

Amendment No. 865

Assembly Amendment to Assembly Bill No. 503 First Reprint (BDR 45-1091)

Proposed by: Assembly Committee on Ways and Means**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 503 (§ 2).

ASSEMBLY ACTION		Initial and Date		SENATE ACTION		Initial and Date	
Adopted	☐	Lost	☐	Adopted	☐	Lost	☐
Concurred In	☐	Not	☐	Concurred In	☐	Not	☐
Receded	☐	Not	☐	Receded	☐	Not	☐

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) ***green bold italic underlining*** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) ***green bold underlining*** is newly added transitory language.

JRS/WLK



Date: 6/1/2011

A.B. No. 503—Revises certain provisions governing the conservation of habitat for wildlife. (BDR 45-1091)



ASSEMBLY BILL NO. 503—COMMITTEE ON NATURAL
RESOURCES, AGRICULTURE, AND MINING

MARCH 28, 2011

Referred to Committee on Natural Resources,
Agriculture, and MiningSUMMARY—Revises certain provisions governing the conservation of habitat for
wildlife. (BDR 45-1091)FISCAL NOTE: Effect on Local Government: No.
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; imposing certain conservation fees; ~~requiring~~
authorizing a person ***who accesses a wildlife management area and***
who is not the holder of an annual hunting, trapping, fishing or
combined hunting and fishing license to pay an annual conservation
fee ***;*** ~~to access a wildlife management area;~~ revising certain
provisions governing the use of money in the Wildlife Obligated
Reserve Account; and providing other matters properly relating
thereto.

Legislative Counsel's Digest:

Existing law provides that, in addition to any fee charged and collected for an annual
hunting, trapping, fishing or combined hunting and fishing license, a \$3 habitat conservation
fee must be paid. The proceeds from this fee must be deposited in the Wildlife Obligated
Reserve Account and must be used for wildlife habitat rehabilitation and restoration. (NRS
502.242) **Section 2** of this bill redesignates the habitat conservation fee as the conservation
fee and sets the conservation fee at \$5 for residents and \$10 for nonresidents. In addition,
section 2 ~~imposes~~ ***authorizes a person accessing a wildlife conservation area who is not***
the holder of a hunting, trapping, fishing or combined hunting and fishing license to pay
an annual conservation fee of \$5 for residents and \$10 for nonresidents. ~~for any person who~~
~~wishes to access a wildlife management area but is not the holder of a hunting, trapping,~~
~~fishing or combined hunting and fishing license.~~ **Section 2** also provides that, each year, not
more than 18 percent of the money credited to the Wildlife Obligated Reserve Account from
any revenue received from those conservation fees may be used to monitor wildlife and its
habitat for the purposes of wildlife habitat rehabilitation and restoration. **Section 3** of this bill
revises the authority of the Board of Wildlife Commissioners concerning the use of a wildlife
management area by a person who pays the annual conservation fee.

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

Section 1. NRS 502.066 is hereby amended to read as follows:

502.066 1. The Department shall issue an apprentice hunting license to a person who:

- (a) Is 12 years of age or older;
- (b) Has not previously been issued a hunting license by the Department, another state, an agency of a Canadian province or an agency of any other foreign country, including, without limitation, an apprentice hunting license; and
- (c) Except as otherwise provided in subsection 5, is otherwise qualified to obtain a hunting license in this State.

2. Except as otherwise provided in this subsection, the Department shall not impose a fee for the issuance of an apprentice hunting license. For each apprentice hunting license issued, the applicant or the mentor hunter for the applicant shall pay:

- (a) Any service fee required by a license agent pursuant to NRS 502.040;
- (b) The ~~habitat~~ conservation fee required by NRS 502.242; and
- (c) Any transaction fee that is set forth in a contract of this State with a third-party electronic services provider for each online transaction that is conducted with the Department.

3. An apprentice hunting license authorizes the apprentice hunter to hunt in this State as provided in this section.

4. It is unlawful for an apprentice hunter to hunt in this State unless a mentor hunter accompanies and directly supervises the apprentice hunter at all times during a hunt. During the hunt, the mentor hunter shall ensure that:

- (a) The apprentice hunter safely handles and operates the firearm or weapon used by the apprentice hunter; and
- (b) The apprentice hunter complies with all applicable laws and regulations concerning hunting and the use of firearms.

