strictly for wildfire rehabilitation he would be more apt to support it because of that.

MA Jolly said when helping the sponsors the draft read money must be administered by the Director and language refers back to nonprofit, but it does say the account must be administered by the Director.

Chairman Lent said there is nothing in the bill at this time about wildfire rehabilitation.

Commissioner Cavin said he had several reservations about the bill and no problem with working with wildlife, game or non game or wildfire rehabilitation, but he has basic issue with taking tag and giving it to another entity that is not part of the state. He said if the money came back to Heritage or similar program with oversight by the Commission or Department, but giving state property to be resold and process currently outside of our system, and we have a system that has pressure on it for tags with some units having more hunting pressure than others that need to be worked out within our system and if outside our system they can do with it what the please and no guarantee of that and he does not see the benefit of going around the system of what we have, and have heard that on the Commission the last few

months, and this seems to go around all of that by not going through the CABMWs, Commission, and much public comment recently on that.

Commissioner Raine said he looked at this bill and if he set out to design a bill to minimize transparency in big game funding this would be it, who would run this and who would run it later, and none of that is clearly laid out and no way to audit funds and tags clearly would be in addition to existing tags given and we are having problems with biology on existing tags and now have more on top of that and can't find any redeeming factors with this. He said it looks like an attempt to circumvent the State Constitution and allow a lottery.

Commissioner McNinch said before we go down that road too far, the ground work was that there was significant discussion on the front end of this with our chairman and the sponsors, who asked that the bill be heard by the Wildlife Commission, and that did not happen and will defend that there is no circumventing going on, the attempt was made to bring this before the Commission and that did not happen. Unfortunately it is here, and this needs to be considered and again late in the game that this did not go before the Legislative Committee for vetting or the Advisory Boards, hence the need to get up to speed.

Chairman Lent said he wants to make it clear to Commissioner McNinch and the Commission, that he has never kept anything off the agenda that the Commission wanted, and said he was brought in on one of the first meetings with this with sole purpose of support and because a warm reception was not received from him, he was never involved again in a meeting with Commissioner McNinch, the Director or the bill writers.

Commissioner McBeath said he supports Commissioner Cavin's comments and Commissioner Mori's comment made with regard to the Silver State Tag drawing and that we are running into a point of marketing these tags and he wonders if we are close to the edge and this one pushes it over the edge for him. The fact we are not able to be involved in any part of the process like we are with the Heritage is a big issue for him and does not know why given the options we have and with the opportunities with the Silver State Tag to increase revenue and does not know why we would give that up to get something and that is his concern. He said we are going over the line with this marketing idea, and that this may be considered in the future if programs we have don't work, and to him at this time, to add two new tags is not warranted.

Commissioner Lurie said he had same comments as Commissioners Cavin and McBeath and questions who these nonprofits would be and how they are chosen, and is uncomfortable with the way the bill is written.

Chairman Lent said he is opposed also, and this is an attempt to bypass the Commission, and another thing, nonprofits do not fall under the Open Meeting Law, and citizens and sportsmen, will not have a say where the money goes and to what projects. Wildlife belongs to everyone and should not be given away to a private entity and state auditors could not audit the

nonprofit and no control of projects without public input and this will just be a slush fund because the definition of where it goes is very vague. He said we already have two in place such as the Silver State Tag and does not think we need another one because of that. He asked for public comment.

Public Comment AB 437 –

Daryl Capurro said representing himself said he concurred with Commissioners Cavin, McBeath and Chairman Lent's comments and that he is a little concerned that briefly mentioned with all these special tag holders such as Heritage, Dream Tag, Silver State Tag holder in an area with a regular draw person in area where it can't be handled. Mr. Capurro said the Commission already approved increasing the Heritage tag to 15 from the current nine and thinks that is all the Commission should consider. He said he is uncomfortable with turning the money over to a 501.3c with no input or audit ability.

