

JAN 25 2019

Wildlife Staff Specialist Woolstenhulme answered that the bacteria already exist in water and reproduces when the climate is right to populate. It is then eaten by birds and the cycle begins.

Commissioner Hubbs asked if predators would carry botulism if they consume it.

Wildlife Staff Specialist Woolstenhulme answered that most are not bothered by it, but some avian predators focus on the sick birds as prey and can be affected but land predators are not affected.

The Commission was provided a viewing of the film on feral horses and burros entitled "Horse Rich, Dirt Poor" that has been sponsored by The Wildlife Society. Several current and former Department employees participated in filming various aspects.

8 Commission General Regulations – Workshop –Public Comment Allowed

A* Commission General Regulation 482, Public and Sellable Lists, LCB File No. R192-18 – Data and Technology Services Division Administrator Chet Van Dellen – Workshop/Public Comment Allowed

The Commission will hold a second workshop to consider amending Chapters 488 and 502 of the Nevada Administrative Code (NAC). This regulation clarifies the authority of the Department to remove specific personal information from any list sold or distributed by the Department or the Department's licensing vendor and makes it confidential. The regulation also simplifies how a person can request that their personal information remain confidential by removing the requirement that the request be in writing. The Commission held a workshop on November 2, 2018 and directed the Department to bring the regulation back for a second workshop for further discussion.

Data and Technology Services Administrator Van Dellen presented a PowerPoint describing the existing statute, the difference between the actual regulation and how the Department implements the regulation, the need to update the regulation, what the actual revision will be and the Department's commitment to improve that implementation (exhibit file).

The existing Nevada Revised Statute (NRS) Chapter 239 talks about public records and in NRS 239.010, section 1 reads "...unless otherwise declared by law to be confidential, all public books and public records of a government entity must be open at all times..." This is interpreted by the state as if there is a state regulation stating that something is confidential than that information can be protected by the government entity based on that regulation. The proposed regulation is to be compliant with the existing NRS. The current NAC reads, Upon the written request of a person who has obtained a certificate of number or a certificate of ownership, license, permit, tag or other licensing document from the Department pursuant to Title 45 of NRS, or any regulations adopted pursuant there to, the Department shall remove the name and other personal information of the person from any list sold by the Department. This is on the books right now and is what we must currently follow.

The Department follows this regulation by asking customers a question when they create their account on the licensing website and when they do business at any licensing agent or at the counter that the Department is selling a product through. Currently the question is "remove from public or sellable lists?" It is a yes or no question. If you say yes, The Department takes that as the customer would like to be removed from anything the Department distributes. If you say no,

we consider that you would like to remain on anything the Department distributes. That implementation includes anything the Department may or may not sell, distribute for free, post on the website, including draw results. If you request public records from the Department, the Department will redact your name and address and other personal information from the request if you checked yes to that question. That is the Department's current practice to follow the current regulation.

Concerning the public draw results, if a customer checked yes to this question, we did not include their name or address or any other information in the public draw results. The draw results were posted as a PDF file because PDF readers are freely available and is a static product that is not sortable although a person could have their own software that can convert it to a format that is sortable. The Department sorted the list by customer name because we felt that it was arbitrary, it did not imply anything to the results although there was concern regarding finding specific hunts because it was not sorted by hunt. The Department asked customers if they wished to be removed from the draw results which was a departure from prior years, but we felt that it would make us compliant with the existing regulation.

The problem with the existing regulation is that the way it is written right now states that a person who has "obtained" a tag or license but does not include anyone who has "applied" for a tag. So those who are unsuccessful are not covered by the regulation. It also omits the word "confidential" and we need that word to be compliant with the statute determining whether we can withhold or redact information upon request. These two important things are needed to update this regulation to be compliant with the current statute.

Any regulation change requires a small business impact statement. The small business impact was considered before the regulation was drafted. A survey was put online and was emailed to every licensed master guide and taxidermist in our system from 2018, it was open for over a month and the Department received 73 responses. Of the 32 businesses, 44 percent, said they do not request the list from the Department. Of the 41 businesses, 33 percent, said they do request the list but only 25 of them said that it was essential to their business. It was a mixed result.

Possible ways to update the current regulation is to add the term "confidential" to be compliant with the statute mentioned earlier and include anyone who "applies" for a tag as well as "obtains" a tag so successful and unsuccessful applications will have the protection. The term "distributed" is not fully covered by the regulation, it just says anything "sold" by the Department. The Department is committed to being transparent and compliant with the public record's intent, where anything done by the government should be open to scrutiny and due diligence. However, to meet that, we have stopped charging for public records requests since most of the information requested is readily available, easily to compile in a friendly data set and is not financially worth the administrative effort to collect the funds. The term "distributed" will be added because most of the data is not being sold and this would cover anything that is given out for free.

We want to state that our licensing vendor is covered by this regulation and be clear that the licensing vendor can not give out any information that the Department would otherwise not give out. Clarification on what defines personal information is also needed. The original regulation simply said name and other personal information. We added address and phone number since we found this in another NRS, which has to do with security and privacy of personal information.

This statute defines what personal information as; first and last name, home or other physical address, email address, telephone number, social security number, any identifier that allows a person to be contacted either physically or online and any other information that in combination with an identifier could make the information personally identifiable. This is the standard that we would like to get to when we talk about other personal information.

The Department's implementation has been adjusted after hearing concerns from the public and the Commission. Two questions will now be added, one asking, "Do you still want to be on the tag result list?" and the other asking "Do you want to be removed from other lists?" Both are yes or no questions. The Department wanted to keep it at two questions to not slow the application process down. The Department also wants to improve the tag draw result posting by offering it in PDF and Excel so anyone can download it and sort it accordingly. Prior year results are still available upon request. Instead of completely removing a customer from the draw results if that's what they choose, the Department will redact that customer's name showing the customer wished to be removed but also showing that every tag was allocated and done in a transparent manner.

Commissioner Hubbs asked for clarification on the other options being presented instead of just one opt out question.

Data and Technology Services Administrator Van Dellen reiterated the wording of the regulation as well as the implementation of the regulation. He explained the two questions and stated that the second question includes marketing or other entities that request a list from the Department.

Vice Chairman Valentine asked how often the questions will be asked to the customer.

Data and Technology Services Administrator Van Dellen said that once the questions are answered, they can be changed under the customer's personal information section of their profile.

Commissioner Barnes asked what personal information is given out if a box is not checked.

Data and Technology Services Administrator Van Dellen said that a person's social security number is protected regardless of a checked box but that each request is unique to what the requestor is asking for and will only include what they are asking for. He also said that the draw results would include a customer's name, city and state.

Commissioner Caviglia asked the percentage of the customers in the recent year who opted out of having their personal information available.

Data and Technology Services Administrator Van Dellen replied with over 80 percent but stated that could fluctuate with the addition of another clarifying question.

Commissioner East asked for clarification if a person does not request removal, would they still be included in the upcoming results?

Data and Technology Services Administrator Van Dellen answered yes and stated that the current regulation as written has customer information as public information unless requested otherwise.

No Public Comment in Las Vegas.

