

ASSEMBLY BILL NO. 101—ASSEMBLYMAN SPRINKLE

PREFILED FEBRUARY 3, 2017

Referred to Committee on Natural Resources,  
Agriculture, and Mining

SUMMARY—Revises provisions governing the management of  
wildlife. (BDR 45-187)

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; requiring the Board of Wildlife  
Commissioners to establish policies for the conservation  
of certain wildlife; revising the authorized uses of the fees  
for the processing of an application for a game tag; and  
providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, the Board of Wildlife Commissioners is required, after first considering the recommendations of the Department of Wildlife, the county advisory boards to manage wildlife and other persons, to establish policies for 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. (NRS 501.181) **Section 1** of this bill requires those policies to also include the conservation of those mammals, birds, fish, reptiles and amphibians.

Existing law requires a person applying for a game tag to pay an additional fee of \$3 for processing the application. (NRS 502.253) The money collected from those fees is required to be deposited in the Wildlife Account in the State General Fund and used by the Department of Wildlife for costs related to: (1) developing and implementing an annual program for the management and control of predatory wildlife; (2) wildlife management activities relating to the protection of nonpredatory game animals and sensitive wildlife species; and (3) conducting research necessary to determine successful techniques for managing and controlling predatory wildlife. **Section 3** of this bill changes the purposes for which the proceeds from those fees are required to be used to only: (1) developing and carrying out programs for the management and enhancement of big game mammals; and (2) obtaining matching money from the Federal Government which is available for use for those programs. **Section 4** of this bill specifies that the proceeds from those fees which are deposited for credit to the Wildlife Account on or after July 1, 2017, are only authorized to be used for the new purposes.



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

1     **Section 1.** NRS 501.181 is hereby amended to read as follows:  
2     501.181 The Commission shall:

3     1. Establish broad policies for:

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

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

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

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

13    3. Establish policies for areas of interest including:

14    (a) The *conservation and* management of big and small game  
15 mammals, upland and migratory game birds, fur-bearing mammals,  
16 game fish, and protected and unprotected mammals, birds, fish,  
17 reptiles and amphibians.

18    (b) The management and control of predatory wildlife.

19    (c) The acquisition of lands, water rights and easements and  
20 other property for the management, propagation, protection and  
21 restoration of wildlife.

22    (d) The entry, access to, and occupancy and use of such  
23 property, including leases of grazing rights, sales of agricultural  
24 products and requests by the Director to the State Land Registrar for  
25 the sale of timber if the sale does not interfere with the use of the  
26 property on which the timber is located for wildlife management or  
27 for hunting or fishing thereon.

28    (e) The control of nonresident hunters.

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

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

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

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

37    (a) Seasons for hunting game mammals and game birds, for  
38 hunting or trapping fur-bearing mammals and for fishing, the daily  
39 and possession limits, the manner and means of taking wildlife,  
40 including, but not limited to, the sex, size or other physical  
41 differentiation for each species, and, when necessary for  
42 management purposes, the emergency closing or extending of a



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1 season, reducing or increasing of the bag or possession limits on a  
2 species, or the closing of any area to hunting, fishing or trapping. If,  
3 in establishing any regulations pursuant to this subsection, the  
4 Commission rejects the recommendations of a county advisory  
5 board to manage wildlife with regard to the length of seasons for  
6 fishing, hunting and trapping or the bag or possession limits  
7 applicable within the respective county, the Commission shall  
8 provide to the county advisory board to manage wildlife at the  
9 meeting an explanation of the Commission's decision to reject the  
10 recommendations and, as soon as practicable after the meeting, a  
11 written explanation of the Commission's decision to reject the  
12 recommendations. Any regulations relating to the closure of a  
13 season must be based upon scientific data concerning the  
14 management of wildlife. The data upon which the regulations are  
15 based must be collected or developed by the Department.

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

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

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

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

28 6. Adopt regulations:

29 (a) Governing the provisions of the permit required by NRS  
30 502.390 and for the issuance, renewal and revocation of such a  
31 permit.

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

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

39 8. Adopt regulations governing the trapping of fur-bearing  
40 mammals in a residential area of a county whose population is  
41 100,000 or more.

42 9. Adopt regulations prescribing the circumstances under  
43 which a person, regardless of whether the person has obtained a  
44 valid tag issued by the Department, may assist in the killing and  
45 retrieval of a wounded big game mammal by another person who:



(a) 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; and

(b) Has obtained a valid tag issued by the Department for hunting that animal.

