

**DRAFT MEETING MINUTES**  
**Legislative Committee of the Nevada Board of Wildlife**  
**Commissioners**

**WEDNESDAY, JANUARY 20, 2019 AT 6:00 PM**  
**NDOW HEADQUARTERS OFFICE**  
**6980 SIERRA CENTER PARKWAY**  
**RENO, NV 89511**  
**TELECONFERENCED TO**  
**NEVADA DEPARTMENT OF WILDLIFE**  
**4747 W. VEGAS DR.**  
**LAS VEGAS, NV, 89108**

Committee Members present: Committee Chairman Tiffany East, Commissioner Paul Valentine and Member Greg Smith.

NDOW staff present: Deputy Director Jack Robb, Management Analyst III Kailey Taylor, Chief Game Warden Tyler Turnipseed.

Members of the public present: Rex Flowers, Linda Linton, Larry Johnson, Jonathan Lesperance, Judi Caron, and Mel Belding.

**Call to Order, Introduction of Committee Members and Roll Call:**

Committee Chairman East called the meeting to order at 6:03pm. Committee Chairman East called role.

**Approval of Agenda:**

There were no questions from the Committee.

Public Comment – None.

**REPRESENTATIVE SMITH MOVED TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER VALENTINE SECONDED THE MOTION. THE MOTION CARRIED 3-0 WITH COMMISSIONER JOHNSTON ABSENT.**

**Approval of Minutes:**

There were no questions from the Committee.

Public Comment – None.

**COMMISSIONER VALENTINE MOVED TO APPROVE THE MINUTES FROM JANUARY 25, 2019. MEMBER SMITH SECONDED THE MOTION. THE MOTION CARRIED 3-0, WITH COMMISSIONER JOHNSTON ABSENT.**

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

Kailey Taylor, Management Analyst III, explained that the Department gave Overview Presentations to the Senate Natural Resources Committee and Assembly Natural Resources, Agriculture, and Mining Committee. Two of the Department's bills were also heard in the Assembly Natural Resources, Agriculture and Mining Committee. Both bills were broadly supported. An amendment to each of those bills will be brought forward.

Committee Chairman East let the Committee know she attended both of those meetings. She noted that she testified in neutral because this Committee had not met yet. She said would like to work through the tracking list bill by bill.

**AB74:**

Committee Chairman East noted that this is a Department bill and she explained what the bill does. She asked if there were any questions from the Committee.

Member Smith asked how this would affect selling antlers at trade shows.

Chief Game Warden Tyler Turnipseed explained that there were a few questions at the hearing on what the Department will be regulating. Nevada Administrative Code allows for the sale of nonedible parts of big game animals legally killed. If you pick up a dead head, you cannot sell it. The Department may remove the antler buyer statute from the fur dealer statute because it discusses buying, selling and trading. In the case of heads, we are more concerned about buying than selling. One legislator brought up the people who paint or bedazzle these heads. At that point it is so far removed from the buyer that it would be difficult to track where it came from. If the only thing monitored is buying, organizations looking to auction these pieces would be exempt.

Committee Chairman East mentioned Assemblywoman Titus' comment on having another part of the tag attached to the head.

Chief Game Warden Turnipseed said that there is a taxidermy stub on the tag which goes with the head and cape. However, antler buyers may not keep the cape, they may be separated.

Member Smith asked what happens when a dead head is given to someone and made into a coffee table for a donation.

Chief Game Warden Turnipseed said he does not think we have a problem with it but, theoretically, it would violate that NAC.

Member Smith asked if this bill would address it.

Chief Game Warden Turnipseed said it depends on how it is re-written.

Commissioner Valentine said he understands this bill and that he is sorry it got caught up in the cobwebs.

Public Comment –

Larry Johnson, Coalition for Nevada's Wildlife asked the Commission to consider the point from Tyler about organizations. He explained that he donated pieces ~~end~~such as nd table pieces that were subsequently auctioned. In this day and age, we are being scrutinized by animal rights groups. He would love to see an exemption for conservation organizations.

Linda Linton, Private Citizen, asked if this going to be retroactive. She has a pile of skulls and is moving. She asked what happens if she wants to sell them to someone or transfer them to family. She would also like to clarify "big game animal" to mean Nevada big game animals.

Mel Belding, Private Citizen, appreciates that this bill being brought up. He said the bottom line is that the Department benefits most from this. He said his organization has received \$1500-

\$1800 for a coffee table and those funds mostly go back to NDOW. He suggested maybe adding some type of identification.

Public Comment in Las Vegas – None.

Member Smith said he would like to stay neutral on this bill until this develops.

Commissioner Valentine agreed.

