

CHAPTER.....

AN ACT relating to wildlife; converting the Division of Wildlife of the State Department of Conservation and Natural Resources into the Department of Wildlife; 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 Wildlife.*

**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 501.119 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. 6.** 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. 7.** 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. 8.** 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. 9.** 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 Division}~~ *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 ~~{Division}~~ *Department* shall suspend or revoke those privileges 30 days after it mails the notice.

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

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

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

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

6. If the ~~[Division]~~ *Department* suspends or revokes a license, permit or privilege pursuant to this section, the period of suspension or revocation begins 30 days after notification pursuant to subsection 3 or a determination is made by the Commission pursuant to subsection 4. After a person's license, permit or privilege is suspended or revoked pursuant to this section, all demerit points accumulated by that person must be canceled.

**Sec. 10.** NRS 501.1817 is hereby amended to read as follows:

501.1817 Any person whose license, permit or privilege has been suspended or revoked by the ~~[Division]~~ *Department* pursuant to NRS 501.1816 is entitled to judicial review of the decision in the manner provided by chapter 233B of NRS.

**Sec. 11.** NRS 501.243 is hereby amended to read as follows:

501.243 1. The ~~[Division]~~ *Department* shall execute, administer and enforce , and perform the functions and duties provided in chapter 488 of NRS.

2. The Commission has the power and authority to:

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

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

**Sec. 12.** NRS 501.310 is hereby amended to read as follows:

501.310 There is hereby created in each of the counties of this state a fund for the advisory board. The fund must be kept in the county treasury, and all money received from the ~~[Division]~~ *Department* must be placed in the fund.

**Sec. 13.** NRS 501.320 is hereby amended to read as follows:

501.320 1. Annually, not later than May 1, each board shall prepare a budget for the period ending June 30 of the following year, setting forth in detail its proposed expenditures for carrying out its duties as specified in this title within its county, and submit the budget to the Commission accompanied by a statement of the previous year's expenditures, certified by the county auditor.

2. The Commission shall examine the budget in conjunction with the ~~[Administrator]~~ *Director* or a person designated by him, and may increase, decrease, alter or amend the budget.

3. Upon approval of the budget, the ~~{Division}~~ **Department** shall transmit a copy of the approved budget to the board, and at the same time withdraw from the Wildlife Account within the State General Fund and transmit to the board the money required under the approved budget for disposition by the board in accordance with the approved budget. All money so received must be placed in the fund for the advisory board.

**Sec. 14.** NRS 501.331 is hereby amended to read as follows:

501.331 There is hereby created the ~~{Division of Wildlife of the State}~~ Department of ~~{Conservation and Natural Resources,}~~ **Wildlife** which shall administer the wildlife laws of this state and chapter 488 of NRS.

**Sec. 15.** NRS 501.333 is hereby amended to read as follows:

501.333 1. From among three or more nominees of the Commission, the ~~{Director of the State Department of Conservation and Natural Resources}~~ **Governor** shall appoint ~~{an Administrator}~~ **a Director** of the ~~{Division,}~~ **Department**, who is its Chief Administrative Officer. The ~~{Administrator}~~ **Director** serves at the pleasure of the ~~{director,}~~ **Governor**.

2. The ~~{Director}~~ **Governor** shall select as ~~{Administrator}~~ **Director** a person having an academic degree in the management of wildlife or a closely related field, substantial experience in the management of wildlife and a demonstrated ability to administer ~~{a division of}~~ a major public agency.

3. The ~~{Administrator}~~ **Director** is in the unclassified service of the State.

**Sec. 16.** NRS 501.337 is hereby amended to read as follows:

501.337 The ~~{Administrator}~~ **Director** shall:

1. Carry out the policies and regulations of the Commission.

2. Direct and supervise all administrative and operational activities of the ~~{Division,}~~ **Department**, and all programs administered by the ~~{Division}~~ **Department** as provided by law. Except as otherwise provided in NRS 284.143, the ~~{Administrator}~~ **Director** shall devote his entire time to the duties of his office and shall not follow any other gainful employment or occupation.

3. Within such limitations as may be provided by law, organize the ~~{Division}~~ **Department** and, from time to time with the consent of the Commission, **may** alter the organization. The ~~{Administrator}~~ **Director** shall reassign responsibilities and duties as he may deem appropriate.

4. Appoint or remove such technical, clerical and operational staff as the execution of his duties and the operation of the ~~{Division}~~ **Department** may require, and all those employees are responsible to him for the proper carrying out of the duties and responsibilities of their respective positions. The ~~{Administrator}~~

*Director* shall designate a number of employees as 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 , *in consultation with the Commission*, 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.] recommendation before the budget is 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 nonvoting Secretary to the Commission.

**Sec. 17.** 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. 18.** 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. 19.** 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. 20.** 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. 21.** 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 state, any county or other political subdivision of this state, to the extent permitted by the provisions of chapter 277 of NRS, any public or private corporation, or any person, in accordance with and for the purpose of carrying out the policy of the Commission.

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

**Sec. 22.** NRS 501.352 is hereby amended to read as follows:

501.352 The ~~{Administrator}~~ **Director** shall require the personnel of the ~~{Division}~~ **Department** to report to him as soon as practicable any reasonable suspicion that a communicable disease may be present in wildlife in Nevada. The ~~{Administrator}~~ **Director** shall, as soon as possible, inform the Director of the State Department of Agriculture of any reasonable suspicion reported to him. Any sample collected by the personnel of the ~~{Division}~~ **Department** in evaluating such a suspicion must be forwarded to the Director of the State Department of Agriculture as soon as practicable.

**Sec. 23.** NRS 501.354 is hereby amended to read as follows:

501.354 Except as otherwise provided by specific statute, the ~~{Division}~~ **Department** shall receive, deposit and expend all money provided by law for the administration of this title and of chapter 488 of NRS, pursuant to the authority contained in NRS 501.356 and in accordance with the Commission's policy.

**Sec. 24.** NRS 501.356 is hereby amended to read as follows:

501.356 1. Money received by the ~~{Division}~~ **Department** from:

- (a) The sale of licenses;
- (b) Fees pursuant to the provisions of NRS 488.075 and 488.1795;
- (c) Remittances from the State Treasurer pursuant to the provisions of NRS 365.535;
- (d) Appropriations made by the Legislature; and



(e) All other sources, except money derived from the forfeiture of any property described in NRS 501.3857 or money deposited in the Wildlife Heritage Trust Account pursuant to NRS 501.3575 or in the Trout Management Account pursuant to NRS 502.327, must be deposited with the State Treasurer for credit to the Wildlife Account in the State General Fund.

2. The interest and income earned on the money in the Wildlife Account, after deducting any applicable charges, must be credited to the Account.

3. Except as otherwise provided in subsection 4, the ~~Division~~ **Department** may use money in the Wildlife Account only to carry out the provisions of this title and chapter 488 of NRS and as provided in NRS 365.535, and the money must not be diverted to any other use.

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

**Sec. 25.** NRS 501.3575 is hereby amended to read as follows:

501.3575 1. The Wildlife Heritage Trust Account is hereby created in the State General Fund. The money in the Account must be used by the ~~Division~~ **Department** as provided in this section for the protection, propagation, restoration, transplantation, introduction and management of any game fish, game mammal, game bird or fur-bearing mammal in this state.

