

**Draft Minutes (not approved by Full Committee) from Legislative Committee Meeting of the
Nevada Board of Wildlife Commissioners
Friday, March 15, 2013 / 8:30am at Washoe County Administration Building**

Present: All legislative Committee Members- Chair Chris MacKenzie, Commissioners Michael McBeath, Bill Young, Jeremy Drew, public Tina Nappe and Kyle Davis; NDOW Staff Director George Tsukamoto, Kim Jolly Mgmt Analyst 3 and Rich Haskins, Deputy Director, Deputy Attorney Generals Kristen Geddes and David Newton; Commissioner Karen Layne, Clark CAB Chair Paul Dixon, Washoe CAB Chair Rex Flowers, Carson CAB Chair Gil Yanuck, Lyon CAB Chair Brad Johnston, Fred Voltz, Larry Johnson and Bob Brunner on behalf of the Nevada Wildlife Coalition, Karen Boeger from Backcountry Hunters and Anglers, and John Reed.

1. **Call To Order**– 8:36am called to order by Chair MacKenzie. Kim Jolly did roll call - All were present, Kyle would be late.
2. **Approval of Minutes** - Tina Nappe approved minutes, all in favor.
3. **Select representative to testify on behalf of the Commission for 2013 Legislative Session** - Management Analyst 3 Kim Jolly stated that item 3 is for the Commission to know the whom the key person will be for communicating position statements/testimony on bills and/or letters. This would make it easier so everyone knows who that person is. Could be one or two people to represent the Commission.

Committee Discussion:

Commissioner Jeremy Drew and Commissioner Jack Robb were both asked to testify on the background NRS of what guides the Commission, and the issues they are addressing. We were neutral on the Bear issue but provided an outline and timeline to the committee. Commissioner McBeath suggested two members from the Committee to be spokesman and recommended Jack Robb and Jeremy Drew. The Department has, and should have their own representatives. Commissioner Drew clarified that he does not have an issue with being one of the Representatives.

Public comment on Agenda Item 3:

Karen Boeger from Backcountry Hunters and Anglers encourages the Commission to speak up and take a stand. These are issues according to science not public majority. Karen Layne asked about the process for taking Commission positions.

Management Analyst 3 Jolly explained the process is the Legislative Committee reviews the bills in a public meeting and suggests positions for the Commission. Then, as a whole the Wildlife Commission reviews the bills themselves and the recommended positions from Committee, then votes as a whole. No positions taken unless by full Commission. No one testifies on behalf of Commission unless voted on. Can testify as individuals but must note that when speaking.

Bob Brunner, commented that the Commission (regardless of what bill language is) should always defend Wildlife. And, give the answers they know to those that do not understand wildlife. Urges the Commission to Support Wildlife and make a presence at the Legislature to defend wildlife.

Action:

Comm. Drew made a motion to recommend to designate Robb and himself as spokesmen for legislative items for the Commission. Comm. McBeath seconded the motion. All in favor, passed.

4. **REVIEW OF BILLS** – in the support material was the NDOW Tracked high priority list as posted to web, as well as additional latest tracking list from Staff. Committee Chair MacKenzie chose to review AB168-CABMW composition, SB184-Commission composition, SB134-Guzzlers, and SB213-Trapping. Staff gave a short summary of each bill as it was discussed.

AB 168 Requires the membership of each county advisory board to manage wildlife to include one qualified member who represents the interests of the general public. (BDR 45-780).

Staff advised what the introduced language stated: The board of county commissioners shall appoint qualified persons to the board who are residents of the county, ~~and are~~ including one member who represents the interests of the general public. The remaining members of the board appointed by the board of county commissioners must be: 3 (a) Hunters, trappers or anglers; or 4 (b) Engaged in ranching or farming in the county.

Committee Discussion on AB168:

Tina Nappe supports adding general public as an option like (C.) for smaller counties to have an opportunity if they choose. Commissioner Drew, CABMW and Commission are separate bodies. I am neutral. It shouldn't be a mandate; leaving it up to County. Comm. Drew stated that he thinks they are planning on doing a re-draft of the bill. Wants to leave the flexibility for the County should make the ultimate decision. Chair MacKenzie agrees needs some fine tuning.

