

SENATE BILL NO. 397—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE DEPARTMENT OF WILDLIFE)

MARCH 29, 2005

Referred to Committee on Natural Resources

SUMMARY—Makes various changes relating to wildlife.
(BDR 45-324)

FISCAL NOTE: Effect on Local Government: Increases or Newly
Provides for Term of Imprisonment in County or City
Jail or Detention Facility.
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; authorizing the establishment of administrative roadblocks and check stations by the Department of Wildlife; increasing the number of demerit points a person is allowed to accumulate before the Department is required to notify the person; increasing the period of suspension or revocation of a license, permit or privilege for the unlawful killing of certain big game; revising the provisions governing the disposition by the Department of seized or abandoned property; revising the provisions governing the employment and use of guides for wildlife activities; 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 **Section 1.** Chapter 501 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 8, inclusive, of this
3 act.

4 **Sec. 2.** *As used in this title, “administrative roadblock”*
5 *means any structure, device or means used by a game warden to*
6 *control all traffic through a point on an unpaved road which is*



1 *open to the public whereby all vehicles may be slowed or stopped*
2 *for the lawful purpose of enforcing and ensuring compliance with*
3 *the provisions of this title and the regulations adopted pursuant*
4 *thereto.*

5 **Sec. 3.** *As used in this title, "check station" means any*
6 *structure, device or means used by a game warden or biologist*
7 *employed by the Department to control all traffic through a point*
8 *on an unpaved road which is open to the public whereby all*
9 *vehicles may be slowed or stopped to:*

10 1. *Determine whether any occupants of a vehicle have been*
11 *hunting, fishing or trapping; or*

12 2. *Obtain biological information or samples from any wildlife*
13 *harvested by any occupant of the vehicle.*

14 **Sec. 4.** 1. *A game warden in this State may establish*
15 *administrative roadblocks. An administrative roadblock*
16 *established pursuant to this section may not be established solely*
17 *to identify the occupants of a vehicle or as a result of an*
18 *emergency.*

19 2. *An administrative roadblock established pursuant to this*
20 *section must meet the following requirements:*

21 (a) *The administrative roadblock must be established at a point*
22 *on the unpaved road clearly visible to approaching traffic at a*
23 *distance of not less than 100 yards in either direction.*

24 (b) *At the point of the administrative roadblock, a sign must be*
25 *placed near the centerline of the unpaved road displaying the word*
26 *"Stop" in letters of sufficient size and luminosity to be readable at*
27 *a distance of not less than 50 yards in the direction affected by the*
28 *roadblock, in daytime or darkness.*

29 (c) *At the same point of the administrative roadblock, at least*
30 *one red flashing or intermittent light, on and burning, must be*
31 *placed at the side of the unpaved road and must be clearly visible*
32 *to the oncoming traffic at a distance of not less than 100 yards.*

33 (d) *At a distance of not less than one-eighth of a mile from the*
34 *point of the administrative roadblock, warning signs must be*
35 *placed at the side of the highway containing wording of sufficient*
36 *size and luminosity to warn the oncoming traffic that an*
37 *"enforcement stop" lies ahead. A burning beam light, flare or*
38 *lantern must be placed near the signs to attract the attention of the*
39 *traffic to the sign.*

40 **Sec. 5.** 1. *A game warden or biologist employed by the*
41 *Department may establish check stations. A check station*
42 *established pursuant to this section may not be established solely*
43 *to identify the occupants of a vehicle or as a result of an*
44 *emergency.*



1 2. A check station established pursuant to this section must
2 meet the following requirements:

3 (a) The check station must be established at a point on the
4 unpaved road clearly visible to approaching traffic at a distance of
5 not less than 100 yards in either direction.

6 (b) At the point of the check station, a sign must be placed
7 near the centerline of the unpaved road displaying the word
8 "Stop" in letters of sufficient size and luminosity to be readable at
9 a distance of not less than 50 yards in the direction affected by the
10 check station, in daytime or darkness.

11 (c) At the same point of the check station, at least one yellow
12 flashing or intermittent light, on and burning, must be placed at
13 the side of the unpaved road and must be clearly visible to the
14 oncoming traffic at a distance of not less than 100 yards.

15 (d) At a distance of not less than one-eighth of a mile from the
16 point of the check station, warning signs must be placed at the side
17 of the highway containing wording of sufficient size and
18 luminosity to warn the oncoming traffic that a "check station" lies
19 ahead. A burning beam light, flare or lantern must be placed near
20 the signs to attract the attention of the traffic to the sign.