2. Except as otherwise provided in NRS 502.250, money received by the ~~Division~~ **Department** from:

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

(b) A gift of money made by any person to the Wildlife Heritage Trust Account,  
must be deposited with the State Treasurer for credit to the Account.

3. The interest and income earned on the money in the Wildlife Heritage Trust Account, after deducting any applicable charges, must be credited to the Account.

4. The ~~Division~~ **Department** may annually expend from the Wildlife Heritage Trust Account an amount of money not greater than the interest earned on the money in the Account during the previous year. The Commission shall review and approve expenditures from the Account. No money may be expended from the Account without the prior approval of the Commission.

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

**Sec. 26.** NRS 501.359 is hereby amended to read as follows:

501.359 1. The Wildlife Imprest Account in the amount of \$15,000 is hereby created for the use of the ~~{Division,}~~ *Department*, subject to the following conditions:

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

(b) The Account 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.

2. The Wildlife Imprest Account may be used to pay for postage, C.O.D. packages, travel or other minor expenses which are proper as claims for payment from the Wildlife Account in the State General Fund.

3. The Wildlife Imprest Account may be used to provide money to employees of the ~~{Division}~~ *Department* for travel expenses and subsistence allowances arising out of their official duties or employment. All advances constitute a lien in favor of the ~~{Division}~~ *Department* upon the accrued wages of the requesting employee in an amount equal to the money advanced, but the ~~{Administrator}~~ *Director* may advance more than the amount of the accrued wages of the employee. Upon the return of the employee, he is entitled to receive money for any authorized expenses and subsistence in excess of the amount advanced.

**Sec. 27.** NRS 501.361 is hereby amended to read as follows:

501.361 A Petty Cash Account in the amount of \$1,000 for the payment of minor expenses of the ~~{Division}~~ *Department* is hereby created. The Account must be kept in the custody of an employee designated by the ~~{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. 28.** NRS 501.363 is hereby amended to read as follows:

501.363 A Change Account in the amount of \$3,000 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. 29.** 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. 30.** 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. 31.** NRS 501.3855 is hereby amended to read as follows:

501.3855 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. 32.** 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. 33.** 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. 34.** 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. 35.** 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.

**Sec. 36.** NRS 502.020 is hereby amended to read as follows:

502.020 The ~~[Division]~~ *Department* shall prepare the licenses for hunting, fishing and trapping, and shall deliver such licenses to agents for sale to the public.

**Sec. 37.** NRS 502.030 is hereby amended to read as follows:

502.030 1. Licenses granting the privilege to hunt, fish or trap as provided in this title must be of such a form as is deemed necessary by the ~~[Division]~~ *Department*, but must include the following information:

(a) The holder's name, address and description.

(b) The date issued.

(c) The period of validity.

(d) The correct designation as to whether a fishing, hunting or trapping license.

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

2. The Commission may provide rules and regulations requiring an applicant to exhibit proof of his identity and residence. Such information must be included on the license as is deemed necessary by the ~~[Division]~~ *Department*.

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

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

**Sec. 38.** NRS 502.035 is hereby amended to read as follows:

502.035 Licenses, stamps and permits granting the privilege to hunt, fish or trap during the open season as provided in this title must be issued by the ~~[Division;]~~ **Department**, upon payment of the fees required under this title.

**Sec. 39.** NRS 502.040 is hereby amended to read as follows:

502.040 1. The Commission shall adopt regulations regarding:

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

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

(c) The manner of remitting money to the ~~[Division;]~~ **Department**; and

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

A license agent's authority may be revoked by the ~~[Division]~~ **Department** for his failure to abide by the regulations of the Commission. The agent may appeal to the Commission for reinstatement.

2. A license agent designated by the ~~[Division]~~ **Department** is 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.

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. 40.** 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. 41.** 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. 42.** 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. 43.** 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.

**Sec. 44.** NRS 502.077 is hereby amended to read as follows:

502.077 1. The ~~[Division]~~ **Department** shall issue special fishing permits to the administrative head of:

(a) Northern Nevada Adult Mental Health Services;

(b) Southern Nevada Adult Mental Health Services;

(c) The Northern Nevada Children's Home;

(d) The Southern Nevada Children's Home;

(e) The Nevada Youth Training Center;

(f) The Caliente Youth Center;

(g) The Spring Mountain Youth Camp;

(h) The China Spring Youth Camp;

(i) Any facility which provides temporary foster care for children who are not delinquent; and

(j) Such other public or charitable institutions or organizations as are designated by regulations adopted by the Commission,

for use only by the members, patients or children of such institutions or organizations.

2. The permits:

(a) Must be in the possession of the officer or employee who is supervising a member, patient or child while he is fishing.

(b) Authorize a member, patient or child to fish in a legal manner if in the company of an officer or employee of one of the institutions listed in this section, or of an organization provided for by regulation, if the officer or employee has a valid Nevada fishing license.

(c) Must be issued pursuant and subject to regulations prescribed by the Commission.

(d) Must contain the words "Nevada Special Fishing Permit" and the number of the permit printed on the face of the permit.

(e) May authorize no more than 15 members, patients or children, respectively, to fish.

3. Each institution or organization shall pay to the ~~{Division}~~ **Department** an annual fee of \$15 for each permit issued to the institution or organization pursuant to this section. The ~~{Division}~~ **Department** shall not issue more than two permits per year to each institution or organization.

4. It is unlawful for any person other than a member, patient or child in one of these organizations or institutions to fish with a permit issued by the ~~{Division}~~ **Department** pursuant to this section.

**Sec. 45.** 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. 46.** 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. 47.** 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. 48.** 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 more deer or antelope tags as provided in this section. The tags must be issued as compensation for damage caused by deer or antelope to the private land or to any improvements thereon.

2. An application made pursuant to this section must:

(a) Be made in the form prescribed by the ~~[Division];~~ **Department;**

(b) Establish to the satisfaction of the ~~[Division]~~ **Department** that the applicant has sustained damage of the kind described in subsection 1; and

(c) Be accompanied by the fee charged for the tags pursuant to NRS 502.250 and any fee charged for administrative costs.

3. The ~~[Division]~~ **Department** shall review the application, may conduct any investigation it deems appropriate and, if it approves the application, shall issue to the applicant not more than one tag for each 50 animals present on the private land owned, leased or managed by the applicant. Both deer and antelope tags may be issued to an applicant.

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

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

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

(c) May only be used during:

(1) The open season for the species for which the tag is issued; or

(2) A special season prescribed by regulation of the Commission for the use of such tags only on the private land.

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

6. Insofar as they are consistent with this section, the provisions of this title and of the regulations adopted by the Commission apply to the issuance and use of tags pursuant to this section. The Commission:

(a) Shall by regulation establish the maximum number of tags which may be issued annually by the ~~[Division]~~ **Department** pursuant to this section, which must not exceed 1.5 percent of the total number of deer and antelope tags which are authorized for issuance annually throughout the State; and

(b) May adopt any other regulations it deems necessary to carry out the provisions of this section.

7. The ~~[Administrator]~~ **Director** shall, not later than the fifth calendar day of each regular session of the Legislature, submit to the Director of the Legislative Counsel Bureau for distribution to the Legislature a report summarizing the activities of the ~~[Division]~~ **Department** taken pursuant to the provisions of this section during the preceding biennium, including any problems associated with the issuance and use of tags authorized by this section and any recommendations for correcting those problems.

