

Nevada Board of Wildlife Commissioners' Meeting Draft Agenda

Virtual Meeting Only

April 11, 2023

The meeting will be broadcast live at the NDOW Commission YouTube page:

https://www.youtube.com/channel/UCrFHgHLM0Mza2Hx7og8pFcQ

If you wish to make public comment, please use this link for Tuesday, April 11, 2023.

https://us02web.zoom.us/j/83502688250?pwd=SHILM0p3ano2emVqOWNyQWp4L2VCZz09

Passcode: 687452

Meeting materials are available at: https://www.ndow.org/calendar/#

Public comment will be taken on each action item following Commission discussion and before any action is taken. Persons attending virtually wishing to comment are invited to raise their virtual hands in the virtual meeting forum during the appropriate time; each person offering public comment during this period will be limited to not more than three minutes. The Chair may allow persons representing groups to speak for six minutes. Persons may not allocate unused time to other speakers. Persons are invited to submit written comments on items prior to the meeting at wildlifecommission@ndow.org. Public comment will not be restricted based on viewpoint. To ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments to avoid the appearance of deliberation on topics not listed for action on the agenda. Minutes of the meeting will be produced in summary format.

FORUM RESTRICTIONS AND ORDERLY BUSINESS: The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place, and manner of speech. Irrelevant and unduly repetitious statements and personal attacks which antagonize or incite others are examples of public comment that may be reasonably limited.

Nevada Board of Wildlife Commissioners present for the meeting:

Chairman Tommy Caviglia
Commissioner Tom Barnes
Commissioner Tiffany East
Commissioner David McNinch
Commissioner Alana Wise

Vice Chairman Shane Rogers
Commissioner Eddie Booth
Commissioner Casey Kiel
Commissioner Mario Walther

Senior Deputy Attorney General Craig Burkett

Secretary Alan Jenne

Nevada Department of Wildlife personnel in attendance via Zoom:

Deputy Director Jordan Goshert
Management Analyst Kailey Musso
Administrative Assistant Cameron Tull
Wildlife Diversity Administrator Jennifer Newmark
Fisheries Division Administrator Chris Crookshanks
Law Enforcement Division Administrator Kristi Knight
Conservation Education Division Administrator Chris Vasey

Deputy Director Mike Scott
Management Analyst Megan Manfredi
Executive Assistant Meghan Beyer
Habitat Division Administrator Mark Freese

Data and Technology Services Division Administrator Kim Munoz

Public in Attendance via Zoom:

Joe Crim, Pershing CABMW  
Cory Lytle, Lincoln CABMW  
Jana Wright, private citizen

Glenn Bunch, Mineral CABMW  
Rex Flowers, private citizen  
Fred Voltz, private citizen

**Tuesday, April 11, 2023 – 8:00 a.m.**

**1. Call to Order, Pledge of Allegiance, Roll Call of Commission Members and County Advisory Board Members to Manage Wildlife (CABMW) – Chairman Caviglia**

Chairman Caviglia called the meeting to order at 8:04 am. Commissioner East led the Commission in the Pledge of Allegiance. Administrative Assistant Cameron Tull called the roll of the Commission. Chairman Caviglia made note of the CABMW members in attendance.

**2. Approval of Agenda – Chairman Caviglia– For Possible Action**

The Commission will review the agenda and may take action to approve the agenda. The Commission may remove items from the agenda, continue items for consideration or take items out of order.

Chairman Caviglia introduced Item #2.

No CABMW comment.

Jana Wright, private citizen, stated that the agenda was not posted on the NDOW website. She noted that she did receive it through the listserv and that she was able to find support material through nv.gov.

Deputy Attorney General Craig Burkett noted in the chat room that the agenda was posted to the calendar event on the NDOW website.

**VICE CHAIRMAN ROGERS MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED. COMMISSIONER WALTHER SECONDED THE MOTION. MOTION PASSED 9-0.**

**3.\* Legislative Committee Report – Committee Chairwoman Tiffany East – For Possible Action**

A report will be presented on the committee’s recent meetings. The Commission may review bills of interest and any associated amendments, consider legislative committee recommendations and may take official positions on those bills. The Commission may also choose to develop platforms on bills by supporting or opposing general concepts. Bill and BDR language may be viewed online at: <https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bills/List>.

Chairman Caviglia introduced Item #3.

Commissioner East noted there had been some changes and asked Management Analyst Kailey Musso to go through the list of bills.

