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SECOND REPRINT

S.B. 420

SENATE BILL NO. 420—COMMITTEE ON FINANCE

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 24, 2003

Referred to Committee on Natural Resources

SUMMARY—Makes various changes relating to wildlife.
(BDR 45-1254)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Yes.

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

AN ACT relating to wildlife; revising provisions relating to the qualifications of members of the Board of Wildlife Commissioners; revising provisions governing the killing or possessing of certain animals; authorizing the Division of Wildlife of the State Department of Conservation and Natural Resources under certain circumstances to suspend, revoke, or refuse to issue or renew any license, tag, permit, certificate or other document of a person who fails to pay a civil penalty timely; prohibiting certain persons from hunting certain upland game birds under certain circumstances; imposing and revising certain fees; creating the Wildlife Obligated Reserve Account in the State General Fund; requiring the Commission to adopt certain regulations; providing penalties; and providing other matters properly relating thereto.

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

- 1 **Secs. 1-3.** (Deleted by amendment.)
- 2 **Sec. 3.3.** NRS 501.171 is hereby amended to read as follows:
- 3 501.171 1. A county advisory board to manage wildlife shall
- 4 submit written nominations for appointments to the Commission



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1 upon the request of the Governor and may submit nominations at
2 any other time.

3 2. After consideration of the written nominations submitted by
4 a county advisory board to manage wildlife and any additional
5 candidates for appointment to the Commission, the Governor shall
6 appoint to the Commission:

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

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

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

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

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

16 3. The Governor shall not appoint to the Commission any
17 person who has been convicted of:

18 (a) A *felony or* gross misdemeanor for a violation of NRS
19 501.376 ; ~~502.060 or 504.395; or~~

20 (b) *A conviction of a gross misdemeanor for a violation of NRS 502.060 or*
21 *504.395; or*

22 (c) Two or more violations of the provisions of chapters 501 to
23 504, inclusive, of NRS,
24 during the previous 10 years.

25 4. Not more than three members may be from the same county
26 whose population is 400,000 or more, not more than two members
27 may be from the same county whose population is 100,000 or more
28 but less than 400,000, and not more than one member may be from
29 the same county whose population is less than 100,000.

30 5. The Commission shall annually select a Chairman and a
31 Vice Chairman from among its members. A person shall not serve
32 more than two consecutive terms as Chairman.

33 **Sec. 3.7.** NRS 501.172 is hereby amended to read as follows:

34 501.172 1. A member of the Commission may be removed
35 from office for just cause.

36 2. A member of the Commission must be removed from office
37 for:

38 (a) A conviction of a *felony or* gross misdemeanor for a
39 violation of NRS 501.376 ; ~~502.060 or 504.395; or~~

40 (b) *A conviction of a gross misdemeanor for a violation of*
41 *NRS 502.060 or 504.395; or*

42 (c) Two or more convictions of violating the provisions of
43 chapters 501 to 504, inclusive, of NRS.

44 **Sec. 4.** NRS 501.181 is hereby amended to read as follows:

45 501.181 The Commission shall:



- 1 1. Establish broad policies for:
- 2 (a) The protection, propagation, restoration, transplanting,
- 3 introduction and management of wildlife in this state.
- 4 (b) The promotion of the safety of persons using or property
- 5 used in the operation of vessels on the waters of this state.
- 6 (c) The promotion of uniformity of laws relating to policy
- 7 matters.
- 8 2. Guide the Division in its administration and enforcement of
- 9 the provisions of this title and of chapter 488 of NRS by the
- 10 establishment of such policies.
- 11 3. Establish policies for areas of interest including:
- 12 (a) The management of big and small game mammals, upland
- 13 and migratory game birds, fur-bearing mammals, game fish, and
- 14 protected and unprotected mammals, birds, fish, reptiles and
- 15 amphibians.
- 16 (b) The control of wildlife depredations.
- 17 (c) The acquisition of lands, water rights and easements and
- 18 other property for the management, propagation, protection and
- 19 restoration of wildlife.
- 20 (d) The entry, access to, and occupancy and use of such
- 21 property, including leases of grazing rights, sales of agricultural
- 22 products and requests by the Administrator to the State Land
- 23 Registrar for the sale of timber if the sale does not interfere with the
- 24 use of the property on which the timber is located for wildlife
- 25 management or for hunting or fishing thereon.
- 26 (e) The control of nonresident hunters.
- 27 (f) The introduction, transplanting or exporting of wildlife.
- 28 (g) Cooperation with federal, state and local agencies on wildlife
- 29 and boating programs.
- 30 (h) The revocation of licenses issued pursuant to this title to any
- 31 person who is convicted of a violation of any provision of this title
- 32 or any regulation adopted pursuant thereto.
- 33 4. Establish regulations necessary to carry out the provisions of
- 34 this title and of chapter 488 of NRS, including:
- 35 (a) ~~[Regular and special seasons]~~ *Seasons* for hunting game
- 36 mammals and game birds, for hunting or trapping fur-bearing
- 37 mammals and for fishing, the daily and possession limits, the
- 38 manner and means of taking wildlife, including, but not limited to,
- 39 the sex, size or other physical differentiation for each species, and,
- 40 when necessary for management purposes, the emergency closing or
- 41 extending of a season, reducing or increasing of the bag or
- 42 possession limits on a species, or the closing of any area to hunting,
- 43 fishing or trapping. The regulations must be established after first
- 44 considering the recommendations of the Division, the county
- 45 advisory boards to manage wildlife and others who wish to present



1 their views at an open meeting. Any regulations relating to the
2 closure of a season must be based upon scientific data concerning
3 the management of wildlife. The data upon which the regulations
4 are based must be collected or developed by the Division.

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

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

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

13 5. Adopt regulations requiring the Division to make public,
14 before official delivery, its proposed responses to any requests by
15 federal agencies for its comment on drafts of statements concerning
16 the environmental effect of proposed actions or regulations affecting
17 public lands.

18 6. Adopt regulations:

19 (a) Governing the provisions of the permit required by NRS
20 502.390 and for the issuance, renewal and revocation of such a
21 permit.