21 **Sec. 6. 1. It is unlawful for a person to:**

22 (a) Proceed or travel through an administrative roadblock
23 established pursuant to section 4 of this act or a check station
24 established pursuant to section 5 of this act without subjecting
25 himself to the traffic control established at the roadblock or check
26 station.

27 (b) Disobey the lawful orders or directions of a game warden
28 or biologist employed by the Department at an administrative
29 roadblock or a check station.

30 2. A person who unlawfully proceeds through an
31 administrative roadblock or a check station shall be punished:

32 (a) If he is the direct cause of a death or substantial bodily
33 harm to any person, or damage to property in excess of \$1,000, for
34 a category B felony by imprisonment in the state prison for a
35 minimum term of not less than 1 year and a maximum term of not
36 more than 6 years, or by a fine of not more than \$5,000, or by both
37 fine and imprisonment.

38 (b) If no death, substantial bodily harm or damage to property
39 in excess of \$1,000 occurs, for a gross misdemeanor.

40 **Sec. 7. An employee of the Department may take any wildlife**
41 **from any place and in any manner for any purpose determined by**
42 **the Director to be in the interest of conserving wildlife in this State**
43 **if the taking of the wildlife complies with the requirements**
44 **established by the United States Fish and Wildlife Service or any**
45 **other agency of the Federal Government.**



Sec. 8. 1. If a person who holds:

(a) A license, tag or permit issued by the Department to engage in any activity authorized or regulated by this title or by a regulation adopted pursuant thereto; or

(b) A certificate of number issued by the Department, violates a written promise to appear pursuant to a citation that was prepared manually or electronically for a violation of a provision of this title, chapter 488 of NRS or any regulation adopted pursuant thereto, the clerk of the court shall immediately notify the Department on a form approved by the Department.

2. Upon receipt of notice from a court in this State of a failure to appear, the Department shall notify the person by mail that his license, tag, permit or certificate of number is subject to suspension and allow him 30 days after the date of mailing the notice to:

(a) Appear in court and obtain a dismissal of the citation or complaint as provided by law;

(b) Appear in court and, if permitted by the court, make an arrangement acceptable to the court to satisfy a judgment of conviction; or

(c) Make a written request to the Department for a hearing.

3. If notified by a court within 30 days after the notice of a failure to appear that a person has been allowed to make an arrangement for the satisfaction of a judgment of conviction, the Department shall remove the suspension from the record of the person. If the person subsequently defaults on his arrangement with the court, the court shall notify the Department which shall immediately suspend the license, tag, permit or certificate of number until the court notifies the Department that the suspension may be removed.

4. The Department shall suspend the license, tag, permit or certificate of number of a person 31 days after the Department mails him the notice provided for in subsection 2, unless within that period the Department receives a written request for a hearing from the person or notice from the court on a form approved by the Department that the person has appeared or the citation or complaint has been dismissed. A license, tag, permit or certificate of number so suspended remains suspended until further notice is received from the court that the person has appeared or that the case has been otherwise disposed of as provided by law.

Sec. 9. NRS 501.1816 is hereby amended to read as follows:

501.1816 1. If a person accumulates ~~16~~ 9 or more demerit points, but less than 12, the Department shall notify him of that fact by certified mail. If, after the Department mails the notice, the person presents proof to the Department that he has, after his most



1 recent wildlife conviction, successfully completed a course of
2 instruction in the responsibilities of hunters approved by the
3 Department, the Department shall deduct 4 demerit points from his
4 record. A person may attend a course of instruction in the
5 responsibilities of hunters only once in 60 months for the purpose of
6 reducing his demerit points.

7 2. If a person accumulates 12 or more demerit points before
8 completing a course of instruction pursuant to subsection 1, the
9 Department shall suspend or revoke any license, permit or privilege
10 issued to him pursuant to this title.

11 3. Not later than 60 days after the Department determines that a
12 person has accumulated 12 demerit points, the Department shall
13 notify the person by certified mail that his privileges will be
14 suspended or revoked. Except as otherwise provided in subsection 4,
15 the Department shall suspend or revoke those privileges 30 days
16 after it mails the notice.

