

ASSEMBLY BILL NO. 199—COMMITTEE ON NATURAL RESOURCES,
AGRICULTURE, AND MINING

(ON BEHALF OF DEPARTMENT OF CONSERVATION AND
NATURAL RESOURCES—WILDLIFE DIVISION)

FEBRUARY 20, 2001

Referred to Committee on Natural Resources, Agriculture, and Mining

SUMMARY—Revises provisions governing certain accounts, licenses and stamps administered by division of wildlife of state department of conservation and natural resources. (BDR 45-529)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to wildlife; increasing the amount of certain accounts maintained by the division of wildlife of the state department of conservation and natural resources; making various changes regarding the form and period of validity of certain licenses, the fees of license agents and the issuance and possession of certain stamps; authorizing the board of wildlife commissioners to adopt regulations governing the issuance of duplicates of certain licenses; increasing the fee for a state trout stamp and creating a separate account for deposit of the proceeds of the fee; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 501.354 is hereby amended to read as follows:
2 501.354 ~~The~~ ***Except as otherwise provided by specific statute, the***
3 division shall receive, deposit and expend all money provided by law for
4 the administration of this title and of chapter 488 of NRS, pursuant to the
5 authority contained in NRS 501.356 and in accordance with the
6 commission's policy.
7 **Sec. 2.** NRS 501.356 is hereby amended to read as follows:
8 501.356 1. Money received by the division from:
9 (a) The sale of licenses;
10 (b) Fees pursuant to the provisions of NRS 488.075 and 488.1795;
11 (c) Remittances from the state treasurer pursuant to the provisions of
12 NRS 365.535;
13 (d) Appropriations made by the legislature; and



- 1 (e) All other sources, except money derived from the forfeiture of any
2 property described in NRS 501.3857 or money deposited in the wildlife
3 heritage trust account pursuant to NRS 501.3575 ~~H~~ *or in the trout*
4 *management account pursuant to NRS 502.327,*
5 must be deposited with the state treasurer for credit to the wildlife account
6 in the state general fund.
- 7 2. The interest and income earned on the money in the wildlife
8 account, after deducting any applicable charges, must be credited to the
9 account.
- 10 3. Except as otherwise provided in subsection 4, the division may use
11 money in the wildlife account only to carry out the provisions of this Title
12 and chapter 488 of NRS and as provided in NRS 365.535, and the money
13 must not be diverted to any other use.
- 14 4. Except as otherwise provided in NRS 502.250, 502.310 and
15 504.155, all fees for the sale or issuance of stamps, tags, permits and
16 licenses that are required to be deposited in the wildlife account pursuant to
17 the provisions of this Title must be accounted for separately and may be
18 used only for the management of wildlife.
- 19 **Sec. 3.** NRS 501.361 is hereby amended to read as follows:
20 501.361 A petty cash account in the amount of ~~1\$3001~~ *\$1,000* for the
21 payment of minor expenses of the division is hereby created. The account
22 must be kept in the custody of an employee designated by the administrator
23 and must be replenished periodically from the wildlife account in the state
24 general fund upon approval of expenditures as required by law and
25 submission of vouchers or other documents to indicate payment as may be
26 prescribed.
- 27 **Sec. 4.** NRS 501.363 is hereby amended to read as follows:
28 501.363 A change account in the amount of ~~1\$5001~~ *\$3,000* is hereby
29 created. The account must be kept in the custody of one or more employees
30 designated by the administrator and used for the making of change
31 incidental to the business of the division.
- 32 **Sec. 5.** NRS 502.030 is hereby amended to read as follows:
33 502.030 1. Licenses granting the privilege to hunt, fish or trap as
34 provided in this Title must be of such *a* form as is deemed necessary by the
35 division, but must include the following information:
36 (a) The holder's name, address and description.
37 (b) The date issued.
38 (c) The ~~1expiration date thereof.1~~ *period of validity.*
39 (d) The correct designation as to whether a fishing, hunting or trapping
40 license.
41 (e) A statement to be signed by the holder: "I, the signator holder in
42 signing this license, hereby state that I am entitled to this license under the
43 laws of the State of Nevada and that no false statement has been made by
44 me to obtain this license."
45 2. The commission may provide rules and regulations requiring an
46 applicant to exhibit proof of his identity and residence. Such information
47 must be included on the license as is deemed necessary by the division.
48 3. The commission may provide rules and regulations establishing a
49 permanent licensing system. Such *a* system may authorize the use of



* A B 1 9 9 R 2 *

1 applications for the issuance of temporary hunting, fishing and trapping
2 licenses for residents and the issuance of annual licenses therefrom. The
3 system may provide for the automatic renewal and validation of the annual
4 license.

5 4. The commission may provide regulations covering the method of
6 applying for, the term and expiration date of any license required by this
7 Title to be issued without the payment of a fee.