Public Comment on AB168:

(There were many comments made, these are the main points from the speakers.) Paul Dixon, we did not take CAB action, but I personally did. I don't think its adding someone, just replacing. Clark, Washoe, Elko may have lots of general public, but other counties won't have them. Larger counties Clark and Washoe could handle this. Has a problem with the word "shall" in here that that is contrary County Commission picking the best person. Someone who might want to do this from an Activist group that is an issue. Shouldn't be restricted but optional. Referenced Operational Guide to CABs. Larry Johnson, he met with the bill sponsor and pointed out all these issues. General public being a non-hunter/angler is issue. Heard the position was to add, not take away. Great opportunity to educate the general public, our suggestion was to just add this to Clark /Washoe. Brad Johnston took bill up at meeting and was unanimous to oppose this bill. Impossible finding someone in Lyon county that is not a hunter or farmer. May reconsider if bill is revised. Rex Flowers, Washoe county took a position in opposition until further revised. John Reed – testified in opposition. He said there are group that think the CABs didn't listen to their input – I just think we didn't agree with their input. Not that we didn't listen. Referenced Operational Guide to CABs. No one knows what general public includes or excludes. John Reed speaking for self, in opposition but not exactly opposed. They need a general public definition, there are definitions for all the other positions. Fred Voltz, hearing opinions based on fear. This is mainly about the Carson City CAB no one even knows it exists. There has not been an outreach from the CABS for public that is on the other side of wildlife that does not include hunting and fishing. Any public committee has trouble finding people. Strongly support the bill. Chris MacKenzie conversed with Mr. Voltz.

Back to Committee Discussion continued

Chris brought it back to the committee. Tina Nappe – said that they need to decide if the commission wants to get involved with this bill at all. Comm. McBeath said he has no problem taking a neutral position but do see some problems with the bill if it does go forward. Chris MacKenzie, could report the concerns that were brought to us in the public comment. Jeremy Drew by taking a formal neutral position it is on our radar and we are interested on how this plays out. Allowing the counties what is best for them. Bill Young agrees we should take a neutral position and report our concerns. Tina Nappe, it would be nice if the Wildlife Commission did support to the CAB's to invite the general public whether they are sportsmen or not.

Action:

It was moved and seconded to recommend to keep a neutral position on AB168 but endorse the concept of allowing a public representative as the County Commissions deem necessary. All in favor, motion carries.

SB 184 –Revises provisions governing the membership of the Board of Wildlife Commissioners. (BDR 45-408).

Staff advised that this has not had a hearing yet, and went over that the bill replaces one sportsman position with "One member who is a graduate of a 4-year college or university with a degree in environmental science or ecology or an equivalent degree, and who possesses specialized knowledge and expertise".

Public comment:

(There were many comments made, these are just the main points from the speakers.) Joel Blakeslee representing himself, it is a bad bill because it's too narrow opposite of what we just talked about. Will have trouble finding someone like this. Way to narrow oppose taking the sportsmen representative away. Bob Brunner, opposed because it will be hard to find someone like this. Does not add anything to the community. Brad Johnston, Lyon County CAB had same concerns. Too narrow to make it workable going forward. Paul Dixon in behalf of himself, said it is very restrictive. We already have NDOW biologists that report to the Director. Rex Flowers WCCAB, our CAB opposed because too restrictive.

Back to Committee Discussion

Tina Nappe, where will this position fit? First concern is the logistics. Jeremy said he opposed as it is too narrow. McBeath also opposed the position on the Commission, because for Conservation fits this type of background and is their charge. Bill Young, oppose, too narrow of language.

Action: Jeremy Drew made a motion that the committee oppose SB184. Bill Young seconded the motion. Tina Nappe stated that justification needed so when it goes out to public. First logistics, and second, Jeremy already has this degree. These skills are already on the Commission. Kyle Davis agrees that some of the topics the Commission does not deal with anyway. All in favor, opposed SB184.