17 4. Any person who receives the notice required by subsection 3
18 may submit to the Department a written request for a hearing before
19 the Commission not later than 30 days after the receipt of the notice.
20 If a written request for a hearing is received by the Department:

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

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

26 5. The periods of suspension or revocation imposed pursuant to
27 this section must run concurrently. ~~[No]~~ *Except as otherwise*
28 *provided in this subsection, no* license, permit or privilege may be
29 suspended or revoked pursuant to this section for more than 3 years.
30 *The license, permit or privilege of a person who is convicted*
31 *pursuant to NRS 501.376 of:*

32 *(a) A gross misdemeanor may not be suspended or revoked for*
33 *more than 5 years; or*

34 *(b) A felony may not be suspended or revoked for more than*
35 *10 years.*

36 6. If the Department suspends or revokes a license, permit or
37 privilege pursuant to this section, the period of suspension or
38 revocation begins 30 days after notification pursuant to subsection 3
39 or a determination is made by the Commission pursuant to
40 subsection 4. After a person's license, permit or privilege is
41 suspended or revoked pursuant to this section, all demerit points
42 accumulated by that person must be cancelled.

43 **Sec. 10.** NRS 501.375 is hereby amended to read as follows:

44 501.375 1. Every game warden, sheriff and other peace
45 officer of this State and its political subdivisions shall enforce the



provisions of this title and seize any wildlife taken or held in possession in violation of those provisions.

2. Such an officer may:

(a) With or without a warrant, conduct a reasonable search of any camp, structure, aircraft, vessel, vehicle, box, game bag or other package where he has reason to believe any wildlife taken or held in violation of any of the provisions of this title is to be found, and, for the purpose of such a search, may detain any aircraft, vessel or vehicle for a reasonable time.

(b) Seize any such wildlife and any gun, ammunition, trap, snare, tackle, or other device or equipment whose presence indicates that a violation of any provision of this title has occurred. Except for property described in NRS 501.3857, property seized pursuant to this subsection may be held only for evidence and ~~must be returned when~~ *may be recovered by the owner within 1 year after it is no longer needed for that purpose. The Department shall, within 30 days after the property is no longer needed, send a written notice to the owner of the property that informs the owner of his right to recover the property. The Department may send the notice by electronic mail.*

3. A dwelling house may be searched only pursuant to a warrant ~~or~~ *or as otherwise provided by law.*

Sec. 11. 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 Department ~~therein~~ :

(1) In the performance of any duty while enforcing or attempting to enforce any provision of this title ~~therein~~ or any regulation adopted pursuant thereto; or

(2) While obtaining or attempting to obtain biological samples of wildlife, hunting, fishing or trapping data, or any other biological data or information relating to wildlife;

(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,



1 or by imprisonment in the county jail for not more than 6 months, or
2 by both fine and imprisonment.

3 **Sec. 12.** NRS 501.3857 is hereby amended to read as follows:

4 501.3857 Any gun, ammunition, trap, snare, vessel, vehicle,
5 aircraft or other device or equipment used, or intended for use:

6 1. To facilitate the unlawful and intentional killing or
7 possession of any big game mammal; ~~{or}~~

8 2. *To hunt or kill a big game mammal by using information*
9 *obtained as a result of the commission of an act prohibited by NRS*
10 *503.010 or a regulation of the Commission which prohibits the*
11 *location of big game mammals for the purpose of hunting or*
12 *killing by the use of:*

13 (a) *An aircraft, including, without limitation, any device that is*
14 *used for navigation of, or flight in, the air;*

15 (b) *A hot air balloon or any other device that is lighter than*
16 *air; or*

17 (c) *A satellite or any other device that orbits the earth and is*
18 *equipped to produce images, or other similar devices; or*

19 3. Knowingly to transport, sell, receive, acquire or purchase
20 any big game mammal which is unlawfully killed or possessed,

21 ➔ is subject to forfeiture pursuant to NRS 179.1156 to 179.119,
22 inclusive.

23 **Sec. 13.** NRS 501.389 is hereby amended to read as follows:

24 501.389 1. Except for property described in NRS 501.3857,
25 equipment:

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

27 (b) Not recovered by the owner within 1 year ~~{from the date of~~
28 ~~seizure,}~~ *after it is no longer needed for evidentiary purposes,*

29 ➔ becomes the property of the Department.