**Sec. 49.** NRS 502.147 is hereby amended to read as follows:

502.147 1. The ~~[Division]~~ **Department** shall make available restricted nonresident deer tags in an amount not to exceed the amount set forth in this section. If the number of persons who apply for restricted nonresident deer tags is greater than the number of tags to be issued, the ~~[Division]~~ **Department** shall conduct a drawing to determine the persons to whom to issue the tags.

2. The number of restricted nonresident deer tags must:

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

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

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

4. The ~~{Division}~~ *Department* shall mail the tags to the successful applicants.

**Sec. 50.** NRS 502.148 is hereby amended to read as follows:

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

2. The application must be accompanied by a fee for the tag of \$300, plus any other fees which the ~~{Division}~~ *Department* may require. The Commission shall establish the time limits and acceptable methods for submitting such applications to the ~~{Division}~~ *Department*.

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

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

5. All fees collected pursuant to this section must be deposited with the State Treasurer for credit to the Wildlife Account in the State General Fund.

**Sec. 51.** NRS 502.160 is hereby amended to read as follows:

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

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

**Sec. 52.** 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. 53.** 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. 54.** 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 replacement for the one he placed on the carcass pursuant to this subsection. The holder shall choose whether the replacement tag is to be issued for the current hunting season or for the next similar season in the following year. If the holder chooses to retain the head, antlers, carcass, horns or hide of the animal, and the authorized representative of the ~~{Division}~~ *Department* approves the retention, the holder shall be deemed to waive any claim he may have had for the issuance of a replacement tag.

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

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

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

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

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

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

4. The Commission shall adopt by regulation:

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

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

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

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

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

**Sec. 55.** NRS 502.230 is hereby amended to read as follows:

502.230 1. A nonresident deer tag for regular season may be issued to any nonresident of this state or to the immediate members of such nonresident’s family, as a bona fide owner of land within this state, for the privilege to hunt upon that land to which he has title, if not less than 75 percent of all land belonging to him in the

State of Nevada and upon which he proposes to hunt is open to the public for hunting.

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

3. A nonresident deer tag for the regular season may be issued by the ~~Division~~ Department only upon proof of the applicant's title to certain lands within this state. The Commission shall adopt and promulgate regulations establishing requirements for obtaining tags, including a determination that the land proposed for hunting is deer habitat.

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

**Sec. 56.** NRS 502.240 is hereby amended to read as follows:

502.240 The ~~Division~~ Department shall issue annual licenses and limited permits:

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

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

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

3. To any person who has attained his 12th birthday but who has not attained his 16th birthday, and who is not a bona fide resident of the State of Nevada, upon the payment of \$8 for an annual fishing license, except for a fishing license to fish in the reciprocal waters of the Colorado River, Lake Mead and Lake Mohave, which annual license must cost a sum agreed upon by the

Commission and the Arizona Game and Fish Commission, but not to exceed \$30.

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

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

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

For a noncommercial license for the possession of live wildlife .....	\$5
For a commercial or private shooting preserve.....	100
For a commercial license for the possession of live wildlife .....	100
For a live bait dealer's permit .....	35
For a competitive field trials permit.....	25
For a permit to train dogs or falcons .....	5
For a 1-year falconry license.....	30
For a 3-year falconry license.....	75
For an importation permit .....	5
For an import eligibility permit.....	25
For an exportation permit.....	5
For any other special permit issued by the <del>Division,</del> <i>Department</i> , a fee not to exceed \$100 set by the Commission.	

**Sec. 57.** NRS 502.245 is hereby amended to read as follows:

502.245 1. The ~~Division~~ **Department** shall issue any hunting or fishing license or combined hunting and fishing license authorized under the provisions of this chapter, upon proof satisfactory of the requisite facts and payment of the applicable fee, to any person who has resided in this state:

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

(1) Has a severe physical disability; or

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

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

2. The ~~Division~~ **Department** shall charge and collect for such a:

Hunting license.....	\$4
Fishing license.....	4
Combined hunting and fishing license.....	7

3. For the purposes of this section, “severe physical disability” means a physical disability which materially limits the person’s ability to engage in gainful employment.

**Sec. 58.** NRS 502.250 is hereby amended to read as follows:

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

Resident deer tag for regular season .....	\$15
Nonresident and alien deer tag for regular season .....	60
Resident antelope tag .....	50
Resident elk tag .....	100
Resident bighorn <i>sheep</i> tag .....	100
Resident mountain goat tag.....	100
Resident mountain lion tag.....	25

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

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

4. A fee not to exceed \$10 may be charged for processing an application for a tag other than an elk tag. A fee of not less than \$5 but not more than \$15 must be charged for processing an application for an elk tag, \$5 of which must be deposited with the State Treasurer for credit to the Wildlife Account in the State General Fund and used for the prevention and mitigation of damage caused by elk or game mammals not native to this state.

5. The Commission may accept sealed bids for or auction not more than 15 big game tags and not more than 5 wild turkey tags each year. To reimburse the ~~{Division}~~ **Department** for the cost of managing wildlife and administering and conducting the bid or auction, not more than 18 percent of the total amount of money received from the bid or auction may be deposited with the State Treasurer for credit to the Wildlife Account in the State General Fund. Any amount of money received from the bid or auction that is not so deposited must be deposited with the State Treasurer for credit to the Wildlife Heritage Trust Account in the State General Fund in accordance with the provisions of NRS 501.3575.

6. The Commission may by regulation establish an additional drawing for big game tags, which may be entitled the Partnership in Wildlife Drawing. To reimburse the ~~{Division}~~ **Department** for the cost of managing wildlife and administering and conducting the drawing, not more than 18 percent of the total amount of money received from the drawing may be deposited with the State Treasurer for credit to the Wildlife Account in the State General Fund. Except as otherwise provided by regulations adopted by the Commission pursuant to subsection 7, the money received by the ~~{Division}~~ **Department** from applicants in the drawing who are not awarded big game tags must be deposited with the State Treasurer for credit to the Wildlife Heritage Trust Account in accordance with the provisions of NRS 501.3575.

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

**Sec. 59.** NRS 502.253 is hereby amended to read as follows:

502.253 1. In addition to any fee charged and collected pursuant to NRS 502.250, a fee of \$3 must be charged for processing each application for a game tag, the revenue from which must be accounted for separately, deposited with the State Treasurer for credit to the Wildlife Account in the State General Fund and used by the ~~{Division}~~ **Department** for costs related to:

(a) Programs for the management and control of injurious predatory wildlife;

(b) Wildlife management activities relating to the protection of nonpredatory game animals, sensitive wildlife species and related wildlife habitat;

(c) Conducting research, as needed, to determine successful techniques for managing and controlling predatory wildlife, including studies necessary to ensure effective programs for the management and control of injurious predatory wildlife; and

(d) Programs for the education of the general public concerning the management and control of predatory wildlife.

2. The ~~{Division}~~ *Department* of Wildlife is hereby authorized to expend a portion of the money collected pursuant to subsection 1 to enable the State Department of Agriculture to develop and carry out the programs described in subsection 1.

3. The money in the Wildlife Account remains in the Account and does not revert to the State General Fund at the end of any fiscal year.

**Sec. 60.** NRS 502.255 is hereby amended to read as follows:

502.255 The ~~{Division}~~ *Department* shall account separately for the money received from fees for processing applications for tags and, except as otherwise provided in NRS 502.253, use that money only for all of the ~~{Division's}~~ *Department's* direct and indirect costs associated with the system of applications and drawings for, and the issuance of, tags.

