

SENATE BILL NO. 30—SENATOR O’CONNELL

PREFILED JANUARY 22, 2001

Referred to Committee on Finance

SUMMARY—Makes various changes to provisions relating to wildlife. (BDR 45-647)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Contains Appropriation not included in Executive Budget.

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

AN ACT relating to wildlife; eliminating the division of wildlife of the state department of conservation and natural resources; creating the department of fish and game; changing the classification of a mountain lion from a big game mammal to an unprotected mammal; increasing the number of members of the board of wildlife commissioners who may be from certain counties; increasing fees for big game tags; requiring that money collected from the increase in fees for big game tags be used only for the management of predatory animals; making an appropriation to the department of fish and game for the purpose of managing predatory animals; 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.** Chapter 501 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

**Sec. 2.** *As used in this Title, “department” means the department of fish and game.*

**Sec. 3.** *As used in this Title, “director” means the director of the department.*

**Sec. 4.** NRS 501.047 is hereby amended to read as follows:

501.047 As used in this Title, “game warden” means any person authorized by the ~~administrator~~ *director* to enforce the provisions of this Title and of chapter 488 of NRS.

**Sec. 5.** NRS 501.110 is hereby amended to read as follows:

501.110 1. For the purposes of this Title, wildlife must be classified as follows:

(a) Wild mammals, which must be further classified as either game mammals, fur-bearing mammals, protected mammals or unprotected mammals.

(b) Wild birds, which must be further classified as either game birds, protected birds or unprotected birds. Game birds must be further classified as upland game birds or migratory game birds.

(c) Fish, which must be further classified as either game fish, protected fish or unprotected fish.

(d) Reptiles, which must be further classified as either protected reptiles or unprotected reptiles.

(e) Amphibians, which must be further classified as either game amphibians, protected amphibians or unprotected amphibians.

(f) Mollusks, which must be further classified as either protected mollusks or unprotected mollusks.

(g) Crustaceans, which must be further classified as either protected crustaceans or unprotected crustaceans.

2. Protected wildlife may be further classified as either sensitive, threatened or endangered.

3. ~~Each~~ *Except as otherwise provided in subsection 4, each* species of wildlife must be placed in a classification by regulation of the commission and, when it is in the public interest to do so, species may be moved from one classification to another.

*4. A wild mountain lion, felis concolor, is an unprotected mammal.*

**Sec. 6.** NRS 501.119 is hereby amended to read as follows:

501.119 1. The ~~division~~ *department* is authorized to determine methods of obtaining necessary data from hunters, trappers and fishermen relative to their activities and success.

2. The methods may include return of reports attached to licenses and tags or questionnaires addressed to license holders.

3. Failure to return such a report or questionnaire within the period specified by regulation of the commission or the submission of any false statement thereon is cause for the commission to:

(a) Deny the person the right to acquire any license provided under this Title for a period of 1 year; or

(b) Levy an administrative fine of \$50 against the person.

4. Any statement made on such a report or questionnaire may not be the basis for prosecution for any indicated violations of other sections of this Title.

**Sec. 7.** NRS 501.171 is hereby amended to read as follows:

501.171 1. A county advisory board to manage wildlife shall submit written nominations for appointments to the commission upon the request of the governor and may submit nominations at any other time.

2. After consideration of the written nominations submitted by a county advisory board to manage wildlife and any additional candidates for appointment to the commission, the governor shall appoint to the commission:

(a) One member who is actively engaged in the conservation of wildlife;

(b) One member who is actively engaged in farming;

(c) One member who is actively engaged in ranching;

(d) One member who represents the interests of the general public; and

(e) Five members who during at least 3 of the 4 years immediately preceding their appointment held a resident license to fish or hunt, or both, in Nevada.

3. The governor shall not appoint to the commission any person who has been convicted of:

(a) A gross misdemeanor for a violation of NRS 501.376, 502.060 or 504.395; or

(b) Two or more violations of the provisions of chapters 501 to 504, inclusive, of NRS, during the previous 10 years.

4. Not more than ~~three~~ **six** members may be from the same county whose population is 400,000 or more, not more than two members may be from the same county whose population is 100,000 or more but less than 400,000, and not more than one member may be from the same county whose population is less than 100,000.

5. The commission shall annually select a chairman and a vice chairman from among its members. A person shall not serve more than two consecutive terms as chairman.

**Sec. 8.** NRS 501.181 is hereby amended to read as follows:

501.181 The commission shall:

1. Establish broad policies for:

(a) The protection, propagation, restoration, transplanting, introduction and management of wildlife in this state.

(b) The promotion of the safety of persons using or property used in the operation of vessels on the waters of this state.

(c) The promotion of uniformity of laws relating to policy matters.

2. Guide the ~~division~~ **department** in its administration and enforcement of the provisions of this Title and of chapter 488 of NRS by the establishment of such policies.

3. Establish policies for areas of interest including:

(a) The management of big and small game mammals, upland and migratory game birds, fur-bearing mammals, game fish, and protected and unprotected mammals, birds, fish, reptiles and amphibians.

(b) The control of wildlife depredations.

(c) The acquisition of lands, water rights and easements and other property for the management, propagation, protection and restoration of wildlife.

(d) The entry, access to, and occupancy and use of such property, including leases of grazing rights, sales of agricultural products and requests by the ~~administrator~~ **director** to the state land registrar for the sale of timber if the sale does not interfere with the use of the property on which the timber is located for wildlife management or for hunting or fishing thereon.

(e) The control of nonresident hunters.

(f) The introduction, transplanting or exporting of wildlife.

(g) Cooperation with federal, state and local agencies on wildlife and boating programs.

(h) The revocation of licenses issued pursuant to this Title to any person who is convicted of a violation of any provision of this Title or any regulation adopted pursuant thereto.

4. Establish regulations necessary to carry out the provisions of this Title and of chapter 488 of NRS, including:

(a) Regular and special seasons for hunting game mammals and game birds, for hunting or trapping fur-bearing mammals and for fishing, the daily and possession limits, the manner and means of taking wildlife, including, but not limited to, the sex, size or other physical differentiation for each species, and, when necessary for management purposes, the emergency closing or extending of a season, reducing or increasing of the bag or possession limits on a species, or the closing of any area to hunting, fishing or trapping. The regulations must be established after first considering the recommendations of the ~~[division]~~ *department*, the county advisory boards to manage wildlife and others who wish to present their views at an open meeting. Any regulations relating to the closure of a season must be based upon scientific data concerning the management of wildlife. The data upon which the regulations are based must be collected or developed by the ~~[division]~~ *department*.

(b) The manner of using, attaching, filling out, punching, inspecting, validating or reporting tags.

(c) The delineation of game management units embracing contiguous territory located in more than one county, irrespective of county boundary lines.

(d) The number of licenses issued to nonresidents for big game and, if necessary, other game species for the regular and special seasons.

5. Adopt regulations requiring the ~~[division]~~ *department* to make public, before official delivery, its proposed responses to any requests by federal agencies for its comment on drafts of statements concerning the environmental effect of proposed actions or regulations affecting public lands.

6. Adopt regulations:

(a) Governing the provisions of the permit required by NRS 502.390 and for the issuance, renewal and revocation of such a permit.

(b) Establishing the method for determining the amount of an assessment and the time and manner of payment, necessary for the collection of the assessment required by NRS 502.390.

7. Designate those portions of wildlife management areas for big game mammals that are of special concern for the regulation of the importation, possession and propagation of alternative livestock pursuant to NRS 576.129.

**Sec. 9.** NRS 501.1812 is hereby amended to read as follows:

501.1812 As used in NRS 501.1812 to 501.1818, inclusive, unless the context otherwise requires:

1. "License" means a license or tag issued by the ~~[division]~~ *department* for:

(a) Recreational hunting or fishing; or

(b) Taking fur-bearing mammals, trapping unprotected mammals or selling raw furs for profit.

2. "Permit" means a permit issued by the ~~[division]~~ department for recreational hunting or fishing.

3. "Wildlife conviction" means a conviction obtained in any court of competent jurisdiction in this state, including, without limitation, a conviction obtained upon a plea of nolo contendere or upon a forfeiture of bail not vacated in any such court, for a violation of:

(a) A provision of this Title or any regulation adopted pursuant to this Title other than a provision of NRS 502.370, 502.390, 503.185, 503.310 or 504.295 to 504.390, inclusive; or

(b) A provision of the Lacey Act Amendment of 1981, Public Law 97-79, if the violation of that provision is based on a violation of a law or regulation of this state.

**Sec. 10.** NRS 501.1814 is hereby amended to read as follows:

501.1814 1. The commission shall establish and the ~~[division]~~ department shall administer and enforce a system of assessing demerit points for wildlife convictions. The system must be uniform in its operation.

2. Pursuant to the schedule of demerit points established by regulation of the commission for each wildlife conviction occurring within this state affecting any holder of a license, permit or privilege issued pursuant to this Title, the ~~[division]~~ department shall assess demerit points for the 60-month period preceding a person's most recent wildlife conviction. Sixty months after the date of the conviction, the demerit points for that conviction must be deleted from the total demerit points accumulated by that person. The date of the violation shall be deemed the date on which accumulated demerit points must be assessed. If a conviction of two or more wildlife violations committed at a single event is obtained, demerit points must be assessed for the offense having the greater number of demerit points.

**Sec. 11.** NRS 501.1816 is hereby amended to read as follows:

501.1816 1. If a person accumulates 6 or more demerit points, but less than 12, the ~~[division]~~ department shall notify him of that fact by certified mail. If, after the ~~[division]~~ department mails the notice, the person presents proof to the ~~[division]~~ department that he has, after his most recent wildlife conviction, successfully completed a course of instruction in the responsibilities of hunters approved by the ~~[division, the]~~ department, the department shall deduct 4 demerit points from his record. A person may attend a course of instruction in the responsibilities of hunters only once in 60 months for the purpose of reducing his demerit points.

2. If a person accumulates 12 or more demerit points before completing a course of instruction pursuant to subsection 1, the ~~[division]~~ department shall suspend or revoke any license, permit or privilege issued to him pursuant to this Title.

3. Not later than 60 days after the ~~[division]~~ department determines that a person has accumulated 12 demerit points, the ~~[division]~~ department shall notify the person by certified mail that his privileges will be suspended or revoked. Except as otherwise provided in subsection 4, the

1 ~~{division}~~ **department** shall suspend or revoke those privileges 30 days  
2 after it mails the notice.

3 4. Any person who receives the notice required by subsection 3 may  
4 submit to the ~~{division}~~ **department** a written request for a hearing before  
5 the commission not later than 30 days after the receipt of the notice. If a  
6 written request for a hearing is received by the ~~{division}~~ **department**:

7 (a) The suspension or revocation of the license, permit or privilege is  
8 stayed until a determination is made by the commission after the hearing.

9 (b) The hearing must be held within 60 days after the request is  
10 received.

11 5. The periods of suspension or revocation imposed pursuant to this  
12 section must run concurrently. No license, permit or privilege may be  
13 suspended or revoked pursuant to this section for more than 3 years.

14 6. If the ~~{division}~~ **department** suspends or revokes a license, permit or  
15 privilege pursuant to this section, the period of suspension or revocation  
16 begins 30 days after notification pursuant to subsection 3 or a  
17 determination is made by the commission pursuant to subsection 4. After a  
18 person's license, permit or privilege is suspended or revoked pursuant to  
19 this section, all demerit points accumulated by that person must be  
20 canceled.

21 **Sec. 12.** NRS 501.1817 is hereby amended to read as follows:

22 501.1817 Any person whose license, permit or privilege has been  
23 suspended or revoked by the ~~{division}~~ **department** pursuant to NRS  
24 501.1816 is entitled to judicial review of the decision in the manner  
25 provided by chapter 233B of NRS.

26 **Sec. 13.** NRS 501.243 is hereby amended to read as follows:

27 501.243 1. The ~~{division}~~ **department** shall execute, administer and  
28 enforce and perform the functions and duties provided in chapter 488 of  
29 NRS.

30 2. The commission has the power and authority to:

31 (a) Promulgate rules and regulations governing the use of waters for  
32 recreational purposes, which waters are open to the public and are not  
33 under the direct control of any other state or federal agency for recreational  
34 use.

35 (b) Enter into cooperative agreements with federal, state and county  
36 agencies having regulatory powers pertaining to the use of public waters  
37 for recreational purposes for the purpose of coordinating such rules and  
38 regulations.

39 **Sec. 14.** NRS 501.310 is hereby amended to read as follows:

40 501.310 There is hereby created in each of the counties of this state a  
41 fund for the advisory board. The fund must be kept in the county treasury,  
42 and all money received from the ~~{division}~~ **department** must be placed in  
43 the fund.

44 **Sec. 15.** NRS 501.320 is hereby amended to read as follows:

45 501.320 1. Annually, not later than May 1, each board shall prepare  
46 a budget for the period ending June 30 of the following year, setting forth  
47 in detail its proposed expenditures for carrying out its duties as specified in  
48 this Title within its county, and submit the budget to the commission

1 accompanied by a statement of the previous year's expenditures, certified  
2 by the county auditor.

3 2. The commission shall examine the budget in conjunction with the  
4 ~~{administrator}~~ **director** or a person designated by him, and may increase,  
5 decrease, alter or amend the budget.

6 3. Upon approval of the budget, the ~~{division}~~ **department** shall  
7 transmit a copy of the approved budget to the board, and at the same time  
8 withdraw from the wildlife account within the state general fund and  
9 transmit to the board the money required under the approved budget for  
10 disposition by the board in accordance with the approved budget. All  
11 money so received must be placed in the fund for the advisory board.

12 **Sec. 16.** NRS 501.331 is hereby amended to read as follows:

13 501.331 There is hereby created the ~~{division of wildlife of the state}~~  
14 department of ~~{conservation and natural resources.}~~ **fish and game**, which  
15 shall administer the wildlife laws of this state and chapter 488 of NRS. *The*  
16 *department is under the control of the commission.*

17 **Sec. 17.** NRS 501.333 is hereby amended to read as follows:

18 501.333 1. From among three or more nominees of the commission,  
19 the ~~{director of the state department of conservation and natural resources}~~  
20 **governor** shall appoint ~~{an administrator}~~ **a director** of the ~~{division,}~~  
21 **department**, who is its chief administrative officer. The ~~{administrator}~~  
22 **director** serves at the pleasure of the ~~{director.}~~ **governor.**

23 2. The ~~{director}~~ **governor** shall select as ~~{administrator}~~ **director** a  
24 person having an academic degree in the management of wildlife or a  
25 closely related field, substantial experience in the management of wildlife  
26 and a demonstrated ability to administer ~~{a division of}~~ a major public  
27 agency.

28 3. The ~~{administrator}~~ **director** is in the unclassified service of the  
29 state.

30 **Sec. 18.** NRS 501.337 is hereby amended to read as follows:

31 501.337 The ~~{administrator}~~ **director** shall:

32 1. Carry out the policies and regulations of the commission.

33 2. Direct and supervise all administrative and operational activities of  
34 the ~~{division,}~~ **department**, and all programs administered by the ~~{division}~~  
35 **department** as provided by law. Except as otherwise provided in NRS  
36 284.143, the ~~{administrator}~~ **director** shall devote his entire time to the  
37 duties of his office and shall not follow any other gainful employment or  
38 occupation.

39 3. Within such limitations as may be provided by law, organize the  
40 ~~{division}~~ **department** and, from time to time with the consent of the  
41 commission, **may** alter the organization. The ~~{administrator}~~ **director** shall  
42 reassign responsibilities and duties as he may deem appropriate.

43 4. Appoint or remove such technical, clerical and operational staff as  
44 the execution of his duties and the operation of the ~~{division}~~ **department**  
45 may require, and all those employees are responsible to him for the proper  
46 carrying out of the duties and responsibilities of their respective positions.  
47 The ~~{administrator}~~ **director** shall designate a number of employees as  
48 game wardens and provide for their training.

5. Submit technical and other reports to the commission as may be necessary or as may be requested, which will enable the commission to establish policy and regulations.

6. Prepare the biennial budget of the ~~{division}~~ *department* consistent with the provisions of this Title and chapter 488 of NRS and submit it to the commission for its review and ~~{comment}~~ *approval before being submitted to the chief of the budget division of the department of administration pursuant to NRS 353.210.*

7. Administer real property assigned to the ~~{division}~~ *department.*

8. Maintain full control, by proper methods and inventories, of all personal property of the state acquired and held for the purposes contemplated by this Title and by chapter 488 of NRS.

9. Act as non voting secretary to the commission.

**Sec. 19.** NRS 501.339 is hereby amended to read as follows:

501.339 The ~~{administrator}~~ *director* may:

1. In cases of emergency, with the prior approval of the governor, exercise the powers of the commission until such time as the commission meets or the emergency ends.

2. Designate an employee or employees of the ~~{division}~~ *department* to act as his deputy or deputies. In the ~~{administrator's}~~ *director's* absence or inability to discharge the powers and duties of his office, the powers and duties devolve upon his deputy or deputies.

3. Designate persons outside the ~~{division}~~ *department* as game wardens if, in his opinion, the need for such designations exists.

**Sec. 20.** NRS 501.341 is hereby amended to read as follows:

501.341 The headquarters of the ~~{division}~~ *department* must be maintained at such a location in the state, and other offices may be established throughout the state in such number and location, as will, in the opinion of the ~~{administrator}~~ *director* and *the* commission, provide an efficient ~~{divisional}~~ *departmental* operation.

**Sec. 21.** NRS 501.343 is hereby amended to read as follows:

501.343 The ~~{division}~~ *department* may:

1. Collect and disseminate, throughout the state, information calculated to educate and benefit the people of the state regarding wildlife and boating, and information pertaining to any program administered by the ~~{division}~~ *department.*

2. Publish wildlife journals and other official publications, for which a specific charge may be made, such charge to be determined by the commission, with the proceeds to be deposited in the wildlife account within the state general fund. No charge may be made for any publication required by a regulation of the commission.

**Sec. 22.** NRS 501.349 is hereby amended to read as follows:

501.349 Regular employees and others designated by the ~~{administrator}~~ *director* as game wardens shall enforce all provisions of this Title and of chapter 488 of NRS.

**Sec. 23.** NRS 501.351 is hereby amended to read as follows:

501.351 1. The ~~{administrator}~~ *director* may enter into cooperative or reciprocal agreements with the Federal Government or any agency thereof, any other state or any agency thereof, any other agency of this



1 state, any county or other political subdivision of this state, to the extent  
2 permitted by the provisions of chapter 277 of NRS, any public or private  
3 corporation, or any person, in accordance with and for the purpose of  
4 carrying out the policy of the commission.

5 2. Such agreements do not relieve any party thereto of any liability,  
6 independent of such agreements, existing under any provision of law.

7 **Sec. 24.** NRS 501.352 is hereby amended to read as follows:

8 501.352 The ~~{administrator}~~ **director** shall require the personnel of the  
9 ~~{division}~~ **department** to report to him as soon as practicable any  
10 reasonable suspicion that a communicable disease may be present in  
11 wildlife in Nevada. The ~~{administrator}~~ **director** shall, as soon as possible,  
12 inform the director of the state department of agriculture of any reasonable  
13 suspicion reported to him. Any sample collected by the personnel of the  
14 ~~{division}~~ **department** in evaluating such a suspicion must be forwarded to  
15 the director of the state department of agriculture as soon as practicable.

16 **Sec. 25.** NRS 501.354 is hereby amended to read as follows:

17 501.354 The ~~{division}~~ **department** shall receive, deposit and expend  
18 all money provided by law for the administration of this title and of chapter  
19 488 of NRS, pursuant to the authority contained in NRS 501.356 and in  
20 accordance with the commission's policy.

21 **Sec. 26.** NRS 501.356 is hereby amended to read as follows:

22 501.356 1. Money received by the ~~{division}~~ **department** from:

- 23 (a) The sale of licenses;  
24 (b) Fees pursuant to the provisions of NRS 488.075 and 488.1795;  
25 (c) Remittances from the state treasurer pursuant to the provisions of  
26 NRS 365.535;  
27 (d) Appropriations made by the legislature; and  
28 (e) All other sources, except money derived from the forfeiture of any  
29 property described in NRS 501.3857 or money deposited in the wildlife  
30 heritage trust account pursuant to NRS 501.3575,  
31 must be deposited with the state treasurer for credit to the wildlife account  
32 in the state general fund.

33 2. The interest and income earned on the money in the wildlife  
34 account, after deducting any applicable charges, must be credited to the  
35 account.

36 3. Except as otherwise provided in subsection 4, the ~~{division}~~  
37 **department** may use money in the wildlife account only to carry out the  
38 provisions of this Title and chapter 488 of NRS and as provided in NRS  
39 365.535, and the money must not be diverted to any other use.

40 4. Except as otherwise provided in NRS 502.250, 502.310 and  
41 504.155, all fees for the sale or issuance of stamps, tags, permits and  
42 licenses that are required to be deposited in the wildlife account pursuant to  
43 the provisions of this Title must be accounted for separately and may be  
44 used only for the management of wildlife.

45 **Sec. 27.** NRS 501.3575 is hereby amended to read as follows:

46 501.3575 1. The wildlife heritage trust account is hereby created in  
47 the state general fund. The money in the account must be used by the  
48 ~~{division}~~ **department** as provided in this section for the protection,  
49 propagation, restoration, transplantation, introduction and management of

1 any game fish, game mammal, game bird or fur-bearing mammal in this  
2 state.

