

**Approved Meeting Minutes
Legislative Committee of the
Nevada Board of Wildlife Commissioners**

Wednesday, March 15, 2017 at 3:00 pm
Nevada Department of Wildlife:
6980 Sierra Center Parkway, Suite 120
Director's Office Conference Room, Reno, NV 89511

Call to Order, Pledge of Allegiance, and Roll Call:

Chairman Drew called the meeting to order at 3:02pm. Chairman Drew called role and provided a few housekeeping items.

Committee members present: Chairman Jeremy Drew, Commissioner Grant Wallace, Commissioner Paul Valentine and Greg Smith. Commissioner Brad Johnston was absent.

Nevada Department of Wildlife (NDOW) staff present: Management Analyst III Jordan Neubauer, Chief Game Warden Tyler Turnipseed, Deputy Director Liz O'Brien, Director Tony Wasley,

Members of the public present: Rex Flowers, Bobbie McCollum, Fred Voltz, Larry Johnson, Mike Cassidy, Gerald Lent, Mel Belding, Karen Boeger, Rob Boehmer, and Joel Blakeslee.

Approval of Agenda:

There were no questions from the Committee.

Public Comment: None.

MEMBER GREG SMITH MOVED TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER WALLACE SECONDED THE MOTION. THE MOTION CARRIED 4-0. COMMISSIONER JOHNSTON WAS ABSENT.

Approval of Minutes:

Chairman Drew said he appreciates staff getting the minutes pulled together so quickly. He did not have any changes. There were no questions from the Committee.

Public Comment: None.

COMMISSIONER VALENTINE MOVED TO APPROVE THE MINUTES FROM THE FEBRUARY 22, 2017 COMMITTEE MEETING AS PRESENTED. COMMISSIONER WALLACE SECONDED THE MOTION. THE MOTION CARRIED 4-0. COMMISSIONER JOHNSTON WAS ABSENT.

Review of Bill/Bill Draft Request (BDR) Tracking List:

Chairman Drew provided an update on where we are in the legislative process. Amendments are starting to float around but they are not being published on NELIS. Assembly Bill 34 can be moved off of the priority list. Assembly Bill 101 passed with a minor amendment. Assembly Bill 109 can be moved off of the priority list. Assembly Bill 138 had a hearing yesterday and there was an amendment proposed by SNWA. Chairman Drew said the bill still meets the adopted platform with the amendment. The same amendment to Senate Bill 74 was proposed for Assembly Bill 138 too. There will be a Work Session tomorrow on Senate Bill 74. Senate Bill 75 had 3 amendments that were passed yesterday. Senate Bill 102 can be moved off of the

priority list along with Senate Bill 124. Senate Bill 234 will have a hearing tomorrow and can be moved off of the priority list. Senate Joint Resolution 11 was heard yesterday.

Chairman Drew would like to move up BDR 882, BDR 896, BDR 902, BDR 999, BDR 1000, BDR 1052, BDR 1107, Senate Bill 197, Senate Bill 198, and Senate Bill 231 onto the priority list.

Public Comment:

Karen Boeger asked about Senate Bill 221.

Chairman Drew said it is on the tracking list to discuss today.

Committee Review of Legislation, Recommendations on Commission Positions on Legislation and Legislative Platforms:

AB238:

Chairman Drew reviewed the bill. This bill has overlap with wildlife statutes in regard to American black bear, grey wolves, and mountain lions.

Chief Game Warden Tyler Turnipseed said he is having a hard time understanding this bill. We are concerned with overlap. He spoke with the sponsor of the bill. Veterinarian Peregrine Wolff agrees with the concept. He said it is hard to tell where this bill would go. This bill dips into Department of Agriculture's statutes as well. We do not want people to have dangerous animals in their house, but we are not sure what all of the legal implications are at this point.

Chairman Drew asked about page 10.

Chief Game Warden Tyler Turnipseed said yes, he thinks that is a Department of Agriculture chapter. There is a list of prohibited species in statute already. Also exempt species are listed in statute. We require permits.

Chairman Drew said it transfers authority to the counties.

Chief Game Warden Tyler Turnipseed said yes, potentially, are the counties trained to handle these animals? There were cases last year with someone in Las Vegas having large cats such as black panthers. It raises a lot of questions.

Commissioner Valentine asked why this bill was proposed.

Chief Game Warden Tyler Turnipseed said he has the same question.

Chairman Drew explained that he is in opposition to this bill until the conflict with the wildlife statutes is cleared up.

Member Gregg Smith, Commissioner Wallace, and Commissioner Valentine agreed.

Public Comment: None.