**Sec. 61.** NRS 502.300 is hereby amended to read as follows:

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

(a) An unexpired state duck stamp validated by his signature in ink across the face of the stamp; or

(b) Such documentation as the ~~{Division}~~ *Department* provides via the Internet as proof that he has paid to the ~~{Division,}~~ *Department*, for the licensing period that includes the time he is hunting, the same fee as that required pursuant to subsection 3 for the purchase of an unexpired state duck stamp for that period.

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

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

(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. 62.** NRS 502.310 is hereby amended to read as follows:

502.310 All money received pursuant to NRS 502.300 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 that money. 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. 63.** NRS 502.322 is hereby amended to read as follows:

502.322 1. Before the ~~{Division}~~ *Department* may undertake any project using money received pursuant to NRS 502.300, it shall analyze the project and provide the Commission with recommendations as to the need for the project and its feasibility.

2. Money received pursuant to NRS 502.300 must be used for projects approved by the Commission for the protection and propagation of migratory game birds, and for the acquisition, development and preservation of wetlands in Nevada.

**Sec. 64.** NRS 502.324 is hereby amended to read as follows:

502.324 The ~~{Division}~~ *Department* shall, not later than the ~~{5th}~~ *fifth* 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. 65.** 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) An unexpired state trout stamp affixed to his fishing license and validated by his signature in ink across the face of the stamp; or

(b) Such documentation as the ~~{Division}~~ *Department* provides via the Internet as proof that he has paid to the ~~{Division,}~~ *Department*, for the licensing period that includes the time he is fishing, the same fee as that required pursuant to subsection 3 for the purchase of a state trout stamp for that period.

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 \$10 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.

**Sec. 66.** NRS 502.327 is hereby amended to read as follows:

502.327 1. All money received pursuant to NRS 502.326 must be deposited with the State Treasurer for credit to the Trout



Management Account, which is hereby established in the State General Fund.

2. The interest and income earned on the money in the Trout Management Account, after deducting any applicable charges, must be credited to the Account.

3. The ~~{Division}~~ *Department* shall:

(a) Maintain separate accounting records for the receipt of money pursuant to NRS 502.326 and the expenditure of that money.

(b) Administer the Trout Management Account. The ~~{Division}~~ *Department* may use money in the Account only for the protection, propagation and management of trout in this state and for any bonded indebtedness incurred therefor.

**Sec. 67.** NRS 502.330 is hereby amended to read as follows:

502.330 1. No hunting license may be obtained by any person born after January 1, 1960, unless he presents to the ~~{Division,}~~ *Department*, or one of its authorized licensing agents:

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

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

(c) A hunting license issued to him in a previous year by the ~~{Division,}~~ *Department*, a state or an agency of a Canadian province, which bears a number or other unique mark evidencing successful completion of a course of instruction in the responsibilities of hunters.

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

**Sec. 68.** NRS 502.340 is hereby amended to read as follows:

502.340 The ~~{Division}~~ *Department* shall certify instructors who will, with the cooperation of the ~~{Division,}~~ *Department*, provide instruction in the responsibilities of hunters established by the ~~{Division}~~ *Department* to all eligible persons who, upon the successful completion of the course, must be issued a certificate. Persons who are disqualified from obtaining a hunting license, pursuant to NRS 502.330, are eligible for the course.

**Sec. 69.** NRS 502.370 is hereby amended to read as follows:

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

2. Annual licenses for the term of 1 year from July 1 to June 30 must be issued by the ~~{Division}~~ *Department* for the following fees:

Fee to practice commercial taxidermy .....	\$35
Fee to practice noncommercial taxidermy .....	5

3. Any person who wishes to obtain a license to practice taxidermy must apply for the license on an application form provided by the ~~[Division]~~ *Department*. The applicant must provide such information on the form as the Commission may require by regulation.

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

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

(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. 70.** 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. 71.** 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 or ravens from an aircraft.

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

**Sec. 72.** 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. 73.** 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 or fish and date taken, if the mammal, furs, bird or fish is not required by law or regulation to be tagged. Unless otherwise permitted by a regulation of the Commission, when tagged shipments are involved, a transportation permit is required as provided in this section.

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

5. The ~~[Division]~~ *Department* shall designate the form of the transportation permit and such permits may be issued for a fee of \$1 by any game warden or other such persons as may be specifically designated by the ~~[Division.]~~ *Department*. The person legally in possession of the game mammals, raw furs, wild mammals taken by trapping, game birds or game fish to be transported must appear before the issuing agent to obtain a transportation permit. The permit must describe the wildlife to be transported and identify by name, address, license number and class the person who legally took the furs or wildlife and by name and address the person transporting it. Whenever raw furs or wildlife is to be transported by the postal

service or by common carrier, freight or express agency, such an agency may be designated by name alone.

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

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

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

**Sec. 74.** 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. 75.** 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. 76.** 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 person at any time, except that a second combination of hook, line and rod may be used by a person if the person:

(a) Purchases from the ~~Division~~ **Department** or a license agent of the ~~Division~~ **Department** a stamp or permit for a second rod;

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

(c) Has in his possession a valid fishing license, combined hunting and fishing license or permit to fish issued to him by the ~~Division~~ **Department**.

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

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

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

**Sec. 77.** NRS 503.310 is hereby amended to read as follows:

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

2. Any person engaged in the sale of live bait must first obtain a permit from the ~~Division~~ **Department** for the fee provided in NRS 502.240. The permit may be revoked for any violation of regulations.

3. The Commission may prescribe the species which may be held or sold by the permittee.

**Sec. 78.** NRS 503.360 is hereby amended to read as follows:

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

2. Nothing in this section prohibits employees of the ~~[Division]~~ **Department** from handling, at any time, all such fish, as may be required in the propagation, care and distribution of the fish.

**Sec. 79.** NRS 503.380 is hereby amended to read as follows:

503.380 The ~~[Division]~~ **Department** may take or permit the commercial taking of unprotected wildlife in any manner approved by the Commission. The Commission may fix a price to be paid for wildlife so taken. Unprotected wildlife taken under this authorization may be sold.

**Sec. 80.** NRS 503.400 is hereby amended to read as follows:

503.400 1. Every person who has erected, or who may hereafter erect, any dams, water weirs or other obstructions to the free passage of fish in the rivers, streams, lakes or other waters of the State of Nevada shall construct and keep in repair , to the satisfaction of the ~~[Division]~~ **Department**, fishways or fish ladders at all such dams, water weirs or other obstructions so that at all seasons of the year fish may ascend above such dams, water weirs or other obstructions to deposit their spawn.

2. Every person so placing, controlling or owning any such obstruction who fails to comply with the provisions of this section after having been notified in writing so to do by the ~~[Division]~~ **Department**, and every person who at any time willfully or knowingly destroys, injures or obstructs any fishway or fish ladder which is required by law is guilty of a misdemeanor.

**Sec. 81.** NRS 503.420 is hereby amended to read as follows:

503.420 1. Any person, firm or corporation owning in whole or in part any canal, ditch or any artificial watercourse, taking or receiving its waters from any river, creek or lake in which fish have been placed or may exist, shall place or cause to be placed, and such persons shall maintain at the intake or inlet of such canal, ditch or watercourse, a grating, screen or other device, either stationary or operated mechanically, of such construction, fineness, strength and quality as may be designated by the ~~[Division]~~ **Department**, to prevent any fish from entering such canal, ditch or watercourse.