Judi Caron speaking for herself said she was one of the persons involved in bringing this forward and all of the Commissioners have brought up great points, and agrees with them on accountability. Ms. Caron said other western states have this type of raffle for big game tags to raise revenue for wildlife and in 2006 when the wild fires ravaged the state, and when looking at this, she and another person, came up with the idea as a way to make money as that is the only commodity we have to sell. She said at a Commission meeting in Winnemucca five years ago, a Heritage vendor asked to use a magazine to sell raffle tickets, but was deemed unconstitutional. As a result they decided to find a legislator to look at this and as a tool for Department of Wildlife to use raffle in the future as a ways and means to generate revenue for protection of wildlife and habitat restoration. She said they found an assemblywoman who worked hard on this to sponsor the bill and admittedly the bill as it is today has some items left out in the original bill and an amendment will automatically come out. She asked that the Commission table the vote on this bill until the amendments come out, and there is no intent to circumvent the Commission, it is about wildlife in the state and to restore habitat as habitat limits wildlife's numbers. She asked that the accountability will come out when the bill is amended, and asked that the bill be tabled to allow for due process and to obtain all the information necessary. Ms. Caron said this bill was talked about at the Commission's Legislative Committee meetings for the last one and one-half years.

Chairman Lent said, a noble idea that Ms. Caron had and everyone wants to do funding for the Department, yet he does not see how amending the bill will get around the lottery deal and he agreed we need to get others involved, and understands the effort involved and thanked Ms. Caron.

Commissioner McNinch said he appreciates the comments and without thorough understanding of the bill, would be difficult to jump to non-transparency part, and would like to point out that crux of the bill is to require the Commission to establish a program for issuance

and sale of the Dream Tag, the bill lays out the framework and talks about the control points relative to Commission and state processes, and the control is with Commission, and is a committee bill therefore it is exempt from Friday's deadline and they can go to the end of the session and may have chance to review amendments and appreciates Ms. Caron's comment to table this for later to see the amendments.

Commissioner Cavin asked Ms. Caron if any of the amendments get away from the nonprofit organization.

Ms. Caron said for the purpose of avoiding the 18 percent administrative fee charged by NDOW on the Heritage Account, the foundation would hold the money with strict financial procedures so that the most money would go to NDOW, through the Director. She asked that the Commission please wait for the amendments because of so much time and effort and because LCB left out pages.

Commissioner McNinch said he would comment that he has not seen the amendments either, and his understanding is that this bill was written this way because of the Attorney General's Office's suggestion.

Commissioner Cavin said the Attorney General suggested that to get around the lottery ruling and in Section 4 the accountability of the money ends when the money goes to the nonprofit.

Commissioner McNinch said he is not up on this all the way but thought part of reason to deal with the raffle was to go with nonprofit foundation, and the opinion was that everything was okay with lottery, even Gaming Commission said that, and that was his understanding and they were told preferable way to go.

Commissioner Cavin said as soon as money goes to nonprofit there are no auditors involved from any state agency and they are out of the loop and that is where his accountability issue goes and that is the transparency issue.

Chairman Lent said he thinks technically sportsmen are saturated with specialty tags, Heritage has 15, Partnership in Wildlife 38, and the Dream Tag 16, which is a total of 69 tags, and that is becoming a problem for the average sportsmen. He said the accountability as a nonprofit is not there and we should vote to oppose this bill, although the concept is there. He said the bill cannot be saved to get what we want and is opposed to sale of our state animal to a nonprofit and that the bill should be voted down because of that.

Ms. Caron thanked Chairman Lent for the Commission's input and his, and she implored that the Commission not take a vote until the final language is seen because this as far as we have gotten with the raffle question in the state, and she asked that the bill be tabled.