Management Analyst Musso provided background on each bill and motions were made as follows:

**Senate Bill 334**

SB 334 was heard on Monday April 3. The bill is straightforward and revises the definition of renewable energy for the purposes of provisions governing the portfolio standard. The bill was generally supported. The Department does not currently have a stance.

#### **Senate Bill 176**

SB 176 was heard on March 23rd. The bill creates an account for purchasing and retiring water rights. There was an amendment proposed by the nature conservancy which addresses administration and is attached. The Department does not currently have a stance.

#### **\*Assembly Bill 102**

AB 102 was heard on March 15th. The bill prohibits organizing and sponsoring contests and tournaments which animals are taken for prize. An Amendment was submitted by Assemblyman Watts which adds additional species - badger, crow, raccoon, ring-tailed cat. The Commission is neutral on the bill. There has been no further action on this bill.

#### **SB 311 – Junior Tag Transfer and Online Hunter Education – Support with Amendment**

SB 311 was heard on Tuesday, April 4. This bill would require the Commission to establish a program for anyone to transfer a tag to a junior. There was a conceptual amendment offered during the hearing that would change the language to say, "resident junior hunter". The bill also requires the hunter's safety course be made available to everyone online. There was a lot of discussion on this bill, particularly regarding the hunter's safety portion. The Committee decided to support the bill with an amendment requiring an in-person hunter's safety course for youth. DAG Burkett is of the opinion the Commission would not be able to pass a regulation requiring an additional hands-on course for youth but will keep checking.

Commissioner East stated that she discussed this bill with Rex Flowers and that he agreed that the hands-on portion was important for youth and that he did notify the bill's sponsor and let him know. She explained that the sponsor of the bill, Senator Hansen, didn't think it should be included. She noted that the Committee felt strongly about it.

Chairman Caviglia stated that he liked this bill and agreed with the Committee that there should be some kind of hands-on hunter safety class.

Commissioner Booth asked if there was a comment in the Committee meeting that mentioned being a resident of the state of Nevada.

Commissioner East stated yes, that the amendment stated it would only transfer to a resident junior hunter.

Commissioner McNinch stated that one of the concerns was that people could saturate the system putting in for tags. He didn't want to see people game the system. For example, many people putting in just to transfer one tag to a youth somewhere. He thought it was a real concern that could create challenges.

Commissioner East noted that there was some discussion on the potential abuse of this program and that would be up to the Commission in writing the regulation, including what criteria would be established.

Commissioner Kiel stated that on the other side people have equity built up in points and there are hunters who are aging out that might put in, draw, and then transfer and not put in at a later date. He asked the Department whether this program could solve some of the point creep issues and how they think this will play out.

Commissioner East stated that this bill was meant to recruit junior hunters, possibly a neighbor, grandchild, or a nephew whose parents don't hunt.

Commissioner Caviglia stated that he agreed there is an opportunity to game the system, but that there is a short window from the age of 12-18. He noted that if the hunter transfers the tag, they will still lose their points as if they had hunted themselves. He stated that Nevada will continue to gain more residents and juniors opportunities are diminishing.

Secretary Jenne stated that this bill was opening the door. The NRS would allow the Commission to develop the Tag Transfer Program for Juniors. There isn't a clear understanding of regulation development and NAC and what it would do as far demand is concerned.

Commissioner McNinch stated that his support is contingent on the amendment requiring some form of in-person portion of the course. He relayed a personal story about his son as an example of how important that kind of experience is, especially for those juniors that do not have parents or guardians that are familiar with guns or hunting.

Commissioner Barnes agreed with Commissioner McNinch and the reasons he offered as to why this kind of in-person training was so important.

*No CABMW comment.*

Cory Lytle, private citizen, stated that he wanted to echo what Secretary Jenne said, that this discussion began with the idea that a parent could transfer their tag to their child. He noted that when the Commission began to write the regulation, all doors needed to be closed and that there was a lot of money to be made and willingness to sell tags, that it could be manipulated so many ways. He also agreed with what Commissioner McNinch and Commissioner Barnes had iterated, that it was very important for youth hunters to participate in person with hands-on training with adults who have been in the field. He believed that hunters owe it to wildlife to spend five to six hours learning hands-on training.

**COMMISSIONER EAST MADE A MOTION TO SUPPORT SB 311 ONLY WITH AN AMENDMENT THAT STATES THERE IS A HANDS-ON HUNTER EDUCATION REQUIREMENT FOR YOUTH. COMMISSIONER WALTHER SECONDED THE MOTION. MOTION APPROVED 9-0.**

#### **SB 269**

Commissioner Walther had concerns with the removal of an exception for hunting when tethering a dog. I could not find anything on the Facebook hunting groups regarding concerns for this. It could be that hunters are not aware.