CHAIRMAN DREW MOVED TO RECOMMEND THAT THE COMMISSION ADOPT A PLATFORM IN OPPOSITION TO ASSEMBLY BILL 238 UNTIL THIS BILL IS REVISED TO AVOID CONFLICT WITH EXISTING WILDLIFE STATUES AND REGULATIONS AND ASK THAT THE BILL SPONSOR WORK WITH NDOW LAW ENFORCEMENT TO ENSURE PROPER CHANGES ARE INCORPORATED INTO ANY AMENDMENTS. COMMISSIONER

VALENTINE SECONDED THE MOTION. THE MOTION CARRIED 4-0, COMMISSIONER JOHNSTON WAS ABSENT.

SB116:

Chairman Drew explained the bill. There are amendments floating around. Most issues were around cultivated fields. They are willing to drop the barbed wire portion of the bill.

Chief Game Warden Tyler Turnipseed said there were problems enforcing hunting, fishing and trapping on private land. He explained the issues with barbed wire fencing. There are 5 wire range fences too. This is scheduled for a work session tomorrow morning. There are 2 amendments floating around. The painted post method is complicating.

Chairman Drew said he does not oppose simplifying the marking provision as long as line of sight is kept in there. He does not support including barbed wire.

Commissioner Wallace said removing the barbed wire portion and adding cultivated land would be good.

Public Comment:

Mel Belding said he would want the 16" requirement to remain.

Chairman Drew said that is not in the bill.

Mel Belding asked if the fence should stay at 16".

Larry Johnson asked about crested wheat seeding on public land. He said it needs to be clarified in the bill as cultivated land or not.

Chairman Drew asked about the fencing requirement.

Director Wasley does not see where the Department or the State of Nevada as the authority to specify fence height or bottom wire on private lands. The removal of the 5 strand is a benefit to wildlife. He thinks the amendment is clear on the cultivated lands. He described the definition of a legal fence in NRS.

Chairman Drew supports that whatever definition come through for cultivated lands that it does not include a range seeding. Maybe it can say something about irrigated lands.

There were no further questions from the Committee.

CHAIRMAN DREW MOVED TO RECOMMEND THAT THE COMMISSION ADOPT A PLATFORM IN SUPPORT OF THE ADDITION TO SENATE BILL 116 OF CULTIVATED LANDS AS A MEANS OF WARNING AGAINST TRESPASS AS LONG AS A CLEAR DEFINITION IS PROVIDED THAT DOES NOT INCLUDE RANGE SEEDING, SUCH AS CRESTED WHEAT, SUPPORT THE SIMPLIFICATION AND MAKING CONSISTENT FENCE MARKINGS AS LONG AS THE LINE OF SIGHT PROVISION IS MAINTAINED AND OPPOSE A BARBED WIRE FENCE INCLUSION AS A MEANS OF WARNING AGAINST TRESPASS. COMMISSION WALLACE SECONDED THE MOTION. THE MOTION CARRIED 4-0, COMMISSIONER JOHNSTON WAS ABSENT.

SB197 and SB198:

Chairman Drew explained these bills. He thinks they will be beneficial to wildlife and the Department.

There were no comments from the committee.

Public Comment: None.

CHAIRMAN DREW MOVED TO RECOMMEND THAT THE COMMISSION ADOPT A PLATFORM IN SUPPORT OF SENATE BILL 197 AND SENATE BILL 198 TO EXTEND BOTH BOND PROGRAMS FOR THE LAKE TAHOE ENVIRONMENTAL IMPORVEMENT PROGRAM AS WELL AS THE CONSERVATION BONDS PROGRAM UNTIL 2030. MEMBER GREG SMITH SECONDED THE MOTION. THE MOTION CARRIED 4-0, COMMISSIONER JOHNSTON WAS ABSENT.

SB221:

Chairman Drew explained the bill.

Director Wasley said there is a need to recognize the benefits. This bill addresses the national crisis of relevancy in conservation. This bill accomplishes the funding mechanism for the crisis. The Department will be at the hearing tomorrow and will be testifying neutral.

Member Greg Smith asked about the financial impact.

Director Wasley said there is a fiscal note on the bill.

Commissioner Valentine asked about getting the funding from the Heritage account.

Director Wasley said there could have been a limited use of Pittman-Robertson funds. Last session the Department looked at adjusting fees.

Commissioner Valentine asked about the 4 year limitation.

Chairman Drew said yes, he read it that way too; there is a 4 year limitation.

Commissioner Valentine likes the idea of the bill, but he has opposition to the Wildlife Heritage Fund being utilized. He said there is 7 million in excess in the account. He thinks this is an okay idea.

Chairman Drew asked about the emergency provision language.

Director Wasley said there is flexibility to use the money for emergency situations. It is not a concern of the Department. The Dream Tag fund affords flexibility too when needing seed.