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

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

29 **Sec. 4.3.** NRS 501.356 is hereby amended to read as follows:

30 501.356 1. Money received by the Division from:

31 (a) The sale of licenses;

32 (b) Fees pursuant to the provisions of NRS 488.075 and
33 488.1795;

34 (c) Remittances from the State Treasurer pursuant to the
35 provisions of NRS 365.535;

36 (d) Appropriations made by the Legislature; and

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

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



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

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

10 **Sec. 4.7.** NRS 501.376 is hereby amended to read as follows:

11 501.376 1. ~~Any person who unlawfully kills or possesses]~~
12 *Except as otherwise provided in this section, a person shall not*
13 *intentionally kill or aid and abet another person to kill* a bighorn
14 sheep, mountain goat, elk, deer, pronghorn antelope, mountain lion
15 or black bear ~~[without a valid tag is guilty of a gross misdemeanor.~~
16 ~~This subsection does not prohibit the killing of such an animal if~~
17 ~~necessary to protect the life or property of any person in imminent~~
18 ~~danger of being attacked by such an animal.~~
19 ~~—2.] :~~

20 (a) *Outside of the prescribed season set by the Commission for*
21 *the lawful hunting of that animal;*

22 (b) *Through the use of an aircraft, helicopter or motor-driven*
23 *vehicle in violation of NRS 503.010;*

24 (c) *By a method other than the method prescribed on the tag*
25 *issued by the Division for hunting that animal;*

26 (d) *In a manner, during a time or in a place otherwise*
27 *prohibited by a specific statute or a regulation adopted by the*
28 *Commission; or*

29 (e) *Without a valid tag issued by the Division for hunting that*
30 *animal.* A tag issued for hunting any ~~[big game mammal]~~ animal
31 specified in *this* subsection ~~[H]~~ is not valid if knowingly used by a
32 person:

33 ~~[(a)]~~ (1) Other than the person specified on the tag;

34 ~~[(b)]~~ (2) Outside of the management area or other area specified
35 on the tag;

36 ~~[(c)]~~ Outside of the dates established by the Commission for the
37 lawful taking of the big game mammal specified on the tag;

38 ~~—(d) Outside of the hours set pursuant to NRS 503.140 for the~~
39 ~~lawful hunting of the big game mammal specified on the tag; or~~

40 ~~—(e)] or~~

41 (3) If the tag was obtained by a false or fraudulent
42 representation.

43 2. *The provisions of subsection 1 do not prohibit the killing of*
44 *an animal specified in subsection 1 if:*



1 (a) *The killing of the animal is necessary to protect the life or*
2 *property of any person in imminent danger of being attacked by*
3 *the animal; or*

4 (b) *The animal killed was not the intended target of the person*
5 *who killed the animal and the killing of the animal which was the*
6 *intended target would not violate the provisions of subsection 1.*

7 3. *A person who violates the provisions of subsection 1 shall*
8 *be punished for a category E felony as provided in NRS 193.130*
9 *or, if the court reduces the penalty pursuant to this subsection, for*
10 *a gross misdemeanor. In determining whether to reduce the*
11 *penalty, the court shall consider:*

12 (a) *The nature of the offense;*

13 (b) *The circumstances surrounding the offense;*

14 (c) *The defendant's understanding and appreciation of the*
15 *gravity of the offense;*

16 (d) *The attitude of the defendant towards the offense; and*

17 (e) *The general objectives of sentencing.*

18 4. *A person shall not willfully possess any animal specified in*
19 *subsection 1 if the person knows the animal was killed in violation*
20 *of subsection 1 or the circumstances should have caused a*
21 *reasonable person to know that the animal was killed in violation*
22 *of subsection 1.*

23 5. *A person who violates the provisions of subsection 4 is*
24 *guilty of a gross misdemeanor.*

25 **Sec. 5.** NRS 501.3855 is hereby amended to read as follows:

26 501.3855 1. In addition to the penalties provided for the
27 violation of any of the provisions of this title, every person who
28 unlawfully kills or possesses a big game mammal, bobcat, swan or
29 eagle is liable for a civil penalty of not less than \$250 nor more than
30 \$5,000.

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

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

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

42 5. The Division may attempt to collect all penalties and
43 installments that are in default in any manner provided by law for
44 the enforcement of a judgment.



1 6. *If a person who is ordered to pay a civil penalty pursuant*
2 *to this section fails to do so within 90 days after the date set forth*
3 *in the order, the Division may suspend, revoke, or refuse to issue*
4 *or renew any license, tag, permit, certificate or other document or*
5 *privilege otherwise available to the person pursuant to this title or*
6 *chapter 488 of NRS.*

7 7. Each court that receives money pursuant to the provisions of
8 this section shall forthwith remit the money to the Division which
9 shall deposit the money with the State Treasurer for credit to the
10 Wildlife Account in the State General Fund.

11 **Sec. 5.5.** NRS 501.388 is hereby amended to read as follows:

12 501.388 1. The Commission may, in addition to any
13 suspension, revocation or other penalty imposed pursuant to any
14 other provision of this title:

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

19 (b) Revoke any license of any person who is convicted of
20 unlawfully killing or possessing a bighorn sheep, mountain goat,
21 elk, deer, pronghorn antelope, mountain lion or black bear ~~[without~~
22 ~~a valid tag,] in violation of NRS 501.376,~~ and may:

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

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

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

30 **Sec. 6.** Chapter 502 of NRS is hereby amended by adding
31 thereto the provisions set forth as sections 7 to 11, inclusive, of this
32 act.