#### **SB 141**

The Committee discussed whether or not to take a position on the bill after discussions with Senator Hansen proved he was unaware of the ability to show a screenshot or PDF of the license and that the Department did not have the ability to pull up a person's license from the database in all areas of the state. The Committee decided to oppose the bill as written but would support the idea of demonstrating the proof of a license in some other manner.

Commissioner Walther stated that his main concern was that there was absolutely zero follow-up in a scenario where proof is not shown.

Commissioner East asked LE Administrator Kristi Knight asked what the current process was.

Kristi Knight stated that if the individual states that they do have a license but don't have it, Game Wardens will attempt to confirm that if possible. If they can't confirm it at the time, they can be cited and dismissed in court if they provide proof. It depends on the circumstance.

Commissioner Walther stated that as written, it could be dismissed, however it is left to prosecutorial discretion.

Administrator Knight agreed and noted that the AMS App, which is on all Game Warden's phones, is up to date and allows them to look up individuals in real time.

Commissioner East noted that this bill had not been given a work session and would most likely die.

*No CABMW comment.*

*No public comment.*

Commissioner East stated that she believed that individuals should have some kind of proof on them.

Chairman Caviglia agreed and stated that he didn't like the way the bill was written.

Commissioner East asked if an electronic function would be sufficient, for example a photo on a phone.

Secretary Jenne stated that it would probably suffice.

Administrator Knight stated that they allow hunters to have a picture of the license on their phone.

Commissioner Walther asked whether Law Enforcement would want to require a period of time to show proof if they don't have it on their person at the time of inspection.

Administrator Knight asked for clarification on what Commissioner Walther was asking.

Commissioner Walther asked whether the Department would still desire to see a function in which the hunter has a period of time to produce proof.

Administrator Knight stated that different scenarios make it complex and that the Department would prefer not to have a time limit due to that creating more work and follow-up for Game Wardens.

Commissioner Walther clarified that if the Commission supports this bill with the amendment to show electronic proof via any means, this bill removes the penalty and there would be no citation.

Administrator Knight replied that they would still receive a citation if they can't provide proof, for example if their phone died, they would still need to provide proof.

Commissioner McNinch stated that when they reached out to get clarification on this bill, it was explained to them that this was an effort to modernize the system. This is not what the bill currently says and I'm concerned that there. He was concerned that there was an ulterior thought, to eliminate the requirement to demonstrate who they are in the field. He supported the concept to modernize the permitting system and being able to demonstrate that the individual has a license and would support an amendment that stated that.

Commissioner Wise agreed and stated that as written, by trying to add in the ability to show it on your phone, we're still removing the core of what we are already doing. In reality, we should simply add to the

language that already exists, that a hunter can provide an electronic version of proof of license. The current language eliminates the requirement altogether.

Chairman Caviglia agreed also.

Commissioner East added that there had been no proposed amendment.

**COMMISSIONER MCNINCH MADE A MOTION TO OPPOSE THE BILL AS PRESENTED, BUT WOULD SUPPORT THE CONCEPT OF MODERNIZING THE PERMITTING SYSTEM TO ALLOW PEOPLE THE ABILITY TO DEMONSTRATE THE PROOF OF A LICENSE IN SOME OTHER MANNER. COMMISSIONER WISE SECONDED THE MOTION. MOTION PASSED 9-0.**

#### **Assembly Bill 387**

AB 387 was heard on March 29th. The bill asks the State Engineer to consider the best available science when rendering decisions on ground and surface water. A clarifying amendment was offered by Assemblyman Watts. There has been no position taken on the bill.

#### **Assembly Bill 221**

AB 221 was heard on March 13<sup>th</sup> and was passed as amended on April 5<sup>th</sup>. The bill provides NDOW the authority to manage invertebrates as designated by the SGCN list in the Wildlife Action Plan. An amendment was proposed to strike the word "terrestrial". The Commission supports this bill.

#### **AB 112 –2 amendments offered**

Amendments adopted upon passage define wildlife and require NDOT and NDOW to work with grazing permit holders and private landowners. The Committee still supports the bill with the amendments added.