3 2. Except as otherwise provided in NRS 502.250, money received by  
4 the ~~{division}~~ department from:

5 (a) A bid, auction or partnership in wildlife drawing conducted pursuant  
6 to NRS 502.250; and

7 (b) A gift of money made by any person to the wildlife heritage trust  
8 account,  
9 must be deposited with the state treasurer for credit to the account.

10 3. The interest and income earned on the money in the wildlife  
11 heritage trust account, after deducting any applicable charges, must be  
12 credited to the account.

13 4. The ~~{division}~~ department may annually expend from the wildlife  
14 heritage trust account an amount of money not greater than the interest  
15 earned on the money in the account during the previous year. The  
16 commission shall review and approve expenditures from the account. No  
17 money may be expended from the account without the prior approval of the  
18 commission.

19 5. The commission shall administer the provisions of this section and  
20 may adopt any regulations necessary for that purpose.

21 **Sec. 28.** NRS 501.359 is hereby amended to read as follows:

22 501.359 1. The wildlife imprest account in the amount of \$15,000 is  
23 hereby created for the use of the ~~{division}~~ department, subject to the  
24 following conditions:

25 (a) The money must be deposited in a bank or credit union qualified to  
26 receive deposits of public money, except that \$500 must be kept in the  
27 custody of an employee designated by the ~~{administrator}~~ director for  
28 immediate use for purposes set forth in this section.

29 (b) The account must be replenished periodically from the wildlife  
30 account in the state general fund upon approval of expenditures as required  
31 by law and submission of vouchers or other documents to indicate payment  
32 as may be prescribed.

33 2. The wildlife imprest account may be used to pay for postage,  
34 C.O.D. packages, travel or other minor expenses which are proper as  
35 claims for payment from the wildlife account in the state general fund.

36 3. The wildlife imprest account may be used to provide money to  
37 employees of the ~~{division}~~ department for travel expenses and subsistence  
38 allowances arising out of their official duties or employment. All advances  
39 constitute a lien in favor of the ~~{division}~~ department upon the accrued  
40 wages of the requesting employee in an amount equal to the money  
41 advanced, but the ~~{administrator}~~ director may advance more than the  
42 amount of the accrued wages of the employee. Upon the return of the  
43 employee, he is entitled to receive money for any authorized expenses and  
44 subsistence in excess of the amount advanced.

45 **Sec. 29.** NRS 501.361 is hereby amended to read as follows:

46 501.361 A petty cash account in the amount of \$300 for the payment  
47 of minor expenses of the ~~{division}~~ department is hereby created. The  
48 account must be kept in the custody of an employee designated by the  
49 ~~{administrator}~~ director and must be replenished periodically from the

wildlife account in the state general fund upon approval of expenditures as required by law and submission of vouchers or other documents to indicate payment as may be prescribed.

**Sec. 30.** NRS 501.363 is hereby amended to read as follows:

501.363 A change account in the amount of \$500 is hereby created. The account must be kept in the custody of one or more employees designated by the ~~administrator~~ **director** and used for the making of change incidental to the business of the ~~division~~ **department**.

**Sec. 31.** NRS 501.376 is hereby amended to read as follows:

501.376 1. Any person who unlawfully kills or possesses a bighorn sheep, mountain goat, elk, deer, pronghorn antelope ~~[, mountain lion]~~ or black bear without a valid tag is guilty of a gross misdemeanor. This subsection does not prohibit the killing of such an animal if necessary to protect the life or property of any person in imminent danger of being attacked by such an animal.

2. A tag issued for hunting any big game mammal specified in subsection 1 is not valid if knowingly used by a person:

- (a) Other than the person specified on the tag;
- (b) Outside of the management area or other area specified on the tag;
- (c) Outside of the dates established by the commission for the lawful taking of the big game mammal specified on the tag;
- (d) Outside of the hours set pursuant to NRS 503.140 for the lawful hunting of the big game mammal specified on the tag; or
- (e) If the tag was obtained by a false or fraudulent representation.

**Sec. 32.** NRS 501.383 is hereby amended to read as follows:

501.383 It is unlawful for any person maliciously to tear down, mutilate or destroy any sign, signboard or other notice which has been erected by the ~~division~~ **department** or through an agency of the ~~division~~ **department**.

**Sec. 33.** NRS 501.385 is hereby amended to read as follows:

501.385 Except as otherwise provided by specific statute:

- 1. Any person who:
    - (a) Performs an act or attempts to perform an act made unlawful or prohibited by a provision of this Title;
    - (b) Willfully fails to perform an act required of him by a provision of this Title;
    - (c) Obstructs, hinders, delays or otherwise interferes with any officer, employee or agent of the ~~division~~ **department** in the performance of any duty while enforcing or attempting to enforce any provision of this Title;
    - (d) Violates any order issued or regulation adopted by the commission under the provisions of this Title; or
    - (e) Having been granted a privilege or been licensed or permitted to do any act under the provisions of this Title, exercises the grant, license or permit in a manner other than as specified,
- is guilty of a misdemeanor.

2. Every person who is guilty of a misdemeanor under this Title shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment.

**Sec. 34.** NRS 501.3855 is hereby amended to read as follows:

1. In addition to the penalties provided for the violation of any of the provisions of this Title, every person who unlawfully kills or possesses a big game mammal, bobcat, swan or eagle is liable for a civil penalty of not less than \$250 nor more than \$5,000.

2. For ~~the~~ unlawful killing or possession of fish or wildlife not included in subsection 1, the court may order the defendant to pay a civil penalty of not less than \$25 nor more than \$1,000.

3. For hunting, fishing or trapping without a valid license, tag or permit, the court may order the defendant to pay a civil penalty of not less than \$50 nor more than \$250.

4. Every court, before whom a defendant is convicted of unlawfully killing or possessing any wildlife, shall order the defendant to pay the civil penalty in the amount stated in this section for each mammal, bird or fish unlawfully killed or possessed. The court shall fix the manner and time of payment.

5. The ~~[division]~~ department may attempt to collect all penalties and installments that are in default in any manner provided by law for the enforcement of a judgment.

6. Each court that receives money pursuant to the provisions of this section shall forthwith remit the money to the ~~[division]~~ department which shall deposit the money with the state treasurer for credit to the wildlife account in the state general fund.

**Sec. 35.** NRS 501.388 is hereby amended to read as follows:

501.388 1. The commission may, in addition to any suspension, revocation or other penalty imposed pursuant to any other provision of this Title:

(a) Revoke any license of any person who is convicted of a violation of NRS 503.050, and may refuse to issue any new license to the convicted person for any period not to exceed 5 years after the date of the conviction; and

(b) Revoke any license of any person who is convicted of unlawfully killing or possessing a bighorn sheep, mountain goat, elk, deer, pronghorn antelope ~~[, mountain lion]~~ or black bear without a valid tag, and may:

(1) Refuse to issue any new license to the convicted person for any period not to exceed 3 years; and

(2) Revoke that person's privilege to apply for any big game tag for a period not to exceed 10 years.

2. The court in which the conviction is had shall require the immediate surrender of all such licenses and shall forward them to the commission.

**Sec. 36.** NRS 501.389 is hereby amended to read as follows:

501.389 1. Except for property described in NRS 501.3857, equipment:

(a) Seized as evidence in accordance with NRS 501.375; and

(b) Not recovered by the owner within 1 year from the date of seizure, becomes the property of the ~~[division]~~ department.

2. The ~~[division]~~ department shall either sell such equipment in accordance with the regulations adopted pursuant to subsection 5 of NRS

333.220 or retain such equipment for authorized use by the ~~[division]~~  
*department*. All money received from such sales must be deposited with  
the state treasurer for credit to the wildlife account in the state general  
fund.

3. Any person of lawful age and lawfully entitled to reside in the  
United States may purchase the equipment, whether a prior owner or not.

**Sec. 37.** NRS 501.395 is hereby amended to read as follows:

501.395 1. The ~~[division]~~ *department* may offer a reward for one or  
more classes of wildlife, not to exceed \$1,000, for information leading to  
the arrest and conviction of any person who unlawfully kills or possesses  
wildlife of the class specified. The reward must be paid for each person so  
arrested and convicted upon his conviction. The reward must be distributed  
equally among the persons who supplied the information which led to the  
arrest and conviction.

2. The commission may adopt such regulations as are necessary to  
carry out the provisions of this section.

**Sec. 38.** NRS 502.012 is hereby amended to read as follows:

502.012 Upon receipt of a copy of an order of the juvenile division of  
a district court, entered pursuant to NRS 62.229, to revoke the license to  
hunt of a child, the ~~[division]~~ *department* shall revoke the license. The  
revocation of the license to hunt shall be deemed effective as of the date of  
the order. The ~~[division]~~ *department* shall retain the copy of the order.

**Sec. 39.** NRS 502.015 is hereby amended to read as follows:

502.015 1. For the purpose of issuing and using resident licenses,  
tags or permits pursuant to this chapter, a person is considered to be a  
resident of the State of Nevada if:

(a) He is a citizen of, or is lawfully entitled to remain in, the United  
States; and

(b) During the 6 months next preceding his application to the ~~[division]~~  
*department* for a license, tag or permit, he:

(1) Was domiciled in this state;

(2) Was physically present in this state, except for temporary  
absences; and

(3) Did not purchase or apply for any resident license, tag or permit  
to hunt, fish or trap in another state, country or province.

2. A person who is not domiciled in Nevada but who is attending an  
institution of higher learning in this state as a full-time student is eligible  
for a resident license, tag or permit if, during the 6 months next preceding  
his application to the ~~[division]~~ *department* for a license, tag or permit, he:

(a) Was physically present in Nevada, except for temporary trips  
outside of the state; and

(b) Did not purchase or apply for any resident license, tag or permit to  
hunt, fish or trap in another state, country or province.

3. A resident license, tag or permit issued by this state is void if the  
person to whom it was issued establishes his domicile in and obtains any  
privilege or entitlement conditional on residency from another state,  
country or province.

1     **Sec. 40.** NRS 502.020 is hereby amended to read as follows:  
2     502.020 The ~~[division]~~ *department* shall prepare the licenses for  
3 hunting, fishing and trapping, and shall deliver such licenses to agents for  
4 sale to the public.

5     **Sec. 41.** NRS 502.030 is hereby amended to read as follows:  
6     502.030 1. Licenses granting the privilege to hunt, fish or trap as  
7 provided in this Title must be of such form as is deemed necessary by the  
8 ~~[division]~~ *department*, but must include the following information:

9     (a) The holder's name, address and description.  
10    (b) The date issued.  
11    (c) The expiration date thereof.  
12    (d) The correct designation as to whether a fishing, hunting or trapping  
13 license.

14    (e) A statement to be signed by the holder: "I, the signator holder in  
15 signing this license, hereby state that I am entitled to this license under the  
16 laws of the State of Nevada and that no false statement has been made by  
17 me to obtain this license."

18    2. The commission may provide rules and regulations requiring an  
19 applicant to exhibit proof of his identity and residence. Such information  
20 must be included on the license as is deemed necessary by the ~~[division]~~  
21 *department*.

22    3. The commission may provide rules and regulations establishing a  
23 permanent licensing system. Such system may authorize the use of  
24 applications for the issuance of temporary hunting, fishing and trapping  
25 licenses for residents and the issuance of annual licenses therefrom. The  
26 system may provide for the automatic renewal and validation of the annual  
27 license.

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

31     **Sec. 42.** NRS 502.035 is hereby amended to read as follows:  
32     502.035 Licenses, stamps and permits granting the privilege to hunt,  
33 fish or trap during the open season as provided in this Title must be issued  
34 by the ~~[division]~~ *department*, upon payment of the fees required under this  
35 Title.

36     **Sec. 43.** NRS 502.040 is hereby amended to read as follows:  
37     502.040 1. The commission shall adopt regulations regarding:  
38     (a) The standards to be met by license agents in the performance of their  
39 duties;  
40     (b) The requirements for the furnishing of surety bonds by license  
41 agents;  
42     (c) The manner of remitting money to the ~~[division]~~ *department*; and  
43     (d) The manner of accounting for licenses, tags, stamps and permits  
44 received, issued, sold or returned.

45    A license agent's authority may be revoked by the ~~[division]~~ *department*  
46 for his failure to abide by the regulations of the commission. The agent  
47 may appeal to the commission for reinstatement.

48    2. A license agent designated by the ~~[division]~~ *department* is  
49 responsible for the correct issuance of all licenses, tags, stamps and permits

entrusted to him, and, so far as he is able, for ensuring that no licenses are issued upon the false statement of an applicant. Before issuing any license, the license agent shall satisfy himself of the identity of the applicant and the place of his residence, and may require any applicant to present proof of his identity and residence.

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

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

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

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

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

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

**Sec. 44.** NRS 502.060 is hereby amended to read as follows:

502.060 1. A person applying for and procuring a license, as provided in this chapter, shall give to the license agent his name and residence address, which must be entered by the license agent on the license and stub, together with the date of issuance and a description of the person. If a child under the age of 18 years is applying for a license to hunt, the child's parent or legal guardian must sign the application and an attached statement acknowledging that the parent or legal guardian has been advised of the provisions of NRS 41.472.

2. Except as otherwise provided in subsection 3, any person who makes any false statement or furnishes false information to obtain any license, tag or permit issued pursuant to the provisions of this Title is guilty of a misdemeanor.

3. Any person who makes any false statement or furnishes false information to obtain any big game tag issued pursuant to the provisions of this Title is guilty of a gross misdemeanor.

4. It is unlawful for any person to hunt, fish or trap using any hunting, fishing or trapping license which is invalid by reason of expiration or a false statement made to obtain the license.



5. As used in this section, "big game tag" means a tag permitting a person to hunt any species of pronghorn antelope, bear, deer, mountain goat, ~~mountain lion,~~ bighorn sheep or elk.

**Sec. 45.** NRS 502.063 is hereby amended to read as follows:

502.063 The ~~division~~ **department** shall, upon request of the welfare division of the department of human resources, submit to the welfare division the name, address and social security number of each person who holds a license or permit to hunt, fish or trap that does not expire less than 6 months after it is issued, or a license to practice commercial taxidermy, and any pertinent changes in that information.

**Sec. 46.** NRS 502.070 is hereby amended to read as follows:

502.070 1. The ~~division~~ **department** shall issue to any member of the Armed Forces of the United States who has been assigned to permanent duty, as opposed to temporary or casual duty, within the State of Nevada all necessary hunting or fishing licenses, tags or permits for fishing, hunting or trapping in the State of Nevada. A like privilege must be extended to spouses and dependents, under the age of 21, of such members of the Armed Forces. All such licenses, tags or permits must be issued on the same terms and conditions and at the same costs as licenses, tags or permits are issued to Nevada residents, except that the 6 months' residence requirement must be waived.

2. The issuance of all such licenses, tags and permits must be made by application upon a form provided for that purpose by the ~~division~~ **department**. The application must include such proof of assignment to permanent duty within the State of Nevada as may be deemed necessary by the ~~division~~ **department** to determine whether or not an applicant is actually so assigned.

**Sec. 47.** NRS 502.072 is hereby amended to read as follows:

502.072 The ~~division~~ **department** shall issue without charge any license authorized under the provisions of this chapter, upon satisfactory proof of the requisite facts to any bona fide resident of the State of Nevada who has incurred a service-connected disability which is considered to be 50 percent or more by the Department of Veterans Affairs and has received upon severance from service an honorable discharge or certificate of satisfactory service from the Armed Forces of the United States.

**Sec. 48.** NRS 502.075 is hereby amended to read as follows:

502.075 The ~~division~~ **department** shall issue to a blind person, as defined in subsection 4 of NRS 361.085, a hunting license which:

1. Authorizes a person selected by the blind person to hunt on his behalf if:

(a) The person selected is a resident of the State of Nevada and possesses a valid Nevada hunting license; and

(b) The blind person is in the company of or in the immediate area of the person selected.

2. Is issued pursuant and subject to regulations prescribed by the commission.

3. Contains the word "Blind" printed on the face of the license.



- 1     **Sec. 49.** NRS 502.077 is hereby amended to read as follows:  
2     502.077 1. The ~~{division}~~ **department** shall issue special fishing  
3 permits to the administrative head of:  
4     (a) The Nevada mental health institute;  
5     (b) Southern Nevada adult mental health services;  
6     (c) The Northern Nevada children's home;  
7     (d) The Southern Nevada children's home;  
8     (e) The Nevada youth training center;  
9     (f) The Caliente youth center;  
10    (g) The Spring Mountain Youth Camp;  
11    (h) The China Spring Youth Camp;  
12    (i) Any facility which provides temporary foster care for children who  
13 are not delinquent; and  
14    (j) Such other public or charitable institutions or organizations as are  
15 designated by regulations adopted by the commission,  
16 for use only by the members, patients or children of such institutions or  
17 organizations.  
18    2. The permits:  
19    (a) Must be in the possession of the officer or employee who is  
20 supervising a member, patient or child while he is fishing.  
21    (b) Authorize a member, patient or child to fish in a legal manner if in  
22 the company of an officer or employee of one of the institutions listed in  
23 this section, or of an organization provided for by regulation, if the officer  
24 or employee has a valid Nevada fishing license.  
25    (c) Must be issued pursuant and subject to regulations prescribed by the  
26 commission.  
27    (d) Must contain the words "Nevada Special Fishing Permit" and the  
28 number of the permit printed on the face of the permit.  
29    (e) May authorize no more than 15 members, patients or children,  
30 respectively, to fish.  
31    3. Each institution or organization shall pay to the ~~{division}~~  
32 **department** an annual fee of \$15 for each permit issued to the institution or  
33 organization pursuant to this section. The ~~{division}~~ **department** shall not  
34 issue more than two permits per year to each institution or organization.  
35    4. It is unlawful for any person other than a member, patient or child in  
36 one of these organizations or institutions to fish with a permit issued by the  
37 ~~{division}~~ **department** pursuant to this section.  
38    **Sec. 50.** NRS 502.110 is hereby amended to read as follows:  
39    502.110 1. Except as otherwise provided in subsection 2, not more  
40 than one license of each class may be issued to any one person during each  
41 licensing period.  
42    2. If an unexpired license is lost or stolen, the person to whom the  
43 license was issued may receive another license of the same class by making  
44 application and certifying under oath that the license was lost or stolen and  
45 by paying:  
46    (a) If the application is made to an authorized agent, the annual fee for  
47 the license; or  
48    (b) If the application is made to the ~~{division}~~ **department**, a fee of \$5.

**Sec. 51.** NRS 502.115 is hereby amended to read as follows:

502.115 1. If the ~~division~~ department receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license or permit to hunt, fish or trap that does not expire less than 6 months after it is issued, or a license to practice commercial taxidermy, the ~~division~~ department shall deem the license or permit issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the ~~division~~ department receives a letter issued to the holder of the license or permit by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license or permit has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The ~~division~~ department shall reinstate a license or permit to hunt, fish or trap or a license to practice commercial taxidermy that has been suspended by a district court pursuant to NRS 425.540 if the ~~division~~ department receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license or permit was suspended stating that the person whose permit or license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

**Sec. 52.** 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~~ department 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 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]~~ department 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]~~ department.

**Sec. 53.** NRS 502.143 is hereby amended to read as follows:

502.143 1. The commission may adopt regulations establishing a program pursuant to which the ~~[division]~~ department may issue special incentive deer tags to owners, lessees and managers of private land in this state for use on the private land of such owners, lessees or managers.

2. The regulations must:

(a) Require that the owner, lessee or manager who is lawfully in control of private land must, before he is issued a special incentive deer tag:

(1) Allow the hunting and viewing of wildlife on his land by the general public; or

(2) Enter into a cooperative agreement with the ~~[division]~~ department to improve deer or other wildlife habitat on his land.

(b) Allow the owner, lessee or manager to sell any special incentive deer tag that he is issued pursuant to the program.

**Sec. 54.** NRS 502.145 is hereby amended to read as follows:

502.145 1. An owner, lessee or manager of private land in this state may apply to the ~~[division]~~ department for the issuance to him of one or

1 more deer or antelope tags as provided in this section. The tags must be  
2 issued as compensation for damage caused by deer or antelope to the  
3 private land or to any improvements thereon.

4 2. An application made pursuant to this section must:

- 5 (a) Be made in the form prescribed by the ~~[division]~~ department;  
6 (b) Establish to the satisfaction of the ~~[division]~~ department that the  
7 applicant has sustained damage of the kind described in subsection 1; and  
8 (c) Be accompanied by the fee charged for the tags pursuant to NRS  
9 502.250 and any fee charged for administrative costs.

10 3. The ~~[division]~~ department shall review the application, may  
11 conduct any investigation it deems appropriate and, if it approves the  
12 application, shall issue to the applicant not more than one tag for each 50  
13 animals present on the private land owned, leased or managed by the  
14 applicant. Both deer and antelope tags may be issued to an applicant. Not  
15 more than 200 tags may be issued annually by the ~~[division]~~ department  
16 pursuant to this section.

17 4. A tag issued as compensation for damage pursuant to this section:

18 (a) May be used by the owner, lessee or manager of the private land if  
19 he holds a valid Nevada hunting license, or may be sold by that person to  
20 any holder of a valid Nevada hunting license at any price mutually agreed  
21 upon;

22 (b) Except as otherwise provided in subparagraph (2) of paragraph (c)  
23 of this subsection, must be used on the private land or in the unit or units  
24 within the management area or areas in which the private land is located;  
25 and

26 (c) May only be used during:

- 27 (1) The open season for the species for which the tag is issued; or  
28 (2) A special season prescribed by regulation of the commission for  
29 the use of such tags only on the private land.