**COMMISSIONER RAINE MOVED THAT WE DENY SUPPORT AS PRESENTED TO AB 437.
COMMISSIONER CAVIN SECONDED THE MOTION.**

Commissioner Lurie said he will not support the motion because of all the comments to table the bill and not having all the information such as the amendments. He feels the bill should be tabled, and most of the CABMWs supported the bill except one.

Commissioner Raine said his understanding is at the next Commission meeting we could still hear the bill with amendments and changes.

Chairman Lent said yes.

Commissioner McNinch said he agreed with Commissioner Lurie's comments and will vote against the motion as he would like to table the bill for the next go round.

Chairman Lent said if the bill comes back as amended we can bring it up again, but does not see how bugs will get worked out with constitution and nonprofit status.

Commissioner Wallace said he still feels that we are pushing on fine line with how many tags and would like to see this again, and if amended would like to see it again; however he is opposed as it sits today.

ROLL CALL VOTE ON MOTION TO DENY SUPPORT OF AB 437: LURIE, NO; MCBEATH, YES WITH COMMENT THAT HE WOULD ENTERTAIN SUBSTANTIALLY AMENDED BILL IN THE FUTURE; RAINE, YES; MORI, YES WITH COMMENT TO ALSO SEE AMENDMENTED PORTION; SWANSON NO; WALLACE, YES WITH AMENDMENTS AND OPPORTUNITY TO SEE AGAIN; LENT, YES; MCNINCH, NO; CAVIN, YES AND WOULD BE HAPPY TO SEE AMENDMENTS WHEN THEY COME OUT. MOTION PASSED 6 – 3.

AB 516

MA Jolly said AB 516 relates to wildlife and requires that the Department matching funds be used by NDOW for management of wildlife approved by Commission as deposited in the Wildlife Account. She said on Friday the mock-up of the bill was received, and the mock-up changed number four by adding "only for the management of wildlife" and added "if the fee is for the sale or issuance of a license, permit or tag, except in NRS 502.250 only upon approval by the Commission. After receipt of the mock-up Assemblyman Claborn telephoned NDOW that language would be amended to add "Director." She said there are two amendments and requires approval by the Wildlife Commission of monies deposited in the Wildlife Account, and the Department is concerned that the change could affect federal assistance and provides that a Commission have fiscal authority over the Department, and infringes on the authority of the Governor's budget. MA Jolly said this bill is scheduled for a hearing today at 1:30 p.m.

Commissioner McBeath said he has grave concern with this legislation, first and foremost if there ever was a bill that should have come through Finance Committee and the Commission this one was it, and for the Commission to deal with this at the last second with no chance to look into it, that he is inclined to deny support on those grounds alone. He said every CABMW is opposed to AB 516 as well as the Department and what concerns him the most, is that we appear to be running way too close to losing funds. He said in his research on Pittman-Robertson (PR) and Dingell-Johnson (DJ), there is statement in regulation that causes concern: Federal Assistance (80.3) basically states that a state may participate in the benefit of the Act, PR and DJ, after only passed legislation and passed law with for conservation of fish and wildlife with no provision for diversion of funds. Subsequent legislation that amends these laws shall be reviewed by Secretary of the Interior and the U.S. Fish and Wildlife Service director, and if legislation found contrary, the state could become ineligible and these funds could be at risk which are one-third of the Department's revenue and for us to act or do anything to put that revenue at risk, and this is one piece of legislation that should be vetted by everyone before making any move and for those reasons he cannot support this legislation.

Chairman Lent asked for clarification of what he said.

Commissioner McBeath said these two federal acts, PR and DJ, provide funding to the Department and those funds are grants that come up every year under those two acts that have requirements that have to be met and one is that legislation at state level makes sure funds are used at state level and if you divert the money you risk those funding sources. He said he is adamantly opposed to it.

Public Comment –

DAG Stockton said partially a staff comment and public comment, and he said by law the Attorney General's Office has to review contracts, and he does about 30 contracts a month, and at every Commission meeting Commissioners would be reviewing contracts for several hours and he wanted them to know what they are getting into.