2. If such person, firm or corporation, after due notice from the ~~[Division]~~ **Department**, fails to install or maintain such grating, screen or device, the Commission is authorized to enter upon lands adjacent to the inlet of such canal, ditch or watercourse, and may install therein, and thereafter maintain, such grating, screen or device as in the discretion of the ~~[Division]~~ **Department** is proper.



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

**Sec. 82.** NRS 503.425 is hereby amended to read as follows:

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

2. A permit issued pursuant to subsection 1 does not authorize the recipient to use any equipment in any navigable body of water unless the recipient has obtained the appropriate permit for such a use from the State Land Registrar.

3. It is unlawful for any person to:

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

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

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

**Sec. 83.** NRS 503.452 is hereby amended to read as follows:

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

**Sec. 84.** NRS 503.470 is hereby amended to read as follows:

503.470 1. Fur-bearing mammals injuring any property may be taken or killed at any time in any manner, provided a permit is first obtained from the ~~{Division}~~ **Department**.

2. When the ~~{Division}~~ **Department** has determined from investigations or upon a petition signed by the owners of 25 percent of the land area in any irrigation district or the area served by a ditch company alleging that an excessive population of beaver or otter exists or that beaver or otter are doing damage to lands, streams, ditches, roads or water control structures, the ~~{Division}~~ **Department** shall remove such excess or depredating beaver or otter.

**Sec. 85.** NRS 503.540 is hereby amended to read as follows:

503.540 Whenever the ~~{Division}~~ **Department** determines that beaver or otter are doing damage and that it will be necessary to remove beaver or otter from the land of a person to protect the lands of another landowner, the ~~{Division}~~ **Department** is not prevented

from taking such beaver or otter by the refusal of the landowner to allow the ~~{Division's}~~ employees *of the Department* to enter upon his land. The ~~{Division}~~ *Department* is authorized to enter upon the lands of such owner and remove beaver or otter for the relief of other landowners and the protection of the public welfare.

**Sec. 86.** NRS 503.575 is hereby amended to read as follows:

503.575 The ~~{Division,}~~ *Department*, with the approval of the Commission, may sell live beaver.

**Sec. 87.** NRS 503.582 is hereby amended to read as follows:

503.582 Except as otherwise provided in this section, it is unlawful for any person to hunt, trap, possess or sell any species, native or otherwise, of owl, hawk or other birds of prey, including all raptors or the parts thereof, without first obtaining a permit from the ~~{Division,}~~ *Department*. The Commission may adopt regulations:

1. Covering the hunting, trapping, possession or sale of any of those species.
2. Authorizing a person to hunt, trap, possess or sell any of those species without obtaining a permit pursuant to the provisions of this section.

**Sec. 88.** NRS 503.583 is hereby amended to read as follows:

503.583 1. Except as otherwise provided in this section, any person who practices falconry or trains birds of prey must obtain a falconry license from the ~~{Division}~~ *Department* upon payment of a license fee as provided in NRS 502.240.

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

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

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

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

**Sec. 89.** 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. 90.** 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. 91.** 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. 92.** 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. 93.** 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 maximum extent practicable, with other states and with the counties in the State of Nevada, and he may enter into agreements with such other states and counties and with other legal entities for the administration and management of any area established pursuant to NRS 503.584 to 503.589, inclusive, for the

conservation, protection, restoration and propagation of species of native fish, wildlife and other fauna which are threatened with extinction.

**Sec. 94.** NRS 503.595 is hereby amended to read as follows:

503.595 After the owner or tenant of any land or property has made a report to the ~~[Division]~~ *Department* indicating that such land or property is being damaged or destroyed, or is in danger of being damaged or destroyed, by wildlife, the ~~[Division]~~ *Department* may, after thorough investigation and pursuant to such regulations as the Commission may promulgate, cause such action to be taken as it may deem necessary, desirable and practical to prevent or alleviate such damage or threatened damage to such land or property.

**Sec. 95.** NRS 503.597 is hereby amended to read as follows:

503.597 1. Except as otherwise provided in this section, it is unlawful, except by the written consent and approval of the ~~[Division]~~ *Department*, for any person at anytime to receive, bring or have brought or shipped into this state, or remove from one stream or body of water in this state to any other, or from one portion of the State to any other, or to any other state, any aquatic life ~~[ ]~~ *or* wildlife, *or any* spawn, eggs or young of any of them.

2. The ~~[Division]~~ *Department* shall require an applicant to conduct an investigation to confirm that such an introduction or removal will not be detrimental to the wildlife or the habitat of wildlife in this state. Written consent and approval of the ~~[Division]~~ *Department* may be given only if the results of the investigation prove that the introduction, removal or importation will not be detrimental to existing aquatic life ~~[ ]~~ *or* wildlife, *or any* spawn, eggs or young of any of them.

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

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

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

**Sec. 96.** NRS 503.610 is hereby amended to read as follows:

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

2. The ~~{Division}~~ *Department* may issue permits to take bald eagles or golden eagles whenever it determines that they have become seriously injurious to wildlife or agricultural or other interests in any particular area of the State and the injury complained of is substantial and can only be abated by taking some or all of the offending birds. The issuance of such permits must be consistent with federal law.

**Sec. 97.** NRS 503.650 is hereby amended to read as follows:  
503.650 Nothing in this title:

1. Prohibits any person, upon the written permit of the ~~{Division}~~ *Department*, from taking, killing, possessing or banding any species of wildlife, or collecting the nest or eggs thereof, for strictly scientific or educational purposes, the number and species of wildlife to be limited by the ~~{Division}~~ *Department*.

2. Prevents shipping into any other county or state, under a written permit issued by the ~~{Division}~~ *Department*, any wildlife for scientific or educational purposes.

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

**Sec. 98.** NRS 504.140 is hereby amended to read as follows:

504.140 1. The ~~{Division}~~ *Department* is authorized, subject to approval by the Commission, to enter into agreements with landowners, individually or in groups, to establish wildlife management areas and to enforce regulations necessary thereto for the purpose of providing greater areas for the public to hunt or fish on private lands and to protect the landowner or lessee from damage due to trespass or excessive hunting or fishing pressure.

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

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

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

**Sec. 99.** NRS 504.147 is hereby amended to read as follows:

504.147 1. The ~~{Division}~~ *Department* may, if such leases or sales do not interfere with the use of such real property for wildlife management or for hunting or fishing thereon:

(a) Lease, for a term not exceeding 5 years, grazing or pasturage rights in and to real property which is assigned to the ~~{Division}~~ *Department* for administration.

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

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

3. The ~~[Division]~~ *Department* may enter into such a lease with or make such a sale to a state agency without advertising for bids if the rent agreed to be paid for the lease or the sale price agreed to be paid for any agricultural commodities to be sold is, in the opinion of the ~~[Division]~~ *Department*, equal to the amount that would be obtained by advertising for bids.

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

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

**Sec. 100.** NRS 504.155 is hereby amended to read as follows:

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

**Sec. 101.** NRS 504.165 is hereby amended to read as follows:

504.165 1. The Commission shall adopt regulations governing the disbursement of money to:

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

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

2. The regulations must contain:

(a) Requirements for the eligibility of those persons claiming damage to private property or privately maintained improvements to receive money or materials from the ~~[Division]~~ *Department*, including a requirement that such a person enter into a cooperative

agreement with the ~~{Administrator}~~ *Director* for purposes related to this title.