NEXT DISCUSSION

The chairman asked for more information about the upcoming bill hearings. Staff said that two hearings were scheduled next week and that AB 128 work session, SB213 trapping bill has not had a hearing yet. Chairman MacKenzie suggested they discuss SB 134 since it was going to hearing.

SB134 – Redefines snow as water, requires water application for guzzlers and other matters. “Revises provisions governing animals. (BDR 48-249).”).

Committee Discussion of SB134:

Kyle discussed the bill and that the sponsor would be submitting a significant amendment.

Management Analyst 3 Jolly clarified that Habitat Division Administrator Elmer Bull is working on some testimony for the hearing. Intent for the department is to be neutral and express what their current guzzler program does already including maintaining a list and accepting calls for maintenance.

Public comment

Gil Yanuck representing self, NDOW already has a list of guzzlers. And the responsibility of maintenance the Department already has with the help of conservation groups and volunteers don't understand purpose of this.

Larry Johnson, Nevada Bighorns, back ground behind the bill was because ranchers cattle did not have enough water during winter grazing broke into guzzler and drank it dry. All the cattle died and rancher was compensated should have been sited. Letter from Attorney General office the practice of capturing water is not against any Nevada law. We oppose. Brad Johnston, we oppose the bill. Concerned the Guzzler process be held up in the State engineers office.

Back to Committee Discussion

Committee Action:

Kyle Davis moved that we recommend opposition in this bill. Comm. McBeath second the motion. Tina Nappe wants Committee to add some of the reasons given today for the opposition. I would reference the statements brought up by Larry Johnson. Comm. Drew commented some things this commission could do. All in favor. Motion passed unanimously.

SB213 - concerned with the trapping of wild animals, registration, flagging, visitation of traps, and tampering with traps. Management Analyst 3 Jolly covered the bill, and read through the blue language by request.

Public comment:

Joel Blakeslee - Nevada Trappers Association said there are 4 parts to this bill and all are flawed. What we did before was not registration of traps, it was registration of people. The 24 hr thing is in opposition to SB 226 (from 2011 Session-congested area trapping). Paul Dixon, Clark CAB all these issues were addressed with SB 226. Bob Brunner, registration of the traps and 24 hr visitation does not correct the problem. Gail Yanuck, submitted his testimony on this, in opposition. Larry Johnson, This is adding poisoning advice so when I poison pack rats I am going to have to register the device. Karen Boeger, intent of bill is fine to limit cruelty to animals but that isn't being accomplished with this. Fred Voltz waste of time trying to figure out trap ownership. Legal trappers in the State have a responsibility to the public. Trappers should pay for any registration expenses if they are trapping

Committee Discussion

Comm. Drew too many technical issues for me to support my recommendation would be to oppose it. Tina Nappe a lot of reasons to oppose. Attention to public has the right to release their own animals and to spring a trap that is too close to the rode. Comm. McBeath – open language to broad giving anyone that comes upon a trap giving them a right to mess with the trap. Kyle - very complicated bill, yes this does give the ability and right for anyone to tamper with the trap. Not clear how registration will happen and does not give the Commission any authority. Comm. Young, from law enforcement prospective is impossible to enforce as written. Needs a lot of work would oppose.

Action:

Comm. Drew recommend to the Commission opposing SB 213. Young seconded the motion. Tina Nappe, the actions need backing and should list our concerns, concerns to people that have lost dogs to traps is a high concern. A “no” is not enough. Chris MacKenzie, asked Kim Jolly and Jeremy Drew to list out the concerns to the Commission. Motion passed to oppose SB213.

5. **Public Comment Period** – This period is for general comment on anything not on the agenda. No committee action will be taken but may be scheduled on a future committee agenda.

No general Public Comment.

6. **Adjourn - Possible Action**

The Committee adjourned right before 10am, short of completing their bill list so that the Commission could meet.