

## ENVIRONMENT AND PUBLIC RESOURCES COMMITTEE

April 14, 1975

The meeting was called to order in Room #131, at 7:05 p.m., Monday, April 14, 1975, with Senator Thomas Wilson in the chair.

PRESENT: Senator Thomas Wilson  
Senator Richard Blakemore  
Senator Carl Dodge  
Senator Mary Gojack  
Senator Gary Sheerin  
Senator Richard Bryan

ABSENT: Senator Joe Neal

S.B. 114: Extends certain protection to nongame species of wildlife and conforms various provisions in fish and game laws.

Mr. Glen Griffith, Nevada Department of Fish and Game, testified in favor of the bill. His written testimony is attached and will be labeled ATTACHMENT 1. Following his written testimony, Mr. Griffith asked the committee to look at page 2, line 4. The proposed that the word signator be used instead of undersigned. Mr. Griffith indicated this only referred to the make up of the license. Senator Wilson asked if the license holder made any declaration below where the signature is going to be. Mr. Griffith said possibly.

Fred Wright, Fish and Game, said this has been taken care of in S.B. 462. It covers the same section of the law.

Mr. Griffith then called the committee's attention to line 14, page 2. They would like the words "state pheasant stamp" deleted. They are doing away with the pheasant stamp. In line 24, page 2, they would like the following to be included: "503.010 and the words 'unless otherwise specified by commission regulation.'" This would allow the use of aircraft for taking predatory animals where necessary. The other bill drafter changes in the law refers to encompassing wildlife instead of game.

The following committee question were asked:

Senator Dodge: I attended a meeting earlier in the session in Fallon where Glen was explaining some of these bills. It might be of interest to the committee to know why they want to license all hunting and trapping, in particular with reference to the varmints. He was speaking about a situation along the Sierra Nevada's. Mr. Griffith said they do have problems. As states get more restrictive, the people go to states with minimal or no restrictions. They have a real problem with spotlighting. There have been some losses and they have no jurisdiction over the unprotected species.

Senator Wilson: Mechanically, how would it operate if a man wants to shoot varmints? Mr. Griffith said they would have to have a license, unless the varmint is harming his animal. He could then take immediate action to protect his property.

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Senator Wilson: Does that appear in the statute or are you talking about promulgation? Mr. Griffith said it would be promulgation of regulations unless otherwise specified by commission regulation. The regulations now allow the taking of predators by aircraft. This would be under circumstances where there is need.

Senator Blakemore: What kind of unprotected wildlife do we have left? Mr. Griffith said under present law they have these species - coyotes, bob cats, jack rabbits, ground squirrels, gophers, starlings, etc.

Senator Wilson: If you are a rancher and you want to shoot a coyote, do you have to have a license before you can? Mr. Griffith said they would have to promulgate regulations.

Senator Dodge: Your statement indicates that that would still be true. Mr. Griffith said they would anticipate that the land owner or rancher would be able to protect his property.

Senator Sheerin: Why is mountain lion left out? Mr. Griffith said it is already covered.

Senator Sheerin: At the present time, is there any trouble to get a permit to kill a mountain lion that is bothering a ranch? Mr. Griffith said no. They even pay for a hunter to take the lion.

Senator Sheerin: Can the rancher hire some easterner to come out, get a permit, go hunting with him and kill the mountain lion. Mr. Griffith said this is characteristically done. Senator Sheerin said that way he gets paid from the sportsman. If he doesn't have a sportsman and there is a mountain lion bothering the herd, are there

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monies to pay the game hunter to go out and take it at that point in time? Mr. Griffith said yes.. Senator Sheerin asked what it took to get on that list. Mr. Griffith said they make application for the guide license. Senator Sheerin asked if there were sufficient funds to pay them and Mr. Griffith indicated there were. Senator Gojack asked if children under 12 were required to get tags for their deer. Mr. Griffith said children under 12 are not allowed to hunt. Discussion of this followed.

