

Amendment No. 689

Assembly Amendment to Senate Bill No. 82 First Reprint (BDR S-409)

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.

DLJ/JRS



Date: 5/18/2013

S.B. No. 82—Urges the Board of Wildlife Commissioners to review the hunting of black bears. (BDR S-409)



SENATE BILL NO. 82—COMMITTEE ON NATURAL RESOURCES

JANUARY 31, 2013

Referred to Committee on Natural Resources

SUMMARY—Urges the Board of Wildlife Commissioners to review the hunting of black bears. (BDR S-409)

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; urging the Board of Wildlife Commissioners to thoroughly ~~(and scientifically)~~ **conduct a certain** review **of** the hunting of black bears; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law: (1) requires the Board of Wildlife Commissioners to adopt regulations establishing seasons for hunting game mammals and the manner and means of taking wildlife; and (2) authorizes the Commission to adopt regulations setting forth the species of wildlife which may be hunted or trapped without a license or permit. (NRS 501.181, 502.010) **Section 11.7** of this bill urges the Commission to thoroughly ~~(and scientifically)~~ **conduct its 3-year comprehensive** review **of** the hunting of black bears.

WHEREAS, Wildlife belongs to the people of the State of Nevada under NRS 501.100, and black bears are considered a big game mammal pursuant to NAC 502.020; and

WHEREAS, Pursuant to NRS 501.102, the Nevada Legislature has declared that hunting is a valuable activity in the management of game mammals and game birds, results in financial support for conservation programs that benefit many species, including nongame wildlife, is an excellent source of food, recreational opportunities and employment, contributes significantly to the economy of this State and the quality of life of its citizens, and provides a beneficial use for firearms, archery equipment and other legal weapons used to take game mammals and game birds, following the pioneer spirit of Nevada; and

WHEREAS, As set forth in NRS 501.100, the preservation, protection, management and restoration of wildlife within this State contribute immeasurably to the aesthetic, recreational and economic aspects of the natural resources belonging to the people of the State of Nevada; and

WHEREAS, Outdoor recreation is a major feature of life in Nevada, and the majority of the State of Nevada is in public ownership through the Federal Government, which manages over 60 million acres, or about 86 percent of the total land area of the State of Nevada; and

1 WHEREAS, In February 2011, the Board of Wildlife Commissioners approved
2 the first black bear hunt in Nevada history; and

3 WHEREAS, As part of this approval, the Board adopted and the Nevada
4 Legislature approved temporary regulations setting forth parameters under which
5 the black bear hunt would operate, including a bear hunting season beginning on
6 the third Saturday of August 2011 and ending on the last Saturday of December
7 2011 or until the harvest quota was achieved; and

8 WHEREAS, Before the 2012 bear hunting season, the Board of Wildlife
9 Commissioners, with the Nevada Legislature approving, amended the
10 administrative regulations to close bear hunting in portions of the Lake Tahoe Basin
11 and the Carson Range, leaving bear hunting open in other areas of western Nevada;
12 and

13 WHEREAS, A total of 1,156 applications for bear hunting tags were received by
14 the Department of Wildlife for the 2011 bear hunting season and 1,762 applications
15 were received for the 2012 bear hunting season, with 45 tags issued each year; and

16 WHEREAS, The 2011 black bear hunt resulted in the taking of 14 bears, and the
17 2012 bear hunt resulted in the harvest of 11 bears; and

18 WHEREAS, Proponents and opponents of the black bear hunt have continuously
19 registered their opinions relating to the bear hunt to the Department of Wildlife, the
20 Board of Wildlife Commissioners and Nevada lawmakers; and

21 WHEREAS, Some Native American tribes in Nevada have expressed concerns
22 regarding potential interference with certain traditional ceremonies and activities,
23 such as the annual pine nut harvest in black bear habitats in the Pine Nut and
24 Sweetwater Mountains and the Wassuk Range, because the bear hunt takes place at
25 the same time, and in the same places, as these traditional ceremonies and
26 activities; and