#### **Assembly Bill 70**

AB 70 was heard on March 15<sup>th</sup> and passed as amended from Committee on April 10th. The bill revises the use of the \$3 predator fee. There was a conceptual amendment proposed to let the user designate the use of the fee. Requires that the Department use these proceeds as directed by the applicant for either: (1) developing and implementing a program for the lethal removal of predatory wildlife; or (2) wildlife management activities for the protection of nonpredatory game species and their habitats. The Commission has voted to oppose the bill.

#### **Senate Bill 88**

SB 88 was heard on February 16th. This bill would require a study to be done on state agencies and boards to include the Wildlife Commission. The Commission has not taken a position on the bill and there has been no further action taken.

#### **Senate Bill 90**

SB 90 was passed as amended on April 4th and will be sent to the floor for a vote. The amendment provides that the designation complies with the Wild and Free Roaming Horses and Burro's Act. The Commission has already voted to oppose the bill.

#### **Senate Bill 159**

SB 159 was heard on April 4th. The bill provides an opportunity for provisional licensing in the pest control industry. A conceptual amendment was provided that would allow for new applicators to work under direct supervision. There is currently no position on the bill.

Commissioner McNinch listened to the hearing on this bill and does not believe the Committee needs to continue tracking.

### Senate Bill 338

The bill defines "utility vehicle" and provides a speed limit of 45mph on highways. There is no position on this bill.

### Senate Bill 312

There was a lot of discussion on SB 312. Ultimately, the Committee would like to see the bill passed with an amendment that would provide the Commission with the authority to regulate both dead heads and shed antlers. No one on the Committee wanted to see the current shed antler regulations go away. The Committee decided to support the bill with section 2 of the proposed amendment and with language continuing existing regulations regarding shed antlers and authorizing the commission to pass regulations regarding the entirety of the bill.

Commissioner East stated that the bill had a hearing but hadn't been scheduled for a work session. It most likely won't pass out of committee this week. The original bill would have nullified the Commission's shed antler regulations and there were strong opinions due to the hard work that went into those. It affects a variety of statues and NRS, which would mean that those would need to be completely revamped. The original intent would allow for someone who found a dead head to make a furniture piece out of it that could be auctioned off at an NGO event to raise money for wildlife.

Secretary Jenne stated that the Department had proposed amendments but hadn't seen that it had been scheduled for a hearing.

Administrator Knight explained the current process for taking dead heads..

Commissioner Wise asked what the licensing requirement is for the dead heads.

Administrator Knight stated that they have allowed it, but that there is nothing in writing due to multiple requests for it.

Chairman Caviglia stated that it was probably a good idea to have something in writing on dead heads. He noted that the language that mentioned non-commercial use was deal breaker. There were instances where people would completely skirt the shed antler regulation. He noted that the current winter is exactly why they have the shed antler regulation.

*NO CABMW comment.*

*No public comment.*

**COMMISSIONER EAST MADE A MOTION TO OPPOSE THE BILL AS PRESENTED.  
COMMISSIONER MCNINCH SECONDED THE MOTION. APPROVED 8-0. COMMISSIONER BOOTH  
WAS ABSENT.**

### Senate Bill 421

SB 421 provides tax abatements for certain renewable energy facilities and provides a definition for "microgrids". There is currently no position on the bill and there has been no movement on the bill.

### AB 349

This bill establishes the Nevada Wildlife Conservation Fund Program. This program provides an account to accept tax exempt donations to be used for the preservation, protection, and management of wildlife. A board would be created to help manage the use of the funds, similar

to the way the Dream Tag Board operates. An amendment was offered that would remove two members appointed by legislators. Another amendment was put forward by Tina Nappe that would have the Commission give guidance to the Department on expenditures. This bill was passed out of the Committee as amended on April 10<sup>th</sup>. The Committee voted to support the bill with the proposed amendment. That was before. Ms. Nappe's amendment.

Commissioner East noted that Tina Nappe's concern was that there was no oversight by the Commission, even though there was a board. My concern was that if there was an emergency need this, is there time to get oversight by the Commission or would the Commission have to approve it down the road.

Commissioner McNinch asked if the Committee passed with Tina's amendment.

Commissioner East answered yes.

Commissioner McNinch stated that he would hate to lose the opportunity to have this foundation in place. He added that the Dream Tag was working well.

Commissioner East stated the bill was brought forward so that large endowments could be made for use of wildlife and habitat. She stated her support of the bill and that it was an opportunity for people who are conservation-minded to contribute to wildlife.