Public Comment in Reno:

Rachel Buzzetti, representing the Nevada Outfitters and Guides Association, stated that the sellable lists are important to the hunting guide's businesses and that the recent option to be removed had a significant impact. She said it helps the businesses by being able to use the sellable list and without the clients to advertise to could increase the number of unlicensed guides being used.

Henry Krenka, President of the Nevada Outfitters and Guides Association, stated that landowners with landowner tags would not have the resource to sell their tags with so many people opting out of the sellable list and should be provided a list of successful tag holders for their personal use. He also stated that he had no issue with people writing in to opt out of the list and that the Department has overstepped by offering this option. He asked for no regulation change.

Mitch Buzzetti, representing the Nevada High Desert Outfitters, stated that the regulation will cause hardship for family businesses by taking a cut in profits. He feels personally attacked by this regulation and said that it should be left alone.

Don Molde, Private Citizen, stated that wildlife belongs to everyone and not just the sportsmen. He is in favor of leaving the regulation alone for public transparency.

Rex Flowers, Private Citizen, agrees that people have the right to privacy and the option to opt out of the sellable list. He thinks there should be two different questions, to opt out of the tag results and to opt out of the sellable list. He also stated that all lists should be paid for regardless of who requests it.

Walt Gardner, Private Citizen, stated that the Department needs to be transparent with the tag draw results and there has been fighting about the results posted which is why a private contractor was hired to begin with. County websites show public information that the Department is trying to protect.

Gerald Lent, representing Nevada Hunter's Association, requested six minutes of testimony for himself as well as his organization. He stated there was confusion on what tag information was given out for the tag draw in the past twenty years. The exhibits provided shows the information hunters would receive in past years. Exhibit ten was information guides were given. He stated that the majority of those harassed have posted pictures on social media. Sportsmen did not have issue with the public draw results in the past and a regulation change is not necessary. He states that tag draw results are not declared confidential under NRS 239 and gave examples of public records comparing them to the tag draw results. Voting law states that a written request is needed to verify the person requesting confidentiality is the same, which is like NCA 502.211 and should be the same for tag results. He gave examples of public record from court cases as well as added that the Governor's calendar is also public record. He said the changes in the regulations were not needed as most people did not use the option in the past. He included a written statement and exhibit files as follows:

Gerald Lent's Written Testimony

My public comments for the Friday January 25, 2019 Commission Meeting to be included in all minutes as I requested. Thank You

Gerald Lent for the record: Since you will be voting on a Regulation next time, I have some important information for you.

I've attended the tag draw for the last 18 years except last year when I was refused by the Director to attend, saying it was not a public event.

So in the lunch recess, I went back and checked some data: In 18 years only 1-2 people per year wanted to opt out of the draw AND in many years ZERO people wanted to opt out, and the only people then who wanted to opt out were ones who didn't want their information sold to Cabella's, etc. Every single one!

Especially the Sportsmen's representatives on this Commission should know what the people they represent really want.

Over 99% plus of all applicants want to see a list of successful and unsuccessful applicants.

Sportsmen love this transparency and loved the system they had. Just do a drop down on the application.

PLUS : the Request For Proposal and Contract that Kalkomey executed required the successful and unsuccessful list to be published! It stated you will produce the results – not individually – that included everybody! THE CONTRACT WAS VIOLATED !

Also: Commission General Regulation 18-10 says: Draw results information will not be released IN ANY WAY before the draw results are posted on line. Kalkomey violated this lawful regulation that WE have to abide to! I HAVE ABSOLUTE PROOF OF THIS! THE CONTRACT WAS VIOLATED AGAIN!

EXHIBIT 1

FIRST THERE WAS A SET OF CHOICES

2017 Main Big Game Draw Results

Withdrawn Applicants

Ineligible Applicants

Successful Applicants

Unsuccessful Applicants

Rejected Applicants

Bonus Point Earned Applicants

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EXHIBIT 2

Successful Applicants

Name	City	Hunt	Area
OAKES, ERIC L	CRESCENT VALLEY	RES JUNIOR MULE DEER HUNT 1107	141
ABATTI JR, BEN C	HOLTVILLE	RES ANTLERED MULE DEER ANTLERED HUNT 1331	111E
ABATTI JR, BEN C	HOLTVILLE	NONRES MOUNTAIN LION HUNT 5232	001
ABBE, BRANDON R	LAS VEGAS	RES ANTLERED ELK HUNT 4151	161L
ABBEY, DUSTIN S	LAS VEGAS	RES ANTLERED MULE DEER ANTLERED HUNT 1331	101M
ABBIE, TONY R	SPARKS	RES ANTLERED MULE DEER ARCHERY HUNT 1341	101E
ABBOTT, ANNA C	LAS VEGAS	RES ANTLERLESS ELK HUNT 4181	222E
BBOTT, CADE P	HENDERSON	RES JUNIOR MULE DEER HUNT 1107	221
ABBOTT, CLIFFORD A	LAS VEGAS	RES ANTELOPE HORNS LONGER THAN EARS HUNT 2151	101
ABBOTT, COLT T	HENDERSON	RES JUNIOR MULE DEER HUNT 1107	221
ABBOTT, EARL S	LAS VEGAS	RES ANTELOPE HORNS SHORTER THAN EARS HUNT 2181	114
ABBOTT, GEORGE W	GARDNERVILLE	RES ANTLERLESS ELK HUNT 4181	072E
ABBOTT, JONATHAN D	HENDERSON	RES NELSON DESERT BIGHORN SHEEP HUNT 3151	264
ABBOTT, JOSEPHINE	HENDERSON	RES JUNIOR MULE DEER HUNT 1107	231
ABBOTT, JOSEPHINE	HENDERSON	RES ANTELOPE HORNS LONGER THAN EARS HUNT 2151	078
ABBOTT, JOSH	HENDERSON	RES JUNIOR MULE DEER HUNT 1107	221
ABBOTT, KENNETH M	NORTH LAS VEGAS	RES ANTELOPE HORNS LONGER THAN EARS HUNT 2151	078
ABBOTT, MARGARET L	FALLON	RES ANTLERED MULE DEER ANTLERED HUNT 1331	181
ABBOTT, PAMELA A	NORTH LAS VEGAS	RES ANTLERLESS ELK HUNT 4181	111E
ABBOTT, PERRY E	MESQUITE	RES ANTELOPE HORNS LONGER THAN EARS HUNT 2151	111
ABBOTT, SHARON L	GARDNERVILLE	RES ANTLERLESS ELK HUNT 4181	072E
ABBOTT, STEPHEN A	LAS VEGAS	RES ANTLERED MULE DEER ANTLERED HUNT 1331	131E
ABBOTT, STEPHEN A	LAS VEGAS	RES ANTLERED ELK ARCHERY HUNT 4161	108

