

SENATE BILL NO. 163—SENATOR HAMMOND

FEBRUARY 16, 2015

JOINT SPONSOR: ASSEMBLYWOMAN JOINER

Referred to Committee on Natural Resources

SUMMARY—Creates the Advisory Council on Nevada Wildlife Conservation and Education. (BDR 45-616)

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; creating the Advisory Council on Nevada Wildlife Conservation and Education; prescribing the membership and duties of the Council; creating the Account for Nevada Wildlife Conservation and Education; requiring the Board of Wildlife Commissioners to maintain a list of qualified candidates for appointment to the Council; imposing a fee for the issuance of certain hunting, fishing and trapping licenses for the purpose of funding the Account; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides for the management of wildlife in this State, including
2 the regulation of hunting, fishing, trapping and the taking of game. (Title 45 of
3 NRS) **Section 3** of this bill creates the Advisory Council on Nevada Wildlife
4 Conservation and Education and prescribes the composition of the members of the
5 Council. **Section 5** of this bill requires the Council to develop and implement a
6 public information program for the purpose of promoting and educating the general
7 public on the importance of hunting, fishing, trapping and the taking of game.
8 **Section 5** further requires the Council to prepare an operational plan to meet the
9 future goals of the Council and to report certain information to the Board of
10 Wildlife Commissioners. **Section 6** of this bill creates the Account for Nevada
11 Wildlife Conservation and Education for the purpose of funding the activities of the
12 Council. **Section 8** of this bill requires the Board of Wildlife Commissioners to
13 maintain a list of qualified candidates for appointment to the Council. For the
14 purpose of funding the Account, **section 9** of this bill requires the payment of a



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15 wildlife conservation and education fee in connection with the issuance of certain
16 hunting, fishing and trapping licenses.

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

1 **Section 1.** Chapter 501 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 6, inclusive, of this
3 act.

4 **Sec. 2.** *“Council” means the Advisory Council on Nevada*
5 *Wildlife Conservation and Education created by section 3 of this*
6 *act.*

7 **Sec. 3.** 1. *There is hereby created the Advisory Council on*
8 *Nevada Wildlife Conservation and Education. The Council*
9 *consists of the following seven members:*

10 *(a) The Director or his or her designee; and*

11 *(b) The following members to be appointed by the Governor*
12 *with the advice of the Chair of the Commission:*

13 *(1) One member of the Commission;*

14 *(2) Three residents of this State who are selected from the*
15 *list of candidates compiled pursuant to subsection 9 of*
16 *NRS 501.181;*

17 *(3) One resident of this State who represents small*
18 *businesses that are substantially affected by hunting, fishing and*
19 *trapping in this State; and*

20 *(4) One resident of this State who is not an employee of the*
21 *Department and who has a background in media or marketing*
22 *sufficient to advise the Council in carrying out its duties pursuant*
23 *to section 5 of this act.*

24 2. *The Governor shall, to the extent practicable, ensure that*
25 *the membership of the Council represents all geographic areas of*
26 *this State.*

27 3. *After the initial terms, each member of the Council*
28 *appointed pursuant to paragraph (b) of subsection 1 serves a term*
29 *of 4 years.*

30 4. *A vacancy in the appointed membership of the Council*
31 *must be filled in the same manner as the original appointment for*
32 *the remainder of the unexpired term.*

33 5. *An appointed member of the Council may be reappointed,*
34 *but must not serve more than two full terms.*

35 6. *Each member of the Council:*

36 *(a) Serves without compensation; and*

37 *(b) While engaged in the business of the Council, is entitled to*
38 *receive the per diem allowance and travel expenses provided for*
39 *state officers and employees generally.*



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1 7. *The Governor may remove any appointed member of the*
2 *Council for good cause.*

3 **Sec. 4.** *1. At the first meeting of each calendar year, the*
4 *Council shall elect from its members a Chair, a Vice Chair and a*
5 *Secretary, and shall adopt the rules and procedures of the*
6 *Council.*

7 *2. The Council shall meet at least once each calendar quarter*
8 *and at other times upon the call of the Chair or a majority of its*
9 *members.*

10 *3. A majority of the members of the Council constitutes a*
11 *quorum for the transaction of business, and a quorum may*
12 *exercise any power or authority conferred on the Council.*

13 *4. Meetings of the Council must be conducted in accordance*
14 *with chapter 241 of NRS.*

15 *5. Except as otherwise provided by specific statute, the*
16 *documents and other information compiled by the Council in the*
17 *course of its business are public records.*

18 **Sec. 5.** *1. The Council shall:*

19 *(a) Develop and implement, in collaboration with a marketing*
20 *or advertising agency, a comprehensive media-based public*
21 *information program to promote the essential role that sportsmen*
22 *and sportswomen play in furthering wildlife conservation in this*
23 *State and to educate the general public about hunting, fishing,*
24 *trapping and the taking of game in this State. The public*
25 *information program must include education to teach that*
26 *hunting, fishing, trapping and the taking of game are:*