8 **Sec. 6.** NRS 502.040 is hereby amended to read as follows:

9 502.040 1. The commission shall adopt regulations regarding:

10 (a) The standards to be met by license agents in the performance of their
11 duties;

12 (b) The requirements for the furnishing of surety bonds by license
13 agents;

14 (c) The manner of remitting money to the division; and

15 (d) The manner of accounting for licenses, tags, stamps and permits
16 received, issued, sold or returned.

17 A license agent's authority may be revoked by the division for his failure
18 to abide by the regulations of the commission. The agent may appeal to the
19 commission for reinstatement.

20 2. A license agent designated by the division is responsible for the
21 correct issuance of all licenses, tags, stamps and permits entrusted to him,
22 and, so far as he is able, for ensuring that no licenses are issued upon the
23 false statement of an applicant. Before issuing any license, the license
24 agent shall satisfy himself of the identity of the applicant and the place of
25 his residence, and may require any applicant to present proof of his identity
26 and residence.

27 3. A license agent is responsible to the division for the collection of the
28 correct and required fee, for the safeguarding of the money collected by
29 him, and for the prompt remission to the division for deposit in accordance
30 with NRS 501.356 of all money collected. The division shall furnish to the
31 license agent receipts for all money which he remits to it. A license agent
32 shall furnish a receipt to the division of all licenses, tags, stamps or permits
33 which he receives from it.

34 4. For each license, tag, stamp or permit he sells, a license agent is
35 entitled to receive a service fee of:

36 (a) One dollar for each license, tag or permit, in addition to the fee for
37 the license, tag or permit; and

38 (b) Ten cents for each stamp . ~~for similar document issued which does~~
39 ~~not require completion by the agent.~~

40 5. Any person authorized to enforce this chapter may inspect, during
41 the license agent's normal business hours, any record or document of the
42 agent relating to the issuance of any such license, tag or permit.

43 6. All money collected by a license agent, except service fees collected
44 pursuant to subsection 4, is public money of the State of Nevada, and the
45 state has a prior claim for the amount of money due it upon all assets of the
46 agent over all creditors, assignees or other claimants. The use of this
47 money for private or business transactions is a misuse of public funds and
48 punishable under the laws provided.



* A B 1 9 9 R 2 *

1 **Sec. 7.** NRS 502.090 is hereby amended to read as follows:
2 502.090 1. ~~{All licenses}~~ *Each license* issued as provided in this
3 chapter ~~{are}~~ *is* valid, and ~~{authorize}~~ *authorizes* the person to whom *it is*
4 issued to hunt, to fish or to trap during open seasons only ~~{on and from the~~
5 ~~date of issuance of the license until the date of expiration printed thereon.}~~
6 *during the period specified on the license.*

7 2. Except as otherwise provided in subsection 3 of NRS 502.015 ~~{,}~~
8 *and unless suspended or revoked*, each fishing license, hunting license and
9 combined hunting and fishing license is valid :

10 (a) *From the date the license is issued until the last day of the next*
11 *succeeding February; or*

12 (b) *From the first day of March immediately following the date the*
13 *license is issued until the last day of the next succeeding February* ~~{after~~
14 ~~its issuance.}~~,
15 *as specified on the license.*

16 **Sec. 8.** NRS 502.110 is hereby amended to read as follows:

17 502.110 1. Except as otherwise provided in subsection 2, ~~{not}~~ *no*
18 more than one license of each class may be issued to any one person during
19 each licensing period.

20 2. ~~{If an unexpired license is lost or stolen, the person to whom the~~
21 ~~license was issued may receive another license of the same class by making~~
22 ~~application and certifying under oath that the license was lost or stolen and~~
23 ~~by paying:~~

24 —(a) ~~if the application is made to an authorized agent, the annual fee for~~
25 ~~the license; or~~

26 —(b) ~~if the application is made to the division, a fee of \$5.}~~ *The*
27 *commission shall adopt regulations providing for the issuance of a*
28 *duplicate license to replace an unexpired license that has been lost,*
29 *stolen or destroyed. The regulations must specify a fee, which must not*
30 *exceed \$10, for the issuance of a duplicate license. A duplicate license*
31 *has the same effect, and is subject to the same conditions and*
32 *restrictions, as the license it replaces.*

33 **Sec. 9.** NRS 502.300 is hereby amended to read as follows:

34 502.300 1. Except as otherwise provided in subsection 2, it is
35 unlawful for any person to hunt any migratory game bird, except jacksnipe,
36 coot, gallinule, western mourning dove, white-winged dove and band-
37 tailed pigeon, unless at the time he is hunting he carries on his person ~~{an}~~ :

38 (a) *An* unexpired state duck stamp validated by his signature in ink
39 across the face of the stamp ~~{,}~~ *; or*

40 (b) *Such documentation as the division provides via the Internet as*
41 *proof that he has paid to the division, for the licensing period that*
42 *includes the time he is hunting, the same fee as that required pursuant to*
43 *subsection 3 for the purchase of an unexpired state duck stamp for that*
44 *period.*

45 2. The provisions of subsection 1 do not apply to a person who:

46 (a) Is under the age of 12 years; or

47 (b) Is 65 years of age or older.