**SB55:**

Committee Chairman East read the description of the bill.

Chief Game Warden Tyler Turnipseed explained that this is mostly cleanup language from Nevada Administrative Code (NAC).

Public Comment – None.

**COMMISSIONER VALENTINE MOVED TO SUPPORT SB55. MEMBER SMITH SECONDED THE MOTION. MOTION PASSED 3-0 WITH COMMISSIONER JOHNSTON ABSENT.**

**AB83:**

Committee Chairman East read the description of the bill.

Chief Game Warden Tyler Turnipseed explained that section 1 inserts “public safety” into the statute that allows wildlife to be taken by the Department, section 2 adds “moose” to the felony poaching law and harassment of wildlife. He further explained the portion taking out the word “property.” There will be an amendment that gives exception to livestock and pets. Section 3 discusses manned or unmanned aircraft, which modernizes some language. Section 4 again adds “moose.” Section 5 deals with residency entitlements because wardens spend time working residency fraud cases.

Deputy Director Jack Robb explained that the main reason for the changes in section 6 are coming about because when the Department switched over to Kalkomey Enterprises, LLC and the Community Foundation and Dream Tag could not follow. They went to GoHunt to administer the drawing. They sold a lot of tickets, but the opportunity to sell more resource enhancement stamps (RES) was missed because many people do not want to participate in the draw but saw it as an opportunity to donate. There is also no way to have a crosswalk between the two systems which would let both systems know who qualifies to buy a dream tag raffle. If “must” is replaced with “may” more stamps could be sold. There is no place that limits the number of resource enhancement stamps someone can buy.

Member Smith asked if Deputy Director Robb could address the ability of Kalkomey and GoHunt to interface.

Deputy Director Robb responded that there is no ability for them to communicate with each other because there is personally identifiable information in one system that would make it unallowable to link to the other system.

Member Smith asked what would prevent someone from buying a RES on one site and then again on the other.

Deputy Director Robb explained that all of the money goes into the same pot, so it would not matter which site they were bought on.

Chief Game Warden Turnipseed explained that section 8 deals with harassment. That statute defines "harassment." He gave some examples of these different types of harassment.

Committee Chairman East noted that there was a comment made about wanting to include fish and small animals at the bill hearing.

Chief Game Warden Turnipseed does not believe it is a huge issue. When the Truckee River was low there were people catching fish by hand who we were able to cite. He said he could not envision a scenario in which they would charge someone with harassing fish, but it may be possible to add in small game, such as cottontails.

Member Smith asked about the possibility of removing the word "light." He said when he was young he would spotlight rabbits and that is how he became interested in hunting.

Chief Game Warden Turnipseed believes a line could be drawn between hunting and harassing, but that it can be looked into.

Member Smith believes that might give the Department some trouble.

Chief Game Warden Turnipseed went on to section 9 which deals with trapping within 200ft of a roadway. Changes were made to this last session, but there have been cases of people tampering with bear traps who then said that the Department was violating their own statute. This gives authority to the Department to set a trap along the road.

Commissioner Valentine asked if it was not already illegal to spotlight.

Chief Game Warden Tyler Turnipseed said some counties already have an ordinance. State law applies to hunting hours and use of artificial light when you are attempting to take.

Public Comment –

Larry Johnson, Coalition for Nevada's Wildlife, testified in favor.

Judi Carron requested that in section 6, subsection 6, "moose" be added to the dream tag section where it identifies big game tags.

Las Vegas – None.

Commissioner Valentine asked if the Committee wanted to hold off on a position anticipating some revisions.

Member Smith would like to remain neutral.

### **SB85:**

Committee Chairman East read the description of the bill.

Chief Game Warden Tyler Turnipseed explained that this bill is sponsored by the Department of Agriculture, but that the Department is in support. There is some discussion over what chapter it is placed in. The bill proposes to prohibit someone from bringing wildlife parts that could contain chronic wasting disease (CWD) into Nevada. There have been some instances where someone

dropped deer parts on the side of the road after hearing they could not take them into California. The bill says you can bring in quarters, meat, and other parts that are not attached to the spinal column.

Management Analyst Kailey Taylor explained that this bill is scheduled for a hearing on March 5<sup>th</sup> and that the Department would like to make check stations mandatory.

Member Smith asked how the Department will address Californians coming from Colorado who ditch their carcass at the border.

Chief Game Warden Turnipseed stated that is what this bill is intending to do and that by making check stations mandatory, it would address that issue.

Member Smith asked how a person who wanted to do a European mount would be able to get the head and antlers in if attached.

Deputy Director Jack Robb and Chief Game Warden Turnipseed explained what hunters can and cannot bring into the state.