Senator Monroe spoke from the audience and said the regulations would allow a rancher to kill predators on their own property. He wanted to know about moving sheep across the public domain if they would be able to kill predators that attacked their animals there. Mr. Griffith said the commission could give them the authority to protect their property, with a permit. Senator Wilson asked if they could do it without a permit. Mr. Griffith said they could get the permit before. Committee discussion followed.

Barney Fritz stood from the audience and said from his standpoint he would be sympathetic toward the farmer and the rancher. He said he was quite sure the rest of the Commission had similiar feelings. He said he thought they had issued permits to the ranchers to shoot mountain lions on sight. Mr. Fritz said they didn't want to make it tought on the rancher or the farmer. Mr. Griffith said they wanted to maintain responsible predator control and if they didn't maintain it responsibly, they were going to lose it.

Deloy Satterthwaite, Woolgrowers Association, testified in opposition to the bill. They feel the key to the whole bill is the word wildlife. Changing the word "game" to "wildlife", in their opinion, is opening up a can of worms. Taking out the word game and putting in wildlife, you are including all the predators. They also feel the bill would require them to have a license to shoot predators, where at this time no license is required. Page 3, line 41, they feel would allow the Department of Fish and Game to put a season on predators. Mr. Satterthwaite said he had spoken to Mr. Griffith, who indicated the intent of the bill was not to hurt the woolgrower or the livestock producer. Mr. Satterthwaite said he believes Mr. Griffith, but if this is put in writing and Mr. Griffith isn't around, someone else might interpret the bill differently. He discussed this briefly. Mr. Satterthwaite said they had gotten along for 40 years without this bill and they can do without it now.

COMMITTEE QUESTIONS FOLLOWED:

Senator Dodge: Do your objections go to the whole bill, or do you have any suggestions how the Fish and Game people might get to the problem about people coming in from other states without licenses, and if affect, hunting and trapping. I am referring now to Section 1 of the bill. Is there any way to reconcile the authority over that area in order to license people from out of state and still recognize your objections to the bill.

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A. Mr. Satterthwaite said he personally didn't have any solution to this problem, but said when you put predators on the list, you are controlling everything. Senator Sheerin asked if they put it in writing that ranchers and sheep people can protect their property. Senator Dodge made a similar suggestion. Mr. Satterthwaite said he thought that if it was handled by law to where there would be no question that somewhere in the near future someone couldn't put a two month season on a coyote, for example, and they couldn't require that every time they shot coyotes they would have to have a tag, etc. If all this could be spelled out in the law where they would be protected, he was sure something could be worked out.

Ira Kent, Fallon, testified next. He stated the livestock people had contacted him and were quite concerned about the bill. They are concerned in that if coyotes are put on the game list and called wildlife, they will have trouble protecting their property. There are lots of times that you can't ascertain if a coyote is going to harm you stock, and if you shoot him, you could be in violation of the law. The way the bill is now, they coyote would have to be killing your sheep or calf before you could shoot it. They thought the bill was a very poor bill. Mr. Kent said he thought this bill gave the Fish and Game Department too much attitude. He was also against the section that prohibited hunting from airplanes and helicopters. He felt this section should be spelled out. He also pointed out on page 2, line 34, section 4. Senator Wilson said that was the existing law and Mr. Kent said he thought it should be corrected. He said he would go along with Mr. Satterthwaite's thinking and statements. He said they definitely have a problem in Fallon. Senator Wilson asked what his reaction would be to Senator Dodge's suggestion that they exempt people protecting their own property. Mr. Kent said he felt they would have quite a cumbersome bill.

Matt Benson, Nevada Cattlemen's Association, testified next. He stated the cattlemen would have to take the same position as the sheep people. He said it was only in the last five years that the cattle people have become aware of the coyote problem. He had a list of the people in various trapping districts who have requested aid. They represent 135 of the largest cattle operators in the state. Thirty-four are from the Reno district, and ninety-three from Elko. He thought all these people would go along with the association's recommendations. Mr. Benson said these people are the biggest taxpayers and probably the biggest cattle operators in the state. He said when you include wildlife, you are

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treading on a large area and they are afraid it will get so cumbersome they would recommend the bill be thrown out.

