

ASSEMBLY BILL NO. 573—COMMITTEE ON
NATURAL RESOURCES, AGRICULTURE, AND MINING

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 26, 2007

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Revises certain provisions governing wildlife.
(BDR 45-1413)

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; requiring the Department of Wildlife to issue a 1-day family fishing permit under certain circumstances; requiring the Board of Wildlife Commissioners to adopt certain regulations; prohibiting a person from hunting or fishing any wildlife without a license or permit to do so; revising the information that the Department must include in certain permits; revising the fees for certain tags and permits; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Department of Wildlife and requires the Department to administer the wildlife laws of this State. (NRS 501.331)

Section 25 of this bill requires the Department to issue a 1-day family fishing permit to an immediate family upon payment of the fee for the permit. An "immediate family" means a person who is at least 18 years of age, the spouse, if any, of that person and each child of a certain age who is a child or grandchild of that person or a child for whom the adult is a legal guardian. **Section 30** of this bill authorizes a person to fish for trout without obtaining a state trout stamp if the person is fishing under the authority of a 1-day family fishing permit.

Existing law states that a person who hunts or traps any wild bird or mammal or who fishes without first obtaining a license or permit to do so is guilty of a misdemeanor. (NRS 502.010) Existing law further states that a person who traps



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fur-bearing mammals must obtain a trapping license. (NRS 503.454) **Section 26** of this bill states that a person who hunts or fishes any wildlife without a license or permit is guilty of a misdemeanor. "Wildlife" means any wild mammal, wild bird, fish, reptile, amphibian, mollusk or crustacean found naturally in a wild state. (NRS 501.097)

Existing law requires a license that grants the privilege to hunt, fish or trap to include certain information, including, without limitation, the name, address and description of the holder of the license and the date the license is issued. (NRS 502.030) **Section 27** of this bill expands that requirement to include any permit to hunt, fish or trap.

Existing law sets forth the fees that must be paid for licenses, permits and tags to hunt, fish and trap in Nevada. (NRS 502.240, 502.250) **Section 28** of this bill imposes a fee of \$20 for the issuance of a 1-day permit to hunt migratory game birds and a fee of \$8 for each consecutive day added to that permit. **Section 29** of this bill imposes a fee of \$1,200 for the issuance of a nonresident antlered elk tag and a fee of \$500 for the issuance of a nonresident antlerless elk tag.

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

Section 1. Chapter 501 of NRS is hereby amended by adding thereto a new section to read as follows:

As used in this title, unless the context otherwise requires, the words and terms defined in NRS 501.003 to 501.097, inclusive, have the meanings ascribed to them in those sections.

Sec. 2. NRS 501.003 is hereby amended to read as follows:

501.003 ~~["As used in this title, "alternative"]~~ **"Alternative** livestock" means the following species, including subspecies, of the family Cervidae, if they are born and reared in captivity and raised on private property to produce meat or other by-products of animals or as breeding stock to produce alternative livestock:

1. Fallow deer (**Dama dama**).

2. Reindeer (**Rangifer tarandus**).

Sec. 3. NRS 501.005 is hereby amended to read as follows:

501.005 ~~["As used in this title, "big"]~~ **"Big** game mammal" means any game mammal so classified by Commission regulation.

Sec. 4. NRS 501.010 is hereby amended to read as follows:

501.010 ~~["As used in this title, "board"]~~ **"Board"** means the county advisory board to manage wildlife.

Sec. 5. NRS 501.013 is hereby amended to read as follows:

501.013 ~~["As used in this title, "chumming"]~~ **"Chumming"** means the placing in the water of fish, parts of fish or other material upon which fish feed, for the purpose of attracting fish to a particular area in order that they may be taken.

Sec. 6. NRS 501.015 is hereby amended to read as follows:

501.015 ~~["As used in this title, "closed"]~~ **"Closed** season" means all periods except those designated as "open season." During any



1 such season it is unlawful to fish, to hunt game mammals or game
2 birds or to hunt or trap fur-bearing mammals. There is no closed
3 season on those species of wild mammals or wild birds classified as
4 unprotected.

5 **Sec. 7.** NRS 501.020 is hereby amended to read as follows:

6 501.020 Except as otherwise provided in NRS 504.430 to
7 504.490, inclusive, ~~{as used in this title, unless the context otherwise~~
8 ~~requires.}~~ “Commission” means the Board of Wildlife
9 Commissioners.

10 **Sec. 8.** NRS 501.023 is hereby amended to read as follows:

11 501.023 ~~{As used in this title, “county,”}~~ “**County**,” when
12 appearing alone or in the reference framework of county advisory
13 board to manage wildlife, board of county commissioners or any
14 county officer, includes and applies to Carson City.