33 **Sec. 7. 1.** *Except as otherwise provided in this section, it is*
34 *unlawful for any person to hunt any upland game bird, except*
35 *turkey and crow, unless at the time he is hunting he carries on his*
36 *person such documentation as the Division provides as proof that*
37 *he has paid to the Division, for the licensing period that includes*
38 *the time he is hunting, the fee required pursuant to this section.*

39 **2.** *The provisions of this section do not apply to a person who*
40 *is under the age of 12 years.*

41 **3.** *The documentation required pursuant to this section must*
42 *be sold by the Division, and persons authorized by the Division to*
43 *sell hunting licenses, for a fee of \$10.*

44 **4.** *The Division shall determine the form of the*
45 *documentation.*



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1 **Sec. 8.** *All money received pursuant to section 7 of this act*
2 *must be deposited with the State Treasurer for credit to the*
3 *Wildlife Obligated Reserve Account in the State General Fund.*
4 *The Division shall maintain separate accounting records for the*
5 *receipt and expenditure of that money. An amount not to exceed*
6 *10 percent of that money may be used to reimburse the Division*
7 *for the cost of administering the program of documentation. This*
8 *amount is in addition to compensation allowed persons authorized*
9 *to issue and sell licenses.*

10 **Sec. 9.** 1. *Before the Division may undertake any project*
11 *using money received pursuant to section 7 of this act, it must*
12 *analyze the project and provide the Commission with*
13 *recommendations as to the need for the project and its feasibility.*

14 2. *Money received pursuant to section 7 of this act must be*
15 *used for projects approved by the Commission for the protection*
16 *and propagation of upland game birds and for the acquisition,*
17 *development and preservation of the habitats of upland game birds*
18 *in this state.*

19 **Sec. 10.** *The Division shall, not later than the fifth calendar*
20 *day of each regular session of the Legislature, submit to it a report*
21 *summarizing any projects undertaken and the receipt and*
22 *expenditure of money and public benefits achieved by the program*
23 *for the sale of documentation to hunt any upland game bird,*
24 *except turkey and crow.*

25 **Sec. 11.** 1. *In addition to any fee charged and collected for*
26 *an annual hunting, trapping, fishing or combined hunting and*
27 *fishing license pursuant to NRS 502.240, a habitat conservation*
28 *fee of \$3 must be paid.*

29 2. *The Wildlife Obligated Reserve Account is hereby created*
30 *in the State General Fund. Revenue from the habitat conservation*
31 *fee must be accounted for separately, deposited with the State*
32 *Treasurer for credit to the Wildlife Obligated Reserve Account*
33 *and, except as otherwise provided in NRS 502.310 and section 8 of*
34 *this act, used by the Division for the purposes of wildlife habitat*
35 *rehabilitation and restoration. The interest and income earned on*
36 *the money in the Wildlife Obligated Reserve Account, after*
37 *deducting any applicable charges, must be credited to the Account.*

38 3. *The money in the Wildlife Obligated Reserve Account*
39 *remains in the Account and does not revert to the State General*
40 *Fund at the end of any fiscal year.*

41 **Sec. 12.** NRS 502.040 is hereby amended to read as follows:

42 502.040 1. The Commission shall adopt regulations
43 ~~regarding~~ establishing:

44 (a) *The procedures for applying to become a license agent.*



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1 (b) The standards to be met by license agents in the performance
2 of their duties . ~~§~~

3 ~~—(b)—~~ (c) The requirements for the furnishing of surety bonds by
4 license agents . ~~§~~

5 ~~—(c)—~~ (d) The manner of remitting money to the Division . ~~§~~ ~~and~~

6 ~~—(d)—~~ (e) The manner of accounting for licenses, tags, stamps ,
7 ~~§~~ permits *and other documents* received, issued, sold or
8 returned.

9 A license agent's authority may be revoked by the Division for his
10 failure to abide by the regulations of the Commission. The agent
11 may appeal to the Commission for reinstatement.

12 2. *An application to become a license agent must be*
13 *accompanied by a fee of \$100 for processing the application.*

14 3. A license agent designated by the Division is responsible for
15 the correct issuance of all licenses, tags, stamps , ~~§~~ permits *and*
16 *other documents* entrusted to him ~~§~~ and, so far as he is able, for
17 ensuring that no licenses are issued upon the false statement of an
18 applicant. Before issuing any license, the license agent shall satisfy
19 himself of the identity of the applicant and the place of his
20 residence, and may require any applicant to present proof of his
21 identity and residence.

22 ~~§~~ 4. A license agent is responsible to the Division for the
23 collection of the correct and required fee, for the safeguarding of
24 the money collected by him ~~§~~ and for the prompt remission to the
25 Division for deposit in accordance with NRS 501.356 of all money
26 collected. The Division shall furnish to the license agent receipts for
27 all money which he remits to it. A license agent shall furnish a
28 receipt to the Division of all licenses, tags, stamps , ~~§~~ permits *and*
29 *other documents* which he receives from it.

30 ~~§~~ 5. For each license, tag, stamp , ~~§~~ permit *or other*
31 *document* he sells, a license agent is entitled to receive a service fee
32 of:

33 (a) One dollar for each license, tag ~~§~~ , *permit or other*
34 *document* , in addition to the fee for the license, tag ~~§~~ ,
35 *permit or other document*; and

36 (b) Ten cents for each stamp.

37 ~~§~~ 6. Any person authorized to enforce this chapter may
38 inspect, during the license agent's normal business hours, any record
39 or document of the agent relating to the issuance of any such
40 license, *stamp*, tag ~~§~~ , *permit or other document*.

41 ~~§~~ 7. All money collected by a license agent, except service
42 fees collected pursuant to subsection ~~§~~ 5, is public money of the
43 State of Nevada, and the State has a prior claim for the amount of
44 money due it upon all assets of the agent over all creditors,
45 assignees or other claimants. The use of this money for private or



1 business transactions is a misuse of public ~~[funds]~~ *money* and
2 punishable under the laws provided.

3 **Sec. 13.** (Deleted by amendment.)