Senator Wilson asked what his reaction would be to Senator Dodge's suggestion for exemptions. Mr. Benson said he thought they were going to find that hunting with helicopters you might not always be on ranch property. He said he thought they would be very leary of the bill at all. He said they had adequate protection now. Senator Dodge said that whatever protection they have now is by regulation. He asked if they were protesting the fact that these animals are now classified as game animals. Mr. Benson said they were not classified as wildlife. Senator Wilson said their apprehension is that they want to see that they are classified. Committee discussion followed.

Senator Monroe spoke from the audience. He said he thought what these people were trying to say is that by classifying these predators, you are putting them in a category that the environmentalists are trying to protect. He said this movement was something that was going to be detrimental.

Frank Groves testified next. He said you can't say you are the same today as you were in the state 40 years ago because there are a lot more people now with many different attitudes. He discussed briefly that the bill would satisfy the environmentalists and not the livestock people.

Tina Knappe, representing herself, testified next. She is also a member of the Sierra Club. She said she was interested in seeing ranching survive in Nevada and said that wildlife was greatly helped by ranchers in Nevada. She said the Commission was mostly on the side of the ranchers and said she knew this because she had tried to sway them more the other way. Ms. Knappe stated they do support the bill because they would like to see the state take a position that the Sierra Club can feed into national organizations as a responsible position. She felt the attitude in Nevada about predator control and the wild horses helped prompt the federal legislation. There was a short discussion about the wild horse control in the State of Nevada.

S.B. 117: Reduces residence requirement for persons over 65 years of age to qualify for reduced hunting and fishing license fee.

Glen Griffith, Nevada Department of Fish and Game, testified in favor of the bill. See ATTACHMENT 2.

QUESTIONS FROM COMMITTEE AS FOLLOWS:

Senator Wilson: What is the rationale for the 10 year residence requirement.

A. Mr. Griffith said this was the recommendation of the Assembly Committee. Discussion followed.

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John Kimble, Advisory Commission for the Aging, testified next. Mr. Kimble stated they were in favor of S.B. 117.

Roger Teglia, testified next. Mr. Teglia appeared before the Assembly Committee on this bill. He stated senior citizens have the time to spend fishing and hunting that other people do not have. He said his proposal to that committee was to raise the price to \$7.50 for these licenses because of the expenses that the Department of Fish and Game is having to meet. Mr. Teglia discussed this briefly.

S.B. 7: Prohibits use of saw-toothed or spiked jaw trap to capture any animal.

Glen Griffith, Nevada Department of Fish and Game, testified. See ATTACHMENT 3. They felt the bill should be indefinitely postponed for the reasons stated in his written testimony. Senator Gojack asked if the provision on the weekly visitation to the traps could be changed so that they would have to be visited more often. Mr. Griffith said it had been changed to five days. Mr. Griffith and Senator Gojack discussed this briefly.

S.B. 462: Provides for permanent fish and game licensing system.

Glen Griffith, Nevada Department of Fish and Game testified. See ATTACHMENT 4. Mr. Griffith explained the purpose of the bill and expounded upon his written testimony momentarily. Senator Dodge asked if this ultimately offered a more economical set-up. Mr. Griffith said yes.

S.B. 463: Provides certain exception to fish hatchery invoice requirement.

Glen Griffith, Nevada Department of Fish and Game testified. See ATTACHMENT 5. Mr. Griffith spoke briefly, expounding upon his written testimony.

S.B. 464: Provides new procedure for issuance of nonresident land owner deer tags.

Glen Griffith, Nevada Department of Fish and Game, testified. See ATTACHMENT 6.



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Senator Wilson asked how this changed the present law. Mr. Griffith said it would extend the privileges of the chapter to individual land owners rather than members of a corporation. Committee discussion followed. It was determined that the bill did not spell out the exact intent and Mr. Griffith was asked to present the committee with language that did.