30 5. As a condition of receiving a tag from the ~~[division]~~ department  
31 pursuant to this section, an owner, lessee or manager who is lawfully in  
32 control of private land that blocks access to adjacent public land must  
33 provide access to the public land during the hunting season to a person or  
34 hunting party with a tag for the purpose of hunting on the public land.

35 6. Insofar as they are consistent with this section, the provisions of this  
36 Title and of the regulations adopted by the commission apply to the  
37 issuance and use of tags pursuant to this section. The commission may  
38 adopt any regulations it deems necessary to carry out the provisions of this  
39 section.

40 7. The ~~[administrator]~~ director shall, not later than the fifth calendar  
41 day of each regular session of the legislature, submit to the director of the  
42 legislative counsel bureau for distribution to the legislature a report  
43 summarizing the activities of the ~~[division]~~ department taken pursuant to  
44 the provisions of this section during the preceding biennium, including any  
45 problems associated with the issuance and use of tags authorized by this  
46 section and any recommendations for correcting those problems.

47 **Sec. 55.** NRS 502.147 is hereby amended to read as follows:

48 502.147 1. The ~~[division]~~ department shall make available restricted  
49 nonresident deer tags in an amount not to exceed the amount set forth in

1 this section. If the number of persons who apply for restricted nonresident  
2 deer tags is greater than the number of tags to be issued, the ~~{division}~~  
3 *department* shall conduct a drawing to determine the persons to whom to  
4 issue the tags.

5 2. The number of restricted nonresident deer tags must:

6 (a) Be subtracted from the quota of rifle deer tags for nonresidents; and

7 (b) Not exceed 16 percent of the deer tags issued to nonresidents during  
8 the previous year or 400 tags, whichever is greater.

9 3. The number of restricted nonresident deer tags issued for any  
10 management area or unit must not exceed 37.5 percent, rounded to the  
11 nearest whole number, of the rifle deer tags issued to nonresidents during  
12 the previous year for that management area or unit.

13 4. The ~~{division}~~ *department* shall mail the tags to the successful  
14 applicants.

15 **Sec. 56.** NRS 502.148 is hereby amended to read as follows:

16 502.148 1. Except as otherwise provided in this subsection, any  
17 person who wishes to apply for a restricted nonresident deer tag pursuant to  
18 NRS 502.147 must complete an application on a form prescribed and  
19 furnished by the ~~{division}~~ *department*. A licensed master guide may  
20 complete the application for an applicant. The application must be signed  
21 by the applicant and the master guide who will be responsible for  
22 conducting the restricted nonresident deer hunt.

23 2. The application must be accompanied by a fee for the tag of ~~[\$300.]~~  
24 *\$305*, plus any other fees which the ~~{division}~~ *department* may require.  
25 The commission shall establish the time limits and acceptable methods for  
26 submitting such applications to the ~~{division}~~ *department*.

27 3. Any application for a restricted nonresident deer tag which contains  
28 an error or omission must be rejected and the fee for the tag returned to the  
29 applicant.

30 4. A person who is issued a restricted nonresident deer tag is not  
31 eligible to apply for any other deer tag issued in this state for the same  
32 hunting season as that restricted nonresident deer hunt.

33 5. All fees collected pursuant to this section must be deposited with the  
34 state treasurer for credit to the wildlife account in the state general fund.

35 *6. The department shall account separately for an amount equal to*  
36 *\$5 per fee collected pursuant to subsection 2 and shall only use such*  
37 *money for the control of predatory animals, including, without*  
38 *limitation, birds that are predatory.*

39 **Sec. 57.** NRS 502.160 is hereby amended to read as follows:

40 502.160 1. The ~~{division}~~ *department* shall designate the form of the  
41 tag, requiring such numbering or other manner of identification as is  
42 necessary to designate the name or hunting license number of the person to  
43 whom it is issued. Each tag must show the game for which it may be used,  
44 the year ~~{}~~ and, whenever necessary, the management area in which it may  
45 be used.

46 2. The commission may adopt any regulations necessary relative to the  
47 manner of qualifying and applying for, using, completing, attaching, filling  
48 out, punching, inspecting, validating or reporting such tags. It is unlawful  
49 for any person to fail to abide by any such regulation.

**Sec. 58.** NRS 502.175 is hereby amended to read as follows:

502.175 1. The ~~[division]~~ *department* shall contract with a private entity to conduct a drawing and to award and issue the tags for a special season. The drawing must be conducted using a computer program that awards tags based on a random order of selection. The contract must provide for the acquisition by the ~~[division]~~ *department* of the ownership of the computer program at the end of the term of the contract. The ~~[division]~~ *department* shall solicit bids for the contract pursuant to the provisions of chapter 333 of NRS.

2. The ~~[division]~~ *department* shall:

(a) Provide to the private entity to whom a contract is awarded pursuant to the provisions of subsection 1 any applications for tags, documents or other information required by the private entity to conduct the drawing; and

(b) Otherwise cooperate with the private entity in conducting the drawing.

3. As soon as practicable after the drawing is completed, the private entity shall submit the results of the drawing to the ~~[division]~~ *department*.

4. If no private entity qualifies for the awarding of the contract specified in subsection 1, the ~~[division]~~ *department* shall conduct a drawing to award tags for a special season in the manner set forth in the regulations adopted by the commission pursuant to the provisions of subsection 5.

5. The commission shall adopt regulations necessary to carry out the provisions of this section, including regulations that prescribe the manner in which the ~~[division]~~ *department* must conduct a drawing specified in subsection 1 if no private entity qualifies for the awarding of the contract.

**Sec. 59.** NRS 502.210 is hereby amended to read as follows:

502.210 A duplicate tag may not be issued except as follows:

1. Upon receiving an affidavit of an applicant that a tag previously issued has been lost or destroyed and upon payment of a fee of \$5, the ~~[division]~~ *department* shall issue a duplicate tag to the applicant.

2. Upon receiving an affidavit of an applicant that he has not received the tag for which he applied and paid the required fee, the ~~[division]~~ *department* may, not earlier than 7 days after the date on which the tag was mailed, issue a duplicate tag to the applicant upon payment of a fee of \$5.

The provisions of this section do not affect the issuance of a replacement tag pursuant to NRS 502.215.

**Sec. 60.** NRS 502.215 is hereby amended to read as follows:

502.215 1. If any person who possesses a tag to hunt a big game mammal kills an animal that is believed to be diseased and unfit for human consumption, he shall place his tag on the carcass in the manner provided by law or regulation and provide the whole carcass for inspection by an authorized representative of the ~~[division]~~ *department* or, at his own expense, by a veterinarian licensed to practice in Nevada. Except as otherwise provided in this subsection, the holder of the tag who provides the carcass for such an inspection is entitled, if the carcass is diseased and unfit for human consumption, to receive at no charge another tag as a

1 replacement for the one he placed on the carcass pursuant to this  
2 subsection. The holder shall choose whether the replacement tag is to be  
3 issued for the current hunting season or for the next similar season in the  
4 following year. If the holder chooses to retain the head, antlers, carcass,  
5 horns or hide of the animal, and the authorized representative of the  
6 ~~[division]~~ **department** approves the retention, the holder shall be deemed to  
7 waive any claim he may have had for the issuance of a replacement tag.

8 2. A replacement tag issued pursuant to subsection 1 for the current  
9 hunting season is valid for:

10 (a) The entire remaining portion of the season for which the original tag  
11 was issued; or

12 (b) If the original tag was issued for a period of a split season, the entire  
13 remaining portion of the period for which the original tag was issued or the  
14 entire following period, if any.

15 3. A replacement tag issued pursuant to subsection 1 must be:

16 (a) Issued for the same unit for which the original tag was issued.

17 (b) Used in the same manner as or pursuant to the same conditions or  
18 restrictions applicable to the original tag.

19 4. The commission shall adopt by regulation:

20 (a) A procedure for the inspection and verification of the condition of  
21 such a carcass;

22 (b) Requirements for the disposal of such a carcass if it is determined to  
23 be diseased and unfit for human consumption;

24 (c) Requirements for the disposition of the hide and the antlers or horns  
25 of the animal; and

26 (d) Except as otherwise provided in subsection 2, a procedure for the  
27 issuance of a replacement tag pursuant to this section.

28 5. For the purposes of this section, “split season” means a season  
29 which is divided into two or more periods.

30 **Sec. 61.** NRS 502.230 is hereby amended to read as follows:

31 502.230 1. A nonresident deer tag for regular season may be issued  
32 to any nonresident of this state or to the immediate members of such  
33 nonresident’s family, as a bona fide owner of land within this state, for the  
34 privilege to hunt upon that land to which he has title, if not less than 75  
35 percent of all land belonging to him in the State of Nevada and upon which  
36 he proposes to hunt is open to the public for hunting.

37 2. Such nonresident may hunt deer during the same periods and subject  
38 to the same limitations as may be allowed or imposed upon residents of  
39 Nevada in connection with such hunting if such nonresident has first  
40 obtained a nonresident hunting license.

41 3. A nonresident deer tag for the regular season may be issued by the  
42 ~~[division]~~ **department** only upon proof of the applicant’s title to certain  
43 lands within this state. The commission shall adopt and promulgate  
44 regulations establishing requirements for obtaining tags, including a  
45 determination that the land proposed for hunting is deer habitat.

46 4. Such nonresident deer tag for the regular season may be issued only  
47 upon payment of the regular nonresident fee and is valid for use only on  
48 the land owned and described, and such nonresident deer tag for the regular  
49 season must indicate “nonresident landowner.”



1     **Sec. 62.** NRS 502.240 is hereby amended to read as follows:  
2     502.240 The ~~[division]~~ *department* shall issue annual licenses and  
3     limited permits:

4     1. To any person who has not attained his 16th birthday and who has  
5     been a bona fide resident of the State of Nevada for 6 months immediately  
6     preceding his application for a license, upon payment of \$5 for an annual  
7     trapping license.

8     2. Except as otherwise provided in NRS 502.245 and 504.390, to any  
9     person who has attained his 16th birthday and who has been a bona fide  
10    resident of the State of Nevada for 6 months immediately preceding his  
11    application for a license, upon the payment of:

12     For a fishing license.....	\$20
13     For a 1-day permit to fish.....	6
14     For each consecutive day added to a 1-day permit to fish.....	2
15     For a hunting license.....	23
16     For a combined hunting and fishing license.....	38
17     For a trapping license.....	30
18     For a fur dealer's license.....	50
19     For an annual master guide's license.....	250
20     For an annual subguide's license.....	75

21    3. To any person who has attained his 12th birthday but who has not  
22    attained his 16th birthday, and who is not a bona fide resident of the State  
23    of Nevada, upon the payment of \$8 for an annual fishing license, except for  
24    a fishing license to fish in the reciprocal waters of the Colorado River,  
25    Lake Mead and Lake Mohave, which annual license must cost a sum  
26    agreed upon by the commission and the Arizona Game and Fish  
27    Commission, but not to exceed \$30.

28    4. Except as otherwise provided in subsection 3, to any person who is  
29    not a bona fide resident of the State of Nevada, upon the payment of:

30     For a fishing license, except for a fishing license to fish in the 31     reciprocal waters of the Colorado River, Lake Mead and Lake 32     Mohave, which license must cost a sum agreed upon by the 33     commission and the Arizona Game and Fish Commission, but not 34     to exceed \$30.....	\$50
35     For a 1-day permit to fish.....	11
36     For each consecutive day added to a 1-day permit to fish.....	4
37     For a hunting license.....	110
38     For an annual trapper's license.....	150
39     For a fur dealer's license.....	100
40     For an annual master guide's license.....	500
41     For an annual subguide's license.....	150
42     For a 1-day permit to hunt upland game and waterfowl.....	15
43     For each consecutive day added to a 1-day permit to hunt 44     upland game and waterfowl.....	5

45    5. To any person, without regard to residence, upon the  
46    payment of:

47     For a noncommercial license for the possession of live 48     wildlife.....	\$5
49     For a commercial or private shooting preserve.....	100



1	For a commercial license for the possession of live wildlife .....	100
2	For a live bait dealer's permit .....	35
3	For a competitive field trials permit .....	25
4	For a permit to train dogs or falcons .....	5
5	For a 1-year falconry license.....	30
6	For a 3-year falconry license.....	75
7	For an importation permit .....	5
8	For an import eligibility permit .....	25
9	For an exportation permit .....	5

10 For any other special permit issued by the ~~[division,]~~ **department**, a fee not  
11 to exceed \$100 set by the commission.

12 **Sec. 63.** NRS 502.245 is hereby amended to read as follows:

13 502.245 1. The ~~[division]~~ **department** shall issue any hunting or  
14 fishing license or combined hunting and fishing license authorized under  
15 the provisions of this chapter, upon proof satisfactory of the requisite facts  
16 and payment of the applicable fee, to any person who has resided in this  
17 state:

18 (a) For the 6-month period immediately preceding the date of his  
19 application for a license and:

20 (1) Has a severe physical disability; or

21 (2) Has attained his 12th birthday but has not attained his 16th  
22 birthday; or

23 (b) Continuously for 5 years immediately preceding the date of this  
24 application for a license and is 65 years of age or older.

25 2. The ~~[division]~~ **department** shall charge and collect for such a:

26 Hunting license .....

~~[\$4]~~ **\$4**

27 Fishing license.....

~~[4]~~ **4**

28 Combined hunting and fishing license.....

~~7~~ **7**

29 3. For the purposes of this section, "severe physical disability" means  
30 a physical disability which materially limits the person's ability to engage  
31 in gainful employment.

32 **Sec. 64.** NRS 502.250 is hereby amended to read as follows:

33 502.250 1. Except as otherwise provided in this section, the  
34 following fees must be charged for tags:

35 Resident deer tag for regular season.....

~~[\$15]~~ **\$20**

36 Nonresident and alien deer tag for regular season.....

~~[60]~~ **65**

37 Resident antelope tag.....

~~[50]~~ **55**

38 Resident elk tag.....

~~[100]~~ **105**

39 Resident bighorn **sheep** tag.....

~~[100]~~ **105**

40 Resident mountain goat tag.....

~~[100]~~ **100**

41 ~~Resident mountain lion tag.....~~ ~~25]~~ **105**

42 2. Other resident big game tags for special seasons must not exceed  
43 \$50. Other nonresident big game tags for special seasons must not exceed  
44 \$1,000.

45 3. Tags determined to be necessary by the commission for other  
46 species pursuant to NRS 502.130 must not exceed \$100.

47 4. A fee not to exceed \$10 may be charged for processing an  
48 application for a tag other than an elk tag. A fee of not less than \$5 but not  
49 more than \$15 must be charged for processing an application for an elk tag,

1 \$5 of which must be deposited with the state treasurer for credit to the  
2 wildlife account in the state general fund and used for the prevention and  
3 mitigation of damage caused by elk or game mammals not native to this  
4 state.

5 5. The commission may accept sealed bids for or auction not more  
6 than 15 big game tags and not more than 5 wild turkey tags each year. To  
7 reimburse the ~~[division]~~ department for the cost of managing wildlife and  
8 administering and conducting the bid or auction, not more than 18 percent  
9 of the total amount of money received from the bid or auction may be  
10 deposited with the state treasurer for credit to the wildlife account in the  
11 state general fund. Any amount of money received from the bid or auction  
12 that is not so deposited must be deposited with the state treasurer for credit  
13 to the wildlife heritage trust account in the state general fund in accordance  
14 with the provisions of NRS 501.3575.

15 6. The commission may by regulation establish an additional drawing  
16 for big game tags, which may be entitled the partnership in wildlife  
17 drawing. To reimburse the ~~[division]~~ department for the cost of managing  
18 wildlife and administering and conducting the drawing, not more than 18  
19 percent of the total amount of money received from the drawing may be  
20 deposited with the state treasurer for credit to the wildlife account in the  
21 state general fund. Except as otherwise provided by regulations adopted by  
22 the commission pursuant to subsection 7, the money received by the  
23 ~~[division]~~ department from applicants in the drawing who are not awarded  
24 big game tags must be deposited with the state treasurer for credit to the  
25 wildlife heritage trust account in accordance with the provisions of NRS  
26 501.3575.

27 7. The commission may adopt regulations which authorize the return  
28 of all or a portion of any fee collected from a person pursuant to the  
29 provisions of this section.

30 8. *The department shall account separately for an amount equal to*  
31 *\$5 per fee collected for a tag pursuant to this section and use that money*  
32 *only for the management of predatory animals, including, without*  
33 *limitation, birds that are predatory.*

34 **Sec. 65.** NRS 502.255 is hereby amended to read as follows:

35 502.255 The ~~[division]~~ department shall account separately for the  
36 money received from fees for processing applications for tags and use that  
37 money only for all of the ~~[division's]~~ department's direct and indirect costs  
38 associated with the system of applications and drawings for, and the  
39 issuance of, tags.

40 **Sec. 66.** NRS 502.300 is hereby amended to read as follows:

41 502.300 1. Except as otherwise provided in subsection 2, it is  
42 unlawful for any person to hunt any migratory game bird, except jacksnipe,  
43 coot, gallinule, western mourning dove, white-winged dove and band-  
44 tailed pigeon, unless at the time he is hunting he carries on his person an  
45 unexpired state duck stamp validated by his signature in ink across the face  
46 of the stamp.

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

- 48 (a) Is under the age of 12 years; or  
49 (b) Is 65 years of age or older.

3. Unexpired duck stamps must be sold for a fee of not more than \$5 each by the ~~[division]~~ department and by persons authorized by the ~~[division]~~ department to sell hunting licenses. The commission shall establish the price to be charged by the ~~[division]~~ department or agents of the ~~[division]~~ department for expired duck stamps, and the fee for unexpired duck stamps within the limit provided.

4. The ~~[division]~~ department shall determine the form of the stamps.

**Sec. 67.** NRS 502.310 is hereby amended to read as follows:

502.310 All money from the sale of state duck stamps must be deposited with the state treasurer for credit to the wildlife account in the state general fund. The ~~[division]~~ department shall maintain separate accounting records for the receipt and expenditure of money from the sale of state duck stamps. An amount not to exceed 10 percent of that money may be used to reimburse the ~~[division]~~ department for the cost of administering the state duck stamp programs. This amount is in addition to compensation allowed persons authorized to issue and sell licenses.

**Sec. 68.** NRS 502.322 is hereby amended to read as follows:

502.322 1. Before the ~~[division]~~ department may undertake any project using money from the sale of state duck stamps, it shall analyze the project and provide the commission with recommendations as to the need for the project and its feasibility.

2. Money from the sale of state duck stamps must be used for projects approved by the commission for protection and propagation of migratory game birds, and for the acquisition, development and preservation of wetlands in Nevada.

**Sec. 69.** NRS 502.324 is hereby amended to read as follows:

502.324 The ~~[division]~~ department shall, not later than the 5th calendar day of each regular session of the legislature, submit to ~~it~~ the legislature a report summarizing any projects undertaken, receipt and expenditure of money, and public benefits achieved by the program for the sale of state duck stamps.

**Sec. 70.** NRS 502.326 is hereby amended to read as follows:

502.326 1. Except as otherwise provided in subsection 2, it is unlawful for any person to take or possess trout unless at the time he is fishing he carries on his person a state trout stamp affixed to his fishing license and validated by his signature in ink across the face of the stamp.

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

(a) Is under the age of 12; or

(b) Is fishing:

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

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

3. State trout stamps must be sold for a fee of \$5 each by the ~~[division]~~ department and by persons authorized by the ~~[division]~~ department to sell hunting, fishing and trapping licenses.

4. The ~~[division]~~ department shall determine the form of the stamps.

1     **Sec. 71.** NRS 502.327 is hereby amended to read as follows:  
2     502.327 All money from the sale of state trout stamps must be  
3     deposited with the state treasurer for credit to the wildlife account in the  
4     state general fund. The ~~division~~ department shall maintain separate  
5     accounting records for the receipt and expenditure of money from the sale  
6     of state trout stamps.

7     **Sec. 72.** NRS 502.330 is hereby amended to read as follows:  
8     502.330 1. No hunting license may be obtained by any person born  
9     after January 1, 1960, unless he presents to the ~~division~~ department, or  
10    one of its authorized licensing agents:

11    (a) A certificate of successful completion of a course of instruction in  
12    the responsibilities of hunters as provided by NRS 502.340;

13    (b) An equivalent certificate of completion of a course in the  
14    responsibilities of hunters provided by a state or an agency of a Canadian  
15    province for the management of wildlife; or

16    (c) A hunting license issued to him in a previous year by the ~~division~~  
17    department, a state or an agency of a Canadian province, which bears a  
18    number or other unique mark evidencing successful completion of a course  
19    of instruction in the responsibilities of hunters.

20    2. Any person who has been convicted of violating NRS 503.165 or  
21    503.175 may not obtain a hunting license until he has successfully  
22    completed a course in the responsibilities of hunters conducted pursuant to  
23    NRS 502.340.