15 **Sec. 9.** NRS 501.024 is hereby amended to read as follows:

16 501.024 ~~{As used in this title,}~~ “Department” means the
17 Department of Wildlife.

18 **Sec. 10.** NRS 501.026 is hereby amended to read as follows:

19 501.026 ~~{As used in this title,}~~ “Director” means the Director
20 of the Department.

21 **Sec. 11.** NRS 501.030 is hereby amended to read as follows:

22 501.030 ~~{As used in this title, the}~~ **The** words “to fish” and
23 their derivatives, “fishes,” “fishing” and “fished,” mean catching,
24 taking, capturing, killing, injuring or crippling of a fish or game
25 amphibian, and every attempt to do so.

26 **Sec. 12.** NRS 501.035 is hereby amended to read as follows:

27 501.035 ~~{As used in this title, “fur-bearing}~~ “**Fur-bearing**
28 mammal” means any mammal so classified by Commission
29 regulation.

30 **Sec. 13.** NRS 501.037 is hereby amended to read as follows:

31 501.037 ~~{As used in this title, “game}~~ “**Game** amphibian”
32 means any amphibian so classified by Commission regulation.

33 **Sec. 14.** NRS 501.045 is hereby amended to read as follows:

34 501.045 ~~{As used in this title, “game}~~ “**Game** fish” means any
35 fish so classified by Commission regulation.

36 **Sec. 15.** NRS 501.046 is hereby amended to read as follows:

37 501.046 ~~{As used in this title, “game}~~ “**Game** mammal” means
38 any mammal so classified by Commission regulation.

39 **Sec. 16.** NRS 501.047 is hereby amended to read as follows:

40 501.047 ~~{As used in this title, “game}~~ “**Game** warden” means
41 any person authorized by the Director to enforce the provisions of
42 this title and of chapter 488 of NRS.

43 **Sec. 17.** NRS 501.050 is hereby amended to read as follows:

44 501.050 ~~{As used in this title, the}~~ **The** words “to hunt” and
45 their derivatives, “hunting” and “hunted,” mean to search for,



1 pursue or attract ~~[wild mammals or birds]~~ *any wildlife* for the
2 purpose and with the means of capturing, injuring or killing ~~[them,]~~
3 *that wildlife*, every attempt to capture, injure or kill ~~[wild mammals~~
4 ~~or birds,]~~ *wildlife*, and every act of assistance to any other person in
5 capturing, injuring or killing ~~[such mammals or birds,]~~ *that wildlife*.

6 **Sec. 18.** NRS 501.055 is hereby amended to read as follows:

7 501.055 ~~[As used in this title, "migratory"]~~ *"Migratory* game
8 birds" means any birds so classified by Commission regulation.

9 **Sec. 19.** NRS 501.065 is hereby amended to read as follows:

10 501.065 ~~[As used in this title, "open"]~~ *"Open* season" means
11 that period designated pursuant to the provisions of this title during
12 which it is legal to fish or to hunt game mammals or game birds or
13 to hunt or to trap fur-bearing mammals. ~~[Such]~~ *The* period includes
14 the first day and last day designated. There is no open season on
15 those species of wildlife classified as protected.

16 **Sec. 20.** NRS 501.088 is hereby amended to read as follows:

17 501.088 ~~[As used in this title, unless the context otherwise~~
18 ~~requires, the]~~ *The* words "to take" and their derivatives, "took,"
19 "taken" and "taking," when used in reference to wildlife, mean to
20 kill, capture, shoot, trap, catch, wound, possess, collect, seine, snare
21 or net, and every attempt to do so.

22 **Sec. 21.** NRS 501.090 is hereby amended to read as follows:

23 501.090 ~~[As used in this title, the]~~ *The* words "to trap" and
24 their derivatives, "trapping" and "trapped," mean to set or operate
25 any device, mechanism or contraption that is designed, built or
26 made to close upon or hold fast any ~~[wild mammal or wild bird]~~
27 *wildlife* and every act of assistance to any person in so doing.

28 **Sec. 22.** NRS 501.095 is hereby amended to read as follows:

29 501.095 ~~[As used in this title, "upland"]~~ *"Upland* game birds"
30 means any birds so classified by Commission regulation.

31 **Sec. 23.** NRS 501.096 is hereby amended to read as follows:

32 501.096 ~~[As used in this title, "vessel"]~~ *"Vessel"* means every
33 kind of watercraft, other than a seaplane on the water, which is used
34 or capable of being used as a means of transportation on water.

35 **Sec. 24.** NRS 501.097 is hereby amended to read as follows:

36 501.097 ~~[As used in this title, "wildlife"]~~ *"Wildlife"* means any
37 wild mammal, wild bird, fish, reptile, amphibian, mollusk or
38 crustacean found naturally in a wild state, whether indigenous to
39 Nevada or not and whether raised in captivity or not.