Fred Wright, Nevada Department of Fish and Game, clarified some points for the committee. He said the intent is under the law as exists now, if a non-resident land owner agrees to open 75 percent of his property, he buys a non-resident landowner license, which is a special class, and a deer tag. If he hunts chuckers, he can hunt them on this own property, but if the chucker goes off his property, he can't hunt them. Mr. Wright said they were saying to do away with the non-resident landowner license and let him buy a regular non-resident license alike all non-residents and he can hunt anything that is open to non-residents on or off his property with that license. Senator Wilson said he thought they wanted to get at the problem that the stockholder of the corporation falls on. He said he supposed they wanted to get at the situation of a partnership. Mr. Wright said the problem they have run into is the person who holds one tenth of one tenth, etc. Discussion followed.

Senator Dodge said if you wanted to limit it to say one person in his family, why don't they just say a non-resident of this state who is the principal owner, whether it be a partnership in corporation. Senator Bryan asked if they couldn't simply do it by empowering the commission to make regulations in this area. Senator Wilson asked them to see what they could develop.

Senator Bryan asked if they made value judgements right now as to the size of the parcel of land. Mr. Griffith said yes. Senator Bryan said if they didn't judge the parcel to be sufficiently large, then they don't issue the license. Mr. Griffith said not. Senator Wilson asked if they had regulatory jurisdiction now. Mr. Griffith said yes. Discussion followed. Mr. Wright said all the bill does is eliminate any reference to a non-resident landowner license. Senator Wilson said they were going to have to be careful with this type of thing because they are opening up the possibility of developing and selling shares in land in Nevada by out-of-state people who could then qualify for a resident hunting license. Mr. Wright said they can buy a non-resident license over the counter on anything that is open where there is no quota, whether they are a landowner or not. The things they can't hunt are the animals with quotas. That is why they are defining the non-resident land owner deer tags. Mr. Wright said to carry that one step further, it refers to the regular season. If the proposal comes to pass for this coming season and there is a total quota on any area that becomes a special, and the landowner owns property, he is not eligible. Senator Dodge said one other thing they might want to do in response to the questions about using your own judgement on the parcels of land is to write some language in on Line 8 of the existing language or the amendatory language on line 2, page 2, which proposes to hunt and is open to the public for hunting and substantial size to accommodate such hunting. He stated you could put words to that affect in the bill.

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A.B. 141: Makes various changes in laws on fish and game.

Glen Griffith, Nevada Department of Fish and Game, testified. See ATTACHMENT 7.  
Deloy Satterthwaite, Woolgrower's Association, testified next. Mr. Satterthwaite said he thought they could live with the provision that the traps must be permanently marked, however, they feel this identification is for the person who is setting illegal traps. They thought that perhaps a mark of some kind instead of name and address might be better. He felt that if the traps were marked with name and address, they would more thefts of traps. He again said some type of mark would be better that would be on file with the Department of Fish and Game. This could be a number also.

On Page 3, Line 41, there is a provision which would require each and every sheepherder to have a hunting permit. They were opposed to doing that. Senator Dodge asked if they would be opposed if they wrote in an exemption for the livestock people. Mr. Satterthwaite said he would have to give the same answer that he gave on S.B. 114.

On the last page, Line 18, there is a 72 hour period there where a trapper is required to check his traps. They would like to suggest that it be left at the present one week period. Mr. Satterthwaite said if you check it on a 72-hour basis, their people work on a five day work week and that would put them on an overtime basis. It would also require much more travel and there would be fewer trap lines.

A.B. 142: Adjusts fees for hunting and fishing licenses, tags, and permits.

Glen Griffith, Nevada Department of Fish and Game, testified. See ATTACHMENT 8. Mr. Griffith discussed this statement and answered questions from the committee.

Roger Teglia, testified next. He stated that he appeared before the Assembly Committee on Environment and Public Resources. He said this bill was not going to answer the financial problems of the Fish and Game Department. He urged that they charge \$5.00 for a senior citizen license. He said the \$5.00 for the senior citizen should come out of the



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general fund. He discussed this briefly. Senator Dodge asked if what he was suggesting that the \$5.00 out of the general fund go to the Department of Fish and Game. Mr. Teglia said that was right. Senator Dodge asked what the general reaction from the sportsmen had been about the increase. Mr. Griffith said they had had no concerted opposition.