27 *(1) Necessary for the conservation, preservation and*
28 *management of the natural resources of this State;*

29 *(2) A valued and integral part of the cultural heritage of*
30 *this State that must forever be preserved; and*

31 *(3) An important part of the economy of this State.*

32 *(b) Not later than 120 days after the Council's first meeting of*
33 *each year, prepare an operational plan with strategic goals and*
34 *milestones in furtherance of the duties of the Council.*

35 *2. The Council may, for the purposes of carrying out the*
36 *duties prescribed by subsection 1, give preference to a marketing*
37 *or advertising agency that is located in this State.*

38 *3. The Council may expend money in the Account for Nevada*
39 *Wildlife Conservation and Education, created by section 6 of this*
40 *act, for any purpose for which the Account was created.*

41 *4. The Council shall, on or before December 31 of each even-*
42 *numbered year, prepare a report to the Commission outlining the*
43 *public information program implemented and the operational plan*
44 *prepared pursuant to subsection 1 and the expenditures of the*
45 *Council.*



Sec. 6. 1. *There is hereby created the Account for Nevada Wildlife Conservation and Education in the State General Fund. The Director shall administer the Account.*

2. *The Director may apply for and accept any available grants and may accept any bequests, devises, donations or gifts from any public or private source for deposit into the Account.*

3. *The interest and income earned on the money deposited into the Account pursuant to section 9 of this act, after deducting any applicable charges, must be credited to the Account. Any money remaining in the Account at the end of each fiscal year does not revert to the State General Fund, and any balance in the Account must be carried forward to the next fiscal year.*

4. *The money in the Account must be used only to defray the costs and expenses of the Council in carrying out its duties pursuant to sections 2 to 6, inclusive, of this act, and to defray the actual costs of the Director for administering the Account.*

Sec. 7. NRS 501.001 is hereby amended to read as follows:

501.001 As used in this title, unless the context otherwise requires, the words and terms defined in NRS 501.003 to 501.097, inclusive, ***and section 1 of this act*** have the meanings ascribed to them in those sections.

Sec. 8. 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



1 the sale of timber if the sale does not interfere with the use of the
2 property on which the timber is located for wildlife management or
3 for hunting or fishing thereon.

4 (e) The control of nonresident hunters.

5 (f) The introduction, transplanting or exporting of wildlife.

6 (g) Cooperation with federal, state and local agencies on wildlife
7 and boating programs.

8 (h) The revocation of licenses issued pursuant to this title to any
9 person who is convicted of a violation of any provision of this title
10 or any regulation adopted pursuant thereto.

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

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

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

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

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

35 5. Adopt regulations requiring the Department to make public,
36 before official delivery, its proposed responses to any requests by
37 federal agencies for its comment on drafts of statements concerning
38 the environmental effect of proposed actions or regulations affecting
39 public lands.

40 6. Adopt regulations:

41 (a) Governing the provisions of the permit required by NRS
42 502.390 and for the issuance, renewal and revocation of such a
43 permit.



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

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

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

9. Maintain a list of qualified candidates for appointment to the Council that is compiled from recommendations by any sportsmen's organization in this State. The Commission shall not include a person on the list of candidates unless the person has been a resident of this State for at least 7 years and has held a hunting, fishing or trapping license, or any combination of such licenses, in this State for at least 5 of the immediately preceding 7 years.

Sec. 9. Chapter 502 of NRS is hereby amended by adding thereto a new section to read as follows:

In addition to any fee charged and collected for an annual hunting, trapping, fishing or combined hunting and fishing license pursuant to NRS 502.240, a wildlife conservation and education fee of \$3 must be paid. Revenue from the wildlife conservation and education fee must be deposited with the State Treasurer for credit to the Account for Nevada Wildlife Conservation and Education created by section 6 of this act.

Sec. 10. 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) *The wildlife conservation and education fee required by section 9 of this act; and*

(d) 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.

Sec. 11. 1. The Governor shall:

(a) Appoint the initial members to the Advisory Council on Nevada Wildlife Conservation and Education in accordance with paragraph (b) of subsection 1 of section 3 of this act not later than October 1, 2015.



- 1 (b) Call the first meeting of the Council, which must take place
- 2 on or before December 31, 2015.
- 3 2. At the first meeting of the Council, the six members initially
- 4 appointed by the Governor pursuant to paragraph (a) of subsection 1
- 5 shall choose their terms of office by lot, in the following manner:
- 6 (a) Two member for terms of 2 years;
- 7 (b) Two members for terms of 3 years; and
- 8 (c) Two members for terms of 4 years.
- 9 **Sec. 12.** This act becomes effective on July 1, 2015.