Deputy Director Robb said that may conflict with other state's laws on evidence of sex. He also explained that there have been multiple articles lately about "zombie deer." The Department knows this may be a bit of an inconvenience but that it is a necessary measure.

Member Smith asked where the Department will receive the funds for this.

Deputy Director Robb explained that the Department already has funds set aside for disease sampling.

Commissioner Valentine said he had no questions and that this is very clear.

Public Comment –

Larry Johnson, Private Citizen, explained that for years many people wrestled with the Department of Agriculture because they were in favor of game farming. Chronic Wasting Disease made them back off that position. It is gratifying to see them sponsor the bill.

Las Vegas – None.

Deputy Director Robb said there has been a lot of talk about how fast CWD spreads, they have said it is 65mph because it is usually in the back of the truck.

**MEMBER SMITH MOVED TO SUPPORT SB85. COMMISSIONER VALENTINE SECONDED THE MOTION. THE MOTION WAS APPROVED 3-0 WITH COMMISSIONER JOHNSTON ABSENT.**

**SB17:**

Committee Chairman East read the description of the bill.

Deputy Director Robb explained that this is not a Department bill, it is a Department of Health and Human Services (DHHS) bill. There has already had a hearing in the health and human service committee. This takes the action from a court and makes it an administrative action. This would expedite the process in which a person late on child support would have their hunting

license and privileges suspended. The Department is neutral on the bill, but federal guidelines ensure the Department collect social security numbers, so that we can easily comply with this.

Public Comment – None.

**MEMBER SMITH MOVED TO SUPPORT SB17. COMMISSIONER VALENTINE SECONDED THE MOTION. THE MOTION WAS APPROVED 3-0 WITH COMMISSIONER JOHNSTON ABSENT.**

**AB30:**

Committee Chairman East read the description of the bill and said that she would like to hold off on this bill until Habitat Division Administrator Alan Jenne can give more information.

Member Smith and Commissioner Valentine agreed.

Public Comment – None

**AB51:**

Committee Chairman East read the description of the bill and noted that she would also like to hold off on this bill until Habitat Division Administrator Alan Jenne can give more information.

Public Comment - None

**AB70:**

Committee Chairman East read the description of the bill.

Management Analyst Kailey Taylor explained that the Commission already adheres to most of the provisions in this bill.

Committee Chairman East said the Committee will come back to the bill.

**AB84:**

Committee Chairman East read the description of the bill.

Deputy Director Robb said the Department has been working with Southern Nevada Water Authority to get the appropriations in this bill. The money has been used in the past on wildlife improvement projects as well as other projects. The Department can spread this money a long way with the federal match. This is one bill the Department supports.

Member Smith asked where the money comes from.

Deputy Director Robb said the state sells the bonds and explained how the process works.

Public Comment –

Larry Johnson, Private Citizen, said he believes this is an invaluable tool.

**COMMITTEE CHAIRMAN EAST MOVED TO SUPPORT AB84. COMMISSIONER VALENTINE SECONDED THE MOTION. THE MOTION PASSED 3-0 WITH COMMISSIONER JOHNSTON ABSENT.**

**AB95:**

Committee Chairman East read the description of the bill.

Management Analyst Kailey Taylor noted that Habitat Division Administrator Alan Jenne advised against tracking this bill because it would not affect the Department.

Public Comment – None.

Committee Chairman East removed the bill from the tracking sheet.

**AB70:**

Committee Chairman East went back to AB70.

Deputy Attorney General Joshua Woodbury explained that this is mostly cleanup. Section 2 discusses attendance. Section 3 says public bodies can meet with attorneys not subject to open meeting laws in order to discuss information on action items as long as the following discussion takes place in a public meeting. Section 5 deals with the definition of “meeting” and adds that certain training meetings with the Office of the Attorney General do not meet the definition for open meeting purposes. Section 6 adds to the agenda. The current statute has a list of items the agenda must have. If, during the meeting if the quorum does not approve the agenda, the chair must end the meeting until the agenda is agreed upon. Section 7 deals with posting of meeting minutes.

Commissioner Valentine believes we can remain neutral because the Commission already does these things.

Public Comment –

Judi Caron, Private Citizen, believes that is wrong when legislators conduct public business on a bill without the public having sufficient warning and the same materials as the legislators.

Member Smith would like to remain neutral on this bill.

Commissioner Valentine agreed.

**AB113:**

Committee Chairman East read the description of the bill.

Management Analyst Kailey Taylor said that this bill is currently on the list because the Committee had previously wanted to track all firearm bills.

Committee Chairman East said she would like to keep it on the list.

Public comment – None.