Secretary Jenne stated that this conversation started around Recovering Americas Wildlife Act (RAWA) and the Department trying to find adequate match to take advantage of what could be coming with RAWA funds. Conversations in the past have contemplated large endowments. Our current program is not as nimble as what we are proposing in this program. In cases of emergency, the approval through the Interim Finance Committee, which is required through that account isn't as fast as it needs to be. The Dream Tag Foundation can take an emergency request for funding, for example when emergency water hauls are necessary. This new foundation could accept large endowments and more readily respond to emergency situations.

Chairman Caviglia asked if there were any stipulations on how much can be spent.

Secretary Jenne answered yes, that it didn't have a revenue generating account like Heritage or Dream Tag, solely donations.

Commissioner Walther asked if Tina's amendment would give the Commission the authority to sit down with the Department and contemplate scenarios providing the Department a general direction on the way the funds could be spent. It doesn't state that the Commission has to approve every single expenditure, so it could provide a general direction and still have speed and flexibility in the account, in theory.

Secretary Jenne agreed but added that the management behind it would be important.

DAG Burkett stated that he interpreted it the same as Commissioner Walther.

Commissioner East stated that she appreciated the clarification.

Chairman Caviglia agreed.

*No CABMW comment.*

*No public comment.*



**COMMISSIONER EAST MADE AMOTION TO APPROVE AB 349 AS PASSED OUT OF COMMITTEE. WALTHER SECONDED THE MOTION. MOTION APPROVED 9-0.**

**Senate Bill 224**

SB 224 was heard on April 4th. The bill revises the membership of the Wildlife Commission adding one member for the guiding industry and one County Advisory Board to Manage Wildlife Member. The Commission opposes this bill.

**Senate Joint Resolution 2**

SJR 2 was heard on March 9<sup>th</sup>, Passed Committee on April 4<sup>th</sup> and Passed the Senate Floor on April 10<sup>th</sup>. This bill changes the name of the Sheldon Wildlife Refuge to the E.R. Sans National Wildlife Refuge. There is currently no position on this bill.

**Senate Bill 294**

SB 294 was heard this week on April 5th. The bill requires the safe storage of firearms in all circumstances. There is currently no position on this bill.

**Senate Bill 367**

SB367 was heard on April 3rd. The bill prohibits certain people with drug related offenses from carrying or possessing a firearm. There is currently no position on this bill.

**Senate Bill 265**

SB 265 deals with health provisions related to barbers. This bill may be removed from the tracking list. Chairwoman East agreed on removing the bill.

**Senate Bill 87**

SB 87 was heard on March 7th. The bill provides an opportunity to appoint persons to classified positions under certain circumstances. The Commission supports this bill.

**Assembly Bill 361**

AB 361 was heard on March 31. The bill requires IFC approval for the acceptance of federal grants. IFC may give provisional approval upon application to the grant. There is currently no position taken on the bill.

**AB 355**

AB 355 prohibits a person under 21 from using a semiautomatic shotgun or semiautomatic centerfire rifle. The bill was heard in a joint meeting of the Assembly Committee on Judiciary and Senate Committee on Judiciary. The Legislative Committee added the bill to the tracking sheetbut 9ill need to discuss as a Commission.

Commissioner Walther expressed opposition to the bill. He stated that he had been hunting with youth many times and that this bill would criminalize an adult handing a firearm over to a youth.

Chairman Caviglia agreed with Commissioner Walther. He stated that he understood the intent of the bill, however it would create issues for the hunting public.

DAG Burkett noted that he didn't see this bill in the support material.

Management Analyst Musso stated that it is in the support material.

Commissioner East stated that it wasn't on the tracking list but was in the support material.

DAG Burkett stated that he just wanted to make sure we provided the material to the public before voting on it.

Chairman Caviglia stated that the updated tracking sheet was added after the Legislative Committee Meeting.

Analyst Musso clarified that there were two tracking lists on the website to make clear that the initial list had to be noticed prior to the Committee meeting and did not contain AB 355 and the second list did.

Commissioner McNinch stated that he missed this bill in his packet and asked what it said.

Commissioner East read a portion of the bill language.

Chairman Caviglia read a portion of the bill language, noting where added language effects hunting.

Commissioner McNinch asked what would happen if the youth was accompanied by someone.

Commissioner East stated that they would have to be accompanied up to the age of 21.

Commissioner McNinch asked whether they could use the weapons if they were accompanied.

Commissioner East didn't think so.

Commissioner McNinch asked why the provision was even in the language and why it was written that way specifically.

