

STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS

Commission Policy Number 1

Number: P-1
Title: General Guidelines for the
Commission
Reference: NRS 501.179, 501.181,
501.2585, ~~NRS 241, NRS~~ 501.356-(4),
501.320, ~~NRS~~ 502.253 (3).
Effective Date: February 15, 1980
Amended Dates: September 22, 2007,
August 15, 2009

POLICY

It is the policy of the Board of Wildlife Commissioners to conduct the business matters of the Board according to the official duties and authority granted by the State laws and regulations **and to provide clarification.**

PURPOSE

To guide the Commission in the transaction of business including selection and terms of a chair and vice chair, conduct of meetings, preparation of meeting schedules and agendas, definition of official duties, adoption of Commission Policies, and to ensure that the Commission formally recognizes individuals and entities that provide any gifts, grants, donations, or bequests to NDOW.

PROCEDURE

1. Selection of Chair and Vice Chair: Terms of Office

During its first regularly scheduled meeting following July 1 of each year, the first order of business will be election of officers. The Commission shall select a chair and vice chair from among its members who will continue to serve until the new election in the following year. In case of the temporary absence of the chair, powers and duties shall devolve upon the vice chair. A Commissioner cannot serve more than two consecutive terms as chair.

2. Meetings

In conformance with NRS 501.177, the Commission may hold not more than nine regular meetings every year, but may hold special meetings at such times and places if necessary. A meeting calendar for the next **two years** will be ~~developed~~ **approved no later than** at the regularly scheduled meeting closest to ~~October 1~~ **March** of ~~each the even-numbered~~ year. ~~To the extent possible, the Commission's will make efforts to adhere to the following guidelines for its~~ regularly scheduled meetings: **will be posted to the website and provided to members, advisory boards, and interested persons.**

SUPPORT MATERIAL

~~**Month** — **Action Items**~~

~~June — Set/Revise Upland Game and Furbearer Seasons and Limits~~

~~August — Set/Revise Waterfowl Seasons and Limits, Fisheries~~

~~Regulations:~~

~~Temporary and Permanent~~

~~November — Policy, Regulations, and Program Reports~~

~~February — Set/Revise Big Game Seasons and Regulations~~

~~May — Set/Revise Big Game Quotas~~

~~The Commission in its discretion may choose to not follow the above guidelines and consider any above matter in a month that is different from the above guidelines. If the Commission, in its discretion, decides to not adhere to the above guidelines, it will provide notice to the public of the change pursuant to NRS 241.020.~~ Meeting dates and places will not be changed from those listed on the meeting calendar unless there is a majority vote of the Commission to do so. Any change to the schedule must be done in sufficient time to allow legal noticing of the meeting according to the Nevada Open Meeting Law, in NRS 241. All meetings will be noticed and conducted in compliance with the Nevada Open Meeting Law.

3. Agendas

A draft agenda will be developed by the Secretary to the Commission and approved by the Chair four weeks prior to the scheduled meetings. A final agenda will be approved by the Chair, and distributed to Commissioners, county advisory board members, interested individuals or groups and staff with support material two weeks prior to the meeting. The agenda will be posted according to NRS 241.020.

4. Conduct of Meetings

“Robert’s Rules of Order, Revised Edition,” shall guide the Chair in the conduct of all meetings; however, the Chair may vote on all actions requiring a vote.