Chairman Drew thinks the emergency language requires Commission authorization.

Commissioner Valentine said it was about the expenditures.

Chairman Drew said he is on page 9.

Directory Wasley said it makes sense that the Commission would approve that.

Chairman Drew said he sees the need for this and does not have concern with the funding mechanism. He thinks the emergency provision will come in handy.

Commissioner Wallace agrees.

Commissioner Valentines agrees, but he wants a different funding mechanism.

Public Comment:

Larry Johnson said they proposed alternative funding. He proposed a \$3 fee on all hunting, trapping, and fishing licenses in the state. The Department opposed this in 2015. There is concerned about the \$8 million in the fund. Sportsmen overwhelmingly support this. One group in Las Vegas is opposing this. The source of funding is for 4 years but the intent is to assess the program and audit its effectiveness. Nevada is unique. He urges support.

Karen Boeger said Larry Johnston explained it well. She said the only thing that is missing is there are a lot of sportsmen and women that have no idea of the background. Not only the history in our state but also in terms of the North American Wildlife Conservation Model.

There were no further comments from the Committee.

CHAIRMAN DREW MOVED TO RECOMMEND THAT THE COMMISSION ADOPT A PLATFORM TO SUPPORT THE GENERAL CONCEPTS CONTAINED IN SENATE BILL 221 INCLUDING THE CREATION AND ACTIVITIES OF THE NEVADA WILDLIFE PUBLIC EDUCATION COUNCIL AS WELL AS THE USE OF HERITAGE FUNDS AS PROPOSED INCLUDING THE PROPORTION CHANGES, FUNDING OF THE COUNCIL AND EMERGENCY PROVISIONS CONTAINED WITHIN THE BILL. MEMBER GREG SMITH SECONDED THE MOTION.

Commissioner Valentine asked to include the 4 year term in the motion.

CHAIRMAN DREW MOVED TO ADD SUPPORT FOR THE USE OF HERITAGE FUNDS FOR THE COUNCIL FOR A FOUR YEAR PERIOD AS OUTLINED IN THE BILL AS INTRODUCED. MEMBER GREG SMITH SECONDED THE ADDITION. THE MOTION CARRIED 4-0, COMMISSIONER JOHNSTON WAS ABSENT.

SB231:

Chairman Drew reviewed the bill. He would like to take no position.

Public Comment: None.

Chairman Drew said to recommend no position or platform.

SJR7:

Chairman Drew explained the bill. He wants to oppose this.

Greg Smith agrees.

Commissioner Wallace agrees.

Commissioner Valentine agrees.

Public Comment: None.

CHAIRMAN DREW MOVED TO RECOMMEND THAT THE COMMISSION ADOPT A PLATFORM TO OPPOSE SENATE JOINT RESOLUTION 7 AND FORWARD THE COMMISSION'S LETTER TO CONGRESSMAN AMODEI IN THE EVENT THIS REGULATION IS HEARD. COMMISSIONER WALLACE SECONDED THE MOTION. THE MOTION CARRIED 4-0, COMMISSIONER JOHNSTON WAS ABSENT.

SJR11:

Chairman Drew explained the bill. This was from last session. It must pass in the same form and if it does it will go on the general ballot in 2018.

There were no questions from the Committee.

Public Comment:

Larry Johnson said this bill passed overwhelmingly in the 2015 legislative session. There are questions as why this is necessary. Look at the bill list a month from now and you will see why we feel under continual attack session after session. He has been testifying since 1989. This bill will clear the air significantly. We need to protect for future generations, this bill is not just for the benefit of sportsmen. Volunteer hours funds the water development program with matched state funds. He said they earned the right. The people of Nevada should be able to decide.

Rob Boehmer, Operation Game Thief Citizens Board, said they received 121 comments in favor of this bill. He was surprised how many people commented that do not hunt. He had one comment in opposition.

Joel Blakeslee said he would like to follow up on the comments from Mr. Boehmer. He said that the most commented on bills at the Legislature this session are AB101 and SJR11. Legislators are getting thousands of emails on these bills.

Chairman Drew said he is supportive of this. It does not limit hunting through regulation.

Commissioner Valentine agrees with Chairman Drew.

CHAIRMAN DREW MOVED TO RECOMMEND THAT THE COMMISSION ADOPT A PLATFORM TO SUPPORT SENATE JOINT RESOLUTION 11 FROM THE 78TH LEGISLATIVE SESSION. MEMBER GREG SMITH SECONDED THE MOTION. THE MOTION CARRIED 4-0, COMMISSIONER JOHNSTON ABSENT.

Future Committee Meetings:

Chairman Drew reviewed the calendar.

Public Comment: None

Public Comment Period:

None.

Chairman Drew adjourned the meeting at 4:21pm.