4 **Sec. 14.** NRS 502.077 is hereby amended to read as follows:

5 502.077 1. The Division shall issue special fishing permits to

6 ~~[the administrative head of:~~

7 ~~—(a) Northern Nevada Adult Mental Health Services;~~

8 ~~—(b) Southern Nevada Adult Mental Health Services;~~

9 ~~—(c) The Northern Nevada Children's Home;~~

10 ~~—(d) The Southern Nevada Children's Home;~~

11 ~~—(e) The Nevada Youth Training Center;~~

12 ~~—(f) The Caliente Youth Center;~~

13 ~~—(g) The Spring Mountain Youth Camp;~~

14 ~~—(h) The China Spring Youth Camp;~~

15 ~~—(i) Any facility]~~ *each public and private nonprofit:*

16 *(a) Mental health facility or hospital that provides mental*
17 *health services;*

18 *(b) Facility for the detention or correctional care of juveniles;*

19 *(c) Rehabilitation center within a hospital;*

20 *(d) Facility or establishment that provides care for older*
21 *persons;*

22 *(e) Facility* which provides temporary foster care for children
23 who are not delinquent; and

24 ~~[(j) Such other public or charitable institutions or organizations~~
25 ~~as are designated by regulations adopted by the Commission, for use~~
26 ~~only by the members, patients or children of such institutions or~~
27 ~~organizations.]~~

28 *(f) Club or other social group operated for the benefit of*
29 *disadvantaged or at-risk children.*

30 2. The permits:

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

34 (b) Authorize a member, patient or child to fish in a legal
35 manner if in the company of an officer or employee of one of the
36 ~~[institutions]~~ *organizations* listed in this section ~~[, or of an~~
37 ~~organization provided for by regulation,]~~ if the officer or employee
38 has a valid Nevada fishing license.

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

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

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



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1 3. Each ~~[institution or]~~ organization shall pay to the Division
2 an annual fee of ~~[\$15]~~ \$25 for each permit issued to the ~~[institution~~
3 ~~or]~~ organization pursuant to this section. The Division shall not
4 issue more than two permits per year to each ~~[institution or]~~
5 organization.

6 4. It is unlawful for any person other than a member, patient or
7 child in one of these organizations ~~[or institutions]~~ to fish with a
8 permit issued by the Division pursuant to this section.

9 **Sec. 15.** NRS 502.130 is hereby amended to read as follows:

10 502.130 1. In addition to the regular hunting licenses and
11 trapping licenses provided for in this chapter, additional licenses, to
12 be known as tags, are required to hunt any deer, elk, antelope,
13 mountain sheep or bear.

14 2. Whenever it is determined by the Commission that it is
15 necessary for correct management:

16 (a) Tags also may be required to hunt, trap or fish for any other
17 species of wildlife. The ~~[tags may be used in any area in the State~~
18 ~~during the regular season and may not be limited in number or to~~
19 ~~any area, unless a special season has been designated in a~~
20 ~~management area, in which case the]~~ Commission may limit the
21 number of tags to be used in ~~[that]~~ a management area.

22 (b) Permits and seals may be required to hunt, trap, fish or to
23 possess any species of wildlife.

24 3. The Commission shall set the fee for all permits and seals
25 issued pursuant to paragraph (b) of subsection 2.

26 **Sec. 16.** NRS 502.145 is hereby amended to read as follows:

27 502.145 1. An owner, lessee or manager of private land in
28 this state may apply to the Division for the issuance to him of one or
29 more deer or antelope tags as provided in this section. The tags must
30 be issued as compensation for damage caused by deer or antelope to
31 the private land or to any improvements thereon.

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

33 (a) Be made in the form prescribed by the Division;

34 (b) Establish to the satisfaction of the Division that the applicant
35 has sustained damage of the kind described in subsection 1; and

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

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

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



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

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

9 (c) May only be used during:

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

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

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

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

24 (a) Shall by regulation establish the maximum number of tags
25 which may be issued annually by the Division pursuant to this
26 section, which must not exceed 1.5 percent of the total number of
27 deer and antelope tags which are authorized for issuance annually
28 throughout the State; and

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

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

39 **Sec. 17.** (Deleted by amendment.)

40 **Sec. 18.** NRS 502.175 is hereby amended to read as follows:

41 502.175 1. The Division shall contract with a private entity to
42 conduct a drawing and to award and issue the tags ~~[for a special~~
43 ~~season.]~~ *or permits as established by the Commission.* The drawing
44 must be conducted using a computer program that awards tags *or*
45 *permits* based on a random order of selection. The contract must



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1 provide for the acquisition by the Division of the ownership of the
2 computer program at the end of the term of the contract. The
3 Division shall solicit bids for the contract pursuant to the provisions
4 of chapter 333 of NRS.

5 2. The Division shall:

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

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

12 3. As soon as practicable after the drawing is completed, the
13 private entity shall submit the results of the drawing to the Division.

14 4. If no private entity qualifies for the awarding of the contract
15 specified in subsection 1, the Division shall conduct a drawing to
16 award tags ~~{for a special season}~~ *or permits* in the manner set forth
17 in the regulations adopted by the Commission pursuant to the
18 provisions of subsection 5.

19 5. The Commission shall adopt regulations necessary to carry
20 out the provisions of this section, including regulations that
21 prescribe the manner in which the Division ~~{must}~~ *shall* conduct a
22 drawing specified in subsection 1 if no private entity qualifies for
23 the awarding of the contract.

24 **Sec. 19.** NRS 502.190 is hereby amended to read as follows:

25 502.190 1. Tags for hunting wildlife ~~{in regular season by}~~
26 ~~nonresident hunters}~~ may be limited to a certain number in any
27 management area, which management area may include all of any
28 county, any portion of any county ~~{,}~~ or any continuous area in
29 adjacent counties.

30 2. Whenever a limit is placed upon the number of tags
31 available to ~~{nonresident}~~ hunters in any management area, the
32 Commission shall determine the manner in which the tags are
33 issued, whether by lot or by sale to first applicants, the manner of
34 application, the manner of delivering the tags and other necessary
35 matters.

36 3. Whenever applications, money or tags and licenses are
37 entrusted to the mails, the Commission is not responsible for loss or
38 delay in the mails.

39 **Sec. 20.** NRS 502.200 is hereby amended to read as follows:

40 502.200 ~~{It}~~ *Except as otherwise authorized pursuant to*
41 *regulations adopted by the Commission, it* is unlawful for any
42 ~~{nonresident}~~ hunter:

43 1. To obtain tags *or permits* for more than one management
44 area. ~~{in regular season.}~~



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1 2. To use tags in any management area or at any time other
2 than at the time and place intended.

3 **Sec. 21.** NRS 502.210 is hereby amended to read as follows:
4 502.210 A duplicate tag may not be issued except as follows:

5 1. Upon receiving an affidavit of an applicant that a tag
6 previously issued has been lost , *stolen* or destroyed and upon
7 payment of a fee of ~~[\$5.]~~ *\$10*, the Division shall issue a duplicate
8 tag to the applicant.

