

COMMITTEE MEMBERS:
CHAIRMAN SHANE ROGERS
COMMISSIONER DAVE MCNINCH
COMMISSIONER TOMMY CAVIGLIA
CABMW REPRESENTATIVE JOE CRIM
CABMW REPRESENTATIVE PAUL DIXON

STAFF TO THE COMMITTEE:
KAILEY MUSSO, MANAGEMENT ANALYST
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DRAFT MINUTES
NEVADA BOARD OF WILDLIFE COMMISSIONERS
REGULATION SIMPLIFICATION COMMITTEE
FRIDAY, APRIL 7, 2023 @ 9:00 AM

Please click this URL to join.

<https://us02web.zoom.us/j/84124550720?pwd=NzN0bHd4OVhoR3owZk5rN3llynpQZz09>

Passcode: 514645

Nevada Department of Wildlife personnel in attendance: Management Analyst Megan Manfredi, Director Alan Jenne, Deputy Director Mike Scott, Deputy Director Jordan Goshert, Deputy Attorney General Craig Burkett, Data and Technology Services Division Administrator Kim Munoz, Chief Game Warden Kristy Knight, Conservation Education Division Administrator Chris Vasey, Habitat Division Administrator Mark Freese, Diversity Division Administrator Jen Newmark, Wildlife Staff Specialist Jon Young, Wildlife Staff Specialist Jess Brooks, Management Analyst Kailey Musso

County Advisory Boards to Manage Wildlife (CABMW) Members and public in attendance: None

1. Call to Order, Pledge and Roll Call – Committee Chairman Shane Rogers

Chairman Shane Rogers called the meeting to order at 9:01 AM and led the pledge. Management Analyst Megan Manfredi conducted the roll call. Chairman Shane Rogers, Commissioner Dave McNinch, Commissioner Tommy Caviglia, CABMW Representative Paul Dixon, and CABMW Representative Joe Crim were present.

2. Approval of Agenda – Committee Chairman Shane Rogers – For Possible Action
The Committee will review the agenda and may take action to approve the agenda. The Committee may remove items from the agenda, continue items for consideration or take items out of order.

No public comment.

CABMW REPRESENTATIVE CRIM MOVED TO APPROVE THE AGENDA AS PRESENTED, SECONDED BY COMMISSIONER CAVIGILA. MOTION PASSED 5-0.

3. * Approval of Minutes – Committee Chairman Shane Rogers – For Possible Action
Committee minutes may be approved from the March 29, 2023 meeting.

Chairman Rogers complimented the Department staff on capturing the minutes. He noted changes to be made that include the word “as” within a paragraph on page three, removing the word “that” on page four, and changing the word “his” to “is” on page five.

CABMW Representative Dixon requested a lead-in on some comments noting the subject matter first on pages two and three.

Commissioner McNinch requested the word “confidence” be changed to the word “competence” on page four within a paragraph noting his comments on the guide exam.

No public comment.

COMMISSIONER MCNINCH MOVED TO APPROVE THE MINUTES AS PRESENTED WITH THE NOTED CHANGES, SECONDED BY CABMW REPRESENTATIVE CRIM. MOTION PASSED 5-0.

4. * Governor Lombardo’s Executive Order 2023-003, Review of Regulations for Removal and Clarification – Management Analyst Megan Manfredi – For Possible Action
The Committee will discuss the proposed regulations or sections of regulations in Nevada Administrative Code (NAC) 501, 502, 503, 504, and 576 for removal and clarification per Governor Lombardo’s Executive Order 003 directive.

Management Analyst Manfredi defined Governor Lombardo’s Executive Order 003 as the reason for the regulation review and that approved materials of the Committee will be forwarded to the Commission for review during the April 11, 2023 meeting. She noted two items for the Committee to review, the first being NAC 503.350 that the Committee requested be simplified during the previous Committee meeting. The second being regulations in NAC 576 which are chapters under the Department of Agriculture’s authority. The Department of Agriculture is working closely with the Department of Wildlife on these chapters as they affect both agencies and relate to alternative livestock which are currently prohibited by NAC 503.110.

Commissioner McNinch asked for clarification on the Department of Agriculture regulations and how they mesh with the Department of Wildlife regulations.

Director Alan Jenne answered that the Department is sharing them as an informational piece due to the authority of the NAC chapter being under the Department of Agriculture but items within the chapter affect both agencies. The Department of Agriculture agrees on removing the entirety of these regulations from their chapters.

