

Amendment No. 113

Senate Amendment to Senate Bill No. 85	(BDR 45-206)
Proposed by: Senate Committee on Natural Resources	
Amends: Summary: No 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.

JRS/BJE



Date: 4/14/2019

S.B. No. 85—Revises provisions governing the importation into this State of certain live animals or parts of the carcass of certain animals.
(BDR 45-206)



SENATE BILL NO. 85—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE STATE DEPARTMENT OF AGRICULTURE)

PREFILED NOVEMBER 20, 2018

Referred to Committee on Natural Resources

SUMMARY—Revises provisions governing the importation into this State of certain live animals or parts of the carcass of certain animals. (BDR 45-206)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
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 animals; making it unlawful for a person or any agent or employee of a person to **knowingly** bring into or knowingly possess in this State the carcass or any part of the carcass of any elk, mule deer, white-tailed deer, moose, alternative livestock or certain other animals; prohibiting a person or the person's agent or employee from **knowingly** bringing any live moose or alternative livestock into this State; providing exceptions; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits a person or the person's agent or employee from bringing certain live animals into this State which are susceptible to chronic wasting disease, including, without limitation, any Rocky Mountain elk, mule deer or white-tailed deer. An animal brought into this State in violation of that prohibition may be seized, destroyed or sent out of this State by the State Quarantine Officer. (NRS 571.210) A person who violates that prohibition is guilty of a misdemeanor and, in addition to any criminal penalty, is required to pay an administrative fine of not more than \$1,000 per violation. (NRS 571.250) **Section 2** of this bill expands the list of animals which are prohibited from importation into this State to include any live elk, moose or alternative livestock. **Section 2 also provides that a person must knowingly violate that prohibition before he or she may be found guilty of committing the violation.** Similarly, **section 1** of this bill makes it unlawful for a person or any agent or employee of a person to ~~knowingly~~ **knowingly**: (1) bring into this State the carcass or any part of the carcass of certain animals, including, without limitation, any elk, mule deer, white-tailed deer, moose or alternative livestock; or (2) ~~knowingly~~ possess the carcass or part of the carcass of such an animal in this State. **Section 1** also provides an exception from that prohibition for certain parts of the carcass of such an animal and authorizes a game warden of the Department of Wildlife or any other law enforcement officer to seize, destroy or send the carcass or part of the carcass out of this State. A person who violates that prohibition

is guilty of a misdemeanor and is subject to the payment of certain civil penalties for the violation. (NRS 501.385, 501.3855)

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

Section 1. Chapter 501 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in this section, it is unlawful for a person or any agent or employee of a person to ~~fur~~ knowingly:

(a) Bring into this State the carcass or any part of the carcass of any of the following animals which were obtained in another state, territory or country:

(1) An elk (Cervus elaphus);

(2) A mule deer (Odocoileus hemionus);

(3) A white-tailed deer (Odocoileus virginianus);

(4) A moose (Alces alces);

(5) Any alternative livestock; or

(6) Any other animal which the State Quarantine Officer has, by regulation, declared to be susceptible to chronic wasting disease and prohibited from importation into this State; or

(b) ~~[Knowingly possess]~~ Possess any carcass or part of the carcass of any elk, deer, moose, alternative livestock or other animal brought into this State in violation of paragraph (a).

2. A person or any agent or employee of a person may bring into this State the following parts of the carcass of any elk, deer, moose, alternative livestock or other animal specified in subsection 1:

(a) The meat of the elk, deer, moose, alternative livestock or other animal with no part of the spinal column, brain tissue or head attached, except that one or more bones of the legs or shoulders may be attached.

(b) The hide or cape of the elk, deer, moose, alternative livestock or other animal with no part of the spinal column, brain tissue or head attached.

(c) The clean skull plate of the elk, deer, moose, alternative livestock or other animal with antlers attached and no part of the brain tissue attached.

(d) The antlers of the elk, deer, moose, alternative livestock or other animal with no meat or tissue other than antler velvet attached.

(e) The taxidermy mount of the elk, deer, moose, alternative livestock or other animal with no meat or tissue other than antler velvet attached.

(f) The upper canine teeth of the elk, deer, moose, alternative livestock or other animal, including, without limitation, the bugler, whistler and ivory teeth.

3. Any carcass or part of the carcass of an elk, deer, moose, alternative livestock or other animal knowingly brought into this State or knowingly possessed in this State in violation of this section may be seized, destroyed or sent out of this State by a game warden or any other law enforcement officer within 48 hours. The expense of seizing, destroying or removing the carcass or part of the carcass must be paid by the person or his or her agent or employee who knowingly brought the carcass or part of the carcass into this State or knowingly possessed the carcass or part of the carcass in this State.

Sec. 2. NRS 571.210 is hereby amended to read as follows:

571.210 1. Except as otherwise provided in this section, a person, or the person's agent or employee may bring into this State any animal not under special quarantine by the State of Nevada, the Federal Government, or the state, territory or

1 district of origin in compliance with regulations adopted by the State Quarantine
2 Officer.

3 2. Notice that an animal is in transit is not required unless the animal remains
4 in this State, or is to be unloaded in this State to feed and rest for longer than 48
5 hours.

6 3. A person, or the person's agent or employee shall not bring any animal into
7 this State unless he or she has obtained a health certificate showing that the animal
8 is free from contagious, infectious or parasitic diseases or exposure thereto. This
9 requirement does not apply to any animal whose accustomed range is on both sides
10 of the Nevada state line and which is being moved from one portion to another of
11 the accustomed range merely for pasturing and grazing thereon. The State
12 Quarantine Officer shall adopt regulations concerning the form of the certificate.

13 4. A person, or the person's agent or employee shall not:

14 (a) Alter a health certificate; or

15 (b) Divert any animal from the destination described on the health certificate
16 without notifying the State Quarantine Officer within 72 hours after the diversion of
17 the animal.

18 5. To protect this State from the effects of chronic wasting disease, a person,
19 or the person's agent or employee shall not knowingly bring into this State any live:

20 (a) ~~{Rocky Mountain elk}~~ Elk (Cervus ~~{elaphus nelsoni}~~; elaphus);

21 (b) Mule deer (Odocoileus hemionus);

22 (c) White-tailed deer (Odocoileus virginianus); ~~{or}~~

23 (d) Moose (Alces alces);

24 (e) Alternative livestock, unless in accordance with a permit obtained
25 pursuant to NRS 576.129; or

26 (f) Other animal that the State Quarantine Officer has, by regulation, declared
27 to be susceptible to chronic wasting disease and prohibited from importation into
28 this State.

29 6. Any animal knowingly brought into this State in violation of this section
30 may be seized, destroyed or sent out of this State by the State Quarantine Officer
31 within 48 hours. The expense of seizing, destroying or removing the animal must
32 be paid by the owner or the owner's agent in charge of the animal and the expense
33 is a lien on the animal, unless it was destroyed, until paid.

34 **Sec. 3.** This act becomes effective upon passage and approval.