EXHIBIT 3

Unsuccessful Applicants

Name	City	Hunt	Area
AASEN, NATHAN J	DAWSON CREEK	NR NELSON BIGHORN (3251)	268
AASEN, NATHAN J	DAWSON CREEK	SILVER STATE NELSON DESERT BIGHORN SHEEP HUNT 3300	995
AASEN, NATHAN J	DAWSON CREEK	NR CALIFORNIA BIGHORN (8251)	032
AASEN, ROBERT A	DAWSON CREEK	NR NELSON BIGHORN (3251)	267
AASEN, ROBERT A	DAWSON CREEK	NR CALIFORNIA BIGHORN (8251)	032
ABATTI, JAMES	BRAWLEY	NONRES PIW ANTLERED MULE DEER HUNT 1200	999
ABATTI, JAMES	BRAWLEY	RES ANTLERED MULE DEER ANTLERED HUNT 1331	271
ABATTI, MICHAEL A	EL CENTRO	NONRES PIW ANTLERED MULE DEER HUNT 1200	999
ABATTI, MICHAEL A	EL CENTRO	RES ANTLERED MULE DEER ANTLERED HUNT 1331	271
ABATTI, MICHAEL A	EL CENTRO	NR NELSON BIGHORN (3251)	242†
ABBE, BRANDON R	LAS VEGAS	RES ANTLERED MULE DEER ANTLERED HUNT 1331	161E
ABBE, BRANDON R	LAS VEGAS	ANTLERLESS MANAGEMENT ELK (4111, 4176, 4181)	161E
ABBEY, DUSTIN S	LAS VEGAS	RES ANTLERLESS ELK (4111, 4176, 4181)	072L
ABBEY, JEREMY R	ELY	RES ANTLERED MULE DEER MUZZLELOADER HUNT 1371	221
ABBEY, JEREMY R	ELY	RES ANTELOPE HORNS LONGER (2151, 2161, 2171)	078
ABBEY, JEREMY R	ELY	RES NELSON BIGHORN (3151)	212E
ABBEY, JEREMY R	ELY	RES ANTLERED ELK (4151, 4156, 4161)	111
ABBEY, JEREMY R	ELY	RES ANTLERLESS ELK (4111, 4176, 4181)	111
ABBEY, KYLE M	HARRODSBURG	NR ANTLERED ELK (4251, 4256, 4261)	111
ABBOTT, ANNA C	LAS VEGAS	RES ANTLERED MULE DEER ANTLERED HUNT 1331	221E
ABBOTT, BONNIE B	LAS VEGAS	RES ANTLERED MULE DEER ANTLERED HUNT 1331	101M
ABBOTT, BONNIE B	LAS VEGAS	RES ANTLERLESS ELK (4111, 4176, 4181)	111L
ABBOTT, CHAD D	MESQUITE	SILVER STATE MULE DEER HUNT 1300	996

EXHIBIT 4

Rejected Applicants

Name	City	Hunt	Area
BAKER, JAMES R	VERDI	RES ANTLERED MULE DEER MUZZLELOADER HUNT 1371	194
BAKER, JAMES R	VERDI	RES ANTLERED ELK (4151, 4156, 4161)	161
BAKER, JAMES R	VERDI	RES SPIKE ELK (4641, 4651)	076L
BASS JR, JAMES R	LAS VEGAS	RES ANTELOPE HORNS LONGER (2151, 2161, 2171)	N/A
BASS JR, JAMES R	LAS VEGAS	RES ANTLERED ELK (4151, 4156, 4161)	N/A
BENEDETTI, EUGENE R	RENO	RES SPIKE ELK (4641, 4651)	N/A
BENEDETTI, EUGENE R	RENO	RES ANTLERED MULE DEER ANTLERED HUNT 1331	194
BENEDETTI, EUGENE R	RENO	RES NELSON BIGHORN (3151)	202
BENEDETTI, EUGENE R	RENO	RES ANTLERED ELK (4151, 4156, 4161)	076E
BENNETT, JOHN H	MINDEN	ANTLERED MULE DEER (1331, 1341, 1371)	N/A
BENNETT, JOHN H	MINDEN	RES ANTELOPE HORNS LONGER (2151, 2161, 2171)	N/A
BENNETT, JOHN H	MINDEN	RES ANTLERED ELK (4151, 4156, 4161)	N/A
BERRY, JESSE W	SPARKS	NR ANTLERED ELK (4251, 4256, 4261)	BP
BERRY, JESSE W	SPARKS	SILVER STATE ELK HUNT 4300	997
BIRTZER, STEVEN J	FALLON	RES ANTELOPE HORNS LONGER (2151, 2161, 2171)	181
BLOXSOM, THOMAS P	GOLDEN VALLEY	ANTLERED MULE DEER (1331, 1341, 1371)	N/A
BOEHM, ROGER E	LAS VEGAS	RES ANTLERED ELK (4151, 4156, 4161)	N/A
BOWMAN, JACOB I	NORTH LAS VEGAS	RES ANTLERLESS MULE DEER (1181)	N/A
BRADFORD, HUNTER	MEDFORD	ANTLERED MULE DEER (1331, 1341, 1371)	N/A
BRADFORD, HUNTER	MEDFORD	NR ANTELOPE HORNS LONGER (2251, 2261)	N/A
BRADFORD, HUNTER	MEDFORD	NR CALIFORNIA BIGHORN (8251)	N/A
BRADFORD, HUNTER	MEDFORD	NR ANTLERED ELK (4251, 4256, 4261)	N/A
BREIDEL, DOLLY A	WELLS	RES ANTLERED ELK (4151, 4156, 4161)	076E

EXHIBIT 5

**Withdrawn Applicants
(Continued)**

Name	City	Hunt	Area
SULLIVAN, KEVIN D	LAS VEGAS	RES ANTELOPE HORNS LONGER (2151, 2161, 2171)	BP
SWAFFORD, JESSICA L	ROUND MOUNTAIN	RES ANTELOPE HORNS LONGER (2151, 2161, 2171)	161
SWANSON, GERALD P	LOGANDALE	RES ANTELOPE HORNS LONGER (2151, 2161, 2171)	115
TALLMAN, ALLISON	SPARKS	RES ANTLERLESS ELK (4111, 4176, 4181)	111L
TALLMAN, ALLISON	SPARKS	RES ANTLERLESS ELK (4111, 4176, 4181)	111L
TALLMAN, DENNIS G	SPARKS	RES ELK DEPREDATION (4102)	101E
TATRO, MARK I	RENO	RES ANTLERLESS ELK (4111, 4176, 4181)	072
THATCHER, TREVOR	DRAPER	RES ANTLERED MULE DEER ARCHERY HUNT 1341	071E
THOMAS, ROGER	SAN FRANCISCO	NONRES PIW ANTLERED MULE DEER HUNT 1200	999
THOMAS, ROGER	SAN FRANCISCO	RES ANTLERED MULE DEER ANTLERED HUNT 1331	231
THOMAS, ROGER	SAN FRANCISCO	NR ANTLERED ELK (4251, 4256, 4261)	231E
THOMAS, SYDNEY R	YERINGTON	RES ANTLERED MULE DEER ARCHERY HUNT 1341	203L
THOMAS, TIMMY D	RENO	RES NELSON BIGHORN (3151)	213E
THOMAS, TIMMY D	RENO	RES ANTLERED ELK (4151, 4156, 4161)	221
THOMAS, TIMMY D	RENO	RES MOUNTAIN GOAT (7151)	102
THOMAS, TIMMY D	RENO	RES CALIFORNIA BIGHORN (8151)	032
THOMAS, TIMMY D	RENO	RES ROCKY MOUNTAIN BIGHORN (9151)	114L
THOMPSON, CODY J	HENDERSON	RES ANTLERED MULE DEER ANTLERED HUNT 1331	121L
THOMPSON, CODY J	HENDERSON	RES ANTLERLESS ELK (4111, 4176, 4181)	231L
THOMPSON, DAPHNE	BOULDER CITY	RES JUNIOR MULE DEER (1107)	261
THOMPSON, KENNETH I	TRACY	RES ANTLERED MULE DEER ANTLERED HUNT 1331	221E

