

ASSEMBLY BILL NO. 437—ASSEMBLYMEN SMITH, BOBZIEN,
KIRKPATRICK, BUCKLEY; AND OCEGUERA

MARCH 16, 2009

Referred to Concurrent Committees on Natural Resources,
Agriculture, and Mining and Ways and Means

SUMMARY—Provides for the issuance and sale of big game tags
to be known as “Dream Tags.” (BDR 45-94)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 establish a program for the issuance of additional big game tags to be known as “Dream Tags”; providing for the sale of such tags by the Department of Wildlife to a nonprofit organization with certain qualifications; providing for the resale of the tags by the nonprofit organization and the expenditure of the money received by the nonprofit organization from the resale of the tags; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, the Board of Wildlife Commissioners is authorized to
2 provide for the issuance of big game tags for the hunting of big game mammals in
3 this State. (Chapter 502 of NRS) **Section 2** of this bill requires the Commission to
4 establish a program for the issuance of one or more big game tags each year to be
5 known as “Dream Tags.” A tax-exempt nonprofit organization which has as its
6 principal purpose the preservation, protection, management or restoration of
7 wildlife and its habitat may purchase such Dream Tags from the Department of
8 Wildlife as are authorized by the Commission at prices established by the
9 Commission. The nonprofit organization must agree to resell the tags by direct sale,
10 raffle, lottery or any other lawful means through a private entity acting as its agent
11 that is approved by the Department. All money received by the Department for
12 Dream Tags must be accounted for separately and used only to benefit charitable or
13 nonprofit activities in this State. All money received by the nonprofit organization
14 from the resale of the tags, less expenses directly related to the resale of the tags,
15 must be expended only for the preservation, protection, management or restoration
16 of wildlife and its habitat in this State.



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17 **Section 3** of this bill provides that the provisions of chapter 462 of NRS, which
18 provides for the administration of charitable lotteries by the State Gaming Control
19 Board and the Nevada Gaming Commission, do not apply to the distribution of any
20 tags issued pursuant to chapter 502 of NRS, regardless of the manner in which the
21 tags are distributed or the entity that distributes the tags.

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

1 **Section 1.** Chapter 502 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1.** *The Commission shall establish a program for*
4 *the issuance of one or more additional big game tags each year to*
5 *be known as "Dream Tags." The program must provide:*

6 *(a) For the issuance of a Dream Tag to either a resident or*
7 *nonresident of this State;*

8 *(b) For the use of a Dream Tag for one or more big game*
9 *mammals in one or more management areas;*

10 *(c) For the sale of Dream Tags to a nonprofit organization*
11 *pursuant to this section; and*

12 *(d) Such other provisions concerning a Dream Tag as the*
13 *Commission determines reasonable or necessary in carrying out*
14 *the program.*

15 **2.** *A nonprofit organization which is exempt from taxation*
16 *pursuant to 26 U.S.C. § 501(c)(3) and which has as its principal*
17 *purpose the preservation, protection, management or restoration*
18 *of wildlife and its habitat may purchase such Dream Tags from*
19 *the Department as are authorized by the Commission, at prices*
20 *established by the Commission, subject to the following*
21 *conditions:*

22 *(a) The nonprofit organization must agree to resell the Dream*
23 *Tags by direct sale, raffle, lottery or any other lawful means at any*
24 *price acceptable to the nonprofit organization; and*

25 *(b) The nonprofit organization must agree to enter into a*
26 *contract with a private entity that is approved by the Department*
27 *which requires that the private entity agree to act as the agent of*
28 *the nonprofit organization to sell a Dream Tag or chances to win a*
29 *Dream Tag, conduct any required drawing for a Dream Tag and*
30 *issue a Dream Tag. For the purposes of this paragraph, a private*
31 *entity that has entered into a contract with the Department*
32 *pursuant to NRS 502.175 to conduct a drawing and to award and*
33 *issue tags or permits as established by the Commission shall be*
34 *deemed to be approved by the Department.*

35 **3.** *All money received by the Department for Dream Tags*
36 *pursuant to this section must be accounted for separately. The*



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1 *account must be administered by the Director and the money in*
2 *the account, including any interest or income thereon:*

3 *(a) May be used only to benefit charitable or nonprofit*
4 *activities in this State;*

5 *(b) Must not be used for operating the Commission or the*
6 *Department; and*

7 *(c) Does not revert to the State General Fund at the end of any*
8 *fiscal year.*

9 *4. All money received by a nonprofit organization from the*
10 *resale of Dream Tags pursuant to this section, less expenses*
11 *directly related to the resale of the Dream Tags, must be expended*
12 *only for the preservation, protection, management or restoration*
13 *of wildlife and its habitat in this State.*

14 *5. The Department shall, on or before February 1 of each*
15 *year, report to the Interim Finance Committee concerning the*
16 *Dream Tag program, including, without limitation:*

17 *(a) The number of Dream Tags issued during the immediately*
18 *preceding calendar year;*

19 *(b) The total amount of money paid to the Department for*
20 *Dream Tags during the immediately preceding calendar year; and*

21 *(c) Any recommendations of the Department concerning the*
22 *continuation of the program or necessary legislation.*

23 *6. As used in this section, "big game tag" means a tag*
24 *permitting a person to hunt any species of pronghorn antelope,*
25 *bear, deer, mountain goat, mountain lion, bighorn sheep or elk.*

26 *Sec. 3. The provisions of chapter 462 of NRS do not apply to*
27 *the distribution of any tags pursuant to this chapter, regardless of*
28 *the manner in which the tags are distributed or the entity that*
29 *distributes the tags.*

30 *Sec. 4. This act becomes effective upon passage and approval.*