(b) Procedures for the formation of local panels to assess damage caused by elk or game mammals not native to this state and to determine the value of a loss claimed if the person claiming the loss and the ~~{Division}~~ *Department* do not agree on the value of the loss.

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

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

3. The regulations must:

(a) Provide for the payment of money or other compensation to cover the costs of labor and materials necessary to prevent or mitigate damage to private property and privately maintained improvements caused by elk or 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. 102.** 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. 103.** NRS 504.185 is hereby amended to read as follows:

504.185 The provisions of NRS 504.155 to 504.185, inclusive, 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. 104.** 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. 105.** 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. 106.** 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. 107.** 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. 108.** 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. 109.** 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. 110.** 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. 111.** 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. 112.** 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. 113.** 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. 114.** 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. 115.** 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}~~ **Violator** Compact.

**Sec. 116.** 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}~~ **Wildlife** 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 issuing the order, forward to the ~~{Division}~~ **Department** of Wildlife any license to hunt surrendered by the child, together with a copy of the order.

**Sec. 117.** NRS 232.090 is hereby amended to read as follows:

232.090 1. The Department consists of the Director and the following divisions:

- (a) The Division of Water Resources.
- (b) The Division of State Lands.
- (c) The Division of Forestry.
- (d) The Division of State Parks.
- (e) The Division of Conservation Districts.
- (f) The Division of Environmental Protection.
- (g) The Division of Water Planning.
- (h) ~~The Division of Wildlife.~~

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

2. The State Environmental Commission, the State Conservation Commission, the Commission for the Preservation of Wild Horses, the Nevada Natural Heritage Program and the Board to Review Claims are within the Department.

**Sec. 118.** NRS 242.131 is hereby amended to read as follows:

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

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

- (a) The Court Administrator;
- (b) The Department of Motor Vehicles;
- (c) The Department of Public Safety;
- (d) The Department of Transportation;
- (e) The Employment Security Division of the Department of Employment, Training and Rehabilitation;
- (f) The ~~{Division of Wildlife of the State}~~ Department of ~~{Conservation and Natural Resources;}~~ **Wildlife;**
- (g) The Legislative Counsel Bureau;
- (h) The State Controller;
- (i) The State Gaming Control Board and Nevada Gaming Commission; and
- (j) 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. 119.** 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.]~~ **Wildlife.**

2. At the request of the ~~[Administrator]~~ **Director** of the ~~[Division of Wildlife of the State]~~ Department of ~~[Conservation and Natural Resources.]~~ **Wildlife**, sell timber from any land owned by the State of Nevada which is assigned to the ~~[Division]~~ **Department** of Wildlife. 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. 120.** 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.]~~ **Wildlife.**

(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. 121.** 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}~~ **Wildlife** 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. 122.** 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 ~~[Conservation and Natural Resources]~~ *Wildlife* which is or was subject to taxation under the provisions of this chapter at the time of acquisition.

2. In lieu of payment of taxes on each parcel of real property acquired by it which is subject to assessment and taxation pursuant to subsection 1, the ~~[Division of Wildlife of the State]~~ Department of ~~[Conservation and Natural Resources]~~ *Wildlife* shall make annual ~~[payment]~~ *payments* to the county tax receiver of the county wherein each such parcel of real property is located of an amount equal to the total taxes levied and assessed against each such parcel of real property in the year in which title to it was acquired by the State of Nevada.

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

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

**Sec. 123.** NRS 365.535 is hereby amended to read as follows:

365.535 1. It is declared to be the policy of the State of Nevada to apply the tax on motor vehicle fuel paid on fuel used in watercraft for recreational purposes during each calendar year, which is hereby declared to be not refundable to the consumer, for the:

(a) Improvement of boating and the improvement, operation and maintenance of other outdoor recreational facilities located in any state park that includes a body of water used for recreational purposes; and

(b) Payment of the costs incurred, in part, for the administration and enforcement of the provisions of chapter 488 of NRS.

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

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

(b) Adding 566,771 gallons of fuel purchased by out-of-state boaters as determined through a study conducted during 1969-1970 by the Division of Agricultural and Resource Economics, Max C.

Fleischmann College of Agriculture, University of Nevada, Reno;  
and

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

3. The ~~{Division of Wildlife of the State}~~ Department of ~~{Conservation and Natural Resources}~~ *Wildlife* shall submit annually to the Department, on or before April 1, the number of boats with motors registered in the previous calendar year. On or before June 1, the Department, using that data, shall compute the amount of excise taxes paid on all motor vehicle fuel used in watercraft for recreational purposes based on the formula set forth in subsection 2, and shall certify the ratio for apportionment and distribution, in writing, to the ~~{Division of Wildlife of the State}~~ Department of ~~{Conservation and Natural Resources}~~ *Wildlife* and to the Division of State Parks of the State Department of Conservation and Natural Resources for the next fiscal year.

4. In each fiscal year, the State Treasurer shall, upon receipt of the tax money from the Department collected pursuant to the provisions of NRS 365.175 to 365.190, inclusive, allocate the amount determined pursuant to subsection 2, in proportions directed by the Legislature, to:

(a) The Wildlife Account in the State General Fund. This money may be expended only for the administration and enforcement of the provisions of chapter 488 of NRS and for the improvement, operation and maintenance of boating facilities and other outdoor recreational facilities associated with boating. Any money received in excess of the amount authorized by the Legislature to be expended for such purposes must be retained in the Wildlife Account.

(b) The Division of State Parks of the State Department of Conservation and Natural Resources. Such money may be expended only as authorized by the Legislature for the improvement, operation and maintenance of boating facilities and other outdoor recreational facilities located in any state park that includes a body of water used for recreational purposes.

**Sec. 124.** NRS 425.500 is hereby amended to read as follows:

425.500 As used in NRS 425.500 to 425.560, inclusive, unless the context otherwise requires, “agency that issues a professional, occupational or recreational license, certificate or permit” means the ~~{Division of Wildlife of the State}~~ Department of ~~{Conservation and Natural Resources}~~ *Wildlife* and any officer, agency, board or commission of this state which is prohibited by specific statute from issuing or renewing a license, certificate or permit unless the

applicant for the issuance or renewal of that license, certificate or permit submits to the officer, agency, board or commission the statement prescribed by the ~~[Welfare]~~ Division pursuant to NRS 425.520.

**Sec. 125.** NRS 425.520 is hereby amended to read as follows:

425.520 1. The ~~[Welfare]~~ Division shall prescribe, by regulation, a statement which must be submitted to an agency that issues a professional, occupational or recreational license, certificate or permit, other than the ~~[Division of Wildlife of the State]~~ Department of ~~[Conservation and Natural Resources,]~~ *Wildlife*, by an applicant for the issuance or renewal of such a license, certificate or permit.

2. The statement prescribed pursuant to subsection 1 must:

(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. 126.** 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~~ *Wildlife* 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.

**Sec. 127.** NRS 432B.610 is hereby amended to read as follows:

432B.610 1. The Peace Officers' Standards and Training Commission shall:

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

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

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

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

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

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

(b) Personnel of the Nevada Highway Patrol appointed to exercise the police powers specified in NRS 480.330 and 480.360;

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

(d) Members of the Police Department of the University and Community College System of Nevada;

(e) Employees of the Division of State Parks of the State Department of Conservation and Natural Resources designated by the Administrator of the Division who exercise police powers specified in NRS 289.260;

(f) The Chief, investigators and agents of the Investigation Division of the Department of Public Safety; and

(g) The personnel of the ~~[Division of Wildlife of the State]~~ Department of ~~[Conservation and Natural Resources]~~ **Wildlife** who exercise those powers of enforcement conferred by title 45 and chapter 488 of NRS.

