

Amendment No. 375

Assembly Amendment to Assembly Bill No. 345 (BDR 45-273)

Proposed by: Assembly Committee on Natural Resources, Agriculture, and Mining

Amends: Summary: No 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.

DPR/JRS



Date: 4/17/2013

A.B. No. 345—Revises provisions governing the management of certain wildlife.
(BDR 45-273)



ASSEMBLY BILL NO. 345—ASSEMBLYMEN BOBZIEN, EISEN,
DALY; DIAZ, FLORES, KIRKPATRICK AND SPRINKLE

MARCH 18, 2013

JOINT SPONSOR: SENATOR SMITH

Referred to Committee on Natural Resources,
Agriculture, and MiningSUMMARY—Revises provisions governing the management of certain wildlife.
(BDR 45-273)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; ~~declaring that~~ requiring the Board of Wildlife Commissioners and the Department of Wildlife, in managing the wildlife in this State ~~must~~ to be ~~managed according to~~ informed by the best ~~scientific data~~ science available; requiring the ~~Department of Wildlife to use money in the Wildlife Fund Account in the State General Fund for costs related to programs to improve the habitat of sage grouse in this State and to conduct a study of predatory wildlife in this State;~~ Commission to establish policies for certain programs, activities and research relating to predatory wildlife; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the Nevada Legislature has declared that wildlife in this State is part of the natural resources belonging to the people of the State of Nevada and that preserving, protecting, managing and restoring wildlife in this State contributes immeasurably to the aesthetic, recreational and economic aspects of those natural resources. (NRS 501.100) **Section 1** of this bill expands the legislative declaration to require ~~that~~ the Board of Wildlife Commissioners and the Department of Wildlife, in managing the wildlife in this State, to be ~~managed according to~~ informed by the best ~~scientific data~~ science available.

Under existing law, in addition to the fee for a game tag, the Department of Wildlife charges an additional fee of \$3 for processing each application for a game tag, the revenue from which must be deposited into the Wildlife Fund Account in the State General Fund and be used by the Department for costs related to :(1) programs for the management and control of injurious predatory wildlife ~~and~~ ;(2) wildlife management activities relating to the protection of certain game animals and wildlife habitat ~~;~~ ; and (3) research to determine successful techniques for managing and controlling predatory wildlife. Any program developed or wildlife management activity or research conducted must be developed or conducted under the guidance of the Commission. (NRS 501.181, 502.253)

~~Section 2 of this bill requires the Department to use the revenue generated from that fee for programs to improve the habitat of sage grouse in this State and to conduct any necessary research to determine successful techniques for managing and controlling predatory wildlife. Section 2 of this bill requires the Department to: (1) spend between \$20,000 and \$100,000 from the Wildlife Fund Account to contract with a private entity to conduct a study concerning predatory wildlife in this State, including any programs or other actions taken in this State to control predatory wildlife and the effectiveness of those actions; and (2) use any money remaining in the Wildlife Fund Account to improve the habitat of sage grouse in this State. Section 3 also requires the Department to prepare a report summarizing the results of the study and submit the report to the 78th Session of the Nevada Legislature. Commission, in providing guidance relating to any wildlife management activity, the development of a program to control any species of predatory wildlife or any research concerning that species, to establish a policy for the activity, program or research that specifies the goals and required results of the activity, program or research.~~

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

Section 1. NRS 501.100 is hereby amended to read as follows:
501.100 1. Wildlife in this State not domesticated and in its natural habitat is part of the natural resources belonging to the people of the State of Nevada ~~and~~ and, in managing that wildlife, the Commission and the Department must be managed according to informed by the best scientific data science available.

2. The preservation, protection, management and restoration of wildlife within the State contribute immeasurably to the aesthetic, recreational and economic aspects of these natural resources.

Sec. 2. NRS 502.253 is hereby amended to read as follows:
502.253 1. In addition to any fee charged and collected pursuant to NRS 502.250, a fee of \$3 must be charged for processing each application for a game tag, the revenue from which must be accounted for separately, deposited with the State Treasurer for credit to the Wildlife Fund Account in the State General Fund and used by the Department for costs related to:

(a) Programs for the management and control of, and research relating to, injurious predatory wildlife for the benefit of all other species of wildlife;

(b) Wildlife management activities relating to the protection of nonpredatory game animals, sensitive wildlife species and other species of game animals which are historically subject to or are at risk of excessive predation by predatory wildlife, and related wildlife habitat;

(c) ~~to improve the habitat of sage grouse in this State; and~~

~~(b)~~ Conducting research, as needed, to determine successful techniques for managing and controlling predatory wildlife, including studies necessary to ensure effective programs for the management and control of injurious predatory wildlife ~~and~~

(d) Programs for the education of the general public concerning the management and control of predatory wildlife.

2. The Department of Wildlife is hereby authorized to expend a portion of the money collected pursuant to subsection 1 to enable the State Department of Agriculture to develop and carry out the programs described in subsection 1.

3. ~~Any~~ Any program developed or wildlife management activity or research conducted pursuant to this section must be developed or conducted under the guidance of the Commission pursuant to subsection 2 of NRS 501.181. In providing guidance for the development of a program to control any species of predatory wildlife or for conducting any wildlife management activity or research

1 concerning that species, the Commission shall establish a policy for the program,
2 activity or research. Each policy must specify the goals and required results of the
3 program, activity or research, including, without limitation, provisions:

4 (a) Setting forth a specific geographic area in this State in which the
5 program, activity or research must be conducted;

6 (b) Setting forth the reasons for conducting the program, activity or research
7 in the geographic area;

8 (c) Setting forth the estimated population or density of each species of
9 predatory wildlife and the location of the estimated population or density in the
10 geographic area which must be included in the program, activity or research; and

11 (d) Requiring the submission of a report to the Commission upon the
12 completion of the program, activity or research setting forth the results of the
13 program, activity or research and the extent to which the program, activity or
14 research achieved the goals and required results established for the program,
15 activity or research.

16 4. ~~3.1~~ The money in the Wildlife Fund Account remains in the Account and
17 does not revert to the State General Fund at the end of any fiscal year.

18 **Sec. 3.** ~~In addition to any research conducted pursuant to subsection 1 of~~
19 ~~NRS 502.252, as amended by section 2 of this act, and if sufficient money is~~
20 ~~available from any amount deposited for credit to the Wildlife Fund Account~~
21 ~~pursuant to NRS 502.252, as amended by section 2 of this act, the Department of~~
22 ~~Wildlife shall expend not less than \$20,000 but not more than \$100,000 from the~~
23 ~~Wildlife Fund Account in the State General Fund to contract with a private, peer-~~
24 ~~reviewed entity to conduct a study concerning predatory wildlife in this State. The~~
25 ~~study must include, without limitation, any programs or actions taken to control~~
26 ~~predatory wildlife in this State and the effectiveness of those actions. After the~~
27 ~~completion of the study and any projects for the control of predatory wildlife~~
28 ~~recommended by the Department for the fiscal year beginning on July 1, 2013, and~~
29 ~~ending on June 30, 2014, the Department shall use any money remaining in the~~
30 ~~Account to improve the habitat of sage grouse in this State. The Department shall~~
31 ~~prepare a report summarizing the results of the study and submit the report to the~~
32 ~~78th Session of the Nevada Legislature. (Deleted by amendment.)~~

33 **Sec. 4.** This act becomes effective on July 1, 2013, ~~and expires by~~
34 ~~limitation on June 30, 2015.~~