

SENATE BILL NO. 342—SENATOR AMODEI

MARCH 24, 2005

Referred to Committee on Natural Resources

SUMMARY—Revises provisions relating to issuance of game tags to residents and nonresidents of this State. (BDR 45-1030)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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; requiring the Board of Wildlife Commissioners to ensure that certain chances or other advantages are not conferred upon a resident of this State in issuing tags for certain hunts; prohibiting the Board from establishing certain percentages or numbers of tags that are available for issuance to such a resident; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 501.181 is hereby amended to read as follows:
2 501.181 The Commission shall:
3 1. Establish broad policies for:
4 (a) The protection, propagation, restoration, transplanting,
5 introduction and management of wildlife in this State.
6 (b) The promotion of the safety of persons using or property
7 used in the operation of vessels on the waters of this State.
8 (c) The promotion of uniformity of laws relating to policy
9 matters.
10 2. Guide the Department in its administration and enforcement
11 of the provisions of this title and of chapter 488 of NRS by the
12 establishment of such policies.
13 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 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 *resident or* 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) ~~Seasons~~ *Except as otherwise provided in section 2 of this act, 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 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 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 for big game and, if necessary, other game species.

5. Adopt regulations requiring the 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. 2. Chapter 502 of NRS is hereby amended by adding thereto a new section to read as follows:

1. In establishing the manner of issuing a tag for any hunt for which a tag is required pursuant to NRS 502.130, the Commission:

(a) Shall ensure that the manner of issuing the tag does not confer a chance or other advantage upon a resident of this State that is greater than any chance or advantage conferred upon a nonresident of this State in obtaining the tag; and

(b) Shall not establish a percentage or number of tags that are available for issuance to residents of this State for the hunt in an amount that is greater than the percentage or number of tags that are available for issuance to nonresidents of this State for the hunt.

2. The provisions of this section do not require the Commission to issue a tag to a person for a hunt specified in subsection 1.

3. As used in this section, "manner of issuing a tag" includes, without limitation, establishing a quota, awarding a bonus point and conducting a drawing.

Sec. 3. NRS 502.140 is hereby amended to read as follows:

502.140 ***Except as otherwise provided in section 2 of this act:***

1. Tags may be used as a method of enforcing a limit of the number of any species which may be taken by any one person in any one season or year, and may be issued in such a manner that only a certain number may be used in any one management area, or that



1 one tag may be used in several management areas, as designated by
2 the Commission.

3 2. The Commission shall designate the number of tags for any
4 species which may be obtained by any one person, and it is unlawful
5 for any person to obtain tags for his use in excess of this number.
6 Except as otherwise provided in NRS 502.145, it is unlawful for any
7 person to use or possess tags issued to any other person, or to
8 transfer or give tags issued to him to any other person.

9 **Sec. 4.** NRS 502.146 is hereby amended to read as follows:

10 502.146 As used in NRS 502.146 to 502.149, inclusive:

11 1. "Restricted ~~{nonresident}~~ deer hunt" means a deer hunt in
12 which a restricted ~~{nonresident}~~ deer hunter hunts with a licensed
13 master guide or licensed subguide.

14 2. "Restricted ~~{nonresident}~~ deer hunter" means a person who
15 is ~~{not a resident of this State and is}~~ issued a restricted
16 ~~{nonresident}~~ deer tag.

17 3. "Restricted ~~{nonresident}~~ deer tag" means a tag which is
18 issued to a ~~{nonresident}~~ *person* for a restricted ~~{nonresident}~~ deer
19 hunt.

20 **Sec. 5.** NRS 502.147 is hereby amended to read as follows:

21 502.147 1. The Department shall make available restricted
22 ~~{nonresident}~~ deer tags in an amount not to exceed the amount set
23 forth in this section. If the number of persons who apply for
24 restricted ~~{nonresident}~~ deer tags is greater than the number of tags
25 to be issued, the Department shall conduct a drawing to determine
26 the persons to whom to issue the tags.

27 2. The number of restricted ~~{nonresident}~~ deer tags must:

28 (a) Be subtracted from the quota of rifle deer tags for
29 ~~{nonresidents;}~~ *the season in which the restricted deer tags are*
30 *issued;* and

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

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

39 4. The Department shall mail the tags to the successful
40 applicants.

41 **Sec. 6.** NRS 502.148 is hereby amended to read as follows:

42 502.148 1. Except as otherwise provided in this subsection,
43 any person who wishes to apply for a restricted ~~{nonresident}~~ deer
44 tag pursuant to NRS 502.147 must complete an application on a
45 form prescribed and furnished by the Department. A licensed master



1 guide may complete the application for an applicant. The
2 application must be signed by the applicant and the master guide
3 who will be responsible for conducting the restricted ~~nonresident~~
4 deer hunt.

5 2. The application must be accompanied by a fee for the tag of
6 \$300, plus any other fees which the Department may require. The
7 Commission shall establish the time limits and acceptable methods
8 for submitting such applications to the Department.

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

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

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

18 **Sec. 7.** NRS 502.149 is hereby amended to read as follows:

19 502.149 A restricted ~~nonresident~~ deer hunter must be
20 accompanied at all times during the restricted ~~nonresident~~ deer
21 hunt by the licensed master guide who cosigned the application or
22 one of his licensed subguides.

23 **Sec. 8.** This act becomes effective upon passage and approval.