Analyst Musso stated that she believed it was written that way because a person who is with the youth is guilty of a misdemeanor. That adult with them would be charged.

Commissioner McNinch clarified that it stated that if the youth is 14-21 years old, they could operate certain weapons without an adult present.

Analyst Musso answered correct, that is not a semiautomatic shotgun or semiautomatic centerfire rifle.

Commissioner McNinch asked why it was important to point out the adult not being present. He then asked if they were present, does that open the door to the other weapons and if that is what the authors were trying to build in.

Commissioner Walther stated that he believed there was not an exception to semiautomatic rifles and shotguns and that because they are criminalizing the possession or the handing off of the semiautomatic shotgun or rifle, they are making it clear in this language what weapons that are not semiautomatic rifles or shotguns, don't fall under the penalties associated with the semiautomatic or automatic shotgun.

Commissioner McNinch asked whether the Board was going to oppose or not oppose or if they were trying to build a platform.

Commissioner Walther stated that he believed the language said whether accompanied or not, it's strictly prohibited for anyone under the age of 21 to have in their possession a semiautomatic shotgun or rifle. If accompanied, the adult would face criminal penalties associated with the scenario.

Commissioner Wise noted that Analyst Musso posted the link to the language in the chat.

DAG Burkett stated that he read the statute and agreed with Commissioner Walther, that the language prohibits absolutely anyone between the ages of 14 and 21 of possessing a semiautomatic shotgun or rifle. That is the clear intent of that statute. It doesn't matter if they are accompanied or not.

Commissioner McNinch pointed to where the language discusses exceptions, weapons they are allowed to have. He stated that if an adult was with them, it would be appropriate for them to have them.

Commissioner East noted that there were a lot of kids that hunt on their own, driving themselves once they turn 16, especially in rural areas.

Commissioner McNinch asked if she was considering a certain age or just opening it up.

Commissioner East stated that she didn't think they should require youth under 21 to hunt with an adult over the age of 21 to use a firearm at that caliber.

Commissioner McNinch agreed that 21 was too old. He asked what everyone's thoughts were.

Commissioner Booth stated that he opposed this bill completely, no matter the age. He pointed out that in the rural areas, there were kids under the age of twelve learning to use automatic rifles, shotguns, automatic shotguns.

Chairman Caviglia stated that he hunted after school all the time when he was younger and that a lot of it does boil down to the parent. He agreed that 21 was a stretch.

Vice Chairman Rogers stated that he understood the intent as well, but that he would be in opposition as it is written and also didn't like the age range extending to 21.

Commissioner McNinch stated that he understood the desire to address issues, but that this bill language didn't appear to be written with much coordination with NDOW and hunter resources. He stated that he was opposed.

DAG Burkett stated that he reviewed the statute, section seven which appears to go through all the authorized activities that a youth 14 years or older may engage in without a semiautomatic shotgun or semiautomatic rifle and a child engaged in a hunting activity is included.

Commissioner Walther added that hunting exceptions aside or not, this bill essentially prohibits an individual from touching one at this age. He stated that growing up, safe handling was taught constantly, no matter the use of the firearm. In these instances, you can't do it at all. Having no training or understanding until adulthood will cause other issues down the road.

Commissioner Wise agreed with what Commissioner Walther stated. Stating that this essentially prohibits a person's ability to learn how to safely handle and live with a firearm throughout those impressionable ages when a parent can teach those lessons responsibly. If the first opportunity you have to touch a semiautomatic weapon is 21 years of age when you are no longer under the tutelage of your parents, it seems that we would find a situation where there are more people with a lack of knowledge of how to safely handle firearms. Many have learned at a young age what was safe, what was right, how to store and how to handle these things responsibly. If that isn't happening, were potentially creating other problems as well.

*No CABMW comment.*

*No public comment.*

Commissioner McNinch noted that as a platform, we might state that we aren't opposed to the safe storage of firearms, for example, more broad aspects of this discussion. He would hate for the Board to appear as anti-gun safety when we all just took a position for gun safety.

Commissioner East stated that she wasn't opposed to the storage of it, just to the use.

Chairman Caviglia pointed out another bill about gun storage.

Commissioner East confirmed that and said she thought it was 294.

Analyst Musso stated that it was SB 294, the safe storage of firearms.

Commissioner McNinch stated that he is opposed to the bill as currently written, he was hoping to make an additional statement as a Board.

Commissioner Wise suggested that SB 294 should be reviewed and was a possible opportunity to take a positive position on gun storage, while still opposing AB 355.