EXHIBIT 6

Ineligible Applicants

Name	City	Hunt	Area
ABBE, BRANDON R	LAS VEGAS	RES PIW ANTLERED ELK HUNT 4000	999
ABBOTT, ANNA C	LAS VEGAS	ANTLERLESS MANAGEMENT ELK (4411, 4476, 4481)	22 1E
ABBOTT, JONATHAN D	HENDERSON	SILVER STATE NELSON DESERT BIGHORN SHEEP HUNT 3300	995
ABBOTT, STEPHEN A	LAS VEGAS	RES ANTLERLESS ELK (4111, 4176, 4181)	23 1E
ABERCROMBIE, JOHN V	LAS VEGAS	SILVER STATE MULE DEER HUNT 1300	996
ABLES, JUSTIN E	LAMOILLE	RES PIW NELSON BIGHORN SHEEP HUNT 3000	999
ABLES, JUSTIN E	LAMOILLE	SILVER STATE NELSON DESERT BIGHORN SHEEP HUNT 3300	995
ABLES, JUSTIN E	LAMOILLE	RES ANTLERLESS ELK (4111, 4176, 4181)	22 1L
ABLES, JUSTIN E	LAMOILLE	SILVER STATE ELK HUNT 4300	997
ABRAMS, MICHAEL W	CARLIN	ANTLERLESS MANAGEMENT ELK (4411, 4476, 4481)	N/A
ABRAMSON, JOHN R	SPRING CREEK	ANTLERLESS MANAGEMENT ELK (4411, 4476, 4481)	072E
ABRAMSON, NICHOLE L	SPRING CREEK	SILVER STATE ANTELOPE HUNT 2300	998
ABREGO ABREGO, JOSE A	LAS VEGAS	RES PIW MULE DEER HUNT 1000	999
ACKERMAN, AUSTIN R	CARSON CITY	RES PIW MULE DEER HUNT 1000	999
ACKLEY, APRIL A	RENO	RES PIW ANTLERED ELK HUNT 4000	999
ACORD, DAROLD D	SPRING CREEK	RES ANTLERLESS ELK (4111, 4176, 4181)	076E
ACOSTA, RICHARD L	RENO	ANTLERLESS MANAGEMENT ELK (4411, 4476, 4481)	N/A
ACOSTA, RIGOBERTO	LAS VEGAS	RES ANTLERLESS ELK (4111, 4176, 4181)	161 L
ACUM, JULIO M	RENO	ANTLERLESS MANAGEMENT ELK (4411, 4476, 4481)	N/A
ADAMS, BRETT R	LAS VEGAS	SILVER STATE MULE DEER HUNT 1300	996
ADAMS, JACOB C	BATTLE MOUNTAIN	RES PIW MULE DEER HUNT 1000	999

EX HABIT 7

Bonus Point Earned Applicants

Name	City	Hunt	Area
AARDEMA, JOHN S	WEST POINT	RES ANTLERED MULE DEER ANTLERED HUNT 1331	BP
AARDEMA, JOHN S	WEST POINT	NR ANTELOPE HORNS LONGER (2251, 2261)	BP
AARDEMA, JOHN S	WEST POINT	NR ANTLERED ELK (4251, 4256, 4261)	BP
ABATTI JR, BEN C	HOLTVILLE	NR ANTELOPE HORNS LONGER (2251, 2261)	BP
ABATTI JR, BEN C	HOLTVILLE	NR NELSON BIGHORN (3251)	BP
ABBOTT, CHAD D	MESQUITE	RES NELSON BIGHORN (3151)	BP
ABBOTT, CHAD D	MESQUITE	RES NELSON BIGHORN (3151)	BP
ABBOTT, CHAD D	MESQUITE	RES BLACK BEAR (6151, 6351)	BP
ABBOTT, CHAD D	MESQUITE	RES MOUNTAIN GOAT (7151)	BP
ABBOTT, CHAD D	MESQUITE	RES ROCKY MOUNTAIN BIGHORN (9151)	BP
ABBOTT, CHANDLER C	MESQUITE	RES NELSON BIGHORN (3151)	BP
ABBOTT, CODY E	FISHTAIL	RES ANTLERED MULE DEER ANTLERED HUNT 1331	BP
ABBOTT, JACOB M	MAPLETON	RES ANTLERED MULE DEER ANTLERED HUNT 1331	BP
ABBOTT, JACOB M	MAPLETON	NR ANTLERED ELK (4251, 4256, 4261)	BP
ABBOTT, STEVEN P	LAS VEGAS	RES NELSON BIGHORN (3151)	BP
ABBOTT, STEVEN P	LAS VEGAS	RES MOUNTAIN GOAT (7151)	BP
ABBOTT, TONY L	MAPLETON	NR NELSON BIGHORN (3251)	BP
ABBOTT, TONY L	MAPLETON	NR ANTLERED ELK (4251, 4256, 4261)	BP
ABBOTT, TONY L	MAPLETON	NR MOUNTAIN GOAT (7251)	BP
ABBOTT, TONY L	MAPLETON	NR CALIFORNIA BIGHORN (8251)	BP
ABDELLA, DON S	POWAY	NR ANTELOPE HORNS LONGER (2251, 2261)	BP
ABDELLA, DON S	POWAY	NR NELSON BIGHORN (3251)	BP
ABDELLA, DON S	POWAY	NR ANTLERED ELK (4251, 4256, 4261)	BP

EXHIBIT 8

I requested this when I was chairman of the Commission to show hunters everyone in their "HUNT" who also was successful.

Successful Applicants By Hunt And Choice

Hunt	Description
Click Here For: 1000	RES PIW MULE DEER HUNT 1000
Click Here For: 1107	RES JUNIOR MULE DEER HUNT 1107
Click Here For: 1181	RES ANTLERLESS MULE DEER HUNT 1181
Click Here For: 1200	NONRES PIW ANTLERED MULE DEER HUNT 1200
Click Here For: 1300	SILVER STATE MULE DEER HUNT 1300
Click Here For: 1331	RES ANTLERED MULE DEER ANTLERED HUNT 1331
Click Here For: 1341	RES ANTLERED MULE DEER ARCHERY HUNT 1341
Click Here For: 1371	RES ANTLERED MULE DEER MUZZLELOADER HUNT 1371
Click Here For: 2000	RES PIW ANTELOPE HUNT 2000
Click Here For: 2151	RES ANTELOPE HORNS LONGER THAN EARS HUNT 2151
Click Here For: 2161	RES ANTELOPE HORNS LONGER THAN EARS ARCHERY HUNT 2161
Click Here For: 2171	RES ANTELOPE HORNS LONGER THAN EARS MUZZLE HUNT 2171
Click Here For: 2181	RES ANTELOPE HORNS SHORTER THAN EARS HUNT 2181
Click Here For: 2251	NONRES ANTELOPE HORNS LONGER THAN EARS HUNT 2251
Click Here For: 2261	NONRES ANTELOPE HORNS LONGER THAN EARS ARCHERY HUNT 2261
Click Here For: 2300	SILVER STATE ANTELOPE HUNT 2300
Click Here For: 3000	RES PIW NELSON BIGHORN SHEEP HUNT 3000
Click Here For: 3151	RES NELSON DESERT BIGHORN SHEEP HUNT 3151

EXHIBIT 9

Good Law Enforcement tool also.