**Sec. 128.** NRS 445A.615 is hereby amended to read as follows:

445A.615 1. The Director may ~~[authorize the Division of Wildlife of]~~ **issue a permit to** the Department **of Wildlife** to kill fish through the use of toxicants.

2. The ~~[Director shall]~~ **permit must** indicate the terms and conditions under which the use of toxicants may take place.

**Sec. 129.** NRS 445B.200 is hereby amended to read as follows:

445B.200 1. The State Environmental Commission is hereby created within the State Department of Conservation and Natural Resources. The Commission consists of:

(a) The ~~[Administrator of the Division of Wildlife]~~ **Director** of the Department ~~[:]~~ **of Wildlife;**

(b) The State Forester Firewarden;

(c) The State Engineer;

(d) The Director of the State Department of Agriculture;

(e) The Administrator of the Division of Minerals of the Commission on Mineral Resources;

(f) A member of the State Board of Health to be designated by that Board; and

(g) Five members appointed by the Governor, one of whom is a general engineering contractor or a general building contractor licensed pursuant to chapter 624 of NRS and one of whom possesses expertise in performing mining reclamation.

2. The Governor shall appoint the Chairman of the Commission from among the members of the Commission.

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

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

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

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

7. The State Department of Conservation and Natural Resources shall provide technical advice, support and assistance to the Commission. All state officers, departments, commissions and agencies, including the Department of Transportation, the Department of Human Resources, the University and Community College System of Nevada, the State Public Works Board, the Department of Motor Vehicles, the Department of Public Safety, the Public Utilities Commission of Nevada, the Transportation Services Authority and the State Department of Agriculture may also provide technical advice, support and assistance to the Commission.

**Sec. 130.** NRS 482.368 is hereby amended to read as follows:

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

2. License plates furnished for:

(a) Those vehicles which are maintained for and used by the Governor or under the authority and direction of the Chief Parole and Probation Officer, the State Contractors' Board and auditors, the State Fire Marshal, the Investigation Division of the Department of Public Safety and any authorized federal law enforcement agency or law enforcement agency from another state;

(b) One vehicle used by the Department of Corrections, three vehicles used by the ~~Division of Wildlife of the State~~ Department of ~~Conservation and Natural Resources,~~ *Wildlife*, two vehicles



used by the Caliente Youth Center and four vehicles used by the Nevada Youth Training Center;

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

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

- (1) The State Gaming Control Board;
- (2) The State Department of Agriculture;
- (3) The Attorney General;
- (4) City or county juvenile officers;
- (5) District attorneys' offices;
- (6) Public administrators' offices;
- (7) Public guardians' offices;
- (8) Sheriffs' offices;
- (9) Police departments in the State; and
- (10) The Securities Division of the Office of the Secretary of

State,

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

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

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

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

6. The Department shall adopt regulations governing the use of all license plates provided for in this section. Upon a finding by the

Department of any violation of its regulations, it may revoke the violator's privilege of registering vehicles pursuant to this section.

**Sec. 131.** NRS 488.035 is hereby amended to read as follows:

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

1. "Commission" means the Board of Wildlife Commissioners.
2. ***"Department" means the Department of Wildlife.***
3. "Flat wake" means the condition of the water close astern a moving vessel that results in a flat wave disturbance.

~~[3-]~~ 4. ***"Interstate waters of this state" means waters forming the boundary between the State of Nevada and an adjoining state.***

5. "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-]~~ 6. "Motorboat" means any vessel propelled by machinery, whether or not the machinery is the principal source of propulsion.

~~[5-]~~ 7. "Operate" means to navigate or otherwise use a motorboat or a vessel.

~~[6-]~~ 8. "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-]~~ 9. "Prohibited substance" has the meaning ascribed to it in NRS 484.1245.

~~[8-]~~ 10. "Registered owner" means the person registered by the Commission as the owner of a vessel.

~~[9-]~~ 11. A vessel is "under way" if it is adrift, making way ~~[1-]~~ or being propelled, and is not aground, made fast to the shore, or tied or made fast to a dock or mooring.

~~[10-]~~ 12. "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-]~~ 13. "Waters of this state" means any waters within the territorial limits of this state.

**Sec. 132.** 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. 133.** 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 by regulations of the Commission in order that the number may be clearly visible. The number must be maintained in legible condition.

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

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

**Sec. 134.** NRS 488.078 is hereby amended to read as follows:

488.078 The ~~{Division of Wildlife of the State Department of Conservation and Natural Resources}~~ **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 has been issued a

certificate of number or a validation decal and any pertinent changes in that information.

**Sec. 135.** NRS 488.105 is hereby amended to read as follows:

488.105 If an agency of the United States Government has in force an overall system of identification numbering for motorboats within the United States, the numbering system employed pursuant to the provisions of this chapter by the ~~{Division of Wildlife of the State Department of Conservation and Natural Resources}~~ **Department** must be in conformity therewith.

**Sec. 136.** NRS 488.115 is hereby amended to read as follows:

488.115 1. The ~~{Division of Wildlife of the State Department of Conservation and Natural Resources}~~ **Department** may award any certificate of number directly or may authorize any person to act as *an* agent for the awarding thereof. If a person accepts the authorization, he may be assigned a block of numbers and certificates therefor which upon award, in conformity with the provisions of this chapter and with any regulations of the Commission, is valid as if awarded directly by the ~~{Division of Wildlife}~~ **Department**. At the time an agent forwards the money collected to the ~~{Division of Wildlife}~~ **Department** he may retain 50 cents per certificate of number.

2. All records of the ~~{Division of Wildlife}~~ **Department** made or kept pursuant to this section are public records.

**Sec. 137.** NRS 488.135 is hereby amended to read as follows:

488.135 The ~~{Division of Wildlife of the State Department of Conservation and Natural Resources}~~ **Department** shall fix a day and month of the year on which certificates of number due to expire during the calendar year lapse unless renewed pursuant to the provisions of this chapter.

**Sec. 138.** NRS 488.145 is hereby amended to read as follows:

488.145 1. The owner shall furnish the ~~{Division of Wildlife of the State Department of Conservation and Natural Resources}~~ **Department** notice of the destruction or abandonment of any motorboat numbered under this chapter, within 10 days thereof.

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

**Sec. 139.** 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. 140.** 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. 141.** 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. 142.** 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. 143.** 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. 144.** 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. 145.** 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. 146.** 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. 147.** 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. 148.** 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. 149.** 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. 150.** 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. 151.** 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. 152.** 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. 153.** 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. 154.** NRS 488.261 is hereby amended to read as follows:

488.261 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. 155.** 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. 156.** 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. 157.** 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 property owner must give 5 days'

notice to the last registered owner before causing the removal of the vessel. If the last registered owner is unknown or cannot be notified, the vessel may immediately be removed to a secure location designated by a peace officer.

2. A peace officer shall, within 48 hours after directing the removal of an abandoned vessel on a public waterway or public or private property, notify the ~~Division of Wildlife of the State Department of Conservation and Natural Resources~~ **Department** of the status of the vessel.