5. Compensation of Members: Official Duties

As provided in NRS 501.179, members of the Commission are entitled to receive compensation ~~while attending Commission meetings, and receive~~ **travel expenses and** per diem for official duties ~~if elected to be received by the Commissioner and reviewed by the Chair.~~ Reimbursement is not allowed while in travel status, except for regular travel per diem.

a. Official duties are:

(1) Attend regularly scheduled or special meetings of the Commission;

(2) Committee work established by the Commission or delegated by the

SUPPORT MATERIAL

Chair;

- (3) Assignments by the Chair between meetings;
- (4) Special events designated by a vote of the Commission to be official duties or assigned by the Chair.
- (5) ***Establishing broad policies, regulations, and guidance of the department, and county advisory boards as detailed in NRS 501.181 (1-8).***

b. Method of Compensation:

- (1) The Secretary to the Commission will process payment based upon a compensation form signed by the Chair of the Commission. The form will be prepared for the Chair by the Recording Secretary at each regularly scheduled meeting and will include any interim approval activities.
- (2) Reimbursement for transportation shall be by the most economical means considering total cost and time spent in transit. ~~The allowance for private conveyance will be at the rate~~ ***All travel, per diem rates, and associated records required shall be as*** prescribed in the ~~State Administrative Manual, Chapter 0200 Travel~~ ***NDOW Travel Policy***. ~~Air coach service must be used if travel is by commercial airline.~~
- (3) Reimbursement for mileage will be based on the mileage chart shown on the official Nevada State Map when between two communities.
- (4) Per diem claims will be completed on the Travel Expense Reimbursement Claim form at the rates prescribed in the ***NDOW Travel Policy State*** ~~Administrative Manual~~.

6. Adoption of Commission Policies ***Resolutions, and Record Keeping***

- a. Proposed policies, amendments, or requests to repeal policies shall be mailed ***or emailed as acceptable***, to the Commission, county advisory boards to manage wildlife, and interested ~~persons~~ ***groups***. The Commission will have a minimum of two readings ***not on consecutive days*** of the ***revised or*** proposed policy in public meetings before the Commission takes action to adopt, amend, or repeal, or disapprove the policy. ***Exception: If*** ~~unless~~ the policy is declared an emergency ***in which case*** the Commission may read, amend, and adopt the policy in ~~one-two~~ readings ***on 2 consecutive days***.
- b. The effective date, ***amended date, and statutory authority*** of the policy shall be recorded as part of the policy.
- c. An individual may request the Commission to adopt, amend, or repeal a policy by

SUPPORT MATERIAL

submitting a letter addressed to the Chair/*Care Of Secretary of the Commission*, at the Nevada Department of Wildlife, *Headquarters, 6980 Sierra Center Parkway Ste. 120, 4100 Valley Road*, Reno, Nevada 895121. The letter must contain the policy number and title for an existing policy, the intent or purpose of a new or revised policy, and the suggested language. Such requests for a new, *or* revised *policy*, or *to* repealed *a* policy *will may* be placed on *the_a future Committee* agenda, and *ultimately for a the next regularly scheduled* Commission meeting according to subsection 6. a. of this section.

- c. Record Keeping of Wildlife Commission Policies shall be maintained by the Director's Office for the Agency, and Secretary of the Commission. Any historical record of older Commission Policies or Resolutions that precede this shall be forwarded to the Management Analyst 3.*

Upon the suspension or amendment of a Commission Policy or Resolution, a copy of the previous version along with a memo will be sent to the State Library and Archives within a year from its amendment or suspension. The documenting memo will be maintained in the Director's Office with the title and number of that policy and or resolution.

All new policies will be uniquely numbered; suspended or repealed Commission Policy numbers shall not be used again.

7. Acceptance of Gifts, Grants, Donations and Bequests

In 2011, the Wildlife Trust Fund was created in Statute as the non-executive account for donations to the Department from groups or individuals, and is to be used per the donor's intent.

Per statute, a report concerning the investment and expenditure of the money provided to the Wildlife Commission and the Interim Finance Committee semiannually. Additionally, the anticipated amount and proposed expenditures of the money is provided to the Budget Director of the Governor's Finance Office and the Fiscal Analysis Division of the Legislative Counsel Bureau in a separate statement at the same time as the budget request.