24    **Sec. 73.** NRS 502.340 is hereby amended to read as follows:

25    502.340 The ~~division~~ department shall certify instructors who will,  
26    with the cooperation of the ~~division~~ department, provide instruction in  
27    the responsibilities of hunters established by the ~~division~~ department to  
28    all eligible persons who, upon the successful completion of the course,  
29    must be issued a certificate. Persons who are disqualified from obtaining a  
30    hunting license, pursuant to NRS 502.330, are eligible for the course.

31    **Sec. 74.** NRS 502.370 is hereby amended to read as follows:

32    502.370 1. A license to practice taxidermy is required before any  
33    person may perform taxidermal services for others on any wildlife or their  
34    parts, nests or eggs.

35    2. Annual licenses for the term of 1 year from July 1 to June 30 must  
36    be issued by the ~~division~~ department for the following fees:

37        Fee to practice commercial taxidermy .....\$35

38        Fee to practice noncommercial taxidermy .....5

39    3. Any person who wishes to obtain a license to practice taxidermy  
40    must apply for the license on an application form provided by the  
41    ~~division~~ department. The applicant must provide such information on  
42    the form as the commission may require by regulation.

43    4. The commission may adopt regulations governing the licensing of  
44    taxidermists and the practice of taxidermy, including:

45    (a) The receipt, possession, transportation, identification, purchase and  
46    sale of wildlife or parts thereof to be or which have been processed by a  
47    taxidermist;

48    (b) The maintenance and submission of written records; and

(c) Any other matter concerning the practice, conduct and operating procedures of taxidermists as the commission may deem necessary.

5. A person who is authorized to enforce the provisions of this Title may enter the facilities of a licensee at any reasonable hour and inspect his operations and records.

6. If a licensee is convicted of a violation of any provision of this Title or the regulations adopted by the commission, the commission may revoke his license and may refuse to issue another license to him for a period not to exceed 5 years.

7. The provisions of this section do not apply to institutions of learning of this state or of the United States, or to research activities conducted exclusively for scientific purposes, or for the advancement of agriculture, biology or any of the sciences.

**Sec. 75.** NRS 502.390 is hereby amended to read as follows:

502.390 1. Any:

(a) Person who develops or maintains an artificial or man-made body of water, other than a body of water maintained for agricultural or recreational purposes, containing chemicals or substances in quantities which, with the normal use of the body of water, causes or will cause the death of any wildlife; or

(b) Operator of a mining operation which develops or maintains an artificial body of water containing chemicals directly associated with the processing of ore, must first obtain a permit from the ~~[division]~~ **department** authorizing the development or maintenance of the body of water.

2. Within 30 working days after receiving an application for a permit, the ~~[division]~~ **department** shall issue the permit or deny the application and list the reasons for denial. An applicant may appeal the denial of a permit to the commission. A permit may be valid for up to 5 years. The commission may establish a fee for a permit of not more than \$100 per year.

3. Upon the transfer of ownership of any artificial or man-made body of water as to which a permit issued pursuant to this section is in force at the time of the transfer, the permit remains in effect for 30 days after the transfer of ownership.

4. A person holding a permit issued pursuant to this section shall, in addition to the fee for the permit, pay to the ~~[division]~~ **department** an assessment. The amount of the assessment must be determined pursuant to regulations adopted by the commission. The assessment must be no more than \$10,000 per year for each permit.

5. Any person who fails to obtain a permit or pay an assessment as required by this section and the regulations adopted pursuant thereto or who fails to comply with the provisions of a permit is guilty of a misdemeanor for the first offense and a gross misdemeanor for any subsequent offense.

6. As used in this section:

(a) "Mining operation" means any activity conducted in this state by a person on or beneath the surface of land for the purpose of, or in connection with, the development or extraction of any mineral.

(b) “Operator” means any person who owns, controls or manages a mining operation.

**Sec. 76.** NRS 503.005 is hereby amended to read as follows:

503.005 1. Except as otherwise provided in subsection 2, a person shall not kill or attempt to kill any birds or animals while flying in an aircraft.

2. The commission may promulgate rules and regulations whereby the ~~[division]~~ *department* may issue permits authorizing the hunting, killing or nonlethal control of coyotes, bobcats , *mountain lions* or ravens from an aircraft.

3. Every person who willfully violates the provisions of subsection 1 is guilty of a misdemeanor.

**Sec. 77.** NRS 503.035 is hereby amended to read as follows:

503.035 1. “Meat or game processor” as used in this section means any person, firm or corporation that receives any game for the purpose of processing or storage or for the purposes of processing and storage.

2. Any meat or game processor who receives any game for the purpose of processing or storage may, within 90 days after the receipt thereof, if such game remains in the possession of such meat or game processor, dispose of such game to the ~~[division]~~ *department* if the owner of such game has not paid such meat or game processor for the processing or storage thereof.

3. The ~~[division]~~ *department* shall distribute such game to public charities on a fair and equitable basis.

4. No action may be commenced against such meat or game processor by the owner of such game after such game has been delivered to the ~~[division]~~ *department* under the provisions of this section.

5. Nothing in this section deprives a meat or game processor of any remedy at law available to a creditor against a debtor for the recovery of any money or other legal consideration owing from the owner of the game to the meat or game processor for such processing or storage.

**Sec. 78.** NRS 503.040 is hereby amended to read as follows:

503.040 1. Except as otherwise provided in this section, it is unlawful for any person at any time to transport or offer for transportation to any place within or outside of this state any game mammal, raw furs, wild mammal taken by trapping, game bird or game fish taken within this state.

2. Any person who has legally taken any game mammal, raw furs, wild mammal taken by trapping, game bird or game fish within this state may use his hunting license, trapping license or fishing license or tag or stamp, when required, as a permit to transport one possession limit to points within or outside the state.

3. Any person who legally acquires ownership or custody of any game mammal, raw furs, wild mammal taken by trapping, game bird or game fish not taken by him through hunting, trapping or fishing may transport such mammal, furs, bird or fish within the state without a transportation permit if such shipment does not exceed one possession limit and if such shipment is labeled with the name, address, number and class of license of the hunter, trapper or fisherman who legally took such mammal, furs, bird

1 or fish and date taken, if the mammal, furs, bird or fish is not required by  
2 law or regulation to be tagged. Unless otherwise permitted by a regulation  
3 of the commission, when tagged shipments are involved, a transportation  
4 permit is required as provided in this section.

5 4. Any other person who desires to transport any game mammal, raw  
6 furs, wild mammal taken by trapping, game fish or game bird to a point  
7 within or without the state may do so only under the authority of a  
8 transportation permit as provided in this section.

9 5. The ~~[division]~~ **department** shall designate the form of the  
10 transportation permit and such permits may be issued for a fee of \$1 by any  
11 game warden or other such persons as may be specifically designated by  
12 the ~~[division.]~~ **department**. The person legally in possession of the game  
13 mammals, raw furs, wild mammals taken by trapping, game birds or game  
14 fish to be transported must appear before the issuing agent to obtain a  
15 transportation permit. The permit must describe the wildlife to be  
16 transported and identify by name, address, license number and class the  
17 person who legally took the furs or wildlife and by name and address the  
18 person transporting it. Whenever raw furs or wildlife is to be transported  
19 by the postal service or by common carrier, freight or express agency, such  
20 an agency may be designated by name alone.

21 6. Game mammals, raw furs, wild mammals taken by trapping, game  
22 birds or game fish transported to another person shall be deemed to be in  
23 the legal possession of the person making shipment until actual delivery is  
24 made.

25 7. Any package or container in which game birds, raw furs, wild  
26 mammals taken by trapping, game mammals or game fish are being  
27 transported by common carrier must have the name and address of the  
28 shipper and of the consignee and an accurate statement of the number and  
29 kinds of game birds, raw furs, wild mammals taken by trapping, game  
30 mammals or game fish contained therein attached to the outside thereof.

31 8. The commission may limit the number of shipments by any one  
32 person in any one season of any kind of game bird, game mammal or game  
33 fish.

34 **Sec. 79.** NRS 503.150 is hereby amended to read as follows:

35 503.150 1. Unless otherwise specified by commission regulation, it  
36 is unlawful to hunt:

37 (a) Any game bird or game mammal with any gun capable of firing  
38 more than one round with one continuous pull of the trigger, or with any  
39 full steel, full steel core, full metal jacket, tracer or incendiary bullet or  
40 shell, or any shotgun larger than number 10 gauge.

41 (b) Big game mammals in any manner other than with a rifle, held in  
42 the hand, that exerts at least 1,000 foot-pounds of energy at 100 yards, or  
43 with a longbow and arrow which meet the specifications established by  
44 commission regulation.

45 (c) Small game mammals in any manner other than with a handgun,  
46 shotgun, rifle, longbow and arrow or by means of falconry.

47 (d) Game birds with any rifle or handgun, or in any manner other than  
48 with a shotgun held in the hand, with a longbow and arrow or by means of  
49 falconry.



(e) Migratory game birds with any shotgun capable of holding more than three shells.

(f) Any game bird or game mammal with the aid of any artificial light.

(g) Any big game mammal ~~[-except mountain lions-]~~ with a dog of any breed.

2. Nothing in this section prohibits the use of dogs in the hunting of game birds or small game mammals.

**Sec. 80.** NRS 503.185 is hereby amended to read as follows:

503.185 1. Every person involved in a hunting accident where damage to property results, or which involves the injury of or death to another person, shall file a report of the accident with the ~~[division]~~ **department** within 30 days after the accident. The report must be on the form prescribed by the ~~[division]~~ **department**.

2. The ~~[division]~~ **department** shall revoke any hunting license held by a person convicted of violating NRS 503.165 or 503.175, if the violation results in an injury to or the death of another person. The ~~[division]~~ **department** shall not issue another such license to the person sooner than 2 years after the revocation.

**Sec. 81.** NRS 503.200 is hereby amended to read as follows:

503.200 1. The ~~[division]~~ **department** is empowered to authorize, under permit and for such fee as may be provided in NRS 502.240, competitive field trials for hunting dogs or competitive field trials for falconry. The commission shall prescribe the rules and regulations to be followed by those in charge of such trials insofar as conduct of the field trials has any effect or bearing upon wildlife and the laws of this state respecting closed and open seasons.

2. For the purpose of permitting such field trials, the ~~[division]~~ **department** may authorize shooting of legally acquired upland game birds during any closed season on the species of bird or birds to be hunted.

3. All legally acquired upland game birds used in a field trial or for the purpose of training hunting dogs and for falconry training must be banded with legbands by the person in charge of such field trial or training. Such birds may only be released in an area first approved by the ~~[division]~~ **department**, after which the ~~[division]~~ **department** shall authorize, under permit and under such rules and regulations as the commission may prescribe, the releasing of such legally acquired upland game birds for the foregoing purposes.

4. All birds killed under the provisions of this section must be accompanied by a receipt, giving the permit number, the date, the name of the person in possession, and signed by the permit holder. Birds killed and accompanied by a receipt under the provisions of this section may be legally possessed.

**Sec. 82.** NRS 503.290 is hereby amended to read as follows:

503.290 1. Except as otherwise provided in subsection 2, it is unlawful for any person to fish in or from any of the waters of the State of Nevada for any fish of any species in any manner other than with hook and line attached to a rod or reel closely attended in the manner known as angling. Only one combination of hook, line and rod must be used by one



1 person at any time, except that a second combination of hook, line and rod  
2 may be used by a person if the person:

3 (a) Purchases from the ~~{division}~~ department or a license agent of the  
4 ~~{division}~~ department a stamp or permit for a second rod;

5 (b) Uses the rod in the manner prescribed in this section; and

6 (c) Has in his possession a valid fishing license, combined hunting and  
7 fishing license or permit to fish issued to him by the ~~{division}~~  
8 department.

9 The fee for the stamp or permit is \$10, and is valid only for the period for  
10 which it is issued.

11 2. The commission may by regulation authorize other methods for  
12 taking fish. Frogs may be taken by spear, bow and arrow, hook and line or  
13 by other methods authorized by the commission's regulation.

14 3. For the purposes of this section, "hook" includes not more than  
15 three baited hooks, not more than three fly hooks or not more than two  
16 plugs or similar lures. No more than two such plugs or lures, irrespective of  
17 the number of hooks or attractor blades attached thereto, may be attached  
18 to the line.

19 **Sec. 83.** NRS 503.310 is hereby amended to read as follows:

20 503.310 1. The commission may regulate or prohibit the use of live  
21 bait in fishing so that no undesirable species are introduced into the public  
22 waters of this state.

23 2. Any person engaged in the sale of live bait must first obtain a permit  
24 from the ~~{division}~~ department for the fee provided in NRS 502.240. The  
25 permit may be revoked for any violation of regulations.

26 3. The commission may prescribe the species which may be held or  
27 sold by the permittee.

28 **Sec. 84.** NRS 503.360 is hereby amended to read as follows:

29 503.360 1. It is unlawful for any person at any time to fish from any  
30 state hatchery, or from any waters set aside or used for the purpose of  
31 rearing or growing fish for transplanting by the state.

32 2. Nothing in this section prohibits employees of the ~~{division}~~  
33 department from handling, at any time, all such fish, as may be required in  
34 the propagation, care and distribution of the fish.

35 **Sec. 85.** NRS 503.380 is hereby amended to read as follows:

36 503.380 The ~~{division}~~ department may take or permit the commercial  
37 taking of unprotected wildlife in any manner approved by the commission.  
38 The commission may fix a price to be paid for wildlife so taken.  
39 Unprotected wildlife taken under this authorization may be sold.

40 **Sec. 86.** NRS 503.400 is hereby amended to read as follows:

41 503.400 1. Every person who has erected, or who may hereafter  
42 erect, any dams, water weirs or other obstructions to the free passage of  
43 fish in the rivers, streams, lakes or other waters of the State of Nevada shall  
44 construct and keep in repair to the satisfaction of the ~~{division}~~ department  
45 fishways or fish ladders at all such dams, water weirs or other obstructions  
46 so that at all seasons of the year fish may ascend above such dams, water  
47 weirs or other obstructions to deposit their spawn.

48 2. Every person so placing, controlling or owning any such obstruction  
49 who fails to comply with the provisions of this section after having been

1 notified in writing so to do by the ~~{division}~~ **department**, and every person  
2 who at any time willfully or knowingly destroys, injures or obstructs any  
3 fishway or fish ladder which is required by law is guilty of a misdemeanor.

4 **Sec. 87.** NRS 503.420 is hereby amended to read as follows:

5 503.420 1. Any person, firm or corporation owning in whole or in  
6 part any canal, ditch or any artificial watercourse, taking or receiving its  
7 waters from any river, creek or lake in which fish have been placed or may  
8 exist, shall place or cause to be placed, and such persons shall maintain at  
9 the intake or inlet of such canal, ditch or watercourse, a grating, screen or  
10 other device, either stationary or operated mechanically, of such  
11 construction, fineness, strength and quality as may be designated by the  
12 ~~{division}~~ **department**, to prevent any fish from entering such canal, ditch  
13 or watercourse.

14 2. If such person, firm or corporation, after due notice from the  
15 ~~{division}~~ **department**, fails to install or maintain such grating, screen or  
16 device, the commission is authorized to enter upon lands adjacent to the  
17 inlet of such canal, ditch or watercourse, and may install therein, and  
18 thereafter maintain, such grating, screen or device as in the discretion of  
19 the ~~{division}~~ **department** is proper.

20 3. It is unlawful for any person or persons, except a game warden, to  
21 remove, tamper with, destroy or in any way molest such screens when the  
22 same have been installed.

23 **Sec. 88.** NRS 503.425 is hereby amended to read as follows:

24 503.425 1. Before a person may use any vacuum or suction dredge  
25 equipment in any river, stream or lake of this state, he must submit an  
26 application to the ~~{division}~~ **department**. The application must be  
27 accompanied by a fee of \$5 and must specify the type and size of  
28 equipment to be used and its location. If the ~~{division}~~ **department**  
29 determines that the operations will not be deleterious to fish, it shall issue  
30 a permit to the applicant.

31 2. A permit issued pursuant to subsection 1 does not authorize the  
32 recipient to use any equipment in any navigable body of water unless the  
33 recipient has obtained the appropriate permit for such a use from the state  
34 land registrar.

35 3. It is unlawful for any person to:

36 (a) Conduct dredging operations without securing a permit pursuant to  
37 subsection 1;

38 (b) Operate any equipment other than that specified in the permit; or

39 (c) Conduct a dredging operation outside the area designated on the  
40 permit.

41 **Sec. 89.** NRS 503.452 is hereby amended to read as follows:

42 503.452 Each trap, snare or similar device used in the taking of wild  
43 mammals may bear a number registered with the ~~{division}~~ **department** or  
44 be permanently marked with the name and address of the owner or trapper  
45 using it. If a trap is registered, the registration is permanent. A registration  
46 fee of \$5 for each registrant is payable only once, at the time the first trap,  
47 snare or similar device is registered.

1     **Sec. 90.** NRS 503.470 is hereby amended to read as follows:  
2     503.470 1. Fur-bearing mammals injuring any property may be taken  
3     or killed at any time in any manner, provided a permit is first obtained  
4     from the ~~[division]~~ department.

5     2. When the ~~[division]~~ department has determined from investigations  
6     or upon a petition signed by the owners of 25 percent of the land area in  
7     any irrigation district or the area served by a ditch company alleging that  
8     an excessive population of beaver or otter exists or that beaver or otter are  
9     doing damage to lands, streams, ditches, roads or water control structures,  
10    the ~~[division]~~ department shall remove such excess or depredating beaver  
11    or otter.

12    **Sec. 91.** NRS 503.540 is hereby amended to read as follows:

13    503.540 Whenever the ~~[division]~~ department determines that beaver  
14    or otter are doing damage and that it will be necessary to remove beaver or  
15    otter from the land of a person to protect the lands of another landowner,  
16    the ~~[division]~~ department is not prevented from taking such beaver or otter  
17    by the refusal of the landowner to allow the ~~[division's]~~ employees of the  
18    department to enter upon his land. The ~~[division]~~ department is authorized  
19    to enter upon the lands of such owner and remove beaver or otter for the  
20    relief of other landowners and the protection of the public welfare.

21    **Sec. 92.** NRS 503.575 is hereby amended to read as follows:

22    503.575 The ~~[division]~~ department, with the approval of the  
23    commission, may sell live beaver.

24    **Sec. 93.** NRS 503.582 is hereby amended to read as follows:

25    503.582 Except as otherwise provided in this section, it is unlawful for  
26    any person to hunt, trap, possess or sell any species, native or otherwise, of  
27    owl, hawk or other birds of prey, including all raptors or the parts thereof,  
28    without first obtaining a permit from the ~~[division]~~ department. The  
29    commission may adopt regulations:

30    1. Covering the hunting, trapping, possession or sale of any of those  
31    species.

32    2. Authorizing a person to hunt, trap, possess or sell any of those  
33    species without obtaining a permit pursuant to the provisions of this  
34    section.

35    **Sec. 94.** NRS 503.583 is hereby amended to read as follows:

36    503.583 1. Except as otherwise provided in this section, any person  
37    who practices falconry or trains birds of prey must obtain a falconry license  
38    from the ~~[division]~~ department upon payment of a license fee as provided  
39    in NRS 502.240.

40    2. The licensee, under permit, may obtain from the wild only two birds  
41    per year. All such birds of prey must be banded in accordance with  
42    regulations adopted by the commission.

43    3. Birds of prey may not be taken, captured or disturbed during the  
44    months in which they breed.

45    4. This section does not prohibit the capture or killing of a hawk or an  
46    owl by holders of scientific collecting permits.

47    5. The commission may adopt regulations authorizing a person to  
48    practice falconry or train birds of prey without obtaining a falconry license  
49    pursuant to the provisions of subsection 1.

**Sec. 95.** NRS 503.5833 is hereby amended to read as follows:

503.5833 The ~~[division]~~ *department* shall, upon request of the welfare division of the department of human resources, submit to the welfare division the name, address and social security number of each person who holds a permit or license issued pursuant to NRS 503.582 or 503.583 that does not expire less than 6 months after it is issued and any pertinent changes in that information.

**Sec. 96.** NRS 503.5835 is hereby amended to read as follows:

503.5835 1. If the ~~[division]~~ *department* receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a permit or license issued pursuant to NRS 503.582 or 503.583 that does not expire less than 6 months after it is issued, the ~~[division]~~ *department* shall deem the permit or license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the ~~[division]~~ *department* receives a letter issued to the holder of the permit or license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the permit or license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The ~~[division]~~ *department* shall reinstate a permit or license issued pursuant to NRS 503.582 or 503.583 that has been suspended by a district court pursuant to NRS 425.540 if the ~~[division]~~ *department* receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose permit or license was suspended stating that the person whose permit or license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

**Sec. 97.** NRS 503.585 is hereby amended to read as follows:

503.585 A species or subspecies of native fish, wildlife and other fauna must be regarded as threatened with extinction when the commission, after consultation with competent authorities, determines that its existence is endangered and its survival requires assistance because of overexploitation, disease or other factors or its habitat is threatened with destruction, drastic modification or severe curtailment. Any animal so declared to be threatened with extinction must be placed on the list of fully protected species, and no member of its kind may be captured, removed or destroyed at any time by any means except under special permit issued by the ~~[division]~~ *department*.

**Sec. 98.** NRS 503.586 is hereby amended to read as follows:

503.586 Where any bird, mammal or other wildlife which is declared to be in danger of extinction pursuant to NRS 503.585 is found to be destructive of domestic animals or fowl or a menace to health, the ~~[division]~~ *department* may provide for its destruction or its removal, alive, for translocating.