30 2. The Department ~~{shall either sell such}~~ *may:*

31 (a) *Sell the* equipment in accordance with the regulations
32 adopted pursuant to subsection 5 of NRS 333.220 ~~{or retain such}~~ ;

33 (b) *Donate equipment that is not dangerous to nonprofit*
34 *organizations which benefit children;*

35 (c) *Donate equipment that is not dangerous to children from*
36 *low-income families who attend fishing clinics sponsored by the*
37 *Department; or*

38 (d) *Retain the* equipment for authorized use by the Department.

39 ➔ All money received from ~~{such sales}~~ *the sale of equipment* must
40 be deposited with the State Treasurer for credit to the Wildlife
41 Account in the State General Fund.

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



1 **Sec. 14.** NRS 502.120 is hereby amended to read as follows:

2 502.120 1. ~~[Every]~~ *A game warden may, if he has a*
3 *reasonable belief that a person is engaged or about to engage in*
4 *any activity regulated by this title, stop and temporarily detain that*
5 *person to inspect any:*

6 (a) *License, permit or tag in his possession;*

7 (b) *Weapon, ammunition, device or apparatus in his*
8 *possession which may be used for any activity regulated by this*
9 *title; or*

10 (c) *Wildlife in his possession.*

11 2. *Each* person required to have a license *or permit* as
12 provided in this ~~[chapter]~~ *title* who, while ~~[hunting, trapping or~~
13 ~~fishing,]~~ *engaged in any activity regulated by this title,* refuses to
14 exhibit the license ~~[]~~ *or permit,* any wildlife which he may have in
15 his possession, or any weapon, ammunition, device or apparatus in
16 his possession which may be used for ~~[hunting, trapping or fishing,]~~
17 *any activity regulated by this title,* upon the demand of any officer
18 authorized to enforce the fish and game laws of this State, is guilty
19 of a misdemeanor.

20 ~~[2.—Every]~~

21 3. *Each* person required to have a license *or permit* as
22 provided in this chapter who, while ~~[hunting, trapping or fishing,]~~
23 *engaged in any activity regulated by this title,* fails to have the
24 license *or permit* in his possession is guilty of a misdemeanor. A
25 person charged with violating this subsection may not be convicted
26 if he produces in court a license *or permit* previously issued to him
27 and valid at the time of his arrest.

28 **Sec. 15.** NRS 503.010 is hereby amended to read as follows:

29 503.010 1. Except as otherwise provided in *this section or*
30 subsection 2 of NRS 503.005, it is unlawful to molest, rally, stir up
31 or drive any game mammals or game birds with an aircraft,
32 helicopter or motor-driven vehicle, including a ~~[snowmobile,]~~
33 motorboat or sailboat.

34 2. Except as otherwise provided in this subsection, it is
35 unlawful to shoot at any game mammals or game birds with a
36 weapon from an aircraft, helicopter or motor-driven vehicle . ~~[~~
37 ~~including a snowmobile.]~~ A person who is a paraplegic, has had one
38 or both legs amputated or has suffered a paralysis of one or both
39 legs which severely impedes his walking may shoot from a stopped
40 motor vehicle which is not parked on the traveled portion of a public
41 highway, but he may not shoot from, over or across a highway or
42 road specified in NRS 503.175.

43 3. It is unlawful to spot or locate game mammals or game birds
44 with any kind of aircraft or helicopter and communicate ~~[this]~~ *that*
45 *information , within 48 hours after the aircraft or helicopter has*



1 *landed or in violation of a regulation of the Commission*, by any
2 means to a person on the ground for the purpose of hunting or
3 trapping. *The provisions of this subsection do not prohibit an*
4 *employee or agent of the Department from providing general*
5 *information to the public concerning the location of game birds or*
6 *game mammals.*

7 4. *It is unlawful to use any information obtained in violation*
8 *of the provisions of subsection 3 to hunt or kill game mammals or*
9 *game birds.*

10 5. It is unlawful to use a helicopter to transport game, hunters
11 or hunting equipment, except when the cargo or passengers , or both
12 , are loaded and unloaded at airports, airplane landing fields or
13 heliports, which have been established by a department or agency of
14 the Federal or State Government or by a county or municipal
15 government or when the loading or unloading is done in the course
16 of an emergency or search and rescue operation.

17 ~~[5.—For the purposes of]~~

18 6. *The provisions of subsection 1 do not apply to an employee*
19 *or agent of the Department who, while carrying out his duties,*
20 *conducts a survey of wildlife with the use of an aircraft.*

21 7. *As used in* this section, “game bird” does not include a raven
22 even if classified as a game bird pursuant to NRS 501.110.