9 2. Upon receiving an affidavit of an applicant that he has not
10 received the tag for which he applied and paid the required fee, the
11 Division may ~~[, not earlier than 7 days after the date on which the~~
12 ~~tag was mailed,]~~ issue a duplicate tag to the applicant upon payment
13 of a fee of ~~[\$5.]~~ *\$10*.

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

16 **Sec. 22.** NRS 502.240 is hereby amended to read as follows:
17 502.240 The Division shall issue annual licenses and limited
18 permits:

19 1. To any person who has not attained his 16th birthday and
20 who has been a bona fide resident of the State of Nevada for 6
21 months immediately preceding his application for a license, upon
22 payment of ~~[\$5]~~ *a fee of \$10* for an annual trapping license.

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

27

28	For a fishing license	[\$20] <i>\$25</i>
29	For a 1-day permit to fish.....	[6] <i>8</i>
30	For each consecutive day added to a 1-day permit	
31	to fish	[2] <i>3</i>
32	For a hunting license	[23] <i>29</i>
33	For a combined hunting and fishing license	[38] <i>50</i>
34	For a trapping license	[30] <i>38</i>
35	For a fur dealer's license	[50] <i>63</i>
36	For an annual master guide's license	[250] <i>750</i>
37	For an annual subguide's license	[75] <i>125</i>

38

39 3. To any person who has attained his 12th birthday but who
40 has not attained his 16th birthday, and who is not a bona fide
41 resident of the State of Nevada, upon the payment of ~~[\$8]~~ *a fee of*
42 *\$17* for an annual fishing license . ~~[, except for a fishing license to~~
43 ~~fish in the reciprocal waters of the Colorado River, Lake Mead and~~
44 ~~Lake Mohave, which annual license must cost a sum agreed upon by~~



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1 ~~the Commission and the Arizona Game and Fish Commission, but~~
2 ~~not to exceed \$30.]~~

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

6		
7	[For a fishing license, except for a fishing license	
8	to fish in the reciprocal waters of the Colorado	
9	River, Lake Mead and Lake Mohave, which	
10	license must cost a sum agreed upon by the	
11	Commission and the Arizona Game and Fish	
12	Commission, but not to exceed \$30.....	\$50]
13	<i>For an annual fishing license.....</i>	<i>\$65</i>
14	For a 1-day permit to fish.....	[11] 17
15	For each consecutive day added to a 1-day permit	
16	to fish	[4] 7
17	For a hunting license	[110] 138
18	<i>For a combined hunting and fishing license</i>	<i>195</i>
19	For an annual trapper's license	[150] 188
20	For a fur dealer's license	[100] 125
21	For an annual master guide's license	[500] 1,500
22	For an annual subguide's license	[150] 250
23	For a 1-day permit to hunt upland game and	
24	waterfowl	[15] 20
25	For each consecutive day added to a 1-day permit	
26	to hunt upland game and waterfowl.....	[5] 8
27		

28 5. To any person, without regard to residence, upon the
29 payment *of a fee* of:

30		
31	For a noncommercial license for the possession	
32	of live wildlife.....	[55] \$15
33	For a commercial or private shooting preserve.....	[100] 125
34	For a commercial license for the possession of	
35	live wildlife	[100] 500
36	For a live bait dealer's permit	[35] 44
37	For a competitive field trials permit.....	[25] 31
38	For a permit to train dogs or falcons	[5] 15
39	For a 1-year falconry license	[30] 38
40	For a 3-year falconry license	[75] 94
41	For an importation permit	[5] 15
42	For an import eligibility permit.....	[25] 31
43	For an exportation permit.....	[5] 15



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1 For any other special permit issued by the Division, a fee not
2 to exceed ~~[\$100]~~ *the highest fee established for any other*
3 *special permit* set by the Commission.

4 **Sec. 23.** NRS 502.245 is hereby amended to read as follows:

5 502.245 1. The Division shall issue any hunting or fishing
6 license or combined hunting and fishing license authorized under
7 the provisions of this chapter, upon proof satisfactory of the
8 requisite facts and payment of the applicable fee, to any person who
9 has resided in this state:

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

12 (1) Has a severe physical disability; or

13 (2) Has attained his 12th birthday but has not attained his
14 16th birthday; or

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

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

18
19 ~~Hunting license.....\$4~~
20 ~~Fishing license.....4~~
21 ~~Combined hunting and fishing license.....7]~~

22 *a fee of:*

23 *For a hunting license \$9*

24 *For a fishing license..... 9*

25 *For a combined hunting and fishing license 17*

26

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

30 **Sec. 24.** NRS 502.250 is hereby amended to read as follows:

31 502.250 1. ~~[Except as otherwise provided in this section, the~~
32 ~~following fees must be charged for tags:]~~ *The amount of the fee*
33 *that must be charged for the following tags is:*

34
35 Resident deer tag ~~[for regular season.....\$15~~
36 ~~Nonresident and alien deer tag for regular season 60]~~ *\$30*
37 Resident antelope tag ~~[50]~~ *60*
38 Resident elk tag ~~[100]~~ *120*
39 Resident bighorn tag ~~[100]~~ *120*
40 Resident mountain goat tag ~~[100]~~ *120*
41 Resident mountain lion tag..... 25
42 *Nonresident deer tag 240*
43 *Nonresident antelope tag 300*
44 *Nonresident elk tag..... 1,200*
45 *Nonresident bighorn tag 1,200*



1 *Nonresident mountain goat tag \$1,200*
2 *Nonresident mountain lion tag 100*

3
4 2. ~~{Other}~~ *The amount of the fee for other* resident *or*
5 *nonresident* big game tags ~~{for special seasons must not exceed~~
6 ~~\$50. Other nonresident big game tags for special seasons}~~ must not
7 exceed ~~[\$1,000.~~

8 ~~—3. Tags}~~ *the highest fee for a resident or nonresident big*
9 *game tag established pursuant to this section.*

10 3. *The amount of the fee for a tag* determined to be necessary
11 by the Commission for other species pursuant to NRS 502.130 must
12 not exceed ~~[\$100.]~~ *the highest fee for a resident or nonresident tag*
13 *established pursuant to this section.*

14 4. A fee not to exceed \$10 may be charged for processing an
15 application for a ~~{tag}~~ *game species or permit* other than *an*
16 *application* for an elk. ~~{tag.}~~ A fee of not less than \$5 but not more
17 than \$15 must be charged for processing an application for an elk ,
18 ~~{tag.}~~ \$5 of which must be deposited with the State Treasurer for
19 credit to the Wildlife *Obligated Reserve* Account in the State
20 General Fund and used for the prevention and mitigation of damage
21 caused by elk or game mammals not native to this state.

