

Amendment No. 338

Senate Amendment to Senate Bill No. 417 (BDR 45-549)

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	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

DPR/MSN



Date: 4/10/2015

S.B. No. 417—Prohibits the use of telemetry data to hunt or kill game mammals or game birds. (BDR 45-549)



SENATE BILL NO. 417—COMMITTEE ON NATURAL RESOURCES

MARCH 19, 2015

Referred to Committee on Natural Resources

SUMMARY—Prohibits the use of telemetry data to ~~hunt or kill~~ **harass or take** game mammals, ~~or~~ game birds ~~or~~ **or other wildlife**. (BDR 45-549)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County 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 wildlife; prohibiting the use of telemetry data to ~~hunt or kill~~ **harass or take** game mammals, ~~or~~ game birds ~~or~~ **or other wildlife**; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits certain activities relating to the taking of game mammals and game birds. (NRS 503.010, 503.150) Existing law also provides that a violation of the provisions which govern wildlife is a misdemeanor. (NRS 501.385) This bill prohibits the use of any information obtained from a radio signal or other transmission received from any transmitting device that is attached to ***or placed for the purpose of detecting*** a game mammal, ~~or~~ game bird ***or other wildlife to*** ~~hunt~~ **harass or take** any game mammal, ~~or~~ game bird ***or other wildlife. This bill also prohibits the use of any device meant to receive the signals from any such transmitting device to harass or take any game mammal, game bird or other wildlife or for any other purpose without the written authorization of the Department of Wildlife. Further, this bill prohibits the use of any location information obtained from records maintained by the Department within 1 year after the date on which the information was collected to harass or take any game mammal, game bird or other wildlife.***

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

Section 1. NRS 503.010 is hereby amended to read as follows:

503.010 1. Except as otherwise provided in this section or subsection 2 of NRS 503.005, it is unlawful to ~~molest, rally, stir up or drive~~ **harass** any game mammals or game birds with an aircraft, helicopter or motor-driven vehicle, including a motorboat or sailboat.

2. Except as otherwise provided in this subsection, it is unlawful to shoot at any game mammals or game birds with a weapon from an aircraft, helicopter or

motor-driven vehicle. A person who is a paraplegic, has had one or both legs amputated or has suffered a paralysis of one or both legs which severely impedes the person's walking may shoot from a stopped motor vehicle which is not parked on the traveled portion of a public highway, but the person may not shoot from, over or across a highway or road specified in NRS 503.175.

3. It is unlawful to spot or locate game mammals or game birds with any kind of aircraft or helicopter and communicate that information, within 24 hours after the aircraft or helicopter has landed or in violation of a regulation of the Commission, by any means to a person on the ground for the purpose of hunting or trapping. The provisions of this subsection do not prohibit an employee or agent of the Department from providing general information to the public concerning the location of game birds or game mammals.

4. It is unlawful to use any information obtained in violation of the provisions of subsection 3 to hunt or kill game mammals or game birds.

5. It is unlawful to use a helicopter to transport game, hunters or hunting equipment, except when the cargo or passengers, or both, are loaded and unloaded at airports, airplane landing fields or heliports, which have been established by a department or agency of the Federal or State Government or by a county or municipal government or when the loading or unloading is done in the course of an emergency or search and rescue operation.

6. ~~It is unlawful to use:~~

(a) Use any information obtained from a radio signal or other transmission received from any transmitting device; ~~that is attached to a game mammal or game bird to hunt or kill any game mammal or game bird.~~

(b) Make use of equipment designed to receive a radio signal or other transmission from a transmitting device; or

(c) Use any location information obtained from records maintained by the Department within 1 year after the date on which the information was collected, including, without limitation, records of information received from a transmitting device.

~~to harass or take any game mammal, game bird or other wildlife.~~

7. It is unlawful to make use of equipment designed to receive a radio signal or other transmission from a transmitting device for any purpose without written authorization of the Department.

8. The provisions of subsection 1 do not apply to an employee or agent of the Department who, while carrying out his or her duties, conducts a survey of wildlife with the use of an aircraft.

~~7. 8. 9.~~ As used in this section ~~“game”~~:

(a) “Aircraft” includes, without limitation, any device that is used for navigation of, or flight in, the air.

(b) “Game bird” does not include a raven, even if classified as a game bird pursuant to NRS 501.110.

~~(b)~~ (c) “Harass” means to molest, chase, rally, concentrate, herd, intercept, torment or drive.

(d) “Transmitting device” means any collar or other device which is attached to any game mammal, ~~or~~ game bird or other wildlife or which is placed for the express purpose of detecting any game mammal, game bird or other wildlife and emits an electronic signal or uses radio telemetry or a satellite transmission to determine the location of the game mammal, ~~or~~ game bird ~~or~~ or other wildlife.

Sec. 2. This act becomes effective on July 1, 2015.