Chairman Caviglia agreed with Commissioner East that they would need to change the bill quite a bit to get to an acceptable place.

Analyst Musso stated that there was a joint meeting but no action on this bill. She didn't think they would have another hearing and would most be unlikely that they would amend it.

**CHAIRMAN CAVIGLIA MADE A MOTION TO OPPOSE AB 355 AS PRESENTED. COMMISSIONER WALTHER SECONDED THE MOTION. MOTION PASSED 9-0.**

Commissioner East asked DAG Burkett if they were able to discuss SB 294 and that she posted the language in chat.

DAG Burkett stated that they could.

### **AB 294 – Safe Firearm Storage Act**

Commissioner East read through some of the language.

Commissioner McNinch pointed out that it was 20 pages long and that there was quite a bit going on. As a Commission we deal with firearms, it's important that we highlight safe handling and storage. He didn't think the Board had to take a stance on a bill to show its support, but that we should relay to legislators that we have interest groups that these bills will sometimes adversely impact and it's important to have that conversation with us.

Commissioner Wise agreed with Commissioner McNinch.

Chairman Caviglia also agreed and added that he didn't necessarily feel comfortable making a decision about this bill without having read it in depth.

Commissioner East stated that they could watch it and bring it back at the next meeting.

*Chairman Caviglia recessed at 10:00am.*

*Chairman Caviglia reconvened at 10:10am.*

**4.\* Regulation Simplification Committee - Review of Governor Lombardo's Executive Order 2023-003 - Committee Chairman Shane Rogers and Management Analyst Megan Manfredi - For Possible Action**

The Commission will discuss the Regulation Simplification Committee's proposed regulations or sections of regulations to be simplified, clarified, or removed per Governor Lombardo's Executive Order 003 directive. The Commission may take action to create a list for submission to the Governor's Office of potential regulations to be simplified, clarified, or removed per the Executive Order. The Commission may authorize a report to be provided to the Governor in compliance with the directive in the Order.

Chairman Caviglia introduced Item #4. He thanked the Department and the Committee for working so hard on this.

Vice Chairman Rogers stated that the Committee had two meetings previously to review and address a number of NACs and wanted to make sure that there was ample time for public input to ultimately provide what was necessary to comply with the Governor's Executive Order by the deadline of May 1, 2023.

Management Analyst Megan Manfredi stated that support materials provided included all regulations that were heard by the Committee, even those that were removed from consideration. Full regulation language of all approved by the Committee can be found in support material. Subsections of regulations are acceptable and count towards the ten mandated regulations for removal. Altogether there are 40 total regulations that if approved, will be sent to the Governor's Office. She noted that regulations within NAC 576 relating to cervids and alternative livestock (fallow deer or reindeer), fall under the Department of Agriculture's authority, which is working with the Department of Wildlife. Importation of cervids into Nevada has been prohibited in NAC 503.110, which nullifies these agriculture regulations.

Chairman Caviglia suggested to quickly go through them and speak up if there are questions or concerns.

Vice Chairman Rogers agreed.

Analyst Manfredi presented the proposed list of recommended changes. The detailed description and pertinent information for each can be found at the link below:

<https://www.ndow.org/events/april-2023-commission-meeting-2/>

Chairman Caviglia thanked Analyst Manfredi. He noted that the Committee did a great job and that the Commission had no questions on any regulation changes.

Commissioner East asked whether the regulations listed under "removed from consideration" were still intact.

Analyst Manfredi answered in the affirmative.

Chairman Caviglia stated that they were suggested to the Committee, however they decided they should be removed from consideration based on the discussion.

*No CABMW comment.*

*No public comment.*

VICE CHAIRMAN ROGERS MADE A MOTION TO APPROVE THE RECOMMENDED CLARIFICATIONS AND REMOVALS OF REGULATIONS AS MANDATED UNDER GOVERNOR LOMBARDOS EXECUTIVE ORDER 2023-003 AS PRESENTED. SECONDED BY COMMISSIONER BARNES.

Chairman Caviglia asked DAG Burkett if the motion needed to state that it was at the direction of the Chairman and the Department to send the report to the Governor's Office.

DAG Burkett agreed and stated that there was no formal action to remove these regulations from statute. He commended the Department and the Committee for the hard work performed to accomplish this task. Its and interaction between law and policy, which is difficult and they went above and beyond in recommending 40 regulations when only ten was required.

Vice Chairman Rogers asked if he needed to revise his motion.