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

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



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

4 **Sec. 25.** (Deleted by amendment.)

5 **Sec. 26.** NRS 502.280 is hereby amended to read as follows:

6 502.280 1. All resident ~~Indians~~ *Native Americans* of the
7 State of Nevada are exempt from the payment of fees for fishing and
8 hunting licenses.

9 2. When applying for a free fishing ~~and hunting licenses,~~
10 ~~resident Indians~~ *or hunting license, a resident Native American* of
11 the State of Nevada shall exhibit ~~to the county clerk or license~~
12 ~~agent written identification signed by an officer of the Bureau of~~
13 ~~Indian Affairs of the United States Department of the Interior, or~~ *a*
14 *document issued in this state by* the chairman of a tribal council or
15 chief of ~~an Indian~~ *a Native American* tribe, or an officer of a
16 reservation, colony or educational institution, stating that the bearer
17 is a resident ~~Indian~~ *Native American* of the State of Nevada.

18 3. Before hunting for deer or big game off an Indian
19 reservation in this state, all ~~resident Indians,~~ *Native Americans,*
20 otherwise exempt under subsection 1, ~~shall~~ *must* secure resident
21 deer tags or other resident big game tags and pay the fee provided
22 therefor in NRS 502.250.

23 **Sec. 27.** (Deleted by amendment.)

24 **Sec. 28.** NRS 502.300 is hereby amended to read as follows:

25 502.300 1. Except as otherwise provided in subsection 2, it is
26 unlawful for any person to hunt any migratory game bird, except
27 jacksnipe, coot, gallinule, western mourning dove, white-winged
28 dove and band-tailed pigeon ~~;~~ unless at the time he is hunting he
29 carries on his person:

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

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

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

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

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

40 3. Unexpired duck stamps must be sold for a fee of not more
41 than ~~[\$5]~~ *\$10* each by the Division and by persons authorized by the
42 Division to sell hunting licenses. The Commission shall establish
43 the price to be charged by the Division or agents of the Division for
44 expired duck stamps. ~~and the fee for unexpired duck stamps~~
45 ~~within the limit provided.~~



1 4. The Division shall determine the form of the stamps.

2 **Sec. 28.5.** NRS 502.310 is hereby amended to read as follows:

3 502.310 All money received pursuant to NRS 502.300 must be
4 deposited with the State Treasurer for credit to the Wildlife
5 *Obligated Reserve* Account in the State General Fund. The Division
6 shall maintain separate accounting records for the receipt and
7 expenditure of that money. An amount not to exceed 10 percent of
8 that money may be used to reimburse the Division for the cost of
9 administering the state duck stamp programs. This amount is in
10 addition to compensation allowed persons authorized to issue and
11 sell licenses.

12 **Sec. 29.** NRS 502.326 is hereby amended to read as follows:

13 502.326 1. Except as otherwise provided in subsection 2, it is
14 unlawful for any person to take or possess trout unless at the time he
15 is fishing he carries on his person:

16 (a) An unexpired state trout stamp affixed to his fishing license
17 and validated by his signature in ink across the face of the stamp; or

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

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

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

25 (b) Is fishing:

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

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

31 3. State trout stamps must be sold for a fee of \$10 each by the
32 Division and by persons authorized by the Division to sell hunting,
33 fishing and trapping licenses.

34 4. The Division shall determine the form of the stamps.

35 **Sec. 30.** NRS 502.350 is hereby amended to read as follows:

36 502.350 1. The Commission may authorize an instructor to
37 collect a fee of not more than ~~\$\$\$~~ \$10 from each person obtaining
38 instruction in the responsibilities of hunters.

39 2. The Commission may authorize the imposition of an
40 administrative fee of not more than ~~\$\$\$~~ \$10 for the issuance of a
41 duplicate certificate of successful completion of the course.

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

43 502.370 1. A license to practice taxidermy is required before
44 any person may perform taxidermal services for others on any
45 wildlife or their parts, nests or eggs.



1 2. Annual licenses ~~for the term of 1 year from July 1 to June~~
2 ~~30~~ must be issued by the Division ~~for the following fees:~~ to
3 *applicants who satisfy the requirements established by the Division*
4 *and pay a fee of:*

5
6 Fee to practice commercial taxidermy~~[\$35]~~ \$44
7 Fee to practice noncommercial taxidermy~~[\$]~~ 20
8

9 3. Any person who wishes to obtain a license to practice
10 taxidermy must apply for the license on an application form
11 provided by the Division. The applicant must provide such
12 information on the form as the Commission may require by
13 regulation.

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

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

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

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

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

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

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

34 **Sec. 32.** NRS 502.390 is hereby amended to read as follows:

35 502.390 1. Any:

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

41 (b) Operator of a mining operation which develops or maintains
42 an artificial body of water containing chemicals directly associated
43 with the processing of ore,

44 must first obtain a permit from the Division authorizing the
45 development or maintenance of the body of water.



1 2. Within 30 working days after receiving an application for a
2 permit, the Division shall issue the permit or deny the application
3 and list the reasons for denial. An applicant may appeal the denial of
4 a permit to the Commission. A permit may be valid for up to 5
5 years. The ~~Commission may establish~~ *applicant must pay* a fee for
6 a permit of not more than ~~[\$100]~~ \$125 per year ~~[]~~, *except that the*
7 *fee for a permit issued for a period of less than 6 months is \$68.*

8 3. Upon the transfer of ownership of any artificial or man-made
9 body of water as to which a permit issued pursuant to this section is
10 in force at the time of the transfer, the permit remains in effect for
11 30 days after the transfer of ownership.