**Sec. 99.** NRS 503.589 is hereby amended to read as follows:

503.589 In carrying out the program authorized by NRS 503.584 to 503.589, inclusive, the ~~[administrator]~~ *director* shall cooperate, to the

1 maximum extent practicable, with other states and with the counties in the  
2 State of Nevada, and he may enter into agreements with such other states  
3 and counties and with other legal entities for the administration and  
4 management of any area established pursuant to NRS 503.584 to 503.589,  
5 inclusive, for the conservation, protection, restoration and propagation of  
6 species of native fish, wildlife and other fauna which are threatened with  
7 extinction.

8 **Sec. 100.** NRS 503.595 is hereby amended to read as follows:

9 503.595 After the owner or tenant of any land or property has made a  
10 report to the ~~{division}~~ department indicating that such land or property is  
11 being damaged or destroyed, or is in danger of being damaged or  
12 destroyed, by wildlife, the ~~{division}~~ department may, after thorough  
13 investigation and pursuant to such regulations as the commission may  
14 promulgate, cause such action to be taken as it may deem necessary,  
15 desirable and practical to prevent or alleviate such damage or threatened  
16 damage to such land or property.

17 **Sec. 101.** NRS 503.597 is hereby amended to read as follows:

18 503.597 1. Except as otherwise provided in this section, it is  
19 unlawful, except by the written consent and approval of the ~~{division}~~  
20 department, for any person at anytime to receive, bring or have brought or  
21 shipped into this state, or remove from one stream or body of water in this  
22 state to any other, or from one portion of the state to any other, or to any  
23 other state, any aquatic life, wildlife, spawn, eggs or young of any of them.

24 2. The ~~{division}~~ department shall require an applicant to conduct an  
25 investigation to confirm that such an introduction or removal will not be  
26 detrimental to the wildlife or the habitat of wildlife in this state. Written  
27 consent and approval of the ~~{division}~~ department may be given only if the  
28 results of the investigation prove that the introduction, removal or  
29 importation will not be detrimental to existing aquatic life, wildlife, spawn,  
30 eggs or young of any of them.

31 3. The commission may through appropriate regulation provide for the  
32 inspection of such introduced or removed creatures and the inspection fees  
33 therefor.

34 4. The commission may adopt regulations to prohibit the importation,  
35 transportation or possession of any species of wildlife which the  
36 commission deems to be detrimental to the wildlife or the habitat of the  
37 wildlife in this state.

38 5. The provisions of this section do not apply to alternative livestock  
39 and products made therefrom.

40 **Sec. 102.** NRS 503.610 is hereby amended to read as follows:

41 503.610 1. Except as otherwise provided in subsection 2, it is  
42 unlawful for any person, firm, company, corporation or association to kill,  
43 destroy, wound, trap, injure, possess dead or alive, or in any other manner  
44 to catch or capture, or to pursue with such intent the birds known as the  
45 ~~{American}~~ bald eagle and the golden eagle, or to take, injure, possess or  
46 destroy the nests or eggs of such birds.

47 2. The ~~{division}~~ department may issue permits to take bald eagles or  
48 golden eagles whenever it determines that they have become seriously  
49 injurious to wildlife or agricultural or other interests in any particular area

1 of the state and the injury complained of is substantial and can only be  
2 abated by taking some or all of the offending birds. The issuance of such  
3 permits must be consistent with federal law.

4 **Sec. 103.** NRS 503.650 is hereby amended to read as follows:

5 503.650 Nothing in this Title:

6 1. Prohibits any person, upon the written permit of the ~~[division]~~  
7 **department**, from taking, killing, possessing or banding any species of  
8 wildlife, or collecting the nest or eggs thereof, for strictly scientific or  
9 educational purposes, the number and species of wildlife to be limited by  
10 the ~~[division]~~ **department**.

11 2. Prevents shipping into any other county or state, under a written  
12 permit issued by the ~~[division]~~ **department**, any wildlife for scientific or  
13 educational purposes.

14 The fee for a permit to collect wildlife for scientific or educational  
15 purposes is \$5.

16 **Sec. 104.** NRS 504.140 is hereby amended to read as follows:

17 504.140 1. The ~~[division]~~ **department** is authorized, subject to  
18 approval by the commission, to enter into agreements with landowners,  
19 individually or in groups, to establish wildlife management areas and to  
20 enforce regulations necessary thereto for the purpose of providing greater  
21 areas for the public to hunt or fish on private lands and to protect the  
22 landowner or lessee from damage due to trespass or excessive hunting or  
23 fishing pressure.

24 2. Such an agreement must require that the department designate  
25 certain portions of the area as closed zones for the protection of livestock,  
26 buildings, persons and other properties.

27 3. The zones must be posted conspicuously along all boundaries and it  
28 is unlawful to hunt, fish or trespass therein or to hunt or fish on any  
29 cooperative area contrary to the regulations provided.

30 4. The agreement may designate the number of hunters or fishermen  
31 who may be admitted to the area, if such limitation is necessary or  
32 desirable.

33 **Sec. 105.** NRS 504.147 is hereby amended to read as follows:

34 504.147 1. The ~~[division]~~ **department** may, if such leases or sales do  
35 not interfere with the use of such real property for wildlife management or  
36 for hunting or fishing thereon:

37 (a) Lease, for a term not exceeding 5 years, grazing or pasturage rights  
38 in and to real property which is assigned to the ~~[division]~~ **department** for  
39 administration.

40 (b) Sell crops or agricultural products of whatever kind produced on  
41 such real property.

42 2. Except as otherwise provided in subsection 3, whenever the  
43 ~~[division]~~ **department** intends to lease grazing or pasturage rights or to sell  
44 or offer for sale agricultural products as provided in subsection 1, the  
45 ~~[division]~~ **department** may do so only by advertising for bids, reserving in  
46 such advertising the right to reject any or all bids.

47 3. The ~~[division]~~ **department** may enter into such a lease with or make  
48 such a sale to a state agency without advertising for bids if the rent agreed  
49 to be paid for the lease or the sale price agreed to be paid for any

1 agricultural commodities to be sold is, in the opinion of the ~~[division]~~  
2 **department**, equal to the amount that would be obtained by advertising for  
3 bids.

4 4. If the ~~[division]~~ **department** finds that the highest or best bid is less  
5 than the amount that should be paid, the ~~[division]~~ **department** may reject  
6 all bids and negotiate with interested persons for such lease or sale, but  
7 shall not accept any negotiated price if it is less in amount than the highest  
8 bid tendered for the same lease or sale.

9 5. If the deed to real property assigned to the ~~[division]~~ **department** for  
10 administration contains a covenant or provision giving to the grantor an  
11 option to meet the highest bid for any lease by the ~~[division]~~ **department** of  
12 grazing or pasturage rights to the real property or the sale of agricultural  
13 products from it, the ~~[division]~~ **department** shall comply with the terms of  
14 the covenant or provision in the deed.

15 **Sec. 106.** NRS 504.155 is hereby amended to read as follows:

16 504.155 All gifts, grants, fees and appropriations of money received  
17 by the ~~[division]~~ **department** for the prevention and mitigation of damage  
18 caused by elk or game mammals not native to this state, and the interest  
19 and income earned on the money, less any applicable charges, must be  
20 accounted for separately within the wildlife account and may only be  
21 disbursed as provided in the regulations adopted pursuant to NRS 504.165.

22 **Sec. 107.** NRS 504.165 is hereby amended to read as follows:

23 504.165 1. The commission shall adopt regulations governing the  
24 disbursement of money to:

25 (a) Prevent or mitigate damage to private property and privately  
26 maintained improvements; and

27 (b) Compensate persons for grazing reductions and the loss of stored  
28 and standing crops,  
29 caused by elk or game mammals not native to this state.

30 2. The regulations must contain:

31 (a) Requirements for the eligibility of those persons claiming damage to  
32 private property or privately maintained improvements to receive money or  
33 materials from the ~~[division]~~ **department**, including a requirement that  
34 such a person enter into a cooperative agreement with the ~~[administrator]~~  
35 **director** for purposes related to this Title.

36 (b) Procedures for the formation of local panels to assess damage  
37 caused by elk or game mammals not native to this state and to determine  
38 the value of a loss claimed if the person claiming the loss and the ~~[division]~~  
39 **department** do not agree on the value of the loss.

40 (c) Procedures for the use on private property of materials purchased by  
41 the state to prevent damage caused by elk or game mammals not native to  
42 this state.

43 (d) Any other regulations necessary to carry out the provisions of this  
44 section and NRS 504.155 and 504.175.

45 3. The regulations must:

46 (a) Provide for the payment of money or other compensation to cover  
47 the costs of labor and materials necessary to prevent or mitigate damage to  
48 private property and privately maintained improvements caused by elk or  
49 game mammals not native to this state.



(b) Prohibit a person who has, within a particular calendar year, applied for or received a special incentive elk tag pursuant to NRS 502.142 from applying, within the same calendar year, for compensation pursuant to this section for the same private land.

4. Money may not be disbursed to a claimant pursuant to this section unless the claimant shows by a preponderance of the evidence that the damage for which he is seeking compensation was caused solely by elk or game mammals not native to this state.

**Sec. 108.** NRS 504.175 is hereby amended to read as follows:

504.175 The ~~administrator~~ **director** shall, on or before the fifth calendar day of each regular session of the legislature, submit to the legislature a report summarizing the actions taken by the ~~division~~ **department** to prevent or mitigate damage caused by elk or game mammals not native to this state. The report must include a list of the expenditures made pursuant to this section and NRS 504.155 and 504.165 during the preceding biennium and a determination of the amount of money remaining for those purposes.

**Sec. 109.** NRS 504.185 is hereby amended to read as follows:

504.185 The provisions of NRS 504.155, 504.165 and 504.175 do not apply to:

1. Alternative livestock; or

2. Game mammals not native to this state, that are held in captivity for purposes other than as required by the ~~division~~ **department**.

**Sec. 110.** NRS 504.245 is hereby amended to read as follows:

504.245 1. Any species of wildlife, including alternative livestock, that:

(a) Is released from confinement without the prior written authorization of the ~~division~~ **department**; or

(b) Escapes from the possessor's control, may be captured, seized or destroyed by the ~~division~~ **department** if the ~~division~~ **department** determines that such actions are necessary to protect wildlife and the habitat of wildlife in this state.

2. The owner or possessor of such wildlife:

(a) Shall report its escape immediately after receiving knowledge of the escape; and

(b) Is liable for the costs incurred by the ~~division~~ **department** to capture, maintain and dispose of the wildlife and for any damage caused by the wildlife.

3. The ~~division~~ **department** is not liable for any damage to wildlife, or caused by wildlife, in carrying out the provisions of this section.

**Sec. 111.** NRS 504.295 is hereby amended to read as follows:

504.295 1. Except as otherwise provided in this section and NRS 503.590, or unless otherwise specified by a regulation adopted by the commission, no person may:

(a) Possess any live wildlife unless he is licensed by the ~~division~~ **department** to do so.

(b) Capture live wildlife in this state to stock a commercial or noncommercial wildlife facility.



(c) Possess or release from confinement any mammal for the purposes of hunting.

2. The commission shall adopt regulations for the possession of live wildlife. The regulations must set forth the species of wildlife which may be possessed and propagated, and provide for the inspection by the ~~[division]~~ *department* of any related facilities.

3. In accordance with the regulations of the commission, the ~~[division]~~ *department* may issue commercial and noncommercial licenses for the possession of live wildlife upon receipt of the applicable fee.

4. The provisions of this section do not apply to alternative livestock and products made therefrom.

**Sec. 112.** NRS 504.310 is hereby amended to read as follows:

504.310 1. Before being entitled to the benefits of any commercial or private shooting preserve, the owner or proprietor thereof must make application to the ~~[division]~~ *department*. The application must set forth:

(a) The name and location of the shooting preserve.

(b) A legal description of the area included in the preserve.

(c) A statement whether the preserve is to be a commercial or private preserve.

(d) If the application is for a commercial shooting preserve, a statement of fees that are to be collected for the privilege of shooting on the preserve.

2. If, after investigation, the ~~[division]~~ *department* is satisfied that the tract is suitable for the purpose, and that the establishment of such a preserve will not conflict with the public interest, the ~~[division]~~ *department* may issue a commercial or private shooting preserve license upon the payment of a license fee as provided in NRS 502.240.

**Sec. 113.** NRS 504.320 is hereby amended to read as follows:

504.320 1. Before any shooting may be done on such commercial or private shooting preserve, the licensee must advise the ~~[division]~~ *department*, in writing, of the number of each species of upland game bird reared, purchased or acquired for liberation, and request, and receive in writing, a shooting authorization which states the number of each species which may be taken by shooting.

2. Birds must be at least 8 weeks of age, full winged, and in a condition to go wild before liberation. Before release, all birds must be banded with legbands, the specifications of which must be determined by commission regulation. Legbands must remain with the birds and not be removed until the birds are utilized by the hunter.

3. The licensee, or with his written permit the holder thereof, may take such upland game bird from such licensed preserve by shooting only, from August 1 to April 30, inclusive.

4. Permits to hunt on such licensed preserve may be used only on the date of issuance, and the hunter must carry the permit on his person at all times while on the area and while in possession of birds taken on such area.

**Sec. 114.** NRS 504.350 is hereby amended to read as follows:

504.350 1. No game bird taken in accordance with the provisions of NRS 504.300 to 504.380, inclusive, may be removed from the licensed premises until the licensee or his agent has attached thereto an invoice, signed by the licensee or his agent, stating:

- (a) The number of his license.
  - (b) The name of the shooting preserve.
  - (c) The date that the birds were killed.
  - (d) The kind and number of such birds.
  - (e) The name and address of the hunter killing such birds.
2. The invoice must authorize transportation and use of the birds.

3. Within 1 week thereafter, the licensee or his agent shall mail, postpaid, a duplicate of the invoice to the ~~[division.]~~ **department**.

**Sec. 115.** NRS 504.360 is hereby amended to read as follows:

504.360 Every licensee of a commercial or private shooting preserve under this chapter shall keep records and make an annual report to the ~~[division]~~ **department** of the number of birds released and the number of birds killed on the preserve. The report must be verified by the affidavit of the licensee or his agent. The record must be continuous and kept on the premises described in the application for license, and the licensee shall allow any person authorized to enforce the provisions of this Title to enter such premises and inspect his operations and records at all reasonable hours.

**Sec. 116.** NRS 504.390 is hereby amended to read as follows:

504.390 1. As used in this section, unless the context requires otherwise, “guide” means to assist another person in hunting wild mammals or wild birds and fishing and includes the transporting of another person or his equipment to hunting and fishing locations within a general hunting and fishing area whether or not the guide determines the destination or course of travel.

2. Every person who provides guide service for compensation or provides guide service as an incidental service to customers of any commercial enterprise, whether a direct fee is charged for the guide service or not, shall obtain a master guide license from the ~~[division.]~~ **department**. Such a license must not be issued to any person who has not reached 21 years of age.

3. Each person who assists a person who is required to have a master guide license and acts as a guide in the course of that activity shall obtain a subguide license from the ~~[division.]~~ **department**. Such a license must not be issued to any person who has not reached 18 years of age.

4. Fees for master guide and subguide licenses must be as provided in NRS 502.240.

5. Any person who desires a master guide license must apply for the license on a form prescribed and furnished by the ~~[division.]~~ **department**. The application must contain the social security number of the applicant and such other information as the commission may require by regulation. If that person was not licensed as a master guide during the previous licensing year, his application must be accompanied by a fee of \$500, which is not refundable.

6. Any person who desires a subguide license must apply for the license on a form prescribed and furnished by the ~~[division.]~~ **department**.

7. If the holder of a master guide license operates with pack or riding animals, he shall also have a grazing or special use permit if he operates in any area where such a permit is required.

8. The holder of a master guide license shall maintain records of the number of hunters and fishermen served, and any other information which the ~~{division}~~ department may require concerning fish and game taken by such persons. Such information must be furnished to the ~~{division}~~ department on request.

9. If any licensee under this section, or person served by a licensee, is convicted of a violation of any provision of this Title or chapter 488 of NRS, the commission may revoke the license of the licensee and may refuse issuance of another license to the licensee for a period not to exceed 5 years.

10. The commission may adopt regulations covering the conduct and operation of a guide service.

11. The ~~{division}~~ department may issue master guide and subguide licenses to be valid only in certain districts in such a manner as may be determined by the regulations of the commission.

**Sec. 117.** NRS 504.393 is hereby amended to read as follows:

504.393 The ~~{division}~~ department shall, upon request of the welfare division of the department of human resources, submit to the welfare division the name, address and social security number of each person who holds a master guide license or subguide license and any pertinent changes in that information.

**Sec. 118.** NRS 504.398 is hereby amended to read as follows:

504.398 1. If the ~~{division}~~ department receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a master guide license or subguide license, the ~~{division}~~ department shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the ~~{division}~~ department receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The ~~{division}~~ department shall reinstate a master guide license or subguide license that has been suspended by a district court pursuant to NRS 425.540 if the ~~{division}~~ department receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

**Sec. 119.** NRS 505.025 is hereby amended to read as follows:

505.025 The ~~{division}~~ department shall, upon request of the welfare division of the department of human resources, submit to the welfare division the name, address and social security number of each person who holds a fur dealer's license and any pertinent changes in that information.

**Sec. 120.** NRS 505.035 is hereby amended to read as follows:

505.035 1. If the ~~{division}~~ department receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and

permits issued to a person who is the holder of a fur dealer's license, the ~~[division]~~ department shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the ~~[division]~~ department receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The ~~[division]~~ department shall reinstate a fur dealer's license that has been suspended by a district court pursuant to NRS 425.540 if the ~~[division]~~ department receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

**Sec. 121.** NRS 506.020 is hereby amended to read as follows:

506.020 The ~~[administrator of the division of wildlife of the state department of conservation and natural resources]~~ director shall appoint a person to serve on the board of compact administrators as the compact administrator for this state as required by section 1 of article VII of the Wildlife Violators Compact.

**Sec. 122.** NRS 62.229 is hereby amended to read as follows:

62.229 In addition to the options set forth in NRS 62.211 and 62.213 and the requirements of NRS 62.228, if a child is adjudicated delinquent pursuant to paragraph (b) of subsection 1 of NRS 62.040 because he handled or possessed a firearm or had a firearm under his control in violation of NRS 202.300, the court shall order that any license to hunt issued to the child pursuant to chapter 502 of NRS must be revoked by the ~~[division of wildlife of the state]~~ department of ~~[conservation and natural resources]~~ fish and game and that the child shall not receive a license to hunt within the 2 years following the date of the order or until he is 18 years of age, whichever is later. The judge shall require the child to surrender to the court any license to hunt then held by the child. The court shall, within 5 days after its suing the order, forward to the ~~[division of wildlife]~~ department of fish and game any license to hunt surrendered by the child, together with a copy of the order.

**Sec. 123.** NRS 202.255 is hereby amended to read as follows:

202.255 1. A person who sets a so-called trap, spring pistol, rifle or other deadly weapon shall be punished:

(a) If no injury results therefrom to any human being, for a gross misdemeanor.

(b) If injuries not fatal result therefrom to any human being, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(c) If the death of a human being results therefrom:

(1) Under circumstances not rendering the act murder, for a category B felony by imprisonment in the state prison for a minimum term of not

1 less than 1 year and a maximum term of not more than 10 years, and may  
2 be further punished by a fine of not more than \$10,000; or

3 (2) Otherwise, for murder which is a category A felony as provided  
4 in NRS 200.030.

5 2. Subsection 1 does not prevent the use of any loaded spring gun, set  
6 gun or other device for the destruction of gophers, moles, coyotes ,  
7 *mountain lions*, or other burrowing rodents or predatory animals by agents  
8 or employees of governmental agencies engaged in cooperative predatory  
9 animal and rodent control work, but:

10 (a) A loaded spring gun, set gun or other device must not be set within  
11 15 miles of the boundaries of any incorporated city or unincorporated  
12 town; and

13 (b) Before setting any such loaded spring gun, set gun or other device  
14 on any real property permission must first be obtained from the owner,  
15 lessee or administrator thereof.

16 **Sec. 124.** NRS 232.090 is hereby amended to read as follows:

17 232.090 1. The department consists of the director and the following  
18 divisions:

19 (a) The division of water resources.

20 (b) The division of state lands.

21 (c) The division of forestry.

22 (d) The division of state parks.

23 (e) The division of conservation districts.

24 (f) The division of environmental protection.

25 (g) The division of water planning.

26 (h) ~~The division of wildlife.~~

27 ~~—(i)~~ Such other divisions as the director may from time to time establish.

28 2. The state environmental commission, the state conservation  
29 commission, the commission for the preservation of wild horses, the  
30 Nevada natural heritage program and the board to review claims are within  
31 the department.

32 **Sec. 125.** NRS 242.131 is hereby amended to read as follows:

33 242.131 1. The department shall provide state agencies and elected  
34 state officers with all their required design of information systems. All  
35 agencies and officers must use those services and equipment, except as  
36 otherwise provided in subsection 2.