**AJR2:**

Committee Chairman East read the description of the bill.

Commissioner Valentine said he supports the bill.

Deputy Director Robb explained that this is an important resource to wildlife.

Member Smith asked if there would be a similar bill regarding the Fallon Naval Air Station.

Deputy Director Robb said he has not seen anything yet.

Public comment –

Larry Johnson, Private Citizen, urged the commission to support this. There is a rumor there will be a joint resolution for Fallon as well.

Las Vegas – None.

**MEMBER SMITH MOVED TO SUPPORT AJR2. COMMISSIONER EAST SECONDED THE MOTION. THE MOTION PASSED 3-0 WITH COMMISSIONER JOHNSTON ABSENT.**

Management Analyst Kailey Taylor mentioned other bills that have come out since the tracking list was sent to the Committee. The tracking list will be updated again before the next Committee meeting.

Committee Chairman East asked for any bills that the public wants the Committee to consider.

Public Comment –

Larry Johnson, Coalition for Nevada's Wildlife, said that they have an Assembly Natural Resources, Agriculture and Mining Committee-sponsored bill draft request (BDR 902) which is a two-part bill. The first part allows the holder of a big game tag to donate that tag back to the Department to award to a disabled individual or disadvantaged youth. The second part involves the Wildlife Heritage Account. The principal on the Wildlife Heritage account has grown, we receive little income on interest, it is a ripe plum and is a target to be swept. We are proposing to allow the Department to spend any amount in the account that would reduce the account to 5 million dollars.

Commissioner Valentine appreciates the comments and would like to track this. He said he has concerns about utilizing the wildlife funds and anticipates interest rates will increase. He said he will stay neutral until language comes out.

Judi Caron, Private Citizen, is in support of BDR 902. With heritage money that high, it is something that should be utilized for the benefit of the state of Nevada.

Deputy Director Robb mentioned that this is something the Department has kicked around. The principal is over 8.5 million dollars. This money has been invaluable. The Department is using it for matching funds. It is sportsman dollars, so every time someone looks at sweeping this, the Federal Government sends a letter saying that all the Pittman-Robertson and Dingell-Johnson funds coming to Nevada would be at risk.

Member Smith asked if the Committee is adding this to the list or taking action. He would like to support this BDR.

**COMMITTEE CHAIRMAN EAST MOVED TO ADD BDR 902 TO TRACKING SHEET AND SUPPORT. MEMBER SMITH SECONDED THE MOTION. THE MOTION WAS APPROVED**

**2-1. COMMISSIONER VALENTINE WAS OPPOSED. COMMISSIONER JOHNSTON WAS ABSENT.**

**SB120:**

Committee Chairman East mentioned that she received public comment concerning SB120.

Judi Caron, Private Citizen, said that the wording is unclear of what “high risk behavior” is. The format gives her concern. Section 9 says “high risk behavior occurs when a person poses a risk of causing personal injury to himself, or herself, or another person by possessing or having under his or her custody or control, or by purchasing, or otherwise acquiring any firearm and has previously...” She described the subsections which gave her concern.

Member Smith would like to add this to the tracking list.

Commissioner Valentine agreed.

Public Comment –

Linda Linton, Private Citizen, believes this bill is extremely ambiguous.

**MEMBER SMITH MOVED TO ADD SB120 TO THE TRACKING LIST. COMMISSIONER VALENTINE SECONDED THE MOTION. THE MOTION WAS APPROVED 3-0. COMMISSIONER JOHNSTON WAS ABSENT.**

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

Committee Chairman East asked if the Committee wanted to revisit any of the bills. She said she would like to support AB74 and AB83 with the amendments that were discussed.

Member Smith said he is fine with that.

Commissioner Valentine said he supports those bills in concept as well.

Public Comment – None.

**MEMBER SMITH MOVED TO SUPPORT, IN CONCEPT, AB74 AND AB83. COMMISSIONER VALENTINE SECONDED. THE MOTION PASSED 3-0. COMMISSIONER JOHNSTON WAS ABSENT.**

**Future Committee Meetings:**

Deputy Director Robb noted that Commission Chairman Johnston would like the Committee to meet in March on Friday morning prior to the Commission meeting. It was suggested to have a start time of 9:30am, but we could start at 9:00am. We can work with Clark County to teleconference.

Committee Chairman East asked about an April meeting.

Deputy Director Robb explained that the Commission usually meets in April because legislation moves rapidly.

Public Comment – None.

**Public Comment Period:**

Larry Johnson, Private Citizen, wishes that the Committee would have met a while ago to discuss concepts because of how quickly things move in the Legislature. He also said that Committee Chairman East has done a great job.

Adjourned at 8:05pm.