23 **Sec. 16.** NRS 503.240 is hereby amended to read as follows:

24 503.240 1. It is unlawful for any person to hunt , *fish in*
25 *nonnavigable waters* or ~~[to]~~ trap upon ~~[or within any enclosed~~
26 ~~grounds which are]~~ *land which is* private property *where the person*
27 *has been warned by the owner or occupant of the property not to*
28 *trespass in the manner prescribed in NRS 207.200,* and where
29 signs are displayed ~~[, as provided in NRS 207.200,]~~ forbidding
30 hunting , *trapping* or ~~[shooting,]~~ *fishing* without permission
31 obtained from the owner or ~~[person in possession of such enclosed~~
32 ~~grounds,]~~ *occupant of the private property.*

33 2. Any person using ~~[such]~~ *that private* property for hunting ,
34 *fishing* or trapping ~~[purposes]~~ shall comply with the provisions of
35 NRS 207.220.

36 **Sec. 17.** NRS 503.620 is hereby amended to read as follows:

37 503.620 Except as *otherwise* provided by this title ~~[]~~ *a*
38 *regulation adopted pursuant thereto,* it is unlawful for any person
39 to hunt or ~~[possess]~~ *take* any dead or alive birds, nests of birds or
40 eggs of birds protected by that certain Act of Congress commonly
41 known and referred to as the Migratory Bird Treaty Act of July 3,
42 1918, as amended, 16 U.S.C. §§ 703 et seq., or protected by
43 ~~[commission regulation,]~~ *a regulation of the Commission.*



1 **Sec. 18.** NRS 504.390 is hereby amended to read as follows:

2 504.390 1. As used in this section, unless the context requires
3 otherwise, "guide" means to assist another person in hunting wild
4 mammals or wild birds and fishing and includes the transporting of
5 another person or his equipment to hunting and fishing locations
6 within a general hunting and fishing area whether or not the guide
7 determines the destination or course of travel.

8 2. ~~Every~~ *Each* person who provides guide service for
9 compensation or provides guide service as an incidental service to
10 customers of any commercial enterprise, whether a direct fee is
11 charged for the guide service or not, must obtain a master guide
12 license from the Department. Such a license must not be issued to
13 any person who has not reached 21 years of age.

14 3. ~~Each~~ *Except as otherwise provided in this subsection,*
15 *each* person who assists a person who is required to have a master
16 guide license and acts as a guide in the course of that activity must
17 obtain a subguide license from the Department. Such a license must
18 not be issued to any person who has not reached 18 years of age.
19 *The provisions of this subsection do not apply to a person who:*

20 (a) *Is employed by or assists a person who holds a master*
21 *guide license solely for the purpose of cooking, cutting wood or*
22 *caring for, grooming or saddling livestock; or*

23 (b) *Holds a master guide license which authorizes him to*
24 *provide services for the same species and in the same areas as the*
25 *guide who employs him or requests his assistance and has*
26 *submitted to the Department a notarized statement which indicates*
27 *that he is employed by or provides assistance to the guide. The*
28 *statement must be signed by both guides.*

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

31 5. Any person who desires a master guide license must apply
32 for the license on a form prescribed and furnished by the
33 Department. The application must contain the social security
34 number of the applicant and such other information as the
35 Commission may require by regulation. If that person was not
36 licensed as a master guide during the previous licensing year, his
37 application must be accompanied by a nonrefundable fee of \$1,500.

38 6. Any person who desires a subguide license must apply for
39 the license on a form prescribed and furnished by the Department. If
40 that person was not licensed as a subguide during the previous
41 licensing year, his application must be accompanied by a
42 nonrefundable fee of \$50.

43 7. ~~It is unlawful for~~ the holder of a master guide license
44 ~~{operates with pack or riding animals, he shall also have a grazing or~~
45 ~~special use permit if he operates}~~ *to operate* in any area where



~~{such}~~ a *special use* permit is required ~~{}~~ *without first obtaining a permit unless he is employed by or providing assistance to a guide pursuant to subsection 3.*

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 Department may require concerning fish and game taken by such persons. ~~{Such}~~ *The* information must be furnished to the 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 Department may issue master guide and subguide licenses ~~{to be}~~ *that are* valid only in certain ~~{districts}~~ *management areas, management units or administrative regions* in such a manner as may be determined by the regulations of the Commission.