Senator Bryan asked what happened to a proposal he had heard being discussed in the Ways and Means Committee about making the Fish and Game Department a general fund agency. Mr. Griffith said he believed there was to be a commission study by the legislative commission on making them a general fund agency. Senator Bryan asked if other Fish and Game Departments were funded as Nevada through fees and licenses. Mr. Griffith gave a short run-down of the other states.

A.B. 143: Changes manner of compensating fish and game license agents and provides for revoking license agent's authority for breach of regulations.

Glen Griffith, Nevada Department of Fish and Game, testified. See ATTACHMENT 9. The bill was discussed and questions asked by the committee. Mr. Teglia also offered some input on this bill.

There being no further business, the meeting was adjourned at 9:10 p.m.

Respectfully submitted:

Kristine Zohner  
Kristine Zohner, Committee Secretary

APPROVED BY:

Thomas Wilson  
SENATOR THOMAS WILSON, COMMITTEE CHAIRMAN

NAME

WHO YOU REPRESENT

Glen Griffith

Dept. of Fish & Game

Greg W. Hunt

Div. of Fisheries Assoc.

John R. Kimball

member 16 counties, etc.  
Comm. on fishing

STATE OF NEVADA  
DEPARTMENT OF FISH AND GAME

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Proposed Legislation - 1975

SUBJECT: S. B. 114 - Extends certain protection to nongame species of wildlife and conforms various provisions in fish and game laws.

S. B. 114, if approved, would require any person 12 years of age or over to obtain a license prior to hunting or trapping any species of wildlife, except for the protection of persons and property; and, amends various sections of Fish and Game Laws by substituting the term "wildlife" where applicable, for game animals, furbearers, or game birds.

License requirement to hunt or trap

Under the provisions of S. B. 114 - every person who hunts or traps any of the wildbirds or animals must first obtain a license or permit therefore, provided no license to hunt or trap shall be required of residents who have not yet attained their 12th birthday unless required for the issuance of tags. By statute, (NRS 502.110) the licensing requirement shall not apply to the protection of persons or property from unprotected wildlife, on or in the immediate vicinity of home or ranch premises.

The landowner or rancher could, as now, take immediate action, to protect his property from coyotes, bobcats, jackrabbits, ground squirrels, and all other unprotected species of wildlife without a license. Further, annual depredation permits have been and would continue to be issued at no cost to the rancher or landowner, to handle bona fide depredation problems caused by game species.

No license would be required of any person to carry a gun or to engage in target practice unless hunting. The statutory definition of hunting (NRS 501.050) is clear - it specifies the search for and pursuit of wild animals and birds for the purpose and with the means of capturing, injuring or killing the same.

The Department does not anticipate increased sales of resident hunting licenses under the proposal as most persons would obtain a license to hunt deer, upland game, or other game species later in the year. It would, however, affect many nonresidents who now hunt "varmits" without a license and who create a potential danger to all wildlife and livestock in some areas. Department personnel expend considerable time, and expense in patrolling these areas - the cost is borne by Nevada's licensed sportsmen. Purchase of a license to hunt would partially defray this expenditure.

Conforms various provisions of fish and game laws

The State Board of Fish and Game Commissioners pursuant to the Fish and Game Laws is responsible for the management of all species of wildlife, including wild animals, wild birds, fish, reptiles, amphibians, and if approved by A. B. 141, mollusks and crustaceans. Its responsibility is not limited to game species. In many sections of the Fish and Game Laws, reference is made to game species only instead of wildlife. To reflect the total responsibility, S. B. 114 would substitute, where applicable, the term "wildlife" for "game".

STATEMENT BEFORE THE  
THE SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC RESOURCES

Relative to S.B. 117 by Nevada Department of Fish and Game

April 14, 1975

• Mr. Chairman, this bill was requested by the Department of Human Resources, Division of Aging Services and not on our behalf. Since the issue has again been raised, we would like to recommend that this session identify a purpose for having a senior citizen license.