**SUCCESSFUL RES NELSON DESERT BIGHORN SHEEP
HUNT 3151 APPLICANTS**

Choice		Description
Click Here For:	592	UNITS 044, 182
Click Here For:	593	UNITS 045, 153 EARLY
Click Here For:	594	UNITS 045, 153 LATE
Click Here For:	595	UNITS 131*, 164*
Click Here For:	596	UNIT 132
Click Here For:	597	UNITS 133, 245
Click Here For:	598	UNIT 134
Click Here For:	599	UNIT 161 EARLY
Click Here For:	600	UNIT 161 LATE
Click Here For:	601	UNITS 162, 163
Click Here For:	602	UNIT 173
Click Here For:	603	UNIT 181**
Click Here For:	604	UNIT 183
Click Here For:	605	UNIT 184
Click Here For:	606	UNIT 202
Click Here For:	607	UNIT 204
Click Here For:	608	UNIT 205

EXHIBIT 10

first_name	last_name	awarded_tag	hunt_name	address1	address2	city	state	zip
Michael	Yonker	Silver State	Nelso Species - Nelson	5050 Canyon Dr		Reno	US-NV	89519
Kody	Menghini	Res Mule Deer	PI Season - Any Opi	2226 Campton St		Ely	US-NV	89301
Mark	Cox	Res Mule Deer	PI Season - Any Opi	PO BOX 151604		ELY	US-NV	89315
DAVID	WOESLAW	Res Antelope	PIW Season - Any Opi	925 Caddoa Dr		Spring Cre	US-NV	89815
TONY	HEPBURN	Res Mule Deer	PI Season - Any Opi	18132 Cedar View Dr		Reno	US-NV	89508
Jerad	Smith	Res Mule Deer	PI Season - Any Opi	942 Wilson Ave		Battle Mo	US-NV	89820
Sarah	Leary	Res Mule Deer	PI Season - Any Opi	2446 Anqua Dr		Sparks	US-NV	89434
Marvin	Henriod	Res Rocky Mount	Species - Rocky M	PO Box 150008		Ely	US-NV	89315
Tyler	Jackson	Res Black Bear	EII Species - Black B	2348 Wildwood Way		Elko	US-NV	89801
Walter	Stoklosa	NR Nelson (Dese	Species - Nelson	2724 W Cookie Jar Cir		Cedar City	US-UT	84720
Curtis	Hopson	NR Nelson (Dese	Species - Nelson	2077 W JORDAN VILL		WEST JORI	US-UT	84088
Rick	Hopeck Sr	NR Nelson (Dese	Species - Nelson	21 Joyce Rd		Mechanicv	US-NY	12118
Tim	Adkins	NR Mule Deer	An Species - Mule D	PO Box 918		Durham	US-CA	95938
Rick	Gloege	NR Mule Deer	An Species - Mule D	PO Box 447		Graton	US-CA	95444
Toutan	Henry	NR Mule Deer	An Species - Mule D	807 W Ohio Match Rc		Rathdrum	US-ID	83858
Lonnie	Workman	NR Elk Antlered	Species - Elk : Dr:	19664 E Knollcrest Dr		Covina	US-CA	91724
Courtney	Spring	Res Black Bear	EII Species - Black B	1571 Hilltop Rd		Battle Mo	US-NV	89820
Matthew	Halpin	NR Mule Deer	An Species - Mule D	311 Rocky Top Rd		Kalama	US-WA	98625
Danny	Riddle	Res Mountain Go	Species - Mount:	HC 60 Box 605		Ruby Valle	US-NV	89833
Ryan	Merin	NR Nelson (Dese	Species - Nelson	3439 Brookside Rd St		Stockton	US-CA	95219
JASON	BORSINI	Res Mountain Go	Species - Mount:	310 N MOUNTAIN VIE		YERINGTO	US-NV	89447
JOHN	COOPER	Res California	Big Species - Califorr	399 BRENT LN		SPRING CR	US-NV	89815
Lonnie	Ritchey	NR Antelope Hori	Species - Antelof:	12224 Fenimore Dr		Moreno V:	US-CA	92555
Douglas	Willard	NR Nelson (Dese	Species - Nelson	147 Talerico Rd		Horsehead	US-NY	14845
Miguel	Betancour	Res California	Big Species - Califorr	157 Twin Bridges		Spring Cre	US-NV	89815
Mike	Simon	Res Mountain Go	Species - Mount:	PO Box 15: 2255 Soutl		Ely	US-NV	89315
April	Simpson	Res Elk Antlerless	Species - Elk : Dr:	6520 N Tioga Way		Las Vegas	US-NV	89131
Ralph	Adams	NR Nelson (Dese	Species - Nelson	PO Box 1127		Cottonwo	US-CA	96022
Norman	Mustain Jr	Res California	Big Species - Califorr	85 Appaloosa Cir		Reno	US-NV	89508
DONALD	CAPELLI	Res Nelson (Dese	Species - Nelson	PO Box 282		Austin	US-NV	89310
Eric	Robison	Res California	Big Species - Califorr	2986 Matese Dr		Hendersor	US-NV	89052
Rodney	Watson	NR Elk Antlered	Species - Elk : Dr:	92259 Highway 202		Astoria	US-OR	97103
Frederick	Miller	Res Nelson (Dese	Species - Nelson	5350 Kirn Rd		Fallon	US-NV	89406
JOSHUA	SCOTT	Res Antelope Ho	Species - Antelof:	252 Cruden Bay Dr		Dayton	US-NV	89403
Brock	Riggs	Res Black Bear	EII Species - Black B	14 Carrington Way		Reno	US-NV	89506
Bradley	Gigliotti	NR Nelson (Dese	Species - Nelson	819 Rock Run Rd		Punxsutaw	US-PA	15767
GARY	FURMAN	Res California	Big Species - Califorr	655 Monte Vista Driv		Reno	US-NV	89511

*This is the list given to the
Guides*

Shane Evans, Private Citizen, is a master guide in Nevada and recommends adding the question, "Would you like your name to go to a master guide?"

Paul Dixon, Clark CABMV, asked if a drop-down menu or check box option online would be the same as a written request paper trail. He then stated that what the Department has put together is the same, only easier.

Public Comment in Elko:

Bill Gibson, Private Citizen, included written statement as follows:

1/25/2019

NEVADA BOARD OF WILDLIFE COMMISSIONERS

Thank you for the opportunity to present concerns



My name is William S. "Bill" Gibson and have owned & operated Elko Guide Service since 1976.