Rick Smith, Washoe CABMW, said for the record they opposed this bill as did every single board who met. He said the opposition is for the reason that Commissioner McBeath said, and first and foremost, is the matching funds that would be at risk. He said they are asking that the Commission oppose AB 516.

Dan Heinz, representing backcountry hunters and anglers, said he was in school when PR and DJ came into effect and they were new and fresh, and at the time classroom discussion was that the purpose of the Acts was to keep politics out of agencies and here we are battling that with all three bills to keep political involvement out of fish and game departments, and hope this gets left out and we honor those intents.

Chris MacKenzie said on what DAG Stockton said he wondered if fiscal note will be needed to assess cost to Commission in terms of time and office space as it will require at least five hours per meeting.

Commissioner Raine said much information on this that he does not have, and would certainly like to see this tabled until answers are provided on federal funding.

COMMISSIONER RAINE MOVED TO TABLE AB 516. MOTION DIED FOR LACK OF A SECOND.

COMMISSIONER LURIE MOVED TO OPPOSE AB 516. COMMISSIONER SWANSON SECONDED THE MOTION.

ROLL CALL VOTE ON AB 516: LURIE, YES; MCBEATH, YES; RAINE, NO; MORI, YES; SWANSON, YES; WALLACE, YES; LENT, ABSTAINED BECAUSE HE WOULD LIKE MORE INFORMATION ON IT AND WON'T VOTE ON IT; MCNINCH, YES; CAVIN YES. MOTION PASSED 7 -1, WITH CHAIRMAN LENT ABSTAINING.

Commissioner Mori notified Chairman Lent that he regrets that he needs to leave the meeting as he has a prior commitment and apologized for having to leave. Commissioner Mori's participation terminated at 1:27 p.m.

SB 42 Public Works Board Exemption

MA Jolly said SB 42 is a bill that is on behalf of Public Works Boards and transfers authority of some projects to deputy director of Code Enforcement. The bill was amended and the amendment that was accepted was in the support material packet, and she asked Deputy Director Rich Haskins to explain further as the bill is somewhat complicated.

Deputy Director Haskins said this is a housekeeping bill for Public Works and a few sessions ago Public Works set up Code Enforcement Office and NDOW has our own engineering department, and this bill will exempt our agency on some of our smaller projects and maintenance projects, otherwise we would be required to go through Public Boards for review, inspection fees, etc...and this bill cleans up the way things were done in the past. He said major projects such as building a whole new office building or a hatchery would still be under a Public Work Boards project; however, it does not exempt us from following code.

Commissioner Raine asked Mr. Haskins if there is anything but exemptions in the bill as he sees no additional responsibilities.

Deputy Director Haskins said that is correct.

COMMISSIONER MCNINCH MOVED TO SUPPORT SB 42 AS AMENDED. COMMISSIONER WALLACE SECONDED THE MOTION.

ROLL CALL VOTE ON MOTION TO SUPPORT SB 42: LURE, YES; MCBEATH, YES; RAINE, YES; SWANSON, YES; WALLACE, YES; LENT, YES; MCNINCH, YES, CAVIN YES. MOTION PASSED TO SUPPORT SB 42 UNANIMOUSLY.

SB 108 Mining Claim Marker

MA Jolly said SB 108 is brought forth by Nevada Mining Association and Lahontan Audubon Society and provides that claim markers be removed to prevent animals from being trapped in them, and the bill was amended to delay implementation to Nov. 1, 2011, and the Department is okay with that as long as it is implemented. Passed as amended out of committee and waiting for vote by Senate.

Commissioner Cavin asked if there is any provision to remove outdated claim markers from the field or will they stay there until they disintegrate. He said is the burden on old claimant or new.

Wildlife Diversity Chief Laura Richards said as amended the bill would allow work groups of volunteer parties to go out and remove pvc pipe on the ground after the November 2011 deadline to remove the threat. New claimant would have to remove pvc pipe and replace with a secure cap.