12 4. A person holding a permit issued pursuant to this section
13 shall, in addition to the fee for the permit, pay to the Division an
14 assessment. The amount of the assessment must be determined
15 pursuant to regulations adopted by the Commission. The assessment
16 must be no more than \$10,000 per year for each permit.

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

22 6. As used in this section:

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

27 (b) "Operator" means any person who owns, controls or
28 manages a mining operation.

29 **Sec. 33.** NRS 503.290 is hereby amended to read as follows:

30 503.290 1. Except as otherwise provided in subsection 2, it is
31 unlawful for any person to fish in or from any of the waters of the
32 State of Nevada for any fish of any species in any manner other than
33 with hook and line attached to a rod or reel closely attended in the
34 manner known as angling. Only one combination of hook, line and
35 rod must be used by one person at any time, except that a second
36 combination of hook, line and rod may be used by a person if the
37 person:

38 (a) Purchases from the Division or a license agent of the
39 Division a stamp, ~~[or]~~ permit *or such documentation as may be*
40 *provided by the Division* for a second rod;

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

42 (c) Has in his possession a valid fishing license, combined
43 hunting and fishing license or permit to fish issued to him by the
44 Division ~~[]~~, *or such documentation as the Division provides as*
45 *proof that he has paid to the Division, for the licensing period that*



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1 *includes the time he is fishing, the fee required pursuant to this*
2 *section.*

3 The fee for the stamp, ~~for~~ permit *or documentation* is \$10, and *the*
4 *stamp, permit or documentation* is valid only for the period for
5 which it is issued.

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

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

15 **Sec. 34.** NRS 503.425 is hereby amended to read as follows:

16 503.425 1. Before a person may use any vacuum or suction
17 dredge equipment in any river, stream or lake of this state, he must
18 submit an application to the Division. The application must be
19 accompanied by a fee of ~~\$\$\$~~ *\$15* and must specify the type and size
20 of equipment to be used and its location. If the Division determines
21 that the operations will not be deleterious to fish, it shall issue a
22 permit to the applicant.

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

27 3. It is unlawful for any person to:

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

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

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

34 **Sec. 35.** NRS 503.452 is hereby amended to read as follows:

35 503.452 Each trap, snare or similar device used in the taking of
36 wild mammals may bear a number registered with the Division or be
37 permanently marked with the name and address of the owner or
38 trapper using it. If a trap is registered, the registration is permanent.
39 A registration fee of ~~\$\$\$~~ *\$10* for each registrant is payable only
40 once, at the time the first trap, snare or similar device is registered.

41 **Sec. 36.** NRS 503.650 is hereby amended to read as follows:

42 503.650 Nothing in this title:

43 1. Prohibits any person, upon the written permit of the
44 Division, from taking, killing, possessing or banding any species of
45 wildlife, or collecting the nest or eggs thereof, for strictly scientific



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1 or educational purposes, the number and species of wildlife to be
2 limited by the Division.

3 2. Prevents shipping into any other county or state, under a
4 written permit issued by the Division, any wildlife for scientific or
5 educational purposes.

6 The *amount of the* fee for a permit to collect wildlife for scientific
7 or educational purposes is ~~[\$5.]~~ *\$50.*

8 **Sec. 37.** NRS 504.320 is hereby amended to read as follows:

9 504.320 ~~[1. Before any shooting may be done on such
10 commercial or private shooting preserve, the licensee must advise
11 the Division, in writing, of the number of each species of upland
12 game bird reared, purchased or acquired for liberation, and request,
13 and receive in writing, a shooting authorization which states the
14 number of each species which may be taken by shooting.~~

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

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

24 ~~—4. Permits to hunt on such licensed preserve may be used only
25 on the date of issuance, and the hunter must carry the permit on his
26 person at all times while on the area and while in possession of birds
27 taken on such area.]~~ *The Commission may establish rules and
28 regulations governing the species of upland game birds that may
29 be taken on a commercial or private shooting preserve.*

30 **Sec. 38.** NRS 504.390 is hereby amended to read as follows:

31 504.390 1. As used in this section, unless the context requires
32 otherwise, "guide" means to assist another person in hunting wild
33 mammals or wild birds and fishing and includes the transporting of
34 another person or his equipment to hunting and fishing locations
35 within a general hunting and fishing area whether or not the guide
36 determines the destination or course of travel.

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

43 3. Each person who assists a person who is required to have a
44 master guide license and acts as a guide in the course of that activity
45 ~~[shall]~~ *must* obtain a subguide license from the Division. Such a



1 license must not be issued to any person who has not reached 18
2 years of age.

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

5 5. Any person who desires a master guide license must apply
6 for the license on a form prescribed and furnished by the Division.
7 The application must contain the social security number of the
8 applicant and such other information as the Commission may
9 require by regulation. If that person was not licensed as a master
10 guide during the previous licensing year, his application must be
11 accompanied by a ~~fee of \$500, which is not refundable.~~
12 *nonrefundable fee of \$1,500.*

13 6. Any person who desires a subguide license must apply for
14 the license on a form prescribed and furnished by the Division. *If*
15 *that person was not licensed as a subguide during the previous*
16 *licensing year, his application must be accompanied by a*
17 *nonrefundable fee of \$50.*

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

21 8. The holder of a master guide license shall maintain records
22 of the number of hunters and fishermen served, and any other
23 information which the Division may require concerning fish and
24 game taken by such persons. Such information must be furnished to
25 the Division on request.

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

31 10. The Commission may adopt regulations covering the
32 conduct and operation of a guide service.

33 11. The Division may issue master guide and subguide licenses
34 to be valid only in certain districts in such a manner as may be
35 determined by the regulations of the Commission.

36 **Sec. 39.** (Deleted by amendment.)

37 **Sec. 40.** NRS 488.075 is hereby amended to read as follows:

38 488.075 1. The owner of each motorboat requiring
39 numbering by this state shall file an application for a number and for
40 a certificate of ownership with the Division of Wildlife of the State
41 Department of Conservation and Natural Resources on forms
42 approved by it accompanied by:

43 (a) Proof of payment of Nevada sales or use tax as evidenced by
44 proof of sale by a Nevada dealer or by a certificate of use tax paid



1 issued by the Department of Taxation, or by proof of exemption
2 from those taxes as provided in NRS 372.320.