I am and have been a licensed Nevada Master Guide for over 40 years

I have served on the ELKO CONVENTION CENTER MARK COMMITTEE, Elko County Wildlife Advisory Board, received Nevada Commission on Tourism Development Awards and was appointed by 2 Nevada Governors Richard Bryan and Robert Miller to the Nevada Guides Advisory Board. Yes, Virginia, there was a time when Nevada licensed guides, legislators, sportsmen and tourism officials saw a need to advise the Department and Commission on guide-related matters such as

1. FAIR, OPEN, HONEST AND TRANSPARENT BIG GAME TAG DRAWINGS.
2. PUBLICLY AVAILABLE RESULTS - SUCCESSFUL, UNSUCCESSFUL REJECTED AND WITHDRAWN
3. SPECIAL MULE DEER TAGS AVAILABLE THROUGH NEVADA GUIDES
4. INCREASING POPULATIONS OF BIG GAME THROUGH TRAPPING

TRANSPLANTING & INTRODUCTIONS MOST NOTABLY ELK, SHEEP, & ANTELOPE.
THE SUCCESSORS WERE MANY AND APPARENT TO ALL. NDOU
DECIDED THEY DID WANT OR NEED ANY MORE GUIDE INFO
SO FUNDING WAS WITHHELD AND THE GUIDE ADVISORY BOARD
WAS DISBANDED. I WONDER IF ANY COMMISSIONERS NOW
SERVING EVEN KNOW THAT THERE EVER WAS A NEVADA GUIDE
ADVISORY BOARD?

MOST OF US WERE VERY HAPPY WITH THE DRAWINGS BEING
HELD IN FALLON, NEVADA AND THE COURTESY/PROFESSIONALISM
OF THE WILDLIFE ADMINISTRATIVE SERVICES STAFF.

IN 2017 I WAS INFORMED THAT A NEW DRAWING PROVIDER
HAD BEEN CHOSEN BUT WAS ASSURED THAT THINGS WOULD RUN
SMOOTHLY AND RESULTS OF THE GUIDED NON-RES. TAG DRAWING
PROVIDED THE SAME AS IN PAST YEARS. WHAT NDOU DID
NOT SAY WAS THAT THE GENERAL TAG DRAWING PROCESS
(ON WHICH WE ALSO DEPEND) WOULD BE COMPLETELY
DESTROYED... NO PAPER APPLICATIONS, CONFUSING, HARD TO
NAVIGATE AND THE RESULTS OF THE DRAWING HIDDEN. THE
LIMITED OPT-IN LIST PROVIDED (FINALLY) WAS NOT COMPLETE
NOT USEABLE, NOT ACCEPTABLE AND HAS CAUSED A SUBSTANTIAL
LOSS OF BOOKINGS, LOSS OF CABIN RENTAL D.I.Y. INCOME, A
LOSS OF OTHER TOURISM RELATED RURAL BUSINESS.

NDOU HAS CREATED AN UNNECESSARY FINANCIAL HARDSHIP
ON RURAL NEVADA SMALL BUSINESSES. NOT ONLY GUIDE SERVICE
BUT ALSO TAXIDERMISTS, MEAT PROCESSORS, MOTEL AND HOSPITALITY
PROVIDERS AND OTHERS WHO HAVE BEEN NEGATIVELY IMPACTED.

all this because NIDOW wants to create SALABLE LIST
VERSUS FREELY AVAILABLE public INFORMATION. IN SHORT
LAYMANS TERMS IT WASN'T BROKE but now it IS!
MAYBE we will need to hire HACKERS to keep
PUBLIC INFORMATION PUBLIC NOT SECRET!

IN CONCLUSION:

1. The NEVADA TAG DRAWING RESULTS need to remain FREELY ACCESSIBLE PUBLIC INFORMATION
2. The "KALKOMY ENTERPRISES" processes for the Nevada TAG DRAWING needs to be simplified, open to the public, held in NEVADA, TRANSPARENT, HONEST AND NOT BE TURNED INTO FOR-SALE LISTS by NIDOW.
3. EXISTING COMMISSION REGULATIONS for written opt-out NOTIFICATION to NIDOW, (AFTER FREE PUBLIC DRAWING RESULTS ARE POSTED) are SUFFICIENT and SUPERIOR to any new regulation proposed.
4. Any new regulations proposed must first be evaluated for financial impact: AND NEGATIVE impacts to NEVADA LICENSED MASTER GUIDES AND their mostly rural businesses

Dave Gowan, Private Citizen, stated his business was negatively impacted by the lowered publicly available successful tag draw applicants and doesn't believe that most sportsmen know what the definition of a sellable list means. He requested that the questions should be more specific with definitions. He said that most clients of his are not internet savvy and they do not have email addresses.

Commissioner Hubbs stated that most of the public agitation is received by bad behavior shown on social media. She asked what is best for wildlife and is it better to have privacy or transparency. The transparency would be shown by the empty name in the tag draw list showing a customer who opted out of that option, but it is best to know who and how many hunters are in the field for the public to hold people accountable. She said that more transparency is better.

Commissioner Almborg stated that the fact that 80 percent of the customers chose to opt out of having their information public speaks loudly and that a specific question regarding having their information apart of the tag result list may help with some spoken concerns. He recommended explanations of opt out questions.

Commissioner East asked how many sportsmen requested their privacy before this option.

Data and Technology Services Administrator Van Dellen answered that it was difficult to tell since 2004 when the regulation first came into existence. The numbers prior to the implementation of the online option was small since there was no way to know about it unless you read through the Department regulations. The existing regulation says that if it is requested, we will take your information off the list. It is the Department's interpretation that when you make a selection known to the Department through a traceable action, that would be considered a written request. All of this would be attached to your personal customer profile.

Vice Chairman Valentine stated that people may not have realized what the sellable list was and agrees that a better question description is needed.

Data and Technology Services Administrator Van Dellen stated that no other public list says when and where you will be at any given time like the hunt seasons and areas do. He also pointed out that the opposition is only from one industry.

Commissioner Caviglia stated that Nevada is on its own by being the only state that provides a tag result list.

Chairman Johnston stated that he hears a consensus that people should be able to keep their information private and asked if it is better to bring the regulation up to date with the 21st century or leave it as is. He noted that he has heard a lot about transparency but only from the Department and not letting those know they can opt out of the list. Transparency works both ways. He doesn't see a problem with having that option online, but should we inform the public of that option when they apply for a license? Should it be easier or harder for people to exercise this option? He doesn't think that how the regulation is written is the issue, but the implementation is. He noted that people opted out for the first time with this new option. Do not want to make business difficult for outfitters or the public to stay private.

Commissioner Hubbs stated that it is possible that many opted out because of "click bait" and thinks it may be better for new hunters to go out with an experienced guide opposed to being alone for safety purposes. Is a list of licensed guides available to the public?

Chairman Johnston said there are the licensed master guides and sub-guides who work under master guides. He doesn't know how many individuals that draw their first tag and go out solo. They're usually with someone who has hunted before or may higher a guide or may go with a friend.

Data and Technology Services Administrator Van Dellen replied with saying that anyone who requests the available list through a public records request will get the list.

Chairman Johnston said you also cannot assume that anyone who hires a guide service will be hunting with the actual master guide. A lot of the time you will be dealing with the sub guide who still has passed a test but has much less experience than the master guide.