Deputy Director Haskins said no that previous owner would not.

Commissioner Raine said he sees the intent as that someone could remove the pvc pipe after the November 2011 date.

Chairman Lent said Ms. Richards is nodding yes, that he is correct.

COMMISSIONER MCNINCH MOVED TO SUPPORT SB 108. COMMISSIONER CAVIN SECONDED THE MOTION.

ROLL CALL ON VOTE TO SUPPORT SB 108: LURIE YES; MCBEATH, YES; RAINE, YES; SWANSON YES; WALLACE YES; LENT, YES; MCNINCH, YES; CAVIN, YES. MOTION PASSED UNANIMOUSLY.

SB 146 War on Cheatgrass Position DCNR/NDOW

MA Jolly said SB 146 is a bill that provides funding to NDOW for certain projects and as written the bill originally took \$1 million of existing Question1 that NDOW received requiring it be allocated for sage grouse habitat and since then an amendment was accepted to delete the current bill and replaces it with amended language which says that Department of Conservation

and Natural Resources (DCNR) would provide \$225,000 from their Question 1 money to fund and allocate a position and related costs to insure that work being done to reduce damage from wildfire and restoration of habitat from cheatgrass, and states that balance of allocation after two years reverts back to the fund to protect natural resources. She said the impact statement states that the bill provides funding for NDOW and passed out of Senate Finance Committee with amendment and will help with War on Cheatgrass being waged by the state.

Commissioner Raine said trying to understand the difference between if that bill passes and can we not utilize those funds now for the same purposes.

MA Jolly said this is new funding and the Department needs authority to hire a position and the funding comes out of DCNR Question 1 money to hire a coordinator.

Public Comment SB 146 –

COMMISSONER LURIE MOVED TO SUPPORT SB 146. COMMISSIONER MCBEATH SECONDED THE MOTION.

Chairman Lent asked if that is with the amendment, both said yes to including the amendment.

ROLL CALL VOTE TO SUPPORT SB 146 WITH THE AMENDMENTS: LURIE, YES; MCBEATH, YES, RAINE, YES; SWANSON, YES; WALLACE, YES; LENT, YES; MCNINCH, YES; CAVIN, YES. MOTION CARRIED UNANIMOUSLY.

SB 280 Carson Lake and Pasture

MA Jolly said SB 280 is sponsored by Senator McGinness and had a hearing last week, the bill is related to hunting and provides that the Department can charge a fee for access on Carson Lake Wildlife Management Area, and is \$15 for daily permit and \$60 for annual. The amendment that was presented states that all money received by the Department will go in the Treasury and then into the Wildlife Account and must be used for management of the area.

Mr. Chris MacKenzie said his involvement with this bill is as a longtime hunter on the Greenhead Club which has been a public area since 1967 and the transfer has been talked about since the 1980s and now transfer has been pushed back to 2012. He said along with impending transfer the Department held public scoping meetings with good attendance by the public and the testimony at the scoping meetings was to keep things the same as before the transfer. He said they could not charge traditional fee which was \$50 from 1976 until 2006 and then rose to \$60 a few years ago, and public input was to keep fees in place, and legislation determined to be needed for the fees and Senator McGinness agreed to sponsor bill. The fee that was received by TCID will be provided to Department and dedicated to Wildlife Account and fee needed for gatekeeper as in the past. He said there will be significant expense to the

Department when taken over, and the fee will continue gatekeeper and he brought this forth based on public input. He said the Greenhead Club and Nevada Waterfowl Association and general hunters support the fee and hearing last week with people are accustomed to paying the fee and support fee and possibly use it as matching fund.

Chairman Lent said his question is that nothing in the bill to charge bird watchers and will fee be charged to anyone besides sportsmen.