~~NRS 501.356 (4) provides that any matching money received by the Department from any source must be accounted for separately and must be used only for the management of wildlife. It also states that the Commission has guidance over monies from the sale or issuance of a license, permit or tag (other than the PIW, Heritage, or Silver State) which are deposited in the Wildlife Account, pursuant to subsection 2 of NRS 501.181.~~

~~NRS 502.253 (3) states that the Commission has guidance over any program developed or wildlife management activity or research conducted from monies collected by the \$3 predator fee pursuant to subsection 2 of NRS 501.181.~~

All gifts, grants, donations, and bequests made to the Nevada Department of Wildlife, or any Division thereof, will be presented to the Commission in a public meeting for recognition.

SUPPORT MATERIAL

~~The Commission may offer input on which programs monetary gifts should be allocated if not so designated by the individual, group, or corporation donating, granting, bequeathing or gifting. The Commission shall ensure that gifts, grants, donations, and bequests are used for their intended purposes. State grants, federal grants, PIW donations, and Operation Game Thief donations are specifically excluded from the requirements of this section of policy.~~

The policy shall remain in effect until amended, repealed, or superseded by the Board of Wildlife Commissioners, BY ORDER OF THE BOARD OF WILDLIFE COMMISSIONERS IN REGULAR SESSION, _____ 2016, Board of Wildlife Commissioners

*(*Statutes Below for Reference Purposes – not to be added to policy.)*

NRS 501.177 Meetings; quorum.

- 1. The Commission may hold not more than nine meetings regularly each year based on need and the requests submitted by the county advisory boards to manage wildlife.*
- 2. Special meetings of the Commission may be held at such times and places as the Commission deems proper.*
- 3. Five members of the Commission constitute a quorum for the transaction of any business which may come before the Commission.*

[Part 9:101:1947; A 1949, 292; 1943 NCL § 3035.09]—(NRS A 1969, 1547; 1979, 891; 1981, 607; 1983, 1446; 1989, 2192; 1995, 2585)

NRS 501.179 Compensation of members.

- 1. Members of the Commission are entitled to receive a salary of not more than \$80 per day, as fixed by the Commission, while performing official duties for the Commission.*
- 2. While engaged in the business of the Commission, each member and employee of the Commission is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.*
- 3. Compensation and expenses must be paid from the Wildlife Fund Account within the State General Fund.*
[Part 9:101:1947; A 1949, 292; 1943 NCL § 3035.09]—(NRS A 1957, 160; 1969, 1547; 1975, 299; 1979, 891; 1981, 1986; 1985, 432; 1989, 1717; 2011, 3146)

NRS 501.181 Duties; regulations. The Commission shall:

- 1. Establish broad policies for:*
 - (a) The protection, propagation, restoration, transplanting, introduction and management of wildlife in this State.*
 - (b) The promotion of the safety of persons using or property used in the operation of vessels on the waters of this State.*
 - (c) The promotion of uniformity of laws relating to policy matters.*
- 2. Guide the Department in its administration and enforcement of the provisions of this title and of chapter 488 of NRS by the establishment of such policies.*
- 3. Establish policies for areas of interest including:*
 - (a) The management of big and small game mammals, upland and migratory game birds, fur-bearing mammals, game fish, and protected and unprotected mammals, birds, fish, reptiles and amphibians.*
 - (b) The control of wildlife depredations.*
 - (c) The acquisition of lands, water rights and easements and other property for the management, propagation, protection and restoration of wildlife.*
 - (d) The entry, access to, and occupancy and use of such property, including leases of grazing rights, sales of agricultural products and requests by the Director to the State Land Registrar for the sale of timber if the sale does not interfere with the use of the property on which the timber is located for wildlife management or for hunting or fishing thereon.*
 - (e) The control of nonresident hunters.*
 - (f) The introduction, transplanting or exporting of wildlife.*
 - (g) Cooperation with federal, state and local agencies on wildlife and boating programs.*

SUPPORT MATERIAL

(h) *The revocation of licenses issued pursuant to this title to any person who is convicted of a violation of any provision of this title or any regulation adopted pursuant thereto.*

