

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS
NEVADA DEPARTMENT OF WILDLIFE**

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066**

**LCB FILE NO. R105-16
Commission General Regulation 467**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 502

1. A clear and concise explanation of the need for the adopted regulation:

This regulation is intended to comply with Assembly Bill 136 of the 2015 Legislative Session. This bill requires the Nevada Board of Wildlife Commissioners to adopt regulations prescribing the circumstances under which a person may assist in the killing and retrieval of a wounded big game mammal by another person who: (1) is a paraplegic, has had one or both legs amputated or has suffered a paralysis of one or both legs which severely impedes the person's walking; and (2) has obtained a valid tag issued by the Department of Wildlife for hunting that animal.

2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary:

Public comment was solicited through two workshops of the regulation which involved the County Advisory Boards to Manage Wildlife (CABMW), the Nevada Board of Wildlife Commission and the public. The regulation workshops occurred during the Commission's August 12 and September 23, 2016 meetings. The public comments given were questions as to how many persons this regulation actually affected; we did not have that data available. Other comments were overall positive and supportive. In addition, comments were given indicating other laws from other states that may be of assistance to the Department in the regulation draft process. The regulation was adopted at the Commission's February 11, 2017 meeting, some public comments and discussion ensued related to possible future expansion of the types of disabilities that would be allowed. The parties involved were informed that this would require a change to statute. The minutes of the Commission meetings are available at:

http://www.ndow.org/Public_Meetings/Commission/Archive/

3. The number of persons who:

- (a) **Attended each hearing:** August 12, 2016: 34
September 23, 2016: 35
February 11, 2017: 41
- (b) **Testified at each hearing:** August 12, 2016: 4
September 23, 2016: 1
February 11, 2017: 3
- (c) **Submitted written comments:** None

4. For each person identified in number 3 above, the following information if provided to the agency conducting the hearing:

- (a) Name: Gil Yanuck
- (b) Telephone number: 775-841-3675
- (c) Business address: 4100 Lakeview Road, Carson City 89701
- (d) Business telephone number: 775-841-3675
- (e) Electronic mail address: gilcalif@att.net
- (f) Name of entity or organization represented: Carson City CABMW

- (a) Name: Jana Wright
- (b) Telephone number:
- (c) Business address: 500 S. Grand Central Pkwy, Las Vegas 89155
- (d) Business telephone number:
- (e) Electronic mail address:
- (f) Name of entity or organization represented: Clark County

- (a) Name: Paul Dixon
- (b) Telephone number: 505-665-4595
- (c) Business address: 9445 Grenville Ave, Las Vegas 89134
- (d) Business telephone number: 505-665-4595
- (e) Electronic mail address: noxid1960@gmail.com
- (f) Name of entity or organization represented: Clark County CABMW

- (a) Name: Carl Erquiaga
- (b) Telephone number:
- (c) Business address: 1625 Golden Park Way, Fallon
- (d) Business telephone number:
- (e) Electronic mail address:
- (f) Name of entity or organization represented: TRCP

- (a) Name: Fred Voltz
- (b) Telephone number:
- (c) Business address: 1805 N. Carson St #231, Carson City 89701
- (d) Business telephone number:
- (e) Electronic mail address:
- (f) Name of entity or organization represented: Recreationists

- (a) Name: Doug Martin, Carson City CABMW
- (b) Telephone number: 775-901-0453
- (c) Business address: 5000 Gentry Lane, Carson City 89701
- (d) Business telephone number: 775-901-0453

- (e) **Electronic mail address:**douglas.j.martin@att.net
- (f) **Name of entity or organization represented:** Carson City CABMW

- (a) **Name:** Sean Shea
- (b) **Telephone number:** 775-323-9090
- (c) **Business address:**10760 Santa Fe Road, Reno 89508
- (d) **Business telephone number:** 775-323-9090
- (e) **Electronic mail address:**sean@theheadmaster.com
- (f) **Name of entity or organization represented:** Washoe County CABMW

- (a) **Name:** Craig Burnside
- (b) **Telephone number:** 775-901-2882
- (c) **Business address:**1388 Saratoga St., Minden 89423
- (d) **Business telephone number:** 775-901-2882
- (e) **Electronic mail address:**burnside@charter.net
- (f) **Name of entity or organization represented:** Douglas County CABMW

5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary:

Comment was not solicited from small businesses. This regulation does not affect small businesses. This regulation contains guidelines for hunters.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change:

The summary of changes to the regulation are as follows: an addition of language requiring a certificate signed by a physician certifying acceptable disability; a clarification to having the assistant accompany the hunter in the field, a requirement for both hunter and assistant to have a copy of the permit in possession while in the field, a requirement that both hunter and assistant present the permit upon demand by a law enforcement officer, allowing multiple assistants on the permit while designating only one assistant to act in the capacity indicated in the permit at a time, removal of redundant language requiring signatures, in addition, some items were not altered but simply moved to different locations in the regulation.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) **Both adverse and beneficial effects on businesses; and**
There will be no adverse and beneficial economic effect of the proposed regulation on businesses.
- (b) **Both immediate and long-term effects on businesses:**
There will be no immediate and long-term economic effect of the proposed regulation on businesses.

- (a) **Both adverse and beneficial effects on the public; and**
There will be no adverse and beneficial economic effect of the proposed regulation on the public.
 - (b) **Both immediate and long-term effects on the public:**
There will be no immediate and long-term economic effects of the proposed regulation on the public.
- 8. **The estimated cost to the agency for enforcement of the adopted regulation:**
The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional cost to the agency above the current legislatively approved budget.
- 9. **A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:**
This regulation does not overlap or duplicate any local, state, or federal regulation.
- 10. **If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions:**
The amendments do not duplicate any federal laws regulating the same activity, nor strengthen others.
- 11. **If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**
The regulation does not propose new fees or increased fees.