40 **Sec. 25.** Chapter 502 of NRS is hereby amended by adding
41 thereto a new section to read as follows:

42 *1. The Department shall issue a 1-day family fishing permit*
43 *to an immediate family upon the payment of the fee required*
44 *pursuant to this section. A 1-day family fishing permit authorizes*
45 *each member of the immediate family to fish during the period*



1 *specified on the permit in accordance with the regulations adopted*
2 *by the Commission pursuant to this section.*

3 2. *The fee for the issuance of a 1-day family fishing permit is:*
4 *(a) Nineteen dollars, if at least one member of the immediate*
5 *family is a bona fide resident of this State pursuant to*
6 *NRS 502.015.*

7 *(b) Thirty-nine dollars, if no member of the immediate family*
8 *is a bona fide resident of this State pursuant to NRS 502.015.*

9 3. *The Commission shall adopt regulations to carry out the*
10 *provisions of this section, including, without limitation, the*
11 *requirements for using a 1-day family fishing permit.*

12 4. *As used in this section, "immediate family" means a family*
13 *consisting of:*

14 *(a) A married or unmarried person who is at least 18 years of*
15 *age;*

16 *(b) The spouse, if any, of a person specified in paragraph (a)*
17 *who is at least 18 years of age; and*

18 *(c) Each child:*

19 *(1) For whom a person specified in paragraph (a) or (b) is*
20 *a parent, grandparent or legal guardian; and*

21 *(2) Who is at least 12 years of age but less than 16 years of*
22 *age at the time the 1-day family fishing permit is purchased.*

23 **Sec. 26.** NRS 502.010 is hereby amended to read as follows:

24 502.010 1. A person who hunts or ~~traps any of the wild birds~~
25 ~~or mammals or who~~ fishes *any wildlife* without having first
26 procured a license or permit to do so, as provided in this title, is
27 guilty of a misdemeanor, except that:

28 (a) A license to hunt or fish is not required of a resident of this
29 State who is under 12 years of age, unless required for the issuance
30 of tags as prescribed in this title or by the regulations of the
31 Commission.

32 (b) A license to fish is not required of a nonresident of this State
33 who is under 12 years of age, but the number of fish taken by the
34 nonresident must not exceed 50 percent of the daily creel and
35 possession limits as provided by law.

36 (c) Except as otherwise provided in subsection 5 or 6 of NRS
37 202.300, it is unlawful for any child who is under 18 years of age to
38 hunt any ~~[of the wild birds or mammals]~~ *wildlife* with any firearm,
39 unless the child is accompanied at all times by his parent or
40 guardian or is accompanied at all times by an adult person
41 authorized by his parent or guardian to have control or custody of
42 the child to hunt if the authorized person is also licensed to hunt.

43 (d) A child under 12 years of age, whether accompanied by a
44 qualified person or not, shall not hunt big game in the State of



1 Nevada. This section does not prohibit any child from
2 accompanying an adult licensed to hunt.

3 (e) The Commission may adopt regulations setting forth:

4 (1) The species of ~~{wild birds or mammals}~~ *wildlife* which
5 may be hunted or trapped without a license or permit; or

6 (2) The circumstances under which a person may fish
7 without a license, permit or stamp in a lake or pond that is located
8 entirely on private property and is stocked with lawfully acquired
9 fish.

10 (f) The Commission may declare one day per year as a day upon
11 which persons may fish without a license to do so.

12 2. This section does not apply to the protection of persons or
13 property from unprotected ~~{wild birds or mammals}~~ *wildlife* on or in
14 the immediate vicinity of home or ranch premises.

15 **Sec. 27.** NRS 502.030 is hereby amended to read as follows:

16 502.030 1. Licenses *or permits* granting the privilege to hunt,
17 fish or trap as provided in this title must be of such a form as is
18 deemed necessary by the Department, but must include the
19 following information:

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

21 (b) The date issued.

22 (c) The period of validity.

23 (d) The correct designation as to whether a fishing, hunting or
24 trapping license ~~{}~~ *or permit*.

25 (e) A statement to be signed by the holder: "I, the signator
26 holder in signing this license ~~{}~~ *or permit*, hereby state that I am
27 entitled to this license *or permit* under the laws of the State of
28 Nevada and that no false statement has been made by me to obtain
29 this license ~~{.}~~ *or permit*."

30 2. The Commission may provide rules and regulations
31 requiring an applicant to exhibit proof of his identity and residence.
32 Such information must be included on the license *or permit* as is
33 deemed necessary by the Department.

