

Amendment No. 424

Senate Amendment to Senate Bill No. 226	(BDR 45-975)
Proposed by: Senate Committee on Natural Resources	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

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.

CAF/JRS



Date: 4/19/2011

S.B. No. 226—Makes it unlawful for a person to trap a fur-bearing mammal within a certain distance of an occupied dwelling under certain circumstances. (BDR 45-975)



SENATE BILL NO. 226—SENATORS LESLIE AND PARKS

MARCH 7, 2011

JOINT SPONSORS: ASSEMBLYWOMEN PIERCE; AND CARLTON

Referred to Committee on Natural Resources

SUMMARY—~~[Makes it unlawful for a person to trap a]~~ **Requires the Board of Wildlife Commissioners to adopt certain regulations governing the trapping of** fur-bearing ~~[mammal within a]~~ **mammals in** certain ~~[distance of an occupied dwelling under certain circumstances;]~~ **counties.** (BDR 45-975)

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: 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 trapping; ~~[making it unlawful for a person to trap a]~~ **requiring the Board of Wildlife Commissioners to adopt regulations governing the trapping of** fur-bearing ~~[mammal within a]~~ **mammals in** certain ~~[distance of an occupied dwelling under certain circumstances; providing a penalty;]~~ **counties;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, ~~[any person who takes a fur bearing mammal by trapping is required to obtain a trapping license. (NRS 503.454) A person who obtains a trapping license may trap only during the open season for trapping designated by the Board of Wildlife Commissioners. (NRS 503.440) The terms "to trap," "trapping" and "trapped" mean to set or operate any device or mechanism that is designed, built or made to close upon or hold fast any wildlife. Those terms include every act of assistance provided to a person in setting or operating the device or mechanism. (NRS 501.090) A person who violates a provision relating to trapping is guilty of a misdemeanor, punishable by a criminal fine of not less than \$50 or more than \$500 or by imprisonment in the county jail for not more than 6 months, or by both fine and imprisonment. (NRS 501.285)]~~ **the Board of Wildlife Commissioners is required to adopt certain regulations establishing seasons for trapping fur-bearing mammals and the manner and means of taking wildlife. Those 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. (NRS 501.181)**

Section 2 of this bill ~~[makes it unlawful for a person]~~ **specifically requires the Board of Wildlife Commissioners to adopt regulations governing the trapping of fur-bearing**

~~mammals in a residential area of a county whose population is 100,000 or more (currently Clark and Washoe Counties). to trap a fur bearing mammal using a trap, other than a box or cage trap, within 1,000 yards of an occupied dwelling, if the dwelling is located within an area of the county in which the discharge of firearms is prohibited by a county ordinance. Section 1 defines the term "box or cage trap" to mean any trap that is not designed, built or made to close upon any portion of the body of a fur bearing mammal. Section 3 of this bill requires those regulations to be adopted on or before December 31, 2012.~~

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

Section 1. ~~[Chapter 503 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~1. Except as otherwise provided in NRS 503.470, 503.580 and 503.595, in a county whose population is 100,000 or more, it is unlawful for a person to trap a fur bearing mammal using a trap, other than a box or cage trap, within 1,000 yards of an occupied dwelling, if the dwelling is located within an area of the county in which the discharge of firearms is prohibited by a county ordinance.~~

~~2. As used in this section, "box or cage trap" means any trap that is not designed, built or made to close upon any portion of the body of a fur bearing mammal. (Deleted by amendment.)~~

Sec. 2. NRS 501.181 is hereby amended to read as follows:

501.181 The Commission shall:

1. Establish broad policies for:

(a) The protection, propagation, restoration, transplanting, introduction and management of wildlife in this State.

(b) The promotion of the safety of persons using or property used in the operation of vessels on the waters of this State.

(c) The promotion of uniformity of laws relating to policy matters.

2. Guide the Department in its administration and enforcement of the provisions of this title and of chapter 488 of NRS by the establishment of such policies.

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 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.

1 4. Establish regulations necessary to carry out the provisions of this title and
2 of chapter 488 of NRS, including:

3 (a) Seasons for hunting game mammals and game birds, for hunting or
4 trapping fur-bearing mammals and for fishing, the daily and possession limits, the
5 manner and means of taking wildlife, including, but not limited to, the sex, size or
6 other physical differentiation for each species, and, when necessary for
7 management purposes, the emergency closing or extending of a season, reducing or
8 increasing of the bag or possession limits on a species, or the closing of any area to
9 hunting, fishing or trapping. The regulations must be established after first
10 considering the recommendations of the Department, the county advisory boards to
11 manage wildlife and others who wish to present their views at an open meeting.
12 Any regulations relating to the closure of a season must be based upon scientific
13 data concerning the management of wildlife. The data upon which the regulations
14 are based must be collected or developed by the Department.

15 (b) The manner of using, attaching, filling out, punching, inspecting, validating
16 or reporting tags.

17 (c) The delineation of game management units embracing contiguous territory
18 located in more than one county, irrespective of county boundary lines.

19 (d) The number of licenses issued for big game and, if necessary, other game
20 species.

21 5. Adopt regulations requiring the Department to make public, before official
22 delivery, its proposed responses to any requests by federal agencies for its comment
23 on drafts of statements concerning the environmental effect of proposed actions or
24 regulations affecting public lands.

25 6. Adopt regulations:

26 (a) Governing the provisions of the permit required by NRS 502.390 and for
27 the issuance, renewal and revocation of such a permit.

28 (b) Establishing the method for determining the amount of an assessment, and
29 the time and manner of payment, necessary for the collection of the assessment
30 required by NRS 502.390.

31 7. Designate those portions of wildlife management areas for big game
32 mammals that are of special concern for the regulation of the importation,
33 possession and propagation of alternative livestock pursuant to NRS 576.129.

34 8. Adopt regulations governing the trapping of fur-bearing mammals in a
35 residential area of a county whose population is 100,000 or more.

36 Sec. 3. The Board of Wildlife Commissioners shall, on or before
37 December 31, 2012, adopt any regulations required by the amendatory
38 provisions of this act.

39 Sec. 4. This act becomes effective:

40 1. Upon passage and approval for the purpose of adopting any
41 regulations required by the amendatory provisions of this act; and

42 2. On January 1, 2013, for all other purposes.