Sec. 19. 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}~~ *Each* 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, must obtain a master guide license from the Department. Such a license must not be issued to any person who has not reached 21 years of age.

3. ~~{Each}~~ *Except as otherwise provided in this subsection, 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 must obtain a subguide license from the Department. Such a license must not be issued to any person who has not reached 18 years of age. *The provisions of this subsection do not apply to a person who:*

(a) Is employed by or assists a person who holds a master guide license solely for the purpose of cooking, cutting wood or caring for, grooming or saddling livestock; or

(b) Holds a master guide license which authorizes him to provide services for the same species and in the same areas as the guide who employs him or requests his assistance and has submitted to the Department a notarized statement which indicates



1 *that he is employed by or provides assistance to the guide. The*
2 *statement must be signed by both guides.*

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
7 Department. The application must contain such information as the
8 Commission may require by regulation. If that person was not
9 licensed as a master guide during the previous licensing year, his
10 application must be accompanied by a nonrefundable fee of \$1,500.

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

16 7. ~~He~~ *It is unlawful for* the holder of a master guide license
17 ~~{operates with pack or riding animals, he shall also have a grazing or~~
18 ~~special use permit if he operates}~~ *to operate* in any area where
19 ~~{such}~~ a *special use* permit is required ~~{}~~ *without first obtaining a*
20 *permit unless he is employed by or providing assistance to a guide*
21 *pursuant to subsection 3.*

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

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

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

34 11. The Department may issue master guide and subguide
35 licenses ~~{to be}~~ *that are* valid only in certain ~~{districts}~~ *management*
36 *areas, management units or administrative regions* in such a
37 manner as may be determined by the regulations of the Commission.

38 **Sec. 20.** NRS 171.079 is hereby amended to read as follows:

39 171.079 The Interstate Compact for Jurisdiction on the
40 Colorado River is as follows:

41
42 ARTICLE I—Purpose and Policy
43

44 1. The legislature finds that law enforcement has been impaired
45 in sections of the Colorado River forming an interstate boundary



1 because of difficulty in determining precisely where a criminal act
2 was committed.

3 2. The legislature intends that a person committing an act
4 which is illegal in both states not be freed merely because neither
5 state could establish that a crime was committed within its
6 boundaries.

7 3. The Interstate Compact for Jurisdiction on the Colorado
8 River is enacted to provide for enforcement of the laws of this state
9 with regard to certain acts committed on the Colorado River, or any
10 lake formed by or a part of the Colorado River, on either side of the
11 boundary line with an adjoining state.

12 ARTICLE II—Definitions

13
14
15 As used in this compact, unless the context otherwise requires,
16 “party state” means a state which has enacted this compact.

17 ARTICLE III—Concurrent Jurisdiction

18
19
20 1. If conduct is prohibited by two adjoining party states, courts
21 and law enforcement officers in either state who have jurisdiction
22 over criminal offenses committed in a county where the Colorado
23 River, or any lake formed by or a part of the Colorado River, forms
24 a common interstate boundary have concurrent jurisdiction to arrest,
25 prosecute and try offenders for the prohibited conduct committed
26 ~~[anywhere on]~~ *within 5 miles of* the body of water forming a
27 boundary between the two states.

28 2. This compact does not authorize:

29 (a) Prosecution of any person for conduct which is lawful in the
30 state where it was committed.

31 (b) Any conduct prohibited by a party state.

32 ARTICLE IV—Ratification

33
34
35 This compact is ratified by enactment of the language of this
36 compact, or substantially similar language expressing the same
37 purpose, by at least two states of which the Colorado River forms a
38 common boundary.

39 **Sec. 21.** 1. This section and sections 1 to 18, inclusive, and
40 20 of this act become effective on October 1, 2005.

41 2. Section 18 of this act expires by limitation on the date on
42 which the provisions of 42 U.S.C. § 666 requiring each state to
43 establish procedures under which the state has authority to withhold
44 or suspend, or to restrict the use of professional, occupational and
45 recreational licenses of persons who:



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

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

6 ➤ are repealed by the Congress of the United States.

7 3. Section 19 of this act becomes effective on the date on
8 which the provisions of 42 U.S.C. § 666 requiring each state to
9 establish procedures under which the state has authority to withhold
10 or suspend, or to restrict the use of professional, occupational and
11 recreational licenses of persons who:

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

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

17 ➤ are repealed by the Congress of the United States.