34 3. The Commission may provide rules and regulations
35 establishing a permanent licensing *or permitting* system. Such a
36 system may authorize the use of applications for the issuance of
37 temporary hunting, fishing and trapping licenses *or permits* for
38 residents and the issuance of annual licenses *or permits* therefrom.
39 The system may provide for the automatic renewal and validation of
40 the annual license ~~{}~~ *or permit*.

41 4. The Commission may ~~{provide regulations covering}~~ *adopt*
42 *regulations setting forth* the method of applying for, the term and
43 expiration date of any license *or permit* required by this title to be
44 issued without the payment of a fee.



1 **Sec. 28.** NRS 502.240 is hereby amended to read as follows:
2 502.240 The Department shall issue annual licenses and
3 limited permits:

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

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

13

14	For a fishing license	\$25
15	For a 1-day permit to fish.....	8
16	For each consecutive day added to a 1-day permit to fish	3
17	For a hunting license	29
18	For a combined hunting and fishing license	50
19	For a trapping license	38
20	For a fur dealer's license	63
21	For an annual master guide's license	750
22	For an annual subguide's license	125

23

24 3. To any person who has attained his 12th birthday but who
25 has not attained his 16th birthday, and who is not a bona fide
26 resident of the State of Nevada, upon the payment of a fee of \$17 for
27 an annual fishing license.

28 4. Except as otherwise provided in subsection 3 ~~H~~ *and section*
29 *25 of this act*, to any person who is not a bona fide resident of the
30 State of Nevada, upon the payment of a fee of:

31

32	For an annual fishing license.....	\$65
33	For a 1-day permit to fish.....	17
34	For each consecutive day added to a 1-day permit to fish	7
35	For a hunting license	138
36	For a combined hunting and fishing license	195
37	For an annual trapper's license	188
38	For a fur dealer's license	125
39	For an annual master guide's license	1,500
40	For an annual subguide's license	250
41	For a 1-day permit to hunt upland game and	
42	[waterfowl] <i>migratory game birds</i>	20
43	For each consecutive day added to a 1-day permit to	
44	hunt upland game and [waterfowl] <i>migratory game</i>	
45	<i>birds</i>	8



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

For a noncommercial license for the possession of live wildlife	\$15
For a commercial or private shooting preserve.....	125
For a commercial license for the possession of live wildlife	500
For a live bait dealer's permit	44
For a competitive field trials permit.....	31
For a permit to train dogs or falcons	15
For a 1-year falconry license.....	38
For a 3-year falconry license.....	94
For an importation permit	15
For an import eligibility permit.....	31
For an exportation permit.....	15
For any other special permit issued by the Department, a fee not to exceed the highest fee established for any other special permit set by the Commission.	

Sec. 29. NRS 502.250 is hereby amended to read as follows:
502.250 1. The amount of the fee that must be charged for the following tags is:

Resident deer tag	\$30
Resident antelope tag	60
Resident elk tag	120
Resident bighorn sheep tag	120
Resident mountain goat tag	120
Resident mountain lion tag.....	25
Nonresident deer tag	240
Nonresident antelope tag	300
Nonresident <i>antlered</i> elk tag	1,200
<i>Nonresident antlerless elk tag.....</i>	<i>500</i>
Nonresident bighorn sheep tag.....	1,200
Nonresident mountain goat tag	1,200
Nonresident mountain lion tag	100

2. The amount of the fee for other resident or nonresident big game tags must not exceed the highest fee for a resident or nonresident big game tag established pursuant to this section.

3. The amount of the fee for a tag determined to be necessary by the Commission for other species pursuant to NRS 502.130 must not exceed the highest fee for a resident or nonresident tag established pursuant to this section.



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

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

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

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

36 **Sec. 30.** NRS 502.326 is hereby amended to read as follows:

37 502.326 1. Except as otherwise provided in subsection 2, it is
38 unlawful for any person to take or possess trout unless at the time he
39 is fishing he carries on his person:

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

42 (b) Such documentation as the Department provides as proof
43 that he has paid to the Department, for the licensing period that
44 includes the time he is fishing, the same fee as that required



1 pursuant to subsection 3 for the purchase of a state trout stamp for
2 that period.

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

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

5 (b) Is fishing:

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

8 (2) *Under the authority of a valid 1-day family fishing*
9 *permit; or*

10 (3) In accordance with regulations adopted by the
11 Commission pursuant to subparagraph (2) of paragraph (e) of
12 subsection 1 of NRS 502.010.

13 3. State trout stamps must be sold for a fee of \$10 each by the
14 Department and by persons authorized by the Department to sell
15 hunting, fishing and trapping licenses.

16 4. The Department shall determine the form of the stamps.

17 **Sec. 31.** This act becomes effective on July 1, 2007.