37 2. The following agencies may negotiate with the department for its  
38 services or the use of its equipment, subject to the provisions of this  
39 chapter, and the department shall provide those services and the use of that  
40 equipment as may be mutually agreed:

41 (a) The court administrator;

42 (b) The department of motor vehicles and public safety;

43 (c) The department of transportation;

44 (d) The employment security division of the department of employment,  
45 training and rehabilitation;

46 (e) The ~~division of wildlife of the state~~ department of ~~conservation~~  
47 ~~and natural resources;~~ *fish and game;*

48 (f) The legislative counsel bureau;

49 (g) The state controller;

(h) The state gaming control board and Nevada gaming commission;  
and

(i) The University and Community College System of Nevada.

3. Any state agency or elected state officer who uses the services of the department and desires to withdraw substantially from that use must apply to the director for approval. The application must set forth justification for the withdrawal. If the director denies the application, the agency or officer must:

(a) If the legislature is in regular or special session, obtain the approval of the legislature by concurrent resolution.

(b) If the legislature is not in regular or special session, obtain the approval of the interim finance committee. The director shall, within 45 days after receipt of the application, forward the application together with his recommendation for approval or denial to the interim finance committee. The interim finance committee has 45 days after the application and recommendation are submitted to its secretary within which to consider the application. Any application which is not considered by the committee within the 45-day period shall be deemed approved.

4. If the demand for services or use of equipment exceeds the capability of the department to provide them, the department may contract with other agencies or independent contractors to furnish the required services or use of equipment and is responsible for the administration of the contracts.

**Sec. 126.** NRS 321.385 is hereby amended to read as follows:

321.385 The state land registrar, after consultation with the division of forestry of the state department of conservation and natural resources, may:

1. Sell timber from any land owned by the State of Nevada which is not assigned to the ~~{division of wildlife of the state}~~ department of ~~{conservation and natural resources.}~~ *fish and game.*

2. At the request of the ~~{administrator}~~ *director* of the ~~{division of wildlife of the state}~~ department of ~~{conservation and natural resources.}~~ *fish and game*, sell timber from any land owned by the State of Nevada which is assigned to the ~~{division of wildlife.}~~ *department of fish and game.* Revenues from the sale of such timber must be deposited with the state treasurer for credit to the wildlife account in the state general fund.

**Sec. 127.** NRS 331.165 is hereby amended to read as follows:

331.165 1. The Marlette Lake water system advisory committee is hereby created to be composed of:

(a) One member appointed by the ~~{administrator}~~ *director* of the ~~{division of wildlife of the state}~~ department of ~~{conservation and natural resources.}~~ *fish and game.*

(b) One member appointed by the administrator of the division of state parks.

(c) Three members from the state legislature, including at least one member of the senate and one member of the assembly, appointed by the legislative commission.

(d) One member from the staff of the legislative counsel bureau appointed by the legislative commission. The member so appointed shall serve as a nonvoting member of the advisory committee.

(e) One member appointed by the state forester firewarden.

(f) One member appointed by the department of administration.

2. The voting members of the advisory committee shall select one of the legislative members of the advisory committee as chairman and one as vice chairman. After the initial selection of a chairman and vice chairman, each such officer serves a term of 2 years beginning on July 1 of each odd-numbered year. If a vacancy occurs in the chairmanship or vice chairmanship, the person appointed to succeed that officer shall serve for the remainder of the unexpired term.

3. The director of the legislative counsel bureau shall provide a secretary for the advisory committee.

4. Members of the advisory committee serve at the pleasure of their respective appointing authorities.

5. The advisory committee may make recommendations to the legislative commission, the interim finance committee, the department of administration, the state department of conservation and natural resources, and the governor concerning any matters relating to the Marlette Lake water system or any part thereof.

**Sec. 128.** NRS 353.250 is hereby amended to read as follows:

353.250 1. The state treasurer shall designate the financial institutions into which money received by a state officer, department or commission must be deposited.

2. Except as otherwise provided in subsections 3 and 4, every state officer, department or commission which receives or which may receive any money of the State of Nevada or for its use and benefit shall deposit on Thursday of each week, in a financial institution designated by the state treasurer to the credit of the state treasurer's account, all money received by that officer, department or commission during the previous week.

3. Except as otherwise provided in subsection 4, if on any day the money accumulated for deposit is \$10,000 or more, a deposit must be made not later than the next working day.

4. If the ~~[division of wildlife of the state]~~ department of ~~[conservation and natural resources]~~ *fish and game* accumulates for deposit \$10,000 or more on any day, the money must be deposited within 10 working days.

5. Every officer, department or commission which is required to deposit money with the state treasurer shall comply with that requirement by depositing the money in a financial institution designated by the state treasurer to the credit of the state treasurer's account.

6. Every officer, head of any department or commissioner who fails to comply with the provisions of this section is guilty of a misdemeanor in office.

7. As used in this section, "financial institution" means a bank, savings and loan association, thrift company or credit union regulated pursuant to Title 55 or 56 of NRS.

**Sec. 129.** NRS 361.055 is hereby amended to read as follows:

361.055 1. All lands and other property owned by the state are exempt from taxation, except real property acquired by the State of Nevada and assigned to the ~~[division of wildlife of the state]~~ department of



1 ~~[conservation and natural resources]~~ *fish and game* which is or was subject  
2 to taxation under the provisions of this chapter at the time of acquisition.

3 2. In lieu of payment of taxes on each parcel of real property acquired  
4 by it which is subject to assessment and taxation pursuant to subsection 1,  
5 the ~~[division of wildlife of the state]~~ department of ~~[conservation and~~  
6 ~~natural resources]~~ *fish and game* shall make annual payment to the county  
7 tax receiver of the county wherein each such parcel of real property is  
8 located of an amount equal to the total taxes levied and assessed against  
9 each such parcel of real property in the year in which title to it was  
10 acquired by the State of Nevada.

11 3. Such payments in lieu of taxes must be collected and accounted for  
12 in the same manner as taxes levied and assessed against real property  
13 pursuant to this chapter are collected and accounted for.

14 4. Money received pursuant to this section must be apportioned each  
15 year to the counties, school districts and cities wherein each such parcel of  
16 real property is located in the proportion that the tax rate of each such  
17 political subdivision bears to the total combined tax rate in effect for that  
18 year.

19 **Sec. 130.** NRS 365.535 is hereby amended to read as follows:

20 365.535 1. It is declared to be the policy of the State of Nevada to  
21 apply the tax on motor vehicle fuel paid on fuel used in watercraft for  
22 recreational purposes during each calendar year, which is hereby declared  
23 to be not refundable to the consumer, for the improvement of boating and  
24 the improvement, operation and maintenance of other outdoor recreational  
25 facilities associated with boating and for the payment of the costs incurred,  
26 in part, for the administration and enforcement of the provisions of chapter  
27 488 of NRS.

28 2. The amount of excise taxes paid on all motor vehicle fuel used in  
29 watercraft for recreational purposes must be determined annually by the  
30 department by use of the following formula:

31 (a) Multiplying the total boats with motors registered the previous  
32 calendar year, pursuant to provisions of chapter 488 of NRS, times 220.76  
33 gallons average fuel purchased per boat;

34 (b) Adding 566,771 gallons of fuel purchased by out-of-state boaters as  
35 determined through a study conducted during 1969-1970 by the division of  
36 agricultural and resource economics, Max C. Fleischmann College of  
37 Agriculture, University of Nevada, Reno; and

38 (c) Multiplying the total gallons determined by adding the total obtained  
39 under paragraph (a) to the figure in paragraph (b) times the rate of tax, per  
40 gallon, imposed on motor vehicle fuel used in watercraft for recreational  
41 purposes, less the percentage of the tax authorized to be deducted by the  
42 supplier pursuant to NRS 365.330.

43 3. The ~~[division of wildlife of the state]~~ department of ~~[conservation~~  
44 ~~and natural resources]~~ *fish and game* shall submit annually to the  
45 department, on or before April 1, the number of boats with motors  
46 registered in the previous calendar year. On or before June 1, the  
47 department, using that data, shall compute the amount of excise taxes paid  
48 on all motor vehicle fuel used in watercraft for recreational purposes based  
49 on the formula set forth in subsection 2, and shall certify the ratio for

1 apportionment and distribution, in writing, to the ~~[division of wildlife of~~  
2 ~~the state]~~ department of ~~[conservation and natural resources]~~ *fish and*  
3 *game* and to the division of state parks of the state department of  
4 conservation and natural resources for the next fiscal year.

5 4. In each fiscal year, the state treasurer shall, upon receipt of the tax  
6 money from the department collected pursuant to the provisions of NRS  
7 365.175 to 365.190, inclusive, allocate the amount determined pursuant to  
8 subsection 2, in proportions directed by the legislature, to:

9 (a) The wildlife account in the state general fund. This money may be  
10 expended only for the administration and enforcement of the provisions of  
11 chapter 488 of NRS and for the improvement, operation and maintenance  
12 of boating facilities and other outdoor recreational facilities associated with  
13 boating on state-owned wildlife management areas. Any of this money  
14 declared by the ~~[division of wildlife of the state]~~ department of  
15 ~~[conservation and natural resources]~~ *fish and game* to be in excess of its  
16 immediate requirements for these purposes may be transferred to the credit  
17 of the parks marina development fund for use by the division of state parks  
18 of the state department of conservation and natural resources in accordance  
19 with the provisions of paragraph (b).

20 (b) The parks marina development fund which is hereby created as a  
21 special revenue fund for use by the division of state parks of the state  
22 department of conservation and natural resources. All money so deposited  
23 to the credit of the division of state parks may be expended only as  
24 authorized by the legislature for the improvement, operation and  
25 maintenance of boating facilities and other outdoor recreational facilities  
26 associated with boating.

27 5. Money that the state treasurer is required to allocate pursuant to the  
28 provisions of subsection 4 may be paid quarterly or oftener if convenient to  
29 the state treasurer.

30 **Sec. 131.** NRS 425.500 is hereby amended to read as follows:

31 425.500 As used in NRS 425.500 to 425.560, inclusive, unless the  
32 context otherwise requires, “agency that issues a professional, occupational  
33 or recreational license, certificate or permit” means the ~~[division of wildlife~~  
34 ~~of the state]~~ department of ~~[conservation and natural resources]~~ *fish and*  
35 *game* and any officer, agency, board or commission of this state which is  
36 prohibited by specific statute from issuing or renewing a license, certificate  
37 or permit unless the applicant for the issuance or renewal of that license,  
38 certificate or permit submits to the officer, agency, board or commission  
39 the statement prescribed by the ~~[welfare]~~ division pursuant to NRS  
40 425.520.

41 **Sec. 132.** NRS 425.520 is hereby amended to read as follows:

42 425.520 1. The ~~[welfare]~~ division shall prescribe, by regulation, a  
43 statement which must be submitted to an agency that issues a professional,  
44 occupational or recreational license, certificate or permit, other than the  
45 ~~[division of wildlife of the state]~~ department of ~~[conservation and natural~~  
46 ~~resources,]~~ *fish and game*, by an applicant for the issuance or renewal of  
47 such a license, certificate or permit.

48 2. The statement prescribed pursuant to subsection 1 must:

49 (a) Provide the applicant with an opportunity to indicate that:

(1) He is not subject to a court order for the support of a child;

(2) He is subject to a court order for the support of one or more children and is in compliance with the order or is in compliance with a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order; or

(3) He is subject to a court order for the support of one or more children and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order;

(b) Include a statement that the application for the issuance or renewal of the license, certificate or permit will be denied if the applicant does not indicate on the statement which of the provisions of paragraph (a) applies to the applicant; and

(c) Include a space for the signature of the applicant.

**Sec. 133.** NRS 425.540 is hereby amended to read as follows:

425.540 1. If a master enters a recommendation determining that a person:

(a) Has failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

(b) Is in arrears in the payment for the support of one or more children, and the district court issues an order approving the recommendation of the master, the court shall provide a copy of the order to all agencies that issue professional, occupational or recreational licenses, certificates or permits.

2. A court order issued pursuant to subsection 1 must provide that if the person named in the order does not, within 30 days after the date on which the order is issued, submit to any agency that has issued a professional, occupational or recreational license, certificate or permit to that person a letter from the district attorney or other public agency stating that the person has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560, the professional, occupational or recreational licenses issued to the person by that agency will be automatically suspended. Such an order must not apply to a license, certificate or permit issued by the ~~[division of wildlife of the state]~~ department of ~~[conservation and natural resources]~~ *fish and game* or the state land registrar if that license, certificate or permit expires less than 6 months after it is issued.

3. If a court issues an order pursuant to subsection 1, the district attorney or other public agency shall send a notice by first-class mail to the person who is subject to the order. The notice must include:

(a) If the person has failed to comply with a subpoena or warrant, a copy of the court order and a copy of the subpoena or warrant; or

(b) If the person is in arrears in the payment for the support of one or more children:

(1) A copy of the court order;

(2) A statement of the amount of the arrearage; and

(3) A statement of the action that the person may take to satisfy the arrearage pursuant to NRS 425.560.

1     **Sec. 134.** NRS 432B.610 is hereby amended to read as follows:  
2     432B.610 1. The peace officers' standards and training commission  
3 shall:

4     (a) Require each category I peace officer to complete a program of  
5 training for the detection and investigation of and response to cases of  
6 sexual abuse or sexual exploitation of children under the age of 18 years.

7     (b) Not certify any person as a category I peace officer unless he has  
8 completed the program of training required pursuant to paragraph (a).

9     (c) Establish a program to provide the training required pursuant to  
10 paragraph (a).

11     (d) Adopt regulations necessary to carry out the provisions of this  
12 section.

13     2. As used in this section, "category I peace officer" means:

14     (a) Sheriffs of counties and of metropolitan police departments, their  
15 deputies and correctional officers;

16     (b) Personnel of the Nevada highway patrol appointed to exercise the  
17 police powers specified in NRS 481.150 and 481.180;

18     (c) Marshals, policemen and correctional officers of cities and towns;

19     (d) Members of the police department of the University and Community  
20 College System of Nevada;

21     (e) Employees of the division of state parks of the state department of  
22 conservation and natural resources designated by the administrator of the  
23 division who exercise police powers specified in NRS 289.260;

24     (f) The chief, investigators and agents of the investigation division of  
25 the department of motor vehicles and public safety; and

26     (g) The personnel of the ~~{division of wildlife of the state}~~ department of  
27 ~~{conservation and natural resources}~~ *fish and game* who exercise those  
28 powers of enforcement conferred by Title 45 and chapter 488 of NRS.

29     **Sec. 135.** NRS 445A.615 is hereby amended to read as follows:

30     445A.615 1. The director may ~~{authorize the division of wildlife of}~~  
31 *issue a permit to* the department *of fish and game* to kill fish through the  
32 use of toxicants.

33     2. The ~~{director shall}~~ *permit must* indicate the terms and conditions  
34 under which the use of toxicants may take place.

35     **Sec. 136.** NRS 445B.200 is hereby amended to read as follows:

36     445B.200 1. The state environmental commission is hereby created  
37 within the state department of conservation and natural resources. The  
38 commission consists of:

39     (a) The ~~{administrator of the division of wildlife}~~ *director* of the  
40 department ~~{}~~ *of fish and game*;

41     (b) The state forester firewarden;

42     (c) The state engineer;

43     (d) The director of the state department of agriculture;

44     (e) The administrator of the division of minerals of the commission on  
45 mineral resources;

46     (f) A member of the state board of health to be designated by that board;  
47 and

48     (g) Five members appointed by the governor, one of whom is a general  
49 engineering contractor or a general building contractor licensed pursuant to

1 chapter 624 of NRS and one of whom possesses expertise in performing  
2 mining reclamation.

3 2. The governor shall appoint the chairman of the commission from  
4 among the members of the commission.

5 3. A majority of the members constitutes a quorum, and a majority of  
6 those present must concur in any decision.

7 4. Each member who is appointed by the governor is entitled to  
8 receive a salary of not more than \$80, as fixed by the commission, for each  
9 day's attendance at a meeting of the commission.

10 5. While engaged in the business of the commission, each member and  
11 employee of the commission is entitled to receive the per diem allowance  
12 and travel expenses provided for state officers and employees generally.

13 6. Any person who receives or has received during the previous 2  
14 years a significant portion of his income, as defined by any applicable state  
15 or federal law, directly or indirectly from one or more holders of or  
16 applicants for a permit required by NRS 445A.300 to 445A.730, inclusive,  
17 is disqualified from serving as a member of the commission. The  
18 provisions of this subsection do not apply to any person who receives or  
19 has received during the previous 2 years, a significant portion of his  
20 income from any department or agency of state government which is a  
21 holder of or an applicant for a permit required by NRS 445A.300 to  
22 445A.730, inclusive.

23 7. The state department of conservation and natural resources shall  
24 provide technical advice, support and assistance to the commission. All  
25 state officers, departments, commissions and agencies, including the  
26 department of transportation, the department of human resources, the  
27 University and Community College System of Nevada, the state public  
28 works board, the department of motor vehicles and public safety, the public  
29 utilities commission of Nevada, the transportation services authority and  
30 the state department of agriculture may also provide technical advice,  
31 support and assistance to the commission.

32 **Sec. 137.** NRS 482.368 is hereby amended to read as follows:

33 482.368 1. Except as otherwise provided in subsection 2, the  
34 department shall provide suitable distinguishing license plates for exempt  
35 vehicles. These plates must be displayed on the vehicles in the same  
36 manner as provided for privately owned vehicles. The fee for the issuance  
37 of the plates is \$5. Any license plates authorized by this section must be  
38 immediately returned to the department when the vehicle for which they  
39 were issued ceases to be used exclusively for the purpose for which it was  
40 exempted from the privilege tax.

41 2. License plates furnished for:

42 (a) Those vehicles which are maintained for and used by the governor  
43 or under the authority and direction of the chief parole and probation  
44 officer, the state contractors' board and auditors, the state fire marshal, the  
45 investigation division of the department and any authorized federal law  
46 enforcement agency or law enforcement agency from another state;

47 (b) One vehicle used by the department of prisons, three vehicles used  
48 by the ~~[division of wildlife of the state]~~ department of ~~[conservation and~~

1 ~~natural resources,~~ *fish and game*, two vehicles used by the Caliente youth  
2 center and four vehicles used by the Nevada youth training center;

3 (c) Vehicles of a city, county or the state, if authorized by the  
4 department for the purposes of law enforcement or work related thereto or  
5 such other purposes as are approved upon proper application and  
6 justification; and

7 (d) Vehicles maintained for and used by investigators of the following:

8 (1) The state gaming control board;

9 (2) The state department of agriculture;

10 (3) The attorney general;

11 (4) City or county juvenile officers;

12 (5) District attorneys' offices;

13 (6) Public administrators' offices;

14 (7) Public guardians' offices;

15 (8) Sheriffs' offices;

16 (9) Police departments in the state; and

17 (10) The securities division of the office of the secretary of  
18 state,

19 must not bear any distinguishing mark which would serve to identify the  
20 vehicles as owned by the state, county or city. These license plates must be  
21 issued annually for \$12 per plate or, if issued in sets, per set.

22 3. The director may enter into agreements with departments of motor  
23 vehicles of other states providing for exchanges of license plates of regular  
24 series for vehicles maintained for and used by investigators of the law  
25 enforcement agencies enumerated in paragraph (d) of subsection 2, subject  
26 to all of the requirements imposed by that paragraph, except that the fee  
27 required by that paragraph must not be charged.

28 4. Applications for the licenses must be made through the head of the  
29 department, board, bureau, commission, school district or irrigation  
30 district, or through the chairman of the board of county commissioners of  
31 the county or town or through the mayor of the city, owning or controlling  
32 the vehicles, and no plate or plates may be issued until a certificate has  
33 been filed with the department showing that the name of the department,  
34 board, bureau, commission, county, city, town, school district or irrigation  
35 district, as the case may be, and the words "For Official Use Only" have  
36 been permanently and legibly affixed to each side of the vehicle, except  
37 those vehicles enumerated in subsection 2.

38 5. As used in this section, "exempt vehicle" means a vehicle exempt  
39 from the privilege tax, except a vehicle owned by the United States.

40 6. The department shall adopt regulations governing the use of all  
41 license plates provided for in this section. Upon a finding by the  
42 department of any violation of its regulations, it may revoke the violator's  
43 privilege of registering vehicles pursuant to this section.

44 **Sec. 138.** NRS 488.035 is hereby amended to read as follows:

45 488.035 As used in this chapter, unless the context otherwise requires:

46 1. "Commission" means the board of wildlife commissioners.

47 2. *"Department" means the department of fish and game.*

48 3. "Flat wake" means the condition of the water close astern a moving  
49 vessel that results in a flat wave disturbance.

~~{3-}~~ 4. “Legal owner” means a secured party under a security agreement relating to a vessel or a renter or lessor of a vessel to the state or any political subdivision of the state under a lease or an agreement to lease and sell or to rent and purchase which grants possession of the vessel to the lessee for a period of 30 consecutive days or more.

~~{4-}~~ 5. “Motorboat” means any vessel propelled by machinery, whether or not the machinery is the principal source of propulsion.

~~{5-}~~ 6. “Operate” means to navigate or otherwise use a motorboat or a vessel.

~~{6-}~~ 7. “Owner” means:

(a) A person having all the incidents of ownership, including the legal title of a vessel, whether or not he lends, rents or pledges the vessel; and

(b) A debtor under a security agreement relating to a vessel.

“Owner” does not include a person defined as a “legal owner” under subsection ~~{3-}~~ 4.

~~{7-}~~ 8. “Prohibited substance” has the meaning ascribed to it in NRS 484.1245.

~~{8-}~~ 9. “Registered owner” means the person registered by the commission as the owner of a vessel.