Chris MacKenzie said that issue was brought up by birdwatchers and they wanted to contribute, but were concerned that Governor's office would not support the bill if seen as a new fee. Conservationists said they would pay but that concern that the bill would get vetoed if seen as new fee prevailed.

Public Comment on SB 280 –

Rick Smith, Washoe CABMW, said they supported the bill and the exact same question came up at their meeting and they had good attendance with some non hunters such as Tina Nappe present at their meeting and all were in agreement that they preferred all users to be charged a fee, and that the bill's language should be changed to state all users pay the fee not just the hunters.

Chairman Lent said he would like to see it like a park where you pay the same entrance fee and is a tremendous area for bird watching and they utilize the roads, and they should pay their share.

Commissioner Raine said he would be happy to support motion on this but the motion would have to be that every user pay the same fee, in interest of fairness, charge everyone or no one.

Commissioner McNinch said the conservation community or non hunter community does support the general concept of paying their way into getting into those areas (Wildlife Management Areas) and a fee was discussed in the past by the Wildlife Commission to charge admission and we even had trouble getting that out of the Commission, and he said slowly but surely we are working out of that type of thinking, and people are aware of Carson Lake nationwide and most people willing to pay. His suggestion on the motion is to break the issue into two separate motions.

COMMISSIONER MCNINCH MOVED TO SUPPORT SB 280. COMMISSIONER CAVIN SECONDED THE MOTION.

ROLL CALL VOTE ON MOTION TO SUPPORT SB 280: LURIE, YES; MCBEATH, YES; RAINE, YES; SWANSON, YES; WALLACE, YES; LENT, YES, MCNINCH, YES; CAVIN YES. MOTION PASSED UNANIMOUSLY.

COMMISSIONER MCNINCH MOVED THAT THE COMMISSION SUPPORTS AN AMENDMENT TO THE BILL TO REQUIRE ANY USER TO PAY APPROPRIATE FEE TO ENTER THE FACILITY. COMMISSIONER RAINE SECONDED THE MOTION.

ROLL CALL VOTE ON MOTION TO SUPPORT AN AMENDMENT TO SB 280: LURIE, YES; MCBEATH, YES; RAINE, YES; SWANSON, YES; WALLACE, YES; LENT, YES; MCNINCH, YES; CAVIN, YES. MOTION PASSED UNANIMOUSLY.

Chairman Lent said he would also like the first and second motions directed to the Committee on Natural Resources.

Commissioner McNinch said at the beginning of the meeting Chairman Lent stated that the Commission would wait until the end of the meeting to determine how the results of this meeting would be disseminated.

Commissioner Swanson apologized that he must leave the teleconference meeting to catch a plane. Commissioner Swanson's participation on the call terminated at 2:12 p.m.

SB 394 Off-Highway Vehicles (OHV)

MA Jolly said SB 394 requires OHV owners to register their vehicle, and is a piecemeal bill as OHV legislation has surfaced in the past four legislative sessions and that this bill is the effort of consensus building by all the user groups and the crux of the consensus is control of the fees collected. She said the bill currently is in constant flux with an amendment with several sections and the key for NDOW is section 8 discussing enforcement with a word change from "may" to "shall" and the bill is scheduled for a hearing tomorrow and the next amendment is to propose reducing costs to the Department of Motor Vehicles.

Karen Boeger, said she is representing Back Country Hunters and Anglers, and she has worked on all four versions in the past four sessions and the bill has gotten better since the original inception. She said they support this with certain reservations. She said the language states "may" for game wardens and gives option to NDOW, that if not funded enough, they do not have to enforce, that is not mandated. As far as two reasons to pass even with its flaws, is yes there is 20 percent that shall be expended on law enforcement and the bill is not specific on how much to each Department, it is better than where we are now, and the potential is that you can apply for that through an Advisory Board then Commission, with representation by natural resources, and that is where their members come in and benefit to status quo right now. Secondly, we should have a highly visible identification number on the rear of vehicles and although not stated that way exactly, her organization is working on tighter language which will result in better enforcement which will cost nothing. She said the bill should be supported as better than status quo at the moment.