27 WHEREAS, Opponents of the bear hunt in Nevada have declared that the black
28 bear hunt is not scientifically sustainable and conflicts with nonlethal priorities of
29 bear management and conservation, the interests and concerns of the majority of
30 Nevadans, including Nevada Native American tribes, and the various
31 nonconsumptive forms of outdoor recreation, including hiking and camping; and

32 WHEREAS, Proponents of the black bear hunt have stated that the bear hunt is
33 scientifically sound and part of a viable and proven wildlife management approach,
34 that hunting is the preferred means by which to manage wildlife and that a vast
35 majority of Nevada sportsmen and sportswomen support bear hunting if it is done
36 properly and ethically; and

37 WHEREAS, Scientists from the Department of Wildlife and scientists
38 representing opponents of the bear hunt have arrived at different conclusions
39 relating to Nevada's black bear population, the scope and range of black bear
40 habitat in Nevada and the genetic diversity of black bears; and

41 WHEREAS, The Board of Wildlife Commissioners has made a public
42 commitment to review the black bear hunt following its third season and the
43 Department of Wildlife's Black Bear Management Plan for 2012 further commits
44 to a 3-year scientific analysis of the black bear hunt, including a review of black
45 bear survival, mortality rates and population trends, with the goal of achieving and
46 maintaining healthy and productive black bear populations; now, therefore,
47

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

50
51 **Section 1.** (Deleted by amendment.)

52 **Sec. 2.** (Deleted by amendment.)

1 Sec. 3. (Deleted by amendment.)

2 Sec. 4. (Deleted by amendment.)

3 Sec. 5. (Deleted by amendment.)

4 Sec. 6. (Deleted by amendment.)

5 Sec. 7. (Deleted by amendment.)

6 Sec. 8. (Deleted by amendment.)

7 Sec. 9. (Deleted by amendment.)

8 Sec. 10. (Deleted by amendment.)

9 Sec. 11. (Deleted by amendment.)

10 Sec. 11.3. The Legislature hereby acknowledges the various perspectives on
11 the hunting of black bears in Nevada.

12 Sec. 11.5. The Legislature hereby finds and declares that any hunting of
13 black bears in Nevada should be predicated on sound scientific data that ensures a
14 healthy, productive and viable black bear population and reduces the number of
15 conflicts between bears and humans.

16 Sec. 11.7. The Nevada Legislature urges:

17 1. The proponents and opponents of the black bear hunt in Nevada to engage
18 in productive and meaningful discussions with the goal of achieving a consensus on
19 the proper management of Nevada's black bear population and which recognize
20 and protect the rights of sportsmen and sportswomen, Native American tribes,
21 conservationists and outdoor recreation enthusiasts in this State;

22 2. The continued management of black bears in Nevada by the Department of
23 Wildlife in a way that conserves, sustains and protects the black bear population in
24 a healthy and productive condition and minimizes threats to public safety and
25 damage to personal property;

26 3. The Board of Wildlife Commissioners to thoroughly conduct its 3-year
27 ~~scientific~~ comprehensive review of the black bear hunt following the 2013 bear
28 hunting season, with the goal of ~~evaluating~~ ;

29 (a) Evaluating the Department of Wildlife's 3-year scientific analysis of
30 the black bear hunt and any other relevant and available scientific analysis of
31 that hunt;

32 (b) Evaluating the overall impacts of three consecutive bear hunts ; and
33 ~~making~~

34 (c) Making an unbiased and informed recommendation concerning the
35 viability of hunting black bears in Nevada; and

36 4. The Board of Wildlife Commissioners to submit this review to the Director
37 of the Legislative Counsel Bureau for distribution to the Chair of the Senate
38 Committee on Natural Resources and the Chair of the Assembly Committee on
39 Natural Resources, Agriculture, and Mining.

40 Sec. 12. This act becomes effective upon passage and approval.