4. *Establish regulations necessary to carry out the provisions of this title and of chapter 488 of NRS, including:*

(a) *Seasons for hunting game mammals and game birds, for hunting or trapping fur-bearing mammals and for fishing, the daily and possession limits, the manner and means of taking wildlife, including, but not limited to, the sex, size or other physical differentiation for each species, and, when necessary for management purposes, the emergency closing or extending of a season, reducing or increasing of the bag or possession limits on a species, or the closing of any area to hunting, fishing or trapping. The regulations must be established after first considering the recommendations of the Department, the county advisory boards to manage wildlife and others who wish to present their views at an open meeting. Any regulations relating to the closure of a season must be based upon scientific data concerning the management of wildlife. The data upon which the regulations are based must be collected or developed by the Department.*

(b) *The manner of using, attaching, filling out, punching, inspecting, validating or reporting tags.*

(c) *The delineation of game management units embracing contiguous territory located in more than one county, irrespective of county boundary lines.*

(d) *The number of licenses issued for big game and, if necessary, other game species.*

5. *Adopt regulations requiring the Department to make public, before official delivery, its proposed responses to any requests by federal agencies for its comment on drafts of statements concerning the environmental effect of proposed actions or regulations affecting public lands.*

6. *Adopt regulations:*

(a) *Governing the provisions of the permit required by NRS 502.390 and for the issuance, renewal and revocation of such a permit.*

(b) *Establishing the method for determining the amount of an assessment, and the time and manner of payment, necessary for the collection of the assessment required by NRS 502.390.*

7. *Designate those portions of wildlife management areas for big game mammals that are of special concern for the regulation of the importation, possession and propagation of alternative livestock pursuant to NRS 576.129.*

8. *Adopt regulations governing the trapping of fur-bearing mammals in a residential area of a county whose population is 100,000 or more.*

(Added to NRS by 1969, 1557; A 1977, 1229; 1979, 891; 1985, 1349; 1989, 729, 1268; 1991, 259, 2283, 2289; 1993, 429, 816, 1654; 1995, 544; 1997, 2598; 2003, 1521, 2536; 2011, 1024)

NRS 501.3585 Wildlife Trust Fund.

1. *The Department shall establish the Wildlife Trust Fund. The Department may accept any gift, donation, bequest or devise from any private source for deposit in the Wildlife Trust Fund. Any money received is private money and not state money. All money must be accounted for in the Wildlife Trust Fund.*

2. *All of the money in the Wildlife Trust Fund must be deposited in a financial institution to draw interest or to be expended, invested and reinvested pursuant to the specific instructions of the donor, or if no such specific instructions exist, in the sound discretion of the Director. The provisions of NRS 356.011 apply to any accounts in financial institutions maintained pursuant to this section.*

3. *The money in the Wildlife Trust Fund must be budgeted and expended, within any limitations which may have been specified by particular donors, at the discretion of the Director. The Director may authorize independent contractors that may be funded in whole or in part from the money in the Wildlife Trust Fund.*

4. *The Director or the Director's designee shall submit semiannually to the Interim Finance Committee and the Commission a report concerning the investment and expenditure of the money in the Wildlife Trust Fund in such form and detail as the Interim Finance Committee determines is necessary.*

5. *A separate statement concerning the anticipated amount and proposed expenditures of the money in the Wildlife Trust Fund must be submitted to the Chief of the Budget Division of the Department of Administration for his or her information at the same time and for the same fiscal years as the requested budget of the Department submitted pursuant to NRS 353.210. The statement must be attached to the requested budget for the Department when the requested budget is submitted to the Fiscal Analysis Division of the Legislative Counsel Bureau pursuant to NRS 353.211.*

6. *The provisions of chapter 333 of NRS do not apply to the expenditure of money in the Wildlife Trust Fund.*

(Added to NRS by 2011, 3146)