Secretary Wasley answered Commissioner Hubbs' question saying that the Department did provide a list of all licensed guides in Nevada to successful tag holders as a resource for them to use after the last draw results were posted.

Commissioner East stated that she personally conducted several informal focus groups asking why most people opted out and her results were that the people were not wanting solicitations like received during the last political race. Is a list of the licensed Nevada guides available on the Department website?

Data and Technology Services Administrator Van Dellen replied yes.

Commissioner Barnes stated that he was sympathetic towards guides regarding their loss of business, but most of the public chose to keep their information private. He asked what the difference was between writing in or checking a box online. He thinks keeping up to date with technology is important.

Data and Technology Services Administrator Van Dellen said, to clarify, the word written is still in the regulation but it's the Department's and public's interpretation of what the word written means. You click a box for hunt area and season selection, acknowledging terms and conditions on almost every website, that is in the Department's mind a written application even though it is done electronically. This would be no different than the rest of the process, it is still in the existing regulation.

Commissioner McNinch stated that the issue is complicated for him.

9 Committee Reports - Informational

A* Tag Allocation and Application Hunt Committee (TAAHC) Report – Commissioner and Committee Chairman Paul Valentine

The Commission will hear a report on the Committee's recent meetings.

MARCH 4 2019

March 3 and 4, 2019 Draft Minutes
Clark County Government Center

15. Commission General Regulation for Possible Adoption – Public Comment Allowed: Persons Wishing to Provide Comment on Regulations are Requested to Complete a Speaker's Card and Present it to the Recording Secretary

A.* Commission General Regulation 482, Public and Sellable Lists, LCB File No. R192-18 – Data and Technology Services Division Administrator Chet Van Dellen – For Possible Action

The Commission will consider adopting a regulation amending Chapters 488 and 502 of the Nevada Administrative Code (N.A.C.) that clarifies the authority of the Department to make specific personal customer information confidential and remove such information from any list sold or distributed by the Department or the Department's licensing vendor. The regulation also simplifies how a person can request that their personal information remain confidential by removing the requirement that the request be in writing. The Commission held workshops on November 2, 2018 and January 25, 2019 and directed the Department to bring the regulation forward to an adoption hearing.

Data and Technology Services Division Administrator Van Dellen stated that the current hearing is the third time this item has been brought to the Commission for discussion and that he was there to answer questions.

Public Comment in Reno:

Daryl Capurro, private citizen, provided the following written testimony:

TESTIMONY REGARDING PROPOSED REGULATION : LCB FILE NO. R 192-18 FROM NDOW

THE NDOW'S 2018 BIG GAME TAG DRAW WAS HELD IN TEXAS, FOR THE FIRST TIME OUT OF STATE SINCE THE NEVADA LEGISLATURE PRIVATIZED IT IN 1990.

FOR 18 YEARS THE DRAWING WAS OPEN, BY CONTRACT, TO THE PUBLIC TO ATTEND, AND MANY SPORTSMEN, AND OTHERS, HAVE ATTENDED. AT THE COMMISSION MEETING ON NOVEMBER 4, 2017, MR. VAN DELLEN, REPRESENTING THE NDOW STAFF, TESTIFIED: (QUOTE) WE ASSURE EVERYBODY THAT THE DRAW PROCESS HAS NOT CHANGED. IT WILL STILL BE A PUBLIC EVENT. IT WILL BE HOSTED AT AN OFFICIAL BUILDING THAT IS NOT RELATED TO THE DEPARTMENT SO THAT THE PUBLIC CAN ATTEND AND VIEW THE PROCESS AND PROVIDE THAT TRANSPARENCY THAT THEY HAVE BEEN ACCUSTOMED TO (END QUOTE). THAT TESTIMONY WAS FALSE!

NAC 502.211, SAYS THE DEPARTMENT SHALL REMOVE, ON WRITTEN REQUEST, THE NAME AND OTHER PERSONAL INFORMATION OF THE PERSON FROM ANY LIST SOLD BY THE DEPARTMENT. SALEABLE LISTS HAVE BEEN PURCHASED IN THE PAST BY, AMONG OTHERS, NEVADA HUNTING GUIDES. NEVADA'S PUBLIC RECORDS LAW, NRS CHAPTER 239, DOES NOT EXEMPT THE NDOW FROM PUBLISHING THE NAME OF SUCCESSFUL AND UNSUCCESSFUL DRAW RECIPIENTS. IF MORE CLARITY IS REQUIRED, A SIMPLE PARAGRAPH ON THE HUNT APPLICATION FORM COULD QUOTE THE CURRENT LANGUAGE IN NAC 502.211, WITH A BOX TO CHECK FOR EXCLUSION FROM SALEABLE LISTS. THROUGHOUT THE HISTORY OF THE PRIVATIZED DRAW THE NAME, CITY, HUNT AND AREA DRAWN OF THE SUCCESSFUL AND UNSUCCESSFUL HUNTERS HAVE BEEN POSTED AS CURRENTLY REQUIRED BY NAC 502.4208. THAT REQUIREMENT WAS CONTAINED IN THE NDOW REQUEST FOR PROPOSAL #3432 FOR ALL DRAW BIDDERS, AND WAS SUBSEQUENTLY AGREED TO, BY CONTRACT, WITH KALKOMEY ENTERPRISES, LLC, IN THEIR SUCCESSFUL BID FOR THE BIG GAME TAG DRAW. THOSE RFP REFERENCES ARE CHAPTERS 3.4.27.32 AND.33.

KALKOMEY VIOLATED THE RFP CHAPTERS AND CONTRACTUAL REQUIREMENTS BY NOT PUBLISHING A LIST OF THE SUCCESSFUL AND UNSUCCESSFUL HUNTERS AT A MINIMUM. THEY ALSO DID NOT POST THOSE LISTS ON THE REQUIRED INTERNET SITE WITHIN 48 HOURS AFTER THE DRAW. THESE VIOLATIONS SHOULD FORM THE BASIS FOR DECLARING THE KALKOMEY CONTRACT NULL AND VOID.

THE NDOW HAD THE RESPONSIBILITY TO MANAGE AND ADMINISTER THE SUCCESSFUL DRAW BIDDER, AND FAILED TO DO SO WITH REGARD TO ITS OWN RFP AND THE KALKOMEY CONTRACT. THAT REPRESENTS A CLEAR DISREGARD FOR THEIR RESPONSIBILITIES AS AN AGENCY OF THE STATE OF NEVADA, AND THEIR OBLIGATION TO THE SPORTSMEN OF THIS STATE!

DARYL E. CAPURRO, PAST MEMBER OF THE NEVADA STATE BOARD OF WILDLIFE COMMISSIONERS

Chairman Johnston requested that any public comments made need to stay on topic to the purposed regulation and to hold other public comments until the public comment period at the end of the meeting.

Rex Flowers, private citizen, asked if the procedure demonstrated the previous day could be added to the current N.A.C. or have it made into policy. He stated that it would be nice to have it written so that it could be maintained.