10. In establishing any policy or adopting any regulations pursuant to this section, first consider the recommendations of the Department, the county advisory boards to manage wildlife and other persons who present their views at an open meeting of the Commission.

**Sec. 2.** NRS 501.356 is hereby amended to read as follows:

501.356 1. Money received by the Department from:

(a) The sale of licenses;

(b) Fees pursuant to the provisions of NRS 488.075 and 488.1795;

(c) Remittances from the State Treasurer pursuant to the provisions of NRS 365.535;

(d) Appropriations made by the Legislature; and

(e) All other sources, including, without limitation, the Federal Government, except money derived from the forfeiture of any property described in NRS 501.3857 or money deposited in the Wildlife Heritage Account pursuant to NRS 501.3575, the Wildlife Trust Fund pursuant to NRS 501.3585, the Energy Planning and Conservation Account created by NRS 701.630 or the Account for the Recovery of Costs created by NRS 701.640,

must be deposited with the State Treasurer for credit to the Wildlife Account in the State General Fund.

2. The interest and income earned on the money in the Wildlife Account, after deducting any applicable charges, must be credited to the Account.

3. Except as otherwise provided in subsection 4 and NRS 503.597, the Department may use money in the Wildlife Account only to carry out the provisions of this title and chapter 488 of NRS and as provided in NRS 365.535, and the money must not be diverted to any other use.

4. Except as otherwise provided in NRS 502.250, **502.253**, 502.410 and 504.155, all fees for the sale or issuance of stamps, tags, permits and licenses that are required to be deposited in the Wildlife Account pursuant to the provisions of this title and any matching money received by the Department from any source must be accounted for separately and must be used:

(a) Only for the protection, propagation and management of wildlife; and

(b) If the fee is for the sale or issuance of a license, permit or tag other than a tag specified in subsection 5 or 6 of NRS 502.250,



1 under the guidance of the Commission pursuant to subsection 2 of  
2 NRS 501.181.

3 **Sec. 3.** NRS 502.253 is hereby amended to read as follows:

4 502.253 1. In addition to any fee charged and collected  
5 pursuant to NRS 502.250, a fee of \$3 must be charged for  
6 processing each application for a game tag, the revenue from which  
7 must be accounted for separately, deposited with the State Treasurer  
8 for credit to the Wildlife Account in the State General Fund and  
9 used by the Department for costs related *solely* to:

10 (a) Developing and implementing ~~{an annual program}~~  
11 *programs* for the management and ~~{control of predatory wildlife;}~~  
12 *enhancement of big game mammals; and*

13 (b) ~~{Wildlife management activities relating to the protection of~~  
14 ~~nonpredatory game animals and sensitive wildlife species; and~~

15 ~~—(c) Conducting research necessary to determine successful~~  
16 ~~techniques for managing and controlling predatory wildlife.~~

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

21 ~~—3. Any program developed or wildlife management activity or~~  
22 ~~research conducted pursuant to this section must be developed or~~  
23 ~~conducted under the guidance of the Commission in accordance~~  
24 ~~with the provisions of subsection 4 and the policies adopted by the~~  
25 ~~Commission pursuant to NRS 501.181.~~

26 ~~—4.}~~ *Obtaining matching money from the Federal Government*  
27 *which is available for use in developing and carrying out those*  
28 *programs.*

29 2. The Department ~~{:~~

30 ~~—(a) In} , in~~ adopting any program ~~{for the management and~~  
31 ~~control of predatory wildlife}~~ developed pursuant to this section,  
32 shall first consider the recommendations of the Commission . ~~{and~~  
33 ~~the State Predatory Animal and Rodent Committee created by~~  
34 ~~NRS 567.020.~~

35 ~~—(b) Shall not adopt any program for the management and control~~  
36 ~~of predatory wildlife developed pursuant to this section that~~  
37 ~~provides for the expenditure of less than 80 percent of the amount of~~  
38 ~~money collected pursuant to subsection 1 in the most recent fiscal~~  
39 ~~year for which the Department has complete information for the~~  
40 ~~purposes of lethal management and control of predatory wildlife.~~

41 ~~—5.}~~ 3. The money in the Wildlife Account credited pursuant to  
42 this section remains in the Account and does not revert to the State  
43 General Fund at the end of any fiscal year.

44 **Sec. 4.** Any money deposited with the State Treasurer for  
45 credit to the Wildlife Account in the State General Fund pursuant to



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- 1 NRS 502.253 before July 1, 2017, may only be used on or after that
- 2 date for a purpose specified in NRS 502.253, as amended by section
- 3 3 of this act.
- 4 **Sec. 5.** This act becomes effective on July 1, 2017.