48 3. Unexpired duck stamps must be sold for a fee of not more than \$5
49 each by the division and by persons authorized by the division to sell



1 hunting licenses. The commission shall establish the price to be charged by
2 the division or agents of the division for expired duck stamps, and the fee
3 for unexpired duck stamps within the limit provided.

4 4. The division shall determine the form of the stamps.

5 **Sec. 10.** NRS 502.310 is hereby amended to read as follows:

6 502.310 All money ~~{from the sale of state duck stamps}~~ *received*
7 *pursuant to NRS 502.300* must be deposited with the state treasurer for
8 credit to the wildlife account in the state general fund. The division shall
9 maintain separate accounting records for the receipt and expenditure of
10 *that* money. ~~{from the sale of state duck stamps}~~ An amount not to exceed
11 10 percent of that money may be used to reimburse the division for the cost
12 of administering the state duck stamp programs. This amount is in addition
13 to compensation allowed persons authorized to issue and sell licenses.

14 **Sec. 11.** NRS 502.322 is hereby amended to read as follows:

15 502.322 1. Before the division may undertake any project using
16 money ~~{from the sale of state duck stamps}~~ *received pursuant to NRS*
17 *502.300*, it shall analyze the project and provide the commission with
18 recommendations as to the need for the project and its feasibility.

19 2. Money ~~{from the sale of state duck stamps}~~ *received pursuant to*
20 *NRS 502.300* must be used for projects approved by the commission for
21 *the* protection and propagation of migratory game birds, and for the
22 acquisition, development and preservation of wetlands in Nevada.

23 **Sec. 12.** NRS 502.326 is hereby amended to read as follows:

24 502.326 1. Except as otherwise provided in subsection 2, it is
25 unlawful for any person to take or possess trout unless at the time he is
26 fishing he carries on his person ~~{a}~~ :

27 *(a) An unexpired* state trout stamp affixed to his fishing license and
28 validated by his signature in ink across the face of the stamp ~~{+}~~ ; *or*

29 *(b) Such documentation as the division provides via the Internet as*
30 *proof that he has paid to the division, for the licensing period that*
31 *includes the time he is fishing, the same fee as that required pursuant to*
32 *subsection 3 for the purchase of a state trout stamp for that period.*

33 2. The provisions of subsection 1 do not apply to a person who:

34 (a) Is under the age of 12; or

35 (b) Is fishing:

36 (1) Under the authority of a valid 1-day permit to fish or during a
37 consecutive day validly added to that permit; or

38 (2) In accordance with regulations adopted by the commission
39 pursuant to subparagraph (2) of paragraph (e) of subsection 1 of NRS
40 502.010.

41 3. State trout stamps must be sold for a fee of ~~{\\$5}~~ *\\$10* each by the
42 division and by persons authorized by the division to sell hunting, fishing
43 and trapping licenses.

44 4. The division shall determine the form of the stamps.

45 **Sec. 13.** NRS 502.327 is hereby amended to read as follows:

46 502.327 1. All money ~~{from the sale of state trout stamps}~~ *received*
47 *pursuant to NRS 502.326* must be deposited with the state treasurer for
48 credit to the ~~{wildlife}~~ *trout management* account , *which is hereby*
49 *established* in the state general fund.



* A B 1 9 9 R 2 *

- 1 2. *The interest and income earned on the money in the trout*
2 *management account, after deducting any applicable charges, must be*
3 *credited to the account.*
4 3. The division shall ~~maintain~~ :
5 (a) *Maintain* separate accounting records for the receipt *of money*
6 *pursuant to NRS 502.326* and *the* expenditure of *that* money . ~~from the~~
7 ~~sale of state trout stamps.~~
8 (b) *Administer the trout management account. The division may use*
9 *money in the account only for the protection, propagation and*
10 *management of trout in this state and for any bonded indebtedness*
11 *incurred therefor.*
12 **Sec. 14.** NRS 502.328 is hereby repealed.
13 **Sec. 15.** 1. This section and sections 1 to 7, inclusive, and 9 to 14,
14 inclusive, of this act become effective upon passage and approval.
15 2. Section 8 of this act becomes effective upon passage and approval
16 for the purpose of adopting regulations and on October 1, 2001, for all
17 other purposes.

TEXT OF REPEALED SECTION

502.328 Trout stamps: Use of money from sale. All money from the sale of state trout stamps must be used for the protection, propagation and management of trout in this state and for any bonded indebtedness incurred therefor.