Gerald Lent, representing Nevada Hunter's Association, stated that the following entities post private or sensitive information online: voter registration; bullying records from the Washoe County School District; the Lyon County School District has public records available by request; sex offenders have sensitive information posted on websites; and that hospitals are required to post prices of services or procedures. He presented argument in support of the need to have more than one question box; and said that if the dual boxes were adopted as the Department purposed the language, then it should include his draw results with the addition of having all tag results to be posted online. He stated that this was important because of a 2008 report describing the Department employees releasing draw results early to their friends before the public knew about it. He also stated that if no box was checked, it should indicate that privacy is not an issue to the customer and should be added to the regulation.

Public Comment in Las Vegas:

Henry Krenka, representing Nevada Outfitters and Guides Association, inquired as why it was so important to remove transparency. He stated that Department employees continue to state that guides are not complaining about the opt out option of applications. He stated that this is an incorrect statement due to the financial impact on the guide businesses. He claimed that this was supposed to be a workshop and asked when and where the workshops were held. In his opinion three minutes at the podium is not enough time to be considered a workshop. He inquired as to why it is a double standard for the Department to be able to reach out to customers, but it is considered harassment if a guide does the same thing.

Walt Gardner, private citizen, stated that this regulation is not public driven, and that the public is not here asking for their names to be taken off the list. He stated that during the last Commission meeting, the Commissioners attacked subguides and that he was insulted by the remarks that were made. He stated that he does not understand the importance to remove transparency or take away a guide's livelihood when there is no public outcry.

Chairman Johnston stated that he was the one who gave comments at the previous meeting on the distinction between licensed guides and subguides. His comments were not intended to offend or attack, but to explain the distinction on the difference between the two and how subguides work under master guides. He apologized if his comments offended the subguides. It is important to be equally transparent in informing people what they can and cannot do in existing law regarding the ability to keep their information private. What he has heard from many sportsmen is that they never knew prior to last year that they had the option to keep their information private.

Commissioner Hubbs stated that she has heard the remark that the draw used to be public and now it is not public because it is not held in state. She inquired about how the draw is fair because she hears an implied undertone that they are not. She said she feels confident that they are fair and wondered if there was an option to make the draws public but keep the requested information confidential.

Chairman Johnston said that when the previous licensing vendor handled the draw, a presentation was given on how the draw process worked. He stated that he was unsure how to address the public's concerns about the draw being unfair if they do not trust the computer-generated draw system. There are certain individuals that will never be satisfied with the process. He stated that he trusted the way the computer system handles the draw along with the third-party audit system. He provided that the current regulation on the books allows a person to request their personal information to be kept private, and what the Department and the Commission is attempting to do with that regulation is to update the implementation that would include the advancement in technology.

Senior DAG Stockton stated that the main change is the addition of the word "confidential" to the regulation; and that this would update the regulation to be in conformity with the public record law.

Commissioner Almberg stated that eighty percent of the sportsmen made their own choice to keep their information private and that speaks for itself.

Commissioner East inquired about when and where the regulation change originated.

Administrator Van Dellen provided that the process started when the Department initiated a contract with the new licensing vendor giving the Department an opportunity to reevaluate the laws and statutes on the books. He stated that they found the regulation that provided that the private information option needed to be offered to the sportsmen, and at that time the Department had no mechanism of doing so. He stated that for a sportsman to know of this option, they would have to have to read the laws themselves. In recognizing the language in the regulation, the Department wanted to come up with a way of integrating this option into the new system. He explained that the two ways the Department shares listed information is through information that is requested through a public request or through lists posted on the Department's website. He explained the Department evaluated the public records request process and realized they were not charging for the information given due to time and efficiency reasonings which made the law not applicable to most data given out by the Department regarding personal information. They also found that the term "confidential," as Senior DAG Stockton had pointed out earlier, was not in the existing regulation and not in compliance with the public records statute.

Commissioner East asked Secretary Wasley if there was anything in the N.A.C. that says the Department needs to provide a list to the guides because they pay a licensing fee.

Secretary Wasley answered no, not to his knowledge.

Commissioner East explained that as a consultant, she is not given a list of clients to call from her association. She also said that only one CABMW in Elko asked to speak with the guides association. That all other CABMW's had no comment. She feels that the boxes included from yesterday's presentation is a good start to the solution and we will see how this year's results pan out.

Commissioner Barnes said that it seemed like the Commission was discussing multiple subjects and the focus needed to be on the regulation change. The guides and draw are separate issues that can be addressed at later dates as they are separate issues. He suggested giving the guides an option to advertise on the Department's website or in the hunt book, but as far as he was concerned, the regulation is what is being discussed and what the Commission will be voting on today.

Commissioner Hubbs added that she was the one who asked the difference between the master guide and subguides and wanted to clarify that in no way was she trying to imply that one has more value than the other; she was trying to get a better understanding of how the industry and the guide system worked and how this is impacting their business.

Vice Chairman Valentine said that other states tag draw systems offer the same option that we are proposing. He provided that he investigates the guides that he hires for the out of state hunts.

Commissioner Caviglia stated that eighty percent of people who chose to keep their information private is huge. He said that he is a subguide, and that he has spoken to other guides and subguides who do not have an issue with the regulation. He stated that the bulk of the complaints have come out of Elko County and he is unsure as to why.

Chairman Johnston said he felt better about the proposed regulation after viewing the demonstration given yesterday by Administrator Van Deller. He suggested that the opposition to the regulation came about, not because large groups of people are opposed to the change, but because the implementation of the change affected the marketing efforts of the guides. He stated, like Commissioner East, he does not get a list of clients to contact for his business. He said that the guides would still be able to market their services through other means. It speaks loudly when so many people choose to keep their information private. The Commission saw yesterday how the tag results would be posted and the unique way to show if a person wanted their information kept private. The Commission has not heard any opposition with respect to boat or watercraft owners and felt comfortable moving forward with the adoption of the regulation.

CHAIRMAN JOHNSTON MOVED TO APPROVE COMMISSION GENERAL REGULATION 482, PUBLIC AND SELLABLE LISTS, LCB FILE NO. R192-18 AS PRESENTED BY THE DEPARTMENT. VICE CHAIRMAN VALENTINE SECONDED THE MOTION. THE MOTION CARRIED 9-0.

Chairman Johnston recessed at 10:15 a.m. and asked that we resume at 10:30 a.m.

Chairman Johnston called the meeting back to order at 10:30 a.m.

- 16.* Commission Regulation 19-13, Migratory Game Bird Seasons, Bag Limits, and Special Regulations for Waterfowl and Webless Migratory Game Birds; Public Hunting Limited on Wildlife Management Areas and Designated State Lands – 2019–2020 Season – Wildlife Staff Specialist Russell Woolstenhulme – For Possible Action
The Commission will consider recommendations for seasons, bag limits, and special regulations for migratory game birds for the 2019–2020 season and adopt regulations consistent with proposed regulations framework for the 2019–2020 hunting seasons on certain migratory game birds established by the U.S. Fish and Wildlife Service. The Commission Regulation will become final pending adoption of federal frameworks. The Commission will also consider rules regulating public hunting on Wildlife Management Areas and designated state lands.

Wildlife Staff Specialist Russell Woolstenhulme explained the seasons and quotas for duck and mergansers.

Commissioner East inquired as to why the Northeast Zone had a January date that ends earlier than the other zones.