To the best of our knowledge the philosophy of a senior license was established in the 1935 session. S.B. 163 was amended and passed to permit residents (6 months) 60 years and upward to obtain a free license to hunt and fish and obtain an exempt deer tag.

Since that time amendments have occurred in six sessions to this section of the statutes covering senior eligibility and fees.

Again, in 1973, S.B. 398 was introduced to change eligibility to six months, but this bill did not pass.

Unfortunately, a search of the history has not revealed the legislative intent in 1935, but we can assume it was economic as that 37th session addressed itself to the affects of the "Great Depression."

We therefore, recommend the following amendments to S.B. 117:

Page 1, line 2-3, delete the words "from July 1 to June 30."

Purpose: To enable the establishment of calendar year licenses in certain instances where it would benefit the public and department.

Page 1, line 8, delete all after the number "2" down to line 14 including the number "3."

Statement relative to S.B. 117  
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Add a new section to Chapter 502 as follows:

*The legislature finds that senior citizens of this state live as a rule on limited retirement incomes which remain fixed while other costs constantly rise, and that many senior citizens have through the years contributed to the sport of hunting and fishing.*

*It is the policy of this State that any citizen of the United States, who has attained his 65th birthday and who has been a bona fide resident of the State of Nevada for 10 years, shall upon payment of \$2.50 be issued a Senior Citizen Hunting and Fishing license.*

Purpose: This would then establish an intent for having this class of license and would formally title it "Senior Citizen Hunting and Fishing License."

We recommend the 10 year residency and \$2.50 fee to be in accord with the action taken by the Assembly Committee on Environment and Public Resources on A.B. 142.

The addition of this new section would cause the elimination of the \$1.00 license to hunt and the \$1.00 license to fish and, in effect, raise the senior combination license to hunt and fish by 50¢. It would eliminate two of the 21 license classes now on the license document which will be a help to the license agents around the state.

This proposed amendment would also delete the proviso for an exempt deer tag. The current trend in deer management is toward special deer hunts for residents in which quotas by management areas will be established. These special deer hunts automatically preclude the use of an exempt deer tag.

The economic results are as follows:

Based upon the assumption that had the fiscal year 1974's license structure been amended as discussed here the following losses and gains



would have resulted in the fish and game fund.

First, let me state that the fiscal note accompanying S.B. 117, as developed by Aging Services estimated an annual loss of \$3,700.

However, the 1974 licenses are on a General File (computer tape) so we made an analysis of that data by extracting those 65 and older who indicated residency of 1 year, 2 years, and up, and the class of license they bought.

This data indicates that S.B. 117 as introduced would have reduced 1974's income by an estimated \$23,355 and not by \$3,700.

A change of residency to 10 years would have reduced 1974's income by \$8,800. The Assembly action to change the fee structure to one license at \$2.50 would have increased income by \$2,220, if those who purchased a \$1.00 hunting license and a \$1.00 fishing license obtained the \$2.50 Senior Citizen License. The \$2,220 is based upon no change in length of residency.

In regard to the exempt deer tag, a total of 1,710 were picked up by senior citizens.

There is one other suggestion we would like your committee to consider. As stated earlier there are 21 different license classes on the license document and the proposal for senior citizens would eliminate two of those. If 502,290 of NRS covering Nevada residents in the Armed Forces were amended into S.B. 117 to provide for a \$3.00 license to hunt and fish, this would eliminate one other license class. At present, the statute provides for a \$2.00 license to hunt and a \$2.00 license to fish. A copy of the proposed wording is attached.

A total of 356 servicemen hunting licenses and 511 servicemen fishing licenses were sold. The economic shift would be from \$1,734 at \$2.00 to \$2,601, assuming the same number of servicemen would have purchased the license to hunt and fish in 1974.

**502.290 Nevada residents in Armed Forces not stationed in Nevada:  
Fishing, hunting license fees.**

1. The commission is authorized to issue <sup>a hunting and fishing license</sup> to those persons serving in the Armed Forces of the United States who are bona fide residents of the State of Nevada ~~[fishing or hunting licenses]~~ upon the payment of ~~[\$2]~~<sup>1/3</sup> for ~~each~~ such license, provided those persons requesting such licenses are at the time on active duty in the Armed Forces of the United States and are not stationed in the State of Nevada.