Chris MacKenzie said he got called back a while to help get something done on OHVs from the last session and the following groups who were involved and have signed off on this bill: Nevada Cattlemen's Association, Nevada Power Sports Dealers, Nevada OHV Coalition, Nevada Off-Road Racing Association, Rural Nevada Alliance, Nevada Woolgrowers, Coalition of Nevada's Wildlife, and Nevada's Sheriff and Chiefs of Police Association. He said the resolution was agreeable to registering OHVs, and dealers wanted this to happen to save loss of sales tax, dealers cannot compete and we want to get Nevada the lost revenue back for dealers. The bill proposes no regulations on use, impact on user is that new OHV they have to register and title the rest are voluntary. Impact would be annual fee, the Commission would be set up after money deposited. He said the mission of this new Commission is patterned on the Wildlife Commission with majority being OHV users and they will determine what the money is used for. There are other provisions and has turned into a very convoluted bill to satisfy DMV that they won't have huge implementation costs and make sure they don't go in the hole administering it. He said there are no restrictions other than titling and identification.

Chairman Lent said he is opposed to the bill because of requirement that you wear a helmet and he is totally opposed to wearing a helmet.

Rick Smith, Washoe CABMW, said they voted to oppose this bill although a lot better than it was, and still has a long ways to go. He said they are concerned with how much will be put on officers at NDOW without assurance of funds to support it and anyone on private property is exempt or allotments, etc.

Commissioner Wallace said if he pays for a license in Nevada is their reciprocity to operate the OHV in another state, and he said the Farm Bureau supports the bill, but he is on the fence.

Chris MacKenzie said he anticipates reciprocity in other states.

Commissioner Raine said OHVs are popular with sportsmen and don't want to hurt people trying to use these in the hills, no bill should just be passed because it is the best one out there. Commissioner Raine said one thing is abuse of OHVs and this bill will not address it, and will create huge bureaucracy and will take people's money to keep it functioning. He said it is better than what we have seen.

Chairman Lent said he sees in the bill that the new Commission will be comprised of 11 Commissioners and advisers, and he does not see how they would ever agree on anything, and he will not be supporting it.

Commissioner McNinch said in looking at this bill he knows how much time and work was done, and personally believes something will happen with or without us, and is appropriate planning for recreational and use areas. Commissioner McNinch said this is really a good start, and he

will be ready to make motion as this is something to start with and work with, and would hate for us not to take a position.

Commissioner Cavin said he remembers 25 years ago an attempt to do something and push then was if there was a fee that portion of fee would go to habitat restoration and he sees here that the fee goes toward designating certain play areas for OHVs. He said he would gladly pay a fee if the fee went for wildlife.

Chris MacKenzie said provision in fund for restoration of habitat and that has been a major selling point for conservationists.

Commissioner McBeath said he personally believes the federal agencies will take this matter into own hands such as U.S. Forest Service with their travel plans, the Bureau of Land Management will follow suit and thinks eventually the federal government will weigh in with OHV use on public lands. In the end should we not start with some base because although there are concerns, he is afraid that the federal government will eventually dictate how OHVs are used on public lands.

Chairman Lent said the main purpose of legislation is for OHV dealers who are losing revenue by purchasing their vehicle out of state. He suggested making a simpler rule that you register OHVs to collect the out of state sales tax which is the purpose and Commissioner McBeath is correct that the federal land management agencies are working on regulations for regulating use on federal lands.

Commissioner Raine said in regard to the motion however it comes out it, is irrelevant because MA Jolly said amendments are out already and we don't know what they are and don't know what this bill will say in a few days.

Chairman Lent said we must vote on what is in front of us today and asked for a motion.