3. A law enforcement agency that has custody of an abandoned vessel shall, if the agency knows or can reasonably discover the name and address of the owner of the vessel or any person who holds a security interest in the vessel, notify the owner or the holder of the security interest of the location of the vessel and the method by which the vessel may be claimed. The notice must be sent by certified or registered mail.

4. If the abandoned vessel is held by a law enforcement agency as evidence in the investigation or prosecution of a criminal offense, the notice required by subsection 3 must be sent:

(a) Upon the decision of the law enforcement agency or district attorney not to pursue or prosecute the case;

(b) Upon the conviction of the person who committed the offense; or

(c) If the case is otherwise terminated.

5. Failure to reclaim the vessel within 180 days after the date the notice is mailed constitutes a waiver of interest in the vessel by any person having an interest in the vessel and the vessel shall be deemed abandoned for all purposes.

6. If all recorded interests in a vessel are waived, as provided in subsection 5 or by written disclaimer, the ~~Division of Wildlife~~ **Department** may issue a certificate of ownership to the law enforcement agency that has custody of the vessel. If necessary, the ~~Division of Wildlife~~ **Department** may assign a hull number to the vessel. This subsection does not preclude the subsequent return of a vessel, or any component part thereof, by a law enforcement agency to the registered owner of the vessel upon presentation by the registered owner of satisfactory proof of ownership.

7. A law enforcement agency to which a certificate of ownership is issued pursuant to subsection 6 may use, sell or destroy the vessel, and shall keep a record of the disposition of the vessel. If the law enforcement agency:

(a) Sells the vessel, all proceeds from the sale of the vessel become the property of the law enforcement agency.

(b) Destroys the vessel, the law enforcement agency shall, within 10 days, give notice of the destruction of the vessel to the ~~Division of Wildlife.~~ **Department.**



**Sec. 158.** NRS 488.305 is hereby amended to read as follows:

488.305 1. The ~~{Division of Wildlife of the State Department of Conservation and Natural Resources}~~ **Department** may authorize the holding of regattas, motorboat or other boat races, marine parades, tournaments or exhibitions on any waters of this state. The Commission shall adopt regulations concerning the safety of motorboats and other vessels and 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. 159.** 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. 160.** 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. 161.** 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. 162.** NRS 488.740 is hereby amended to read as follows:

488.740 1. The ~~{Division}~~ **Department** shall certify persons to provide, in cooperation with the ~~{Division,}~~ **Department**, instruction in safe boating approved by the National Association of State Boating Law Administrators. All persons who successfully complete the course must be issued a certificate evidencing successful completion.

2. The ~~{Division}~~ **Department** may offer the courses in cooperation with organizations that provide education in safe boating, including, without limitation, the United States Coast Guard Auxiliary and the United States Power Squadrons.

3. The ~~{Division}~~ **Department** shall maintain a list, available for public inspection, of the availability of courses in safe boating and any instructors who are certified pursuant to subsection 1.

**Sec. 163.** NRS 488.750 is hereby amended to read as follows:

488.750 1. A person born on or after January 1, 1983, who is a resident of this state and who possesses a certificate that evidences his successful:

(a) Completion of a course in safe boating that is approved by the National Association of State Boating Law Administrators, including, without limitation, courses offered pursuant to NRS 488.740 and courses offered by the United States Coast Guard Auxiliary or the United States Power Squadrons; or

(b) Passage of a proficiency examination that was proctored and tests the knowledge of the information included in the curriculum of such a course,

shall submit or cause to be submitted a copy of the certificate to the ~~[Division. The Division]~~ **Department. The Department** may request additional information necessary for the ~~[Division]~~ **Department** to maintain the database pursuant to subsection 2.

2. The ~~[Division]~~ **Department** shall establish and maintain a database of certificates that it receives pursuant to subsection 1. The database must include, without limitation, the:

(a) Name, date of birth and gender of the holder of the certificate;

(b) Date, location and name of the course that the holder of the certificate completed or the examination that he passed; and

(c) Number on the certificate.

**Sec. 164.** 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. 165.** 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}~~ **Wildlife** 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. 166.** 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.]~~ *Wildlife*. 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 Wildlife*, 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. 167.** 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 ~~[Division of Wildlife of the State]~~ Department of ~~[Conservation and Natural Resources]~~ *Wildlife* 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]~~ **Wildlife** 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 Wildlife** 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. 168.** 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 Department is authorized to regulate other forms of agriculture and other agricultural products. The Department shall confer with the ~~[Division of Wildlife of the State]~~ Department of ~~[Conservation and Natural Resources]~~ **Wildlife** regarding aquatic agriculture to prevent any adverse effects on existing aquatic animals.



**Sec. 169.** NRS 571.120 is hereby amended to read as follows:

571.120 1. The Department shall do all things necessary for the control and eradication of infectious, contagious or parasitic diseases of livestock.

2. The Director shall cooperate with the ~~{Administrator}~~ *Director* of the ~~{Division of Wildlife of the State}~~ Department of ~~{Conservation and Natural Resources}~~ *Wildlife* in a program to prevent the spread of communicable diseases in livestock and wildlife in this state.

3. As used in this section, “wildlife” has the meaning ascribed to it in NRS 501.097.

**Sec. 170.** NRS 576.129 is hereby amended to read as follows:

576.129 1. It is unlawful for any person to import, possess or propagate any alternative livestock unless he first obtains from the State Board of Agriculture a permit that authorizes him to do so.

2. The State Board of Agriculture shall adopt regulations for the importation, possession and propagation of alternative livestock. The regulations must set forth requirements for:

(a) Facilities used to confine alternative livestock, including minimum requirements for fencing to prevent the escape of alternative livestock.

(b) The genetic testing of alternative livestock.

(c) Keeping and maintaining records related to the importation, transfer, possession and propagation of alternative livestock.

(d) Identifying and marking alternative livestock.

(e) Marketing alternative livestock.

(f) The filing of any bonds which may be required by the State Board of Agriculture.

3. In adopting the regulations required by subsection 2, the State Board of Agriculture shall consult with the ~~{Division of Wildlife of the State}~~ Department of ~~{Conservation and Natural Resources}~~ *Wildlife* and the Board of Wildlife Commissioners concerning the provisions that are necessary to protect wildlife in this state and in the areas designated as areas of special concern by the Board of Wildlife Commissioners pursuant to NRS 501.181.

4. The State Board of Agriculture shall establish by regulation a schedule of fees required to be paid for a permit issued pursuant to this section. The fees established must not exceed the approximate cost to the Board of carrying out the provisions of this section.

**Sec. 171.** NRS 576.131 is hereby amended to read as follows:

576.131 1. An owner of alternative livestock may request assistance from the *State* Department ~~{, the Division of Wildlife of the State}~~ *of Agriculture, the* Department of ~~{Conservation and Natural Resources}~~ *Wildlife* and local law enforcement agencies to recapture any alternative livestock that has 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 *State* Department ~~[, the Division of Wildlife of the State]~~ *of Agriculture, the* Department of ~~[Conservation and Natural Resources]~~ *Wildlife* 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. 172.** NRS 232.138, 488.700, 488.710, 488.720, 501.002 and 501.027 are hereby repealed.

**Sec. 173.** 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 Wildlife"; 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 Wildlife"; 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.

**Sec. 174.** This act becomes effective on July 1, 2003.