Chairman Caviglia asked if the motion needed to state that the Commission direct the Chairman and the Department to send the report to the Governor's Office.

DAG Burkett stated that this was the Commission's report, not the Department's. The Commission should make a motion that the Board through Chairman Caviglia propose recommendations as presented in the materials and send to the Governor.

Chairman Caviglia thanked DAG Burkett for clarification.

VICE CHAIRMAN ROGERS MADE A MOTION FOR APPROVAL BY THE COMMISSION THROUGH THE CHAIRMAN THAT WE SEND THE RECOMMENDED CLARIFICATIONS AND REMOVALS OF REGULATIONS TO GOVERNOR LOMBARDO AS PRESENTED. SECONDED BY COMMISSIONER BARNES. MOTION PASSED 9-0.

**5.\* Review of Governor Lombardo's Executive Order 2023-004 – Secretary Jenne and Chairman Caviglia - For Possible Action**

The Commission will discuss Governor Lombardo's Executive Order 2023-004, which requires a report to the Governor and Director of the LCB by all occupational and professional licensing boards. The Commission may take action to authorize a report provided to the Governor in compliance with the directive in the Order.

Chairman Caviglia introduced Item #5. He noted that the Board was provided a draft of the report. It can be viewed at the following link:

<https://www.ndow.org/events/april-2023-commission-meeting-2/>

Secretary Jenne gave a brief overview of the report. He commended the Law Enforcement Division and DAG Burkett in drafting this report. He noted that additionally, copies of referenced regulations were submitted with the report.

Chairman Caviglia asked if anyone had any questions.

Commissioner McNinch noted that in section three it referenced the Department's recommendation to the Governor and wondered whether it was on behalf of the Commission and then pointed out that it referenced a regulation that was recommended to be removed from consideration.

Secretary Jenne acknowledged that catch and noted that it was under consideration at the time the report was drafted.

Chairman Caviglia asked if anyone wanted Secretary Jenne to go through the specifics of the report.

*No CABMW comment.*

*No public comment.*

Commissioner East asked how the Commission could address the issues that had been brought to their attention over the years.

Chairman Caviglia stated that he believed this was an attempt to simplify things by the Governor. He agreed that there was a need to in the future. He didn't think this report was the right place to address it however.

Commissioner East stated that she was just wondering if there was an opportunity in the future. She added that the report was well done.

COMMISSIONER MCNINCH MADE A MOTION TO APPROVE THE REPORT AS PRESENTED WITH THE NOTED CHANGE AND WITH EDITORIAL LICENSE AS NECESSARY TO FINALIZE THE DOCUMENT. SECONDED BY COMMISSIONER EAST. MOTION PASSED 9-0.

Chairman Caviglia stated that the report was well done.

**6. Future Commission Meetings – Secretary Jenne and Chairman Caviglia – For Possible Action**

The next Commission meeting is scheduled for May 5 and 6, 2023. The Commission will review and discuss potential agenda items for that meeting. The Commission may change the date, time, and meeting location at this time. The chairman may designate and adjust committee assignments and add or dissolve committees, as necessary at this time. Any anticipated committee meetings that may occur prior to the next Commission meeting may be discussed.

Chairman Caviglia introduced Item #6. He noted there would be a Heritage Committee meeting and Legislature Committee meeting.

Commissioner East suggested April 5<sup>th</sup> or 6<sup>th</sup> for the next Legislature Committee meeting.

Secretary Jenne suggested to schedule the Heritage Committee on the afternoon of May 4<sup>th</sup> and the Legislative Committee meeting on the morning of May 5<sup>th</sup>.

Chairman Caviglia agreed with those dates. He suggested to add a quick presentation on Edible Portions.

Secretary Jenne agreed to make it an informational agenda item.

**7. Public Comment Period**

Public comment will be limited to three minutes. No action can be taken by the Commission at this time; any item requiring Commission action may be scheduled on a future Commission agenda.

*No public comment.*

*Chairman Caviglia adjourned at 10:44am.*

\*Support material will be posted to the NDOW website under the corresponding calendar month and event, and will be provided at each in-person meeting. To view or download support material please visit <https://www.ndow.org/calendar/#>. Support material for this meeting may be requested from the Recording Secretary at (775) 688-1599 or [wildlifecommission@ndow.org](mailto:wildlifecommission@ndow.org). In accordance with NRS 241.020 this agenda closes three days prior to the meeting date and has been posted on the NDOW website under the calendar event at <https://www.ndow.org/calendar/#>.

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