5. A person is not required to complete a course of instruction in the responsibilities of hunters as provided in NRS 502.340 to obtain an apprentice hunting license.

6. The issuance of an apprentice hunting license does not:

- (a) Authorize the apprentice hunter to obtain any other hunting license;
- (b) Authorize the apprentice hunter to hunt any animal for which a tag is required pursuant to NRS 502.130; or
- (c) Exempt the apprentice hunter from any requirement of this title.

7. The Commission may adopt regulations to carry out the provisions of this section.

8. As used in this section:

(a) "Accompanies and directly supervises" means maintains close visual and verbal contact with, provides adequate direction to and maintains the ability readily to assume control of any firearm or weapon from an apprentice hunter.

(b) "Apprentice hunter" means a person who obtains an apprentice hunting license pursuant to this section.

(c) "Mentor hunter" means a person 18 years of age or older who holds a hunting license issued in this State and who accompanies and directly supervises an apprentice hunter. The term does not include a person who holds an apprentice hunting license pursuant to this section.

1 **Sec. 2.** NRS 502.242 is hereby amended to read as follows:

2 502.242 1. In addition to any fee charged and collected for an annual
3 hunting, trapping, fishing or combined hunting and fishing license pursuant to NRS
4 502.240, a ~~habitat~~ conservation fee ~~of \$3~~ must be paid ~~it~~ *in the amount of \$5*
5 *for a resident and \$10 for a nonresident.*

6 2. ~~In order to access a wildlife management area, a~~ *A person accessing a*
7 *wildlife management area who is not the holder of an annual hunting, trapping,*
8 *fishing or combined hunting and fishing license must may pay an annual*
9 *conservation fee in the amount of \$5 for a resident and \$10 for a nonresident.*

10 3. The Wildlife Obligated Reserve Account is hereby created in the State
11 General Fund. Revenue from the ~~habitat~~ conservation fee must be accounted for
12 separately, deposited with the State Treasurer for credit to the Wildlife Obligated
13 Reserve Account and, except as otherwise provided in *this subsection and* NRS
14 502.294 and 502.310, used by the Department for the purposes of wildlife habitat
15 rehabilitation and restoration. *Each year, not more than 18 percent of the money*
16 *credited to the Wildlife Obligated Reserve Account from any revenue received*
17 *pursuant to subsections 1 and 2 may be used to monitor wildlife and its habitat*
18 *for those purposes.* The interest and income earned on the money in the Wildlife
19 Obligated Reserve Account, after deducting any applicable charges, must be
20 credited to the Account.

21 ~~3.~~ 4. The money in the Wildlife Obligated Reserve Account remains in the
22 Account and does not revert to the State General Fund at the end of any fiscal year.

23 **Sec. 3.** NRS 504.143 is hereby amended to read as follows:

24 504.143 1. To effectuate a coordinated and balanced program resulting in
25 the maximum revival of wildlife in the State and in the maximum recreational
26 advantages to the people of the State, the Commission has created and maintains
27 state-owned wildlife management areas, and, in cooperation with the United States
28 Fish and Wildlife Service, the Department of Interior and other federal agencies,
29 has created and maintains other cooperative wildlife management areas.

30 2. ~~The Except as otherwise provided in NRS 502.242, the~~ Commission may
31 permit hunting, fishing or trapping on or within, or access to, occupancy and use of,
32 areas so created and maintained.

33 3. The Commission may by regulation:

34 (a) Establish, extend, shorten or abolish open seasons and closed seasons
35 within such areas.

36 (b) Establish, change or abolish bag and creel limits and possession limits in
37 such areas.

38 (c) Prescribe the manner and the means of taking wildlife in such areas.

39 (d) Establish, change or abolish restrictions in such areas based upon sex,
40 maturity or other physical distinctions.

41 ~~(e) Prescribe the manner of using such areas for a person who pays the~~
42 *annual fee to access such areas pursuant to NRS 502.242.*

43 **Sec. 4.** This act becomes effective on July 1, 2011.