

**DRAFT MEETING MINUTES
LEGISLATIVE COMMITTEE OF
NEVADA BOARD OF WILDLIFE COMMISSIONERS**

FRIDAY, MAY 3, 2019 AT 8:30 AM
WASHOE COUNTY COMMISSION CHAMBERS, 1001 E 9TH STREET, BUILDING A,
RENO, NV 89512
TELECONFERENCED TO
NEVADA DEPARTMENT OF WILDLIFE: 4747 W. VEGAS DR., LAS VEGAS, NV,
89108 CONFERENCE ROOM

Committee Members present: Committee Chairman Tiffany East, Commissioner Brad Johnston, and Commissioner Paul Valentine

NDOW staff present: Management Analyst III Kailey Taylor, Director Tony Wasley, Deputy Director Jack Robb, Chief Game Warden Tyler Turnipseed, Executive Assistant Brandy Arroyo, and Administrative Assistant III Lynn Walker

Members of the public present: Paul Dixon, Cory Lytle, Glenn Bunch, Marlene Bunch

Call To Order, Pledge of Allegiance, Introduction of Committee Members and Roll Call:

Committee Chairman East called the meeting to order at 8:31am.

Approval of Agenda:

Public Comment – None.

COMMITTEE CHAIRMAN EAST MOVED TO APPROVE THE AGENDA. COMMISSIONER VALENTINE SECONDED THE MOTION. THE MOTION CARRIED 3-0.

Approval of Minutes:

The Committee had no changes to the minutes.

Public Comment – None.

COMMISSIONER JOHNSTON MOVED TO APPROVE THE MINUTES. COMMISSIONER VALENTINE SECONDED THE MOTION. THE MOTION CARRIED 3-0.

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

Committee Chairman East updated the Committee on the status of the bills they are tracking. She noted that the Heritage Account portion of Assembly Bill (AB) 474 was moved into AB83. She also discussed the work session for Senate Bill (SB) 85. There are a few bills that still have nothing scheduled. She explained the amended version of AB404 regarding the ability to transfer tags. She asked the Committee how they felt about the first degree of consanguinity rule in that bill. Senate Bill 275 will be amended and is rumored to be heard in Assembly Ways and Means soon. The amendments for this bill will change the Board to License Master Guides and Sub guides to be an

Advisory Board, appointed by the Governor. This Board would be bringing concerns to the Commission and would also hear complaints from the Guide Industry.

Commissioner Johnston noted that he was contacted by Senator Goicoechea regarding SB275. He is more comfortable with an Advisory Board than what the bill was originally proposing. He also mentioned that he is not completely comfortable with the first degree of consanguinity portion in AB404.

Chief Game Warden Turnipseed read one of the definitions of "child" in Nevada Revised Statutes (NRS) to confirm that "step-child" is not included in the first degree of consanguinity portion of AB404.

Commissioner Valentine asked how the Legislative Counsel Bureau is defining "extenuating".

Commissioner Johnston said that would be left to the Commission.

Commissioner Johnston, Commissioner Valentine and Committee Chairman East continued to discuss the extenuating circumstance clause.

Director Wasley noted that there were two pieces to AB404. One piece is the donation of a tag to a nonprofit organization, which has been removed. The remaining piece is the ability for the Commission to adopt regulation determining what would be extenuating circumstances. The extenuating circumstances apply to the tag holder, but also to a relative within the first degree of consanguinity. The tag could be transferred to anyone otherwise eligible to hunt, the tag holder could defer to the next season, or the tag could be returned for bonus points. There are four or five scenarios that come to mind where the Department had individuals come forward with extenuating circumstances. Director Wasley gave some examples in which these individuals had extenuating circumstances.

Committee Chairman East asked if a tag could still be donated to the Nevada Outdoorsman in Wheelchairs organization the way this bill is written.

Director Wasley said yes, but that the biggest hurdle would be for the individual donating the tag to meet the burden of proof for an extenuating circumstance.

Commissioner Valentine asked if someone with an extenuating circumstance would let the Department know and then the Department would bring that situation to the Commission.

Director Wasley explained that with the limited number of meetings the Commission has some of the decisions would need to be made before that. The Department would need to exercise that authority with permission from the Commission through regulation. Any time those authorities are exercised they would be reported to the Commission.

Committee Chairman East noted that the Commission may adopt these regulations, it does not say that the Commission must adopt the regulations.

Director Wasley added that there was concern about the first degree of consanguinity being too narrow. The bill sponsors offered to amend that if necessary.

Commissioner Johnston noted that this bill is limiting tag holders to certain circumstances. The idea of transferring a tag to a child or organization is now lost.

Director Wasley said the reason for that could only be speculated.

Committee Chairman East asked to discuss SB275.

Commissioner Johnston and Commissioner Valentine both had the opinion that an Advisory Board was much more palatable.

Public Comment -

Paul Dixon, Clark CABMW, said that the CABMW mostly supported AB404 because of the ability to transfer tags to organizations. Defining "extenuating circumstances" will be very difficult. The Clark CABMW has discussed the Heritage Account for 12 years. He said if the makeup of this Commission were ever to change, the spending of the Heritage Account would change. The only other one discussed was AB291 because it could be dangerous to hunters who travel all over state would cross through many different counties all with different gun laws.

Committee Chairman East asked if they would like to change their positions on SB275 and AB404.

COMMISSIONER JOHNSTON MOVED TO SUPPORT THE CONCEPT OF THE ADVISORY BOARD FOR GUIDES IN ORDER TO VOICE CONCERNS TO THE DEPARTMENT. COMMITTEE CHAIRMAN EAST SECONDED THE MOTION. THE MOTION CARRIED 3-0.

Commissioner Johnston explained that he had no problem with AB404 as drafted. He would like to see the extenuating circumstances go beyond the first degree of consanguinity. Based off public input from various groups and what the original sponsors wanted to see, he is disappointed with where the legislation went. He noted that his support is made with a big asterisk that explains the disappointment.

Commissioner Valentine noted that the Committee could change their opinion.

The Committee further discussed extenuating circumstances and instances that may come up during hunts rather than before hunts.

Director Wasley noted that this has been easy for the Department to administer when it is black and white. The Department is not looking for controversy, but there have been at least five instances in the last two years where individuals truly had extenuating circumstances. Should it be the Commission's desire to provide this authority, it would be able to provide some relief.

The Committee further discussed concerns.

COMMISSIONER JOHNSTON MOVED TO SUPPORT LEGISLATION THAT SUPPORTS THE ABILITY TO TRANSFER TAGS WITH THE UNDERSTANDING THE COMMITTEE IS DISAPPOINTED BY THE LIMITATIONS. COMMISSIONER VALENTINE SECONDED THE MOTION. THE MOTION CARRIED 3-0.

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

The Committee discussed positions in the previous agenda item.

Future Committee Meetings:

Committee Chairman East reserved the right to schedule another meeting as needed.
The Committee agreed with her decision.

Public Comment – None.

Public Comment Period:

No Public Comment.

Meeting adjourned at 9:24am.