~~{9-}~~ 10. A vessel is “under way” if it is adrift, making way ~~{}~~ or being propelled, and is not aground, made fast to the shore, or tied or made fast to a dock or mooring.

~~{10-}~~ 11. “Vessel” means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

~~{11-}~~ 12. “Waters of this state” means any waters within the territorial limits of this state.

**Sec. 139.** NRS 488.065 is hereby amended to read as follows:

488.065 1. Every motorboat on the waters of this state must be numbered and titled, except as otherwise provided in subsection 4 and NRS 488.175.

2. Upon receipt of an original application for a certificate of ownership or for transfer of a certificate of ownership on an undocumented motorboat, the ~~{division of wildlife of the state department of conservation and natural resources-}~~ **department** may assign an appropriate builder’s hull number to the motorboat whenever there is no builder’s number thereon, or when the builder’s number has been destroyed or obliterated. The builder’s number must be permanently marked on an integral part of the hull which is accessible for inspection.

3. A person shall not operate or give permission for the operation of any motorboat on the waters of this state unless:

(a) The motorboat is numbered in accordance with the provisions of this chapter, with applicable federal law or with the federally approved numbering system of another state;

(b) The certificate of number awarded to the motorboat is in effect;

(c) The identifying number set forth in the certificate of number is displayed on each side of the bow of the motorboat; and

(d) A valid certificate of ownership has been issued to the owner of any motorboat required to be numbered under this chapter.



4. Any person who purchases or otherwise owns a motorboat before January 1, 1972, is not required to obtain title for the motorboat until he transfers any portion of his ownership in the motorboat to another person.

**Sec. 140.** NRS 488.075 is hereby amended to read as follows:

488.075 1. The owner of each motorboat requiring numbering by this state shall file an application for a number and for a certificate of ownership with the ~~[division of wildlife of the state department of conservation and natural resources]~~ **department** on forms approved by it accompanied by:

(a) Proof of payment of Nevada sales or use tax as evidenced by proof of sale by a Nevada dealer or by a certificate of use tax paid issued by the department of taxation, or by proof of exemption from those taxes as provided in NRS 372.320.

(b) Such evidence of ownership as the ~~[division of wildlife]~~ **department** may require.

The ~~[division of wildlife]~~ **department** shall not issue a number, a certificate of number or a certificate of ownership until this evidence is presented to it.

2. The application must be signed by the owner of the motorboat and must be accompanied by a fee of \$15 for the certificate of ownership and a fee according to the following schedule as determined by the straight line length which is measured from the tip of the bow to the back of the transom of the motorboat:

Less than 13 feet .....	\$10
13 feet or more but less than 18 feet .....	15
18 feet or more but less than 22 feet .....	30
22 feet or more but less than 26 feet .....	45
26 feet or more but less than 31 feet .....	60
31 feet or more .....	75

Except as otherwise provided in this subsection, all fees received by the ~~[division of wildlife]~~ **department** under the provisions of this chapter must be deposited in the wildlife account in the state general fund and may be expended only for the administration and enforcement of the provisions of this chapter. On or before December 31 of each year, the ~~[division of wildlife]~~ **department** shall deposit with the respective county school districts 50 percent of each fee collected according to the motorboat's length for every motorboat registered from their respective counties. Upon receipt of the application in approved form, the ~~[division of wildlife]~~ **department** shall enter the application upon the records of its office and issue to the applicant a certificate of number stating the number awarded to the motorboat, a certificate of ownership stating the same information and the name and address of the registered owner and the legal owner.

3. A certificate of number may be renewed each year by the purchase of a validation decal. The fee for a validation decal is determined by the straight line length of the motorboat and is equivalent to the fee set forth in the schedule provided in subsection 2. The fee for issuing a duplicate validation decal is \$10.

4. The owner shall paint on or attach to each side of the bow of the motorboat the identification number in such manner as may be prescribed

1 by regulations of the commission in order that the number may be clearly  
2 visible. The number must be maintained in legible condition.

3 5. The certificate of number must be pocket size and must be available  
4 at all times for inspection on the motorboat for which issued, whenever the  
5 motorboat is in operation.

6 6. The commission shall provide by regulation for the issuance of  
7 numbers to manufacturers and dealers which may be used interchangeably  
8 upon motorboats operated by the manufacturers and dealers in connection  
9 with the demonstration, sale or exchange of those motorboats. The fee for  
10 each such number is \$15.

11 **Sec. 141.** NRS 488.078 is hereby amended to read as follows:

12 488.078 The ~~{division of wildlife of the state department of~~  
13 ~~conservation and natural resources}~~ **department** shall, upon request of the  
14 welfare division of the department of human resources, submit to the  
15 welfare division the name, address and social security number of each  
16 person who has been issued a certificate of number or a validation decal  
17 and any pertinent changes in that information.

18 **Sec. 142.** NRS 488.105 is hereby amended to read as follows:

19 488.105 If an agency of the United States Government has in force an  
20 overall system of identification numbering for motorboats within the  
21 United States, the numbering system employed pursuant to the provisions  
22 of this chapter by the ~~{division of wildlife of the state department of~~  
23 ~~conservation and natural resources}~~ **department** must be in conformity  
24 therewith.

25 **Sec. 143.** NRS 488.115 is hereby amended to read as follows:

26 488.115 1. The ~~{division of wildlife of the state department of~~  
27 ~~conservation and natural resources}~~ **department** may award any certificate  
28 of number directly or may authorize any person to act as **an** agent for the  
29 awarding thereof. If a person accepts the authorization, he may be assigned  
30 a block of numbers and certificates therefor which upon award, in  
31 conformity with the provisions of this chapter and with any regulations of  
32 the commission, is valid as if awarded directly by the ~~{division of wildlife}~~  
33 **department**. At the time an agent forwards the money collected to the  
34 ~~{division of wildlife}~~ **department**, he may retain 50 cents per certificate of  
35 number.

36 2. All records of the ~~{division of wildlife}~~ **department** made or kept  
37 pursuant to this section are public records.

38 **Sec. 144.** NRS 488.135 is hereby amended to read as follows:

39 488.135 The ~~{division of wildlife of the state department of~~  
40 ~~conservation and natural resources}~~ **department** shall fix a day and month  
41 of the year on which certificates of number due to expire during the  
42 calendar year lapse unless renewed pursuant to the provisions of this  
43 chapter.

44 **Sec. 145.** NRS 488.145 is hereby amended to read as follows:

45 488.145 1. The owner shall furnish the ~~{division of wildlife of the~~  
46 ~~state department of conservation and natural resources}~~ **department** notice  
47 of the destruction or abandonment of any motorboat numbered under this  
48 chapter, within 10 days thereof.

2. Such destruction or abandonment terminates the certificate of number for the motorboat.

**Sec. 146.** NRS 488.155 is hereby amended to read as follows:

488.155 1. Any holder of a certificate of number and a certificate of ownership shall notify the ~~[division of wildlife of the state department of conservation and natural resources]~~ **department**, within 10 days, if his address no longer conforms to the address appearing on the certificates and shall, as a part of the notification, furnish the ~~[division of wildlife]~~ **department** with his new address.

2. The commission may provide in its regulations for the surrender of the certificates bearing the former address and its replacement with new certificates bearing the new address or for the alteration of outstanding certificates to show the new address of the holder.

**Sec. 147.** NRS 488.171 is hereby amended to read as follows:

488.171 1. A person shall not:

(a) Intentionally deface, destroy, remove or alter any hull number required for a vessel without written authorization from the ~~[division of wildlife of the state department of conservation and natural resources;]~~ **department**; or

(b) Place or stamp any serial number upon a vessel except a number assigned to the vessel by the ~~[division of wildlife.]~~ **department**.

2. This section does not prohibit:

(a) The restoration of the original hull number by an owner of a vessel when the restoration is authorized by the ~~[division of wildlife;]~~ **department**; or

(b) Any manufacturer from placing numbers or marks in the ordinary course of business upon new vessels or parts of vessels.

3. The ~~[division of wildlife]~~ **department** shall, upon request, assign a hull number to any handmade vessel.

4. Any person who violates subsection 1 is guilty of a gross misdemeanor.

**Sec. 148.** NRS 488.175 is hereby amended to read as follows:

488.175 1. Except as otherwise provided in subsection 2, a motorboat need not be numbered pursuant to the provisions of this chapter if it is:

(a) Already covered by a number in effect which has been awarded or issued to it pursuant to federal law or a federally approved numbering system of another state if the boat has not been on the waters of this state for a period in excess of 90 consecutive days.

(b) A motorboat from a country other than the United States temporarily using the waters of this state.

(c) A public vessel of the United States, a state or a political subdivision of a state.

(d) A ship's lifeboat.

(e) A motorboat belonging to a class of boats which has been exempted from numbering by the ~~[division of wildlife of the state department of conservation and natural resources]~~ **department** after the ~~[division]~~ **department** has found:

(1) That the numbering of motorboats of that class will not materially aid in their identification; and

(2) If an agency of the Federal Government has a numbering system applicable to the class of motorboats to which the motorboat in question belongs, that the motorboat would also be exempt from numbering if it were subject to the federal law.

2. The ~~[division of wildlife]~~ department may, by regulation, provide for the issuance of exempt numbers for motorboats not required to be registered under the provisions of this chapter.

3. A motorboat need not be titled pursuant to the provisions of this chapter, if it is already covered by a certificate of ownership which has been awarded or issued to it pursuant to the title system of another state.

**Sec. 149.** NRS 488.1793 is hereby amended to read as follows:

488.1793 Except as otherwise provided for the creation or transfer of a security interest, no transfer of title to or any interest in any motorboat required to be numbered under this chapter is effective until one of the following conditions is fulfilled:

1. The transferor has properly endorsed and delivered the certificate of ownership and has delivered the certificate of number to the transferee as provided in this chapter, and the transferee has, within the prescribed time, delivered the documents to the ~~[division of wildlife of the state department of conservation and natural resources]~~ department or placed them in the United States mail addressed to the ~~[division of wildlife]~~ department with the transfer fee.

2. The transferor has delivered to the ~~[division of wildlife]~~ department or placed in the United States mail addressed to the ~~[division of wildlife]~~ department the appropriate documents for the transfer of ownership pursuant to the sale or transfer.

**Sec. 150.** NRS 488.1795 is hereby amended to read as follows:

488.1795 Upon receipt of a properly endorsed certificate of ownership and the certificate of number of any motorboat, the transferee shall within 10 days file the certificates , accompanied by a fee of \$5 , with the ~~[division of wildlife of the state department of conservation and natural resources]~~ department and thereby make application for a new certificate of ownership and a new certificate of number.

**Sec. 151.** NRS 488.1797 is hereby amended to read as follows:

488.1797 1. Before the issuance of any certificate of ownership, the ~~[division of wildlife of the state department of conservation and natural resources]~~ department shall obtain a statement in writing signed by the transferee or transferor, showing:

(a) The date of the sale or other transfer of ownership of the motorboat.

(b) The name and address of the seller or transferor.

(c) The name and address of the buyer or transferee.

2. Upon receipt of the properly endorsed certificate of ownership, the certificate of number , and the required fee and statement of information, the ~~[division of wildlife]~~ department shall issue a new certificate of ownership and a new certificate of number to the transferee. The previous number may be reassigned to the transferee.

**Sec. 152.** NRS 488.1801 is hereby amended to read as follows:

488.1801 Any owner of any motorboat numbered under this chapter who sells or transfers his title or any interest in the motorboat shall within 10 days notify the ~~[division of wildlife of the state department of conservation and natural resources]~~ **department** of the sale or transfer and furnish the following information:

1. The name and address of the legal owner and transferee; and

2. Such description of the motorboat as may be required by the ~~[division of wildlife]~~ **department**.

**Sec. 153.** NRS 488.1803 is hereby amended to read as follows:

488.1803 Any dealer upon transferring by sale, lease or otherwise any motorboat, whether new or used, required to be numbered under this chapter, shall give written notice of the transfer to the ~~[division of wildlife of the state department of conservation and natural resources]~~ **department** upon an appropriate form provided by it. The notice must be given within 3 days after the sale, but a dealer need not give the notice when selling or transferring a new unnumbered motorboat to another dealer.

**Sec. 154.** NRS 488.1813 is hereby amended to read as follows:

488.1813 1. If a certificate of ownership is lost, stolen, damaged or mutilated, an application for transfer may be made upon a form provided by the ~~[division of wildlife of the state department of conservation and natural resources]~~ **department** for a duplicate certificate of ownership. The transferor shall write his signature and address in the appropriate spaces provided upon the application and file it together with the proper fees for a duplicate certificate of ownership and transfer.

2. The ~~[division of wildlife]~~ **department** may receive the application and examine into the circumstances of the case and may require the filing of affidavits or other information, and when the ~~[division of wildlife]~~ **department** is satisfied that the applicant is entitled to a transfer of ownership, it may transfer the ownership of the motorboat, and issue a new certificate of ownership ~~[ ]~~ and certificate of number to the person found to be entitled thereto.

**Sec. 155.** NRS 488.1823 is hereby amended to read as follows:

488.1823 1. No security interest in any motorboat required to be numbered under this chapter, whether the number was awarded before or after the creation of the security interest, is perfected until the secured party or his successor or assignee has deposited with the ~~[division of wildlife of the state department of conservation and natural resources]~~ **department** a properly endorsed certificate of ownership to the motorboat subject to the security interest.

2. The certificate must show the secured party as legal owner if the motorboat is then numbered under this chapter, or if not so numbered, the registered owner shall file an initial application for a certificate of number and for a certificate of ownership and the certificate of ownership issued thereunder must contain the name and address of the legal owner.

3. Upon compliance with subsections 1 and 2, the security interest is perfected and the records of the ~~[division of wildlife]~~ **department** must show the secured party or his successor or assignee as the legal owner of the motorboat.

**Sec. 156.** NRS 488.1826 is hereby amended to read as follows:

488.1826 1. If the ~~[division of wildlife of the state department of conservation and natural resources]~~ **department** receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who has been issued a certificate of number or a validation decal, the ~~[division of wildlife]~~ **department** shall deem the certificate of number or validation decal issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the ~~[division of wildlife]~~ **department** receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person who has been issued the certificate of number or validation decal stating that the person has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The ~~[division of wildlife]~~ **department** shall reinstate a certificate of number or validation decal that has been suspended by a district court pursuant to NRS 425.540 if the ~~[division of wildlife]~~ **department** receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose certificate of number or validation decal was suspended stating that the person whose certificate of number or validation decal was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

**Sec. 157.** NRS 488.1827 is hereby amended to read as follows:

488.1827 The ~~[division of wildlife of the state department of conservation and natural resources]~~ **department** may suspend or revoke any certificate of ownership, certificate of number or number of any motorboat if it is satisfied that any such certificate or number was fraudulently obtained, or that the appropriate fee was not paid.

**Sec. 158.** NRS 488.195 is hereby amended to read as follows:

488.195 1. The exhaust of every internal combustion engine used on any motorboat must be effectively muffled by equipment so constructed and used as to muffle the noise of the exhaust in a reasonable manner.

2. The use of cutouts is prohibited.

3. Subsections 1 and 2 do not apply to:

(a) Motorboats competing in a regatta or boat race approved as provided in NRS 488.305;

(b) Such motorboats while on trial runs between the hours of 9 a.m. and 5 p.m. and during a period not to exceed 48 hours immediately preceding the regatta or boat race;

(c) Such motorboats while competing in official trials for speed records during a period not to exceed 48 hours immediately following the regatta or boat race; or

(d) Any motorboat operating under a separate permit issued by the ~~[division of wildlife of the state department of conservation and natural resources]~~ **department** for tuning engines, making test or trial runs or competing in official trials for speed records other than in connection with regattas or boat races.

4. The ~~[division of wildlife]~~ **department** shall issue permits for the purposes enumerated in paragraph (a) of subsection 3, under such

conditions and restrictions as the commission determines necessary to prevent a public nuisance and to assure the public safety. The commission may adopt regulations to carry out the provisions of this subsection.

**Sec. 159.** NRS 488.197 is hereby amended to read as follows:

488.197 1. No vessel may be equipped with nor shall any person use or install upon a vessel a siren, except as otherwise provided in this chapter.

2. Any authorized emergency vessel, when approved by the ~~[division of wildlife of the state department of conservation and natural resources,]~~ **department**, may be equipped with a siren capable of sound audible under normal conditions from a distance of not less than 500 feet, but the siren must not be used except if the vessel is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which event the operator of the vessel shall sound the siren when necessary to warn persons of the approach thereof.

**Sec. 160.** NRS 488.259 is hereby amended to read as follows:

488.259 1. Except as otherwise provided in NRS 488.263, a person shall not place any mooring buoy in any waters of this state, other than the Lake Mead National Recreation Area, without a permit issued by:

(a) The division of state lands, if the mooring buoy is to be placed in navigable waters.

(b) The ~~[division of wildlife of the state department of conservation and natural resources,]~~ **department**, if the mooring buoy is to be placed in any other waters.

2. The division of state lands shall transmit a copy of each application for a permit for the placement of a mooring buoy in the navigable waters of this state to the ~~[division of wildlife]~~ **department** as soon as practicable after receipt.

3. Upon receipt of such a copy, the ~~[division of wildlife]~~ **department** shall review the application to determine whether the placement of the buoy is in the best interests of the state. To determine whether the placement of a mooring buoy is in the best interests of the state, the ~~[division of wildlife]~~ **department** may consider the likelihood that the buoy will:

(a) Interfere with navigation.

(b) Become a hazard to persons or wildlife.

(c) Have any other detrimental effect on the body of water in which it is placed.

4. If the ~~[division of wildlife]~~ **department** determines that the permit should be denied, ~~[it]~~ **the department** shall submit such a recommendation to the division of state lands and provide a brief summary of the reason for the recommendation within 30 days after the date on which the application was transmitted.

5. If the division of state lands does not receive a recommendation for the denial of the permit from the ~~[division of wildlife]~~ **department** within the 30-day period provided in subsection 4, the application shall be deemed to be approved by the ~~[division of wildlife]~~ **department**.



**Sec. 161.** NRS 488.261 is hereby amended to read as follows:

1. The ~~division of wildlife of the state department of conservation and natural resources~~ department may issue to any person a permit to place a mooring buoy in the nonnavigable waters of this state. The ~~division of wildlife~~ department shall charge and collect a fee in the amount set by the commission for each permit issued pursuant to this subsection. Unless suspended or revoked by the ~~division of wildlife,~~ department, a permit issued pursuant to this subsection is valid through December 31 of the year in which it is issued. Such a permit may be renewed annually by paying the fee set by the commission on or before January 1 of each year.

2. The ~~division of wildlife~~ department may issue a permit for the temporary placement of a buoy, other than a navigational aid, for practice courses or marine events. The ~~division of wildlife~~ department shall charge and collect a fee in the amount set by the commission for each permit issued pursuant to this subsection. Unless suspended or revoked by the ~~division of wildlife,~~ department, a permit issued pursuant to this subsection is valid for the period indicated on the face of the permit which must not exceed 6 months.

3. The commission shall adopt by regulation fees for:

(a) The issuance and renewal of permits for mooring buoys pursuant to subsection 1 which must not be more than \$100 for each buoy per year.

(b) The issuance of permits for the temporary placement of buoys for practice courses or marine events pursuant to subsection 2 which must not be more than \$50 per buoy.

4. The commission may:

(a) Adopt such regulations as are necessary to carry out the provisions of NRS 488.257 to 488.285, inclusive; and

(b) Establish a schedule of administrative fines for the violation of those regulations which may be assessed in addition to any criminal penalties for the same act.

5. The ~~division of wildlife~~ department is responsible for the enforcement of the laws of this state governing mooring buoys and may:

(a) Revoke or suspend a permit for a mooring buoy issued pursuant to subsection 1 or 2 or by the division of state lands if:

(1) The person responsible for the buoy fails to comply with all applicable statutes and regulations concerning the buoy; or

(2) The buoy becomes a hazard to navigation.

(b) Remove any mooring buoy determined to be unlawfully placed.

6. This section does not require an agency of this state or the United States Government to obtain written authorization to place, move, remove, destroy or tamper with buoys or navigational aids on the navigable waters of this state.

**Sec. 162.** NRS 488.285 is hereby amended to read as follows:

488.285 1. Except as otherwise provided in subsection 2:

(a) A person shall not moor any vessel to any buoy or navigational aid placed in any waterway by authority of the United States or any other governmental authority, or in any manner attach a vessel to any such buoy or navigational aid.

(b) A person shall not place, move, remove, destroy or tamper with any buoy or other navigational aid without written authorization from the ~~division of wildlife of the state department of conservation and natural resources.~~ **department.**

2. The provisions of subsection 1 do not apply to mooring buoys.

3. A person who violates a provision of subsection 1 shall be punished:

(a) If no injury results from the violation, for a misdemeanor.

(b) If bodily injury or property damage in excess of \$200 results from the violation, for a gross misdemeanor.

(c) If a human death results from the violation, for a category D felony as provided in NRS 193.130.

4. Nothing in this section requires an agency of this state or the United States Government to obtain written authorization to place, move, remove, destroy or tamper with buoys or navigational aids on navigable waters of this state.

**Sec. 163.** NRS 488.291 is hereby amended to read as follows:

488.291 1. A person shall not abandon a vessel upon a public waterway or public or private property without the consent of the owner or person in lawful possession or control of the property.