At the Committee’s request, she began summarizing the list of regulations for clarification or removal.

CABMW Representative Dixon stated he spoke with several people about the change to the archery disability permit requirements and asked the Committee if they would be interested in discussing the addition of a limit the number of times a person could apply for the permit. People do have permanent disabilities and having them apply for the permit every year could create an undue burden for them.

Deputy Director Mike Scott stated there are people who are fraudulently using crossbows under this permit and it is not the Department’s intention to prohibit anyone from the ability of using a crossbow if they do have a permanent disability or in an instance if they truly need to. The Department shows nearly 300 people who have obtained one of these permanent disability permits. He requested of the Committee that the Department will accept any language proposed that would prohibit the fraudulent usage while also catering to those individuals with a permanent disability.

Commissioner McNinch shared his comfort with the proposed language change because it is aligned with other similar regulations, specifically the visual disability permit that allows the use of scopes with certain weapons.

CABMW Representative Dixon asked how having a person apply for the permit every year would help deter the fraudulent use.

Deputy Director Scott answered that the yearly application might not stop the fraudulent use but it would remove the ability to use the same request in the future. If someone was suspected of fraudulent use, we could investigate.

Chief Game Warden Kristi Knight added that supplying false information to the Department would be considered a misdemeanor and if they were to harvest an animal on that false information, it would be considered a felony charge which would lead to that individual not being allowed to own a firearm.

CABMW Representative Dixon stated that the conversation helped clarify some of his questions and knowing that people who abuse the system could be potentially prosecuted, he was in favor of the proposed changes.

Commissioner Caviglia also stated his comfort with the changes and added he did not see the need for an individual to apply every year as an undue burden based on the need to apply for tags on a yearly basis. He added it was possible that having the requirement to apply for the permit annually could help alleviate some of the fraudulent use.

Chairman Rogers agreed and he supported the change's consistency with other similar regulations.

Management Analyst Manfredi continued summarizing the list of regulations for clarification and removal.

No public comment.

COMMISSIONER MCNINCH MOVED TO APPROVE THE PROPOSED CHANGES TO THE REGULATIONS, INCLUDING THE CHANGES MADE TO NAC 503.350 AND SUPPORT THE CHANGES TO THE AGRICULTURE REGULATIONS IN NAC 576 AS PRESENTED, SECONDED BY CABMW REPRESENTATIVE CRIM. MOTION PASSED 5-0.

Commissioner McNinch praised the Department for their hard work in compiling the list of regulations in the short timeframe that was given by the Executive Order, as well as assisting the Committee through this process.

CABMW Representative Dixon added his praise as well stating that when he was asked to be a member of the Committee for this task, he was nervous at first based on the magnitude of the request, but the Department has made the process run very smoothly. He asked if the cleanup would continue now that the report for the Executive Order is almost complete.

Director Jenne answered that the Commission will review what the Committee has just reviewed and with their direction compile the report. The final report will be provided to the Commission at the May 5th meeting as support material. At that time, we will wait for feedback from the Governor's Office for additional direction or if additional action is needed by the Commission.

CABMW Representative Dixon asked if there was any plan to update the more regulations and listed a few that had been brought to him as potential items for change.

Director Jenne answered there was no plan to update regulations that are still considered newer regulations that had been changed in the past five or so years, but some regulations may need Commission action based on what bills will be approved out of the current Legislative Session.

5. Future Committee Meetings – Committee Chairman Shane Rogers – For Possible Action
The Committee will discuss potential agenda items for future committee meetings. The Committee may schedule its next meeting and may choose to recommend a meeting date or timeframe that corresponds with the next Board of Wildlife Commissioners meeting.

Chairman Rogers stated that the next Commission meeting will be April 11th which these regulation items will be brought forward at that time. Depending on the outcome of the Commission meeting would dictate if the Committee would need to meet again. He stated he would work with Department staff on any future meetings of the Committee.

No action was taken.

6. Public Comment Period
People wishing to speak are requested to sign in. Public comment will be limited to three minutes. No action can be taken by the Committee at this time; any item requiring Committee action may be scheduled on a future Committee agenda.

No public comment.

Chairman Rogers praised the Department on their work in this effort in the short period of time given, as well as the efforts of the Committee members.

The meeting was adjourned at 9:53 AM.