2. The commission may require whatever proof it deems necessary to determine whether or not such persons come within the provisions of this section.

3. Any person who is guilty of giving false information for the purpose of obtaining a license as provided in this section is guilty of a misdemeanor.

[1:186:1951] + [2:186:1951] + [3:186:1951]—(NRS A 1967, 598; 1969, 1150)

STATE OF NEVADA  
DEPARTMENT OF FISH AND GAME

Proposed Legislation - 1975

SUBJECT: S. B. 7 - Prohibits the use of saw-toothed or spiked jaw trap to capture any animal.

S. B. 7 would, if approved, amend Chapter 503 - Hunting, Fishing and Trapping Regulations; to prohibit by statute the use of saw-toothed or spiked jaw traps, in Nevada.

The State Board of Fish and Game Commissioners, pursuant to the Administrative Procedure Act, and section 501.181 (4a) may establish rules and regulations for hunting or trapping fur-bearing animals, the daily and possession limits and the manner and means of taking. Thus under this procedure, and existing authority, the Commission may now prohibit the use of saw-toothed or spiked-jaw traps if deemed necessary for proper wildlife management and in the public interest.

Amendment of Chapter 503 as proposed in S. B. 7 would not be necessary; therefore, it is recommended that S. B. 7 be held in abeyance.

STATEMENT BEFORE THE  
THE SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC RESOURCES  
Relative to S.B. 462 by Nevada Department of Fish and Game

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April 14, 1975

Mr. Chairman, S.B. 462 does two things, (1) it shortens the required statement on the license document and (2) it provides permissive language enabling the Commission to consider establishing a licensing system, possibly patterned after our present boat registration system.

In regard to reducing the verbage this is recommended as the license document is overcrowded with required and necessary entries plus 21 classes of licenses. Very simply, we need the space.

There is one change needed. Line 11, the word "undersigned" should be deleted and add "in signing" after the word "holder" and delete "of" in line 13. The reason is that the license design now being developed for 1975-76 dictates that this statement appears below the signature line thus negating the intent of "undersigned."

To further expand on the permissive language for a system, one possibility is to issue licenses based upon an application and mail the next year's license to the license holder. The individual would have the license validated at a local license agent by paying the fee for the class of license for which he was eligible.

There are a number of possibilities that have been and will continue to be explored. There is concern over the license agents' ability to handle the 21 license classes we now have plus all the other requirements and there is concern over the number of nonresidents illegally obtaining resident licenses. Some computer licensing system may improve these areas.

Statement relative to S.B. 462  
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We have one other amendment to suggest. Due to the introduction of A.B. 552 which provides free hunting and fishing licenses to disabled veterans, coupled with the long standing free Indian license, we propose adding the following section:

*"4. Notwithstanding any other provision of this Title, the Commission may provide rules and regulations covering the method of applying for, term and expiration date of any license required by this Title to be issued without the payment of a fee."*

The purpose is to permit these licenses to be issued upon application to the department accompanied by necessary proof of eligibility. They could be valid during a calendar year thereby removing action on these licenses out of the July/October peak and possibly for disabled veterans make the license valid for more than one year. Also, we possibly would automatically reissue the license providing the licensee still resided in the state, and had notified us of any change of address. This approach provides a service to the licensee and removes these licenses from the normal license agent process. Indian representatives have expressed concern over non-Indians claiming a right to a free Indian license thereby jeopardizing their present privilege and we feel they would be receptive to a practical approach to tightening up the issuance. We also owe it to those paying the regular fee that reasonable care is taken in awarding a free license. A total of 2,810 Indian licenses were issued in 1974.

We have no estimate of the number of servicemen who entered service as a Nevada resident and met the test of disability specified in A.B. 552. We do not think it would be excessive.

STATE OF NEVADA  
DEPARTMENT OF FISH AND GAME

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Proposed Legislation - 1975

SUBJECT: S. B. 463 - Provides certain exception to fish hatchery invoice requirement.