COMMISSIONER MCNINCH MOVED TO SUPPORT SB 394 AS PRESENTED. COMMISSIONER MCBEATH SECONDED THE MOTION.

ROLL CALL VOTE ON MOTION TO SUPPORT SB 394: LURIE, NO; MCBEATH, YES; RAINE, NO; WALLACE, YES; LENT, NO; MCNINCH, YES; CAVIN, NO. MOTION FAILED 3 – 4.

Chairman Lent said that SB 394 was the last bill.

Commissioner Lurie said to Chairman Lent that no matter how the votes went today that we want to be unified in our presentations to legislative committees at the Legislature, and that whomever is representing the Commission, they make the Commission's votes known and how the CABMWs voted as well.

COMMISSIONER MCNINCH SAID HE WOULD ASK THAT WE REVISIT SB 394 AND HE ASKED TO PROPOSE A SECOND VOTE TO TABLE SB 394 AND RECONSIDER WHEN THE NEW LANGUAGE IS RECEIVED IF NOT OUR INTENT IS NOT TO OPPOSE. COMMISSIONER WALLACE SECONDED THE MOTION.

Chairman Lent said he is not sure if we can take a vote on something that was defeated, and asked DAG Stockton if the Commission could at the same meeting or does it need to be at a different meeting.

DAG Stockton said it is appropriate to have another motion.

Chairman Lent asked Commissioner McNinch to restate the motion.

COMMISSIONER MCNINCH MOVED TO TAKE A NEUTRAL POSITION ON SB 394. COMMISSIONER WALLACE SECONDED THE MOTION.

ROLL CALL VOTE ON SB 394 FOR THE COMMISSION TO TAKE A NEUTRAL POSITION: LURIE, YES; MCBEATH, YES; RAINE, NO; WALLACE, YES; LENT, NO; MCNINCH, YES; CAVIN, YES. MOTION PASSED 5 -2.

Commissioner McBeath said he is following up on Commissioner Lurie's comment on how we communicate the Commission position on bill's gone through today to the State Legislature and pertinent legislative committees. He suggested at a minimum that a letter be signed by Chairman Lent to the State Legislature and their committees on the bills to let them know the Commission's position. He said it is important that somebody attend committee meetings and convey the same message and would think that at a minimum the Director should be able to do that, and would like to get discussion on how to do that.

Chairman Lent said we can ask the Director to attend and can do a letter on our position and asked if a motion is needed.

DAG Stockton said that is appropriate.

COMMISSIONER MCBEATH MOVED THAT WE DIRECT THE DEPT TO DRAFT A LETTER FROM THE COMMISSION TO THE STATE LEGISLATURE AND PERTINENT COMMITTEES SETTING FORTH THE COMMISSION'S POSITION OF SUPPORT OR NONSUPPORT OF BILLS CONSIDERED TODAY, AND THAT THE DIRECTOR OR KIM JOLLY OR DESIGNEE, ATTEND PERTINENT HEARINGS TO CONVEY THE MESSAGE FROM TODAY'S MEETING. COMMISSIONER LURIE SECONDED THE MOTION.

ROLL CALL VOTE ON RESULTS OF TODAY'S MEETING: LURIE, YES; MCBEATH, YES; RAINE, YES; WALLACE YES; MCNINCH, YES; CAVIN, YES. MOTION CARRIED UNANIMOUSLY.

Commissioner McNinch said before adjournment that he would comment that this has been a special occasion and he appreciates the Department's effort in getting support material and the agenda developed and done in short time. He said he also appreciated the CABMWs participation and getting their recommendations and support material out as well. He said the meeting was well run and thanked everyone for their participation.

Meeting adjourned at 2:50 p.m.

Note: The minutes are a synopsis of the meeting. At the Department of Wildlife headquarters in Reno is a complete record of the meeting, including recordings; and all the exhibits received/referenced during the meeting. The record is available upon request for review.