2. The abandonment of any vessel in a manner prohibited by subsection 1 is prima facie evidence that the last registered owner of record, unless he has notified the ~~division of wildlife of the state department of conservation and natural resources~~ **department** or other appropriate agency of his relinquishment of title or interest therein, is responsible for the abandonment. The person so responsible is liable for the cost of removal and disposition of the vessel.

3. A game warden, sheriff or other peace officer of this state may remove a vessel from a public waterway when:

(a) The vessel is left unattended and is adrift, moored, docked, beached or made fast to land in such a position as to interfere with navigation or in such a condition as to create a hazard to other vessels using the waterway, to public safety or to the property of another.

(b) The vessel is found upon a waterway and a report has previously been made that the vessel has been stolen or embezzled.

(c) The person in charge of the vessel is by reason of physical injuries or illness incapacitated to such an extent as to be unable to provide for its custody or removal.

(d) An officer arrests a person operating or in control of the vessel for an alleged offense, and the officer is required or permitted to take, and does take, the person arrested before a magistrate without unnecessary delay.

(e) The vessel seriously interferes with navigation or otherwise poses a critical and immediate danger to navigation or to the public health, safety or welfare.

**Sec. 164.** NRS 488.293 is hereby amended to read as follows:

488.293 1. A peace officer may attempt to identify the registered owner of a vessel abandoned on private property by inspection of the vessel and any trailer to which it is attached and may supply the information to the property owner. The property owner must declare by affidavit the reasons why he believes the property to be abandoned. The

1 property owner must give 5 days' notice to the last registered owner before  
2 causing the removal of the vessel. If the last registered owner is unknown  
3 or cannot be notified, the vessel may immediately be removed to a secure  
4 location designated by a peace officer.

5 2. A peace officer shall, within 48 hours after directing the removal of  
6 an abandoned vessel on a public waterway or public or private property,  
7 notify the ~~[division of wildlife of the state department of conservation and~~  
8 ~~natural resources.] department~~ of the status of the vessel.

9 3. A law enforcement agency that has custody of an abandoned vessel  
10 shall, if the agency knows or can reasonably discover the name and address  
11 of the owner of the vessel or any person who holds a security interest in the  
12 vessel, notify the owner or the holder of the security interest of the location  
13 of the vessel and the method by which the vessel may be claimed. The  
14 notice must be sent by certified or registered mail.

15 4. If the abandoned vessel is held by a law enforcement agency as  
16 evidence in the investigation or prosecution of a criminal offense, the  
17 notice required by subsection 3 must be sent:

18 (a) Upon the decision of the law enforcement agency or district attorney  
19 not to pursue or prosecute the case;

20 (b) Upon the conviction of the person who committed the offense; or

21 (c) If the case is otherwise terminated.

22 5. Failure to reclaim the vessel within 180 days after the date the  
23 notice is mailed constitutes a waiver of interest in the vessel by any person  
24 having an interest in the vessel and the vessel shall be deemed abandoned  
25 for all purposes.

26 6. If all recorded interests in a vessel are waived, as provided in  
27 subsection 5 or by written disclaimer, the ~~[division of wildlife.] department~~  
28 may issue a certificate of ownership to the law enforcement agency that has  
29 custody of the vessel. If necessary, the ~~[division of wildlife.] department~~  
30 may assign a hull number to the vessel. This subsection does not preclude  
31 the subsequent return of a vessel, or any component part thereof, by a law  
32 enforcement agency to the registered owner of the vessel upon presentation  
33 by the registered owner of satisfactory proof of ownership.

34 7. A law enforcement agency to which a certificate of ownership is  
35 issued pursuant to subsection 6 may use, sell or destroy the vessel, and  
36 shall keep a record of the disposition of the vessel. If the law enforcement  
37 agency:

38 (a) Sells the vessel, all proceeds from the sale of the vessel become the  
39 property of the law enforcement agency.

40 (b) Destroys the vessel, the law enforcement agency shall, within 10  
41 days, give notice of the destruction of the vessel to the ~~[division of~~  
42 ~~wildlife.] department.~~

43 **Sec. 165.** NRS 488.305 is hereby amended to read as follows:

44 488.305 1. The ~~[division of wildlife of the state department of~~  
45 ~~conservation and natural resources.] department~~ may authorize the holding  
46 of regattas, motorboat or other boat races, marine parades, tournaments or  
47 exhibitions on any waters of this state. The commission shall adopt  
48 regulations concerning the safety of motorboats and other vessels and  
49 persons thereon, either observers or participants.

2. At least 30 days before a regatta, motorboat or other boat race, marine parade, tournament or exhibition is proposed to be held, the person in charge thereof must file an application with the ~~[division of wildlife]~~ *department* for permission to hold the regatta, motorboat or other boat race, marine parade, tournament or exhibition. No such event may be conducted without the written authorization of the ~~[division of wildlife]~~ *department*.

3. The ~~[administrator]~~ *director* of the ~~[division of wildlife]~~ *department* may require an applicant, or the sponsor of the event, as a condition of the approval of a regatta, motorboat or other boat race, marine parade, tournament or exhibition, to enter into an agreement to reimburse the ~~[division]~~ *department* for expenses incurred by the ~~[division]~~ *department* to ensure that the event is conducted safely, including, without limitation, expenses for equipment used, expenses for personnel and general operating expenses.

4. The application must set forth the date, time and location where it is proposed to hold the regatta, motorboat or other boat race, marine parade, tournament or exhibition, the type of vessels participating, the number and kind of navigational aids required and the name of a person who will be present at the event to ensure that the conditions of the permit are satisfied.

5. The provisions of this section do not exempt any person from compliance with applicable federal law or regulation.

**Sec. 166.** NRS 488.320 is hereby amended to read as follows:

488.320 1. A person shall not maintain or operate upon the waters of this state any vessel which is equipped with a marine sanitation device unless the device is approved by the United States Coast Guard and:

(a) Is designed to prevent the overboard discharge of treated and untreated sewage; or

(b) Is adequately secured to prevent the overboard discharge of treated and untreated sewage.

2. It is unlawful for any person to discharge or attempt to discharge sewage from a vessel into the waters of this state.

3. The commission shall adopt regulations:

(a) That it determines are necessary to carry out the provisions of this section; and

(b) Establishing a schedule of civil penalties for various violations of this section and those regulations.

4. A person who violates any provision of this section or the regulations adopted pursuant to subsection 3:

(a) Is guilty of a misdemeanor; and

(b) In addition to any criminal penalty, is subject to:

(1) The suspension of the certificate of number of his vessel for 180 consecutive days; and

(2) A civil penalty of not less than \$250, as established in regulations adopted by the commission, payable to the ~~[division of wildlife of the state department of conservation and natural resources]~~ *department*.

5. As used in this section, unless the context otherwise requires:

(a) "Discharge" means to spill, leak, pump, pour, emit, empty or dump sewage into the water.

(b) “Marine sanitation device” means a toilet facility which is installed on board a vessel and which is designed to receive, retain, treat or discharge sewage, and any process to treat that sewage. The term does not include portable devices which are designed to be carried onto and off of a vessel.

(c) “Sewage” means wastes from the human body and wastes from toilets or other receptacles, including marine sanitation devices, designed to receive or retain wastes from the human body.

(d) “Vessel” includes any watercraft or structure floating on the water, whether or not capable of self-locomotion, including houseboats, barges and similar structures.

**Sec. 167.** NRS 488.550 is hereby amended to read as follows:

488.550 1. The operator of a vessel involved in a collision, accident or other casualty shall, so far as he can do so without serious danger to his own vessel, crew and passengers, render to other persons affected by the casualty such assistance as may be practicable and as may be necessary to save them from or minimize any danger caused by the casualty, and shall give his name, address and the identification of his vessel in writing to any person injured and to the owner of any property damaged in the casualty.

2. In the case of collision, accident or other casualty involving a vessel, the operator thereof, if the casualty results in death or injury to a person or damage to property in excess of \$500, shall file with the ~~[division of wildlife of the state department of conservation and natural resources]~~ **department** a full description of the casualty, including, without limitation, such information as the commission may, by regulation, require.

3. Upon receipt of a claim under a policy of insurance with respect to a collision, accident or other casualty for which a report is required by subsection 2, the insurer shall provide written notice to the insured of his responsibility pursuant to subsection 2 to file with the ~~[division of wildlife]~~ **department** a full description of the casualty.

4. Upon receipt of a request for repair with respect to a collision, accident or other casualty for which a report is required by subsection 2, the person who repairs the vessel shall provide written notice to the person requesting the repairs of the requirement set forth in subsection 2 that the operator file with the ~~[division of wildlife]~~ **department** a full description of the casualty.

5. The insurer and the person who repairs a vessel shall transmit a copy of each notice they provide pursuant to subsections 3 and 4, respectively, to the ~~[division of wildlife]~~ **department** at the same time the notice is provided to the insured or person requesting the repairs.

6. The ~~[division of wildlife]~~ **department** shall investigate or cause to be investigated a collision, accident or other casualty involving a vessel which results in death or substantial bodily injury and shall gather evidence to be used in the prosecution of a person charged with violating a law in connection with the collision, accident or other casualty. The ~~[division of wildlife]~~ **department** may investigate or cause to be investigated a collision, accident or other casualty involving a vessel which does not result in death or substantial bodily injury and may gather evidence to be

used in the prosecution of a person charged with violating a law in connection with the collision, accident or other casualty.

**Sec. 168.** NRS 488.560 is hereby amended to read as follows:

488.560 In accordance with any request made by an authorized official or agency of the United States, any information compiled or otherwise available to the ~~[division of wildlife of the state department of conservation and natural resources]~~ **department** pursuant to NRS 488.550 must be transmitted to the official or agency of the United States.

**Sec. 169.** NRS 488.900 is hereby amended to read as follows:

488.900 1. Every game warden, sheriff and other peace officer of this state and its political subdivisions shall enforce the provisions of this chapter and may stop and board any vessel subject to the provisions of this chapter.

2. Any vessel located upon the waters of this state is subject to inspection by the ~~[division of wildlife of the state department of conservation and natural resources]~~ **department** or any lawfully designated agent or inspector thereof at any time to determine whether the vessel is equipped in compliance with the provisions of this chapter.

3. Any vessel located upon the waters of this state is subject to inspection by the division of environmental protection of the state department of conservation and natural resources or any lawfully designated agent or inspector thereof at any time to determine whether the vessel is equipped in compliance with the provisions of NRS 488.320. As used in this subsection, “vessel” includes any watercraft or structure floating on the water, whether or not capable of self-locomotion, including houseboats, barges and similar structures.

**Sec. 170.** NRS 528.053 is hereby amended to read as follows:

528.053 1. No felling of trees, skidding, rigging or construction of tractor or truck roads or landings, or the operation of vehicles, may take place within 200 feet, measured on the slope, of the high water mark of any lake, reservoir, stream or other body of water unless a variance is first obtained from a committee composed of the state forester firewarden, the ~~[administrator]~~ **director** of the ~~[division of wildlife of the state]~~ department of ~~[conservation and natural resources]~~ **fish and game**, and the state engineer.

2. The committee may grant a variance authorizing any of the activities prohibited by subsection 1 within a 200-foot buffer area if the committee determines that the goals of conserving forest resources and achieving forest regeneration, preserving watersheds, reaching or maintaining water quality standards adopted by federal and state law, continuing water flows, preserving and providing for the propagation of fish life and stream habitat and preventing significant soil erosion will not be compromised.

3. In acting on a request for such variances, the committee shall consider the following factors:

(a) The extent to which such requested activity is consistent with good forestry management for the harvesting of timber;

(b) The extent to which such requested activity significantly impedes or interrupts the natural volume and flow of water;

(c) The extent to which such requested activity significantly affects a continuation of the natural quality of the water pursuant to state and federal water quality standards;

(d) The extent to which such requested activity is consistent with the prevention of significant soil erosion;

(e) The extent to which such requested activity may significantly obstruct fish passage, cause sedimentation in fish spawning areas, infringe on feeding and nursing areas , and cause variations of water temperatures; and

(f) The filtration of sediment-laden water as a consequence of timber harvesting on adjacent slopes.

**Sec. 171.** NRS 534A.070 is hereby amended to read as follows:

534A.070 1. The administrator of the division of minerals of the commission on mineral resources shall approve or reject an application for a permit to drill an exploratory well within 10 days after he receives the application in proper form. The permit must not be effective for more than 2 years, but may be extended by the administrator.

2. Upon receipt of an application for a permit to drill or operate a geothermal well, the administrator of the division of minerals shall transmit copies of the application to the state engineer, the administrator of the division of environmental protection of the state department of conservation and natural resources , and the ~~administrator~~ *director* of the ~~[division of wildlife of the state]~~ department of ~~[conservation and natural resources.]~~ *fish and game*. After consultation with the state engineer, ~~the administrator of the division of environmental protection,~~ and ~~each of the administrators,~~ *the director of the department of fish and game*, the administrator of the division of minerals may issue a permit to drill or operate a geothermal well if it is determined that issuance of a permit is consistent with:

(a) The policies specified in NRS 445A.305 and 445B.100;

(b) The purposes of chapters 533 and 534 of NRS; and

(c) The purposes specified in chapter 501 of NRS.

3. The administrator of the division of minerals shall approve or reject the application to drill or operate a geothermal well within 90 days after he receives it in proper form, unless it is determined that a conflict exists pursuant to subsection 2 or a public hearing is necessary pursuant to subsection 4. Notice of the conflict or need for a public hearing must be provided to the applicant within the 90-day period.

4. The state engineer and the administrator of the division of minerals may hold public hearings jointly or separately to gather such evidence or information as they deem necessary for a full understanding of all the rights involved and to guard properly the public interest.

5. A permit issued pursuant to this section must include any conditions:

(a) Deemed necessary by the administrator of the division of minerals to carry out the purposes of this section; and

(b) Imposed by the state engineer consistent with the provisions of chapters 533 and 534 of NRS.



**Sec. 172.** NRS 535.060 is hereby amended to read as follows:

535.060 1. On any stream system and its tributaries in this state the distribution of the waters of which are vested in the state engineer by law or the final decree of court, where beaver, by the construction of dams or otherwise, are found to be interfering with the lawful and necessary distribution of water to the proper users thereof, the state engineer, upon complaint of any interested water user, shall investigate or cause the investigation of the matter.

2. The state engineer and his assistants and water commissioners and the ~~the [division of wildlife of the state]~~ department of ~~[conservation and natural resources]~~ *fish and game* and its agents may enter upon privately owned lands for the purposes of investigating the conditions complained of and the removal and trapping of beaver.

3. If satisfied that such beaver are interfering with the flow of water to the detriment of water users, the state engineer shall serve a written notice on the owner of the land, if it is privately owned, stating:

(a) That the beaver thereon are interfering with or stopping the flow of water necessary for the proper serving of water rights; and

(b) That unless, within 10 days from receipt of the notice, written objection to the removal of such beaver is filed with the state engineer by the landowner, the ~~[division of wildlife of the state]~~ department of ~~[conservation and natural resources]~~ *fish and game* will remove such beaver or as many thereof as will rectify the existing conditions.

4. Failure of the landowner to file such written objections shall be deemed a waiver thereof. Upon receipt of written objections, the state engineer may make further investigation and may sustain or overrule the objections as the facts warrant. Upon the overruling of the objections, the landowner may have them reviewed by the district court having jurisdiction of the land by filing therein a petition for review within 10 days from the receipt of the order of the state engineer overruling the objections. The proceedings on the petition must be informal and heard by the court at the earliest possible moment.

5. Upon the landowner's waiver of objections to the removal of beaver from his land, or upon final determination by the court that the beaver should be removed, the state engineer shall immediately notify the ~~[division of wildlife]~~ *department of fish and game* of the waiver or determination and the ~~[division]~~ *department* or its agents shall enter upon the land from which the beaver are to be removed and remove them or as many as may be necessary to prevent the improper flow of water as directed by the state engineer.

6. The state engineer may remove or cause the removal of any beaver dam found to be obstructing the proper and necessary flow of water to the detriment of water users.

**Sec. 173.** NRS 561.301 is hereby amended to read as follows:

561.301 Aquatic agriculture, which includes the propagation, cultivation and harvesting of plants indigenous to water in a controlled or selected aquatic environment for the commercial production of food, is one of the agricultural enterprises conducted in this state. The department shall promote, protect and regulate aquatic agriculture to the extent that the

1 department is authorized to regulate other forms of agriculture and other  
2 agricultural products. The department shall confer with the ~~{division of~~  
3 ~~wildlife of the state}~~ department of ~~{conservation and natural resources}~~  
4 ~~fish and game~~ regarding aquatic agriculture to prevent any adverse effects  
5 on existing aquatic animals.

6 **Sec. 174.** NRS 571.120 is hereby amended to read as follows:

7 571.120 1. The department shall do all things necessary for the  
8 control and eradication of infectious, contagious or parasitic diseases of  
9 livestock.

10 2. The director shall cooperate with the ~~{administrator}~~ **director** of the  
11 ~~{division of wildlife of the state}~~ department of ~~{conservation and natural~~  
12 ~~resources}~~ ~~fish and game~~ in a program to prevent the spread of  
13 communicable diseases in livestock and wildlife in this state.

14 3. As used in this section, “wildlife” has the meaning ascribed to it in  
15 NRS 501.097.

16 **Sec. 175.** NRS 576.129 is hereby amended to read as follows:

17 576.129 1. It is unlawful for any person to import, possess or  
18 propagate any alternative livestock unless he first obtains from the state  
19 board of agriculture a permit that authorizes him to do so.

20 2. The state board of agriculture shall adopt regulations for the  
21 importation, possession and propagation of alternative livestock. The  
22 regulations must set forth requirements for:

23 (a) Facilities used to confine alternative livestock, including minimum  
24 requirements for fencing to prevent the escape of alternative livestock.

25 (b) The genetic testing of alternative livestock.

26 (c) Keeping and maintaining records related to the importation, transfer,  
27 possession and propagation of alternative livestock.

28 (d) Identifying and marking alternative livestock.

29 (e) Marketing alternative livestock.

30 (f) The filing of any bonds which may be required by the state board of  
31 agriculture.

32 3. In adopting the regulations required by subsection 2, the state board  
33 of agriculture shall consult with the ~~{division of wildlife of the state}~~  
34 department of ~~{conservation and natural resources}~~ ~~fish and game~~ and the  
35 board of wildlife commissioners concerning the provisions that are  
36 necessary to protect wildlife in this state and in the areas designated as  
37 areas of special concern by the board of wildlife commissioners pursuant to  
38 NRS 501.181.

39 4. The state board of agriculture shall establish by regulation a  
40 schedule of fees required to be paid for a permit issued pursuant to this  
41 section. The fees established must not exceed the approximate cost to the  
42 board of carrying out the provisions of this section.

43 **Sec. 176.** NRS 576.131 is hereby amended to read as follows:

44 576.131 1. An owner of alternative livestock may request assistance  
45 from the department, the ~~{division of wildlife of the state}~~ department of  
46 ~~{conservation and natural resources}~~ ~~fish and game~~, and local law  
47 enforcement agencies to recapture any alternative livestock that has  
48 escaped from confinement.

2. Any alternative livestock that is recaptured may be impounded at a suitable facility until sufficient repairs or improvements are made to the owner's facility to ensure that the escape of the alternative livestock does not recur.

3. The owner of the alternative livestock is liable for:

(a) The costs incurred by the department, the ~~[division of wildlife of the state]~~ department of ~~[conservation and natural resources]~~ *fish and game* and any local law enforcement agency to recapture the alternative livestock;

(b) The costs of impounding the alternative livestock; and

(c) Any damages caused by the alternative livestock during the escape.

**Sec. 177.** NRS 232.138, 501.002 and 501.027 are hereby repealed.

**Sec. 178.** 1. There is hereby appropriated from the state general fund to the department of fish and game the sum of \$200,000 to be used only for the purpose of managing predatory animals, including, without limitation, birds that are predatory.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2003, and reverts to the state general fund as soon as all payments have been made.

**Sec. 179.** 1. This section and sections 1 to 129, inclusive, 131 to 178, inclusive, and 180 become effective on January 1, 2002.

2. Section 130 of this act becomes effective at 12:01 a.m. on January 1, 2002.

**Sec. 180.** The legislative counsel shall:

1. In preparing the reprint and supplements to the Nevada Revised Statutes, with respect to any section that is not amended by this act or is further amended by another act, appropriately change any reference to:

(a) "Division of wildlife" to "department of fish and game"; and

(b) Any other agency or any officer whose name is changed or whose responsibilities have been transferred pursuant to the provisions of this act to refer to the appropriate agency or officer.

2. In preparing supplements to the Nevada Administrative Code, appropriately change any reference to:

(a) "Division of wildlife" to "department of fish and game"; and

(b) Any other agency or any officer whose name is changed or whose responsibilities have been transferred pursuant to the provisions of this act to refer to the appropriate agency or officer.

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## TEXT OF REPEALED SECTIONS

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### **232.138 Division of wildlife: Composition; appointment of administrator.**

1. The division of wildlife consists of the administrator and any other necessary personnel.

2. The administrator of the division is appointed by and responsible to the director.

**501.002 “Administrator” defined.** As used in this Title, “administrator” means the administrator of the division.

**501.027 “Division” defined.** As used in this Title, “division” means the division of wildlife of the state department of conservation and natural resources.

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