3 (b) Such evidence of ownership as the Division of Wildlife may
4 require.

5 The Division of Wildlife shall not issue a number, a certificate of
6 number or a certificate of ownership until this evidence is presented
7 to it.

8 2. The application must be signed by the owner of the
9 motorboat and must be accompanied by a fee of ~~[\$15]~~ \$20 for the
10 certificate of ownership and a fee according to the following
11 schedule as determined by the straight line length which is measured
12 from the tip of the bow to the back of the transom of the motorboat:

13	
14	Less than 13 feet..... [\$10] \$20
15	13 feet or more but less than 18 feet [\$5] 25
16	18 feet or more but less than 22 feet [\$30] 40
17	22 feet or more but less than 26 feet [\$45] 55
18	26 feet or more but less than 31 feet [\$60] 75
19	31 feet or more [\$75] 100
20	

21 Except as otherwise provided in this subsection, all fees received by
22 the Division of Wildlife under the provisions of this chapter must be
23 deposited in the Wildlife Account in the State General Fund and
24 may be expended only for the administration and enforcement of the
25 provisions of this chapter. On or before December 31 of each year,
26 the Division of Wildlife shall deposit with the respective county
27 school districts 50 percent of each fee collected according to the
28 motorboat's length for every motorboat registered from their
29 respective counties. Upon receipt of the application in approved
30 form, the Division of Wildlife shall enter the application upon the
31 records of its office and issue to the applicant a certificate of number
32 stating the number awarded to the motorboat, a certificate of
33 ownership stating the same information and the name and address of
34 the registered owner and the legal owner.

35 3. A certificate of number may be renewed each year by the
36 purchase of a validation decal. The fee for a validation decal is
37 determined by the straight line length of the motorboat and is
38 equivalent to the fee set forth in the schedule provided in subsection
39 2. The *amount of the* fee for issuing a duplicate validation decal is
40 ~~[\$10.]~~ \$20.

41 4. The owner shall paint on or attach to each side of the bow of
42 the motorboat the identification number in such manner as may be
43 prescribed by regulations of the Commission in order that the
44 number may be clearly visible. The number must be maintained in
45 legible condition.



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

4 6. The Commission shall provide by regulation for the issuance
5 of numbers to manufacturers and dealers which may be used
6 interchangeably upon motorboats operated by the manufacturers and
7 dealers in connection with the demonstration, sale or exchange of
8 those motorboats. The *amount of the* fee for each such *a* number is
9 ~~[\$15.]~~ \$20.

10 **Sec. 41.** NRS 488.115 is hereby amended to read as follows:

11 488.115 1. The Division of Wildlife of the State Department
12 of Conservation and Natural Resources may award any certificate of
13 number directly or may authorize any person to act as agent for the
14 awarding thereof. If a person accepts the authorization, he may be
15 assigned a block of numbers and certificates therefor which upon
16 award, in conformity with the provisions of this chapter and with
17 any regulations of the Commission, is valid as if awarded directly
18 by the Division of Wildlife. At the time an agent forwards the
19 money collected to the Division of Wildlife , he may retain ~~50~~
20 ~~cents]~~ \$1 per certificate of number.

21 2. All records of the Division of Wildlife made or kept
22 pursuant to this section are public records.

23 **Sec. 42.** NRS 488.1795 is hereby amended to read as follows:

24 488.1795 Upon receipt of a properly endorsed certificate of
25 ownership and the certificate of number of any motorboat, the
26 transferee shall within 10 days file the certificates accompanied by a
27 fee of ~~[\$5]~~ \$20 with the Division of Wildlife of the State
28 Department of Conservation and Natural Resources and thereby
29 make application for a new certificate of ownership and a new
30 certificate of number.

31 **Sec. 43.** (Deleted by amendment.)

32 **Sec. 44.** NRS 501.080, 501.085 and 502.230 are hereby
33 repealed.

34 **Sec. 45.** 1. This section becomes effective on July 1, 2003.

35 2. Sections 1, 2 and 3 of this act become effective on July 1,
36 2003, for the purpose of adopting regulations and on January 1,
37 2004, for all other purposes.

38 3. Sections 12 and 37 of this act become effective on July 1,
39 2003, for the purpose of adopting regulations and on March 1, 2004,
40 for all other purposes.

41 4. Sections 3.3, 3.7, 4.7 and 5.5 of this act become effective on
42 October 1, 2003.

43 5. Sections 4, 5, 15 to 20, inclusive, and 39 to 44, inclusive, of
44 this act become effective on January 1, 2004.



1 6. Sections 4.3, 6 to 11, inclusive, 13, 14, 21 to 36, inclusive,
2 and 38 of this act become effective on March 1, 2004.

3 7. Section 38 of this act expires by limitation on the date on
4 which the provisions of 42 U.S.C. § 666 requiring each state to
5 establish procedures under which the state has authority to withhold
6 or suspend, or to restrict the use of professional, occupational and
7 recreational licenses of persons who:

8 (a) Have failed to comply with a subpoena or warrant relating to
9 a procedure to determine the paternity of a child or to establish or
10 enforce an obligation for the support of a child; or

11 (b) Are in arrears in the payment for the support of one or more
12 children,

13 are repealed by the Congress of the United States.

TEXT OF REPEALED SECTIONS

501.080 "Regular season" defined. As used in this title, "regular season" means an open season for which tags are placed on general sale without limit as to the number of resident hunters who may participate, and which shall be statewide in extent, except for variation in date between districts or the reservation of any area for special management as a special season. The number of nonresident tags may be limited by district in a regular season.

501.085 "Special season" defined. As used in this title, "special season" means an open season for which tags are placed on restricted sale to residents and nonresidents, whereby only a certain number may be issued, as determined by lot or otherwise. Special seasons are those designed for special management or control not possible in regular seasons.

502.230 Issuance of deer tag to nonresident owner of land within State: Conditions.

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.



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3. A nonresident deer tag for the regular season may be issued by the Division 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."

