

Assembly Bill No. 296—Assemblyman Carpenter

CHAPTER.....

AN ACT relating to wildlife; requiring the board of wildlife commissioners to make certain revisions to the criteria for the issuance of special incentive elk tags; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 502.142 is hereby amended to read as follows:

502.142 1. The commission shall adopt regulations to establish a program pursuant to which the division will issue special incentive elk tags. The regulations must:

(a) Set forth the application and annual review processes for the issuance of special incentive elk tags.

(b) Require that an application for a special incentive elk tag *must* be accompanied by:

(1) The fee charged for an elk tag pursuant to NRS 502.250; and

(2) Any administrative fee charged in connection with the issuance of an elk tag pursuant to this chapter.

(c) Provide for the issuance of a special incentive elk tag only to a person who:

(1) Lawfully owns, leases or manages private land within an actual elk use area; and

(2) If that private land blocks reasonable access to adjacent public land, provides reasonable access through the private land to allow a person or hunting party possessing a valid elk tag to hunt elk on the adjacent public land.

(d) Establish criteria for the issuance of special incentive elk tags based upon:

(1) The ~~percentage of private land controlled by the applicant;~~

~~—(2) The portion of the population of elk above the target level for elk established by the land management agency; and~~

~~—(3) number of elk using private land controlled by the applicant;~~

(2) The number of days the elk use private lands of the applicant in a calendar year;

(3) The total number of elk; and

(4) Limiting the number of special incentive elk tags issued in each calendar year to not more than one-half of the bull elk tags issued in that calendar year,

within the actual elk use area in the unit or units of the management area or areas in which the private land is located.

(e) Provide that special incentive elk tags are valid for both sexes of elk.

(f) Prohibit a person who has, within a particular calendar year, applied for or received compensation pursuant to NRS 504.165 as reimbursement

for damage caused by elk to private land from applying, within the same calendar year, for a special incentive elk tag for the same private land.

(g) Allow a group of owners, lessees and managers of private land to qualify for a special incentive elk tag for their combined lands.

(h) Ensure that the issuance of special incentive elk tags will not result in the number of bull elk tags issued in any year being reduced to a number below the quota for bull elk tags established by the commission for 1997.

(i) Provide that a person to whom a special incentive elk tag is issued by the commission pursuant to this section may:

(1) If he holds a valid hunting license issued by this state, use the special incentive elk tag himself; or

(2) Sell the special incentive elk tag to another person who holds a valid hunting license issued by this state at any price upon which the parties mutually agree.

(j) Require that a person who is issued a special incentive elk tag **must** hunt:

(1) During the open season for elk.

(2) In the unit or units within the management area or areas in which the private land is located.

(k) Provide for the appointment of an arbitration panel to resolve disputes between persons who apply for special incentive elk tags and the division regarding the issuance of such tags.

2. As used in this section, "actual elk use area" means an area in which elk live, as identified and designated by the division.

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