Any person may establish a commercial fish hatchery for the artificial propagation, culture and maintenance of food fish after making application to the Department and paying an annual license fee (\$25). The products of such hatchery may be sold at any time of the year subject to the terms of the Fish and Game Laws and regulations adopted by the Commission. Under the Laws, when the proprietor of any licensed hatchery sells or disposes of any fish, he shall, at the same time, deliver to the purchaser a signed invoice stating the number of the hatchery license, the kind, weight and number of fish and other details of the transaction. This requirement places an undue restriction on some hatcheries if food fish are raised in one locality, transported to another for sale to commercial outlets for resale or sold to individuals for immediate consumption, as an invoice is required in all instances.

To eliminate the necessity of issuing invoices involving sales to private persons, S. B. 463, if approved, would authorize the State Board of Fish and Game Commissioners to adopt regulations amending the requirement and yet insure that the fish, if alive, would not be introduced into the waters of this State unless specifically approved by the Department.



STATE OF NEVADA  
DEPARTMENT OF FISH AND GAME

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Proposed Legislation - 1975

SUBJECT: S. B. 464 - Provides new procedure for issuance of non-resident landowner deer tags.

For a number of years, the Nevada Department of Fish and Game has issued hunting licenses and tags to about 15 nonresidents and members of their families authorizing them to hunt deer, game animals and game birds on their lands if the majority of such lands are open to the public. The intent of this statute was to extend the privilege of hunting to individual land owners rather than members of a corporation.

S. B. 464 redefines the procedure outlined in NRS 502.230. Non-resident deer tags may be issued to the land owner and his immediate family. Corporate members are excluded. The land owner could purchase a regular nonresident hunting license to accompany his land owner deer tag. The license could also be used to hunt other wildlife exclusive of deer in any area declared open by the Commission.

STATE OF NEVADA  
DEPARTMENT OF FISH AND GAME

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Proposed Legislation - 1975

SUBJECT: A. B. 141 - Makes various changes in laws on fish and game.

A. B. 141, if approved, would provide for the identification of traps and increase the frequency of trap visitations; expand the definition of wildlife to include mollusks and crustaceans; clarify the license provision to require that persons 12 years of age and older would need a license to hunt or trap any species of wildlife except for the protection of persons and property; update several provisions by substituting "wildlife" for "game"; increase the effectiveness of the rules governing importation of wildlife; delete the requirement for pheasant stamps and related subjects; and repeal several sections of Fish and Game Laws that are obsolete or redundant.

Trapping

Under A.B. 141, all traps used in the taking of any wildlife must be permanently marked with the name and address of the owner or trapper using them. Presently, twenty-four states, including five in the west, require a form of trap identification such as marking or attaching the name and address of the owner or trapper to the trap or the assignment of an identification number registered with the Department of Fish and Game. This requirement increases the effectiveness of the enforcement of the trapping regulations and also, would tend to lessen trap theft.

In Nevada, any person trapping wild animals shall visit or cause to be visited at least once each week each trap. A review of other states trapping regulations showed that the frequency of visitation varied from 24 hours to a maximum of 72 hours, with a majority of states requiring a 24 hour visitation. Several states limited the number of traps set to 75 for each trapper. (South Dakota, Wisconsin).

The primary purpose for trap visitation is to enable the trapper to promptly remove animals therefrom including non-target species. It is therefore recommended that Nevada's visitation requirement be changed to five days instead of weekly.

Definitions of Wildlife

It is proposed to expand the definition of wildlife to include mollusks or crustaceans thereby insuring that the Commission, under its regulatory authority, could exercise needed controls to prevent introductions that pose a threat to native wildlife or its habitat.

### Definitions of Wildlife continued

It also recommended that the present wording contained in A. B. 141, section 2 be amended to read as follows:

NRS 501.097 is hereby amended to read as follows:

501.097 - As used in this Title "wildlife" means any wild animal, wild bird, fish, reptile, amphibian, mollusk or crustacean, or their progeny or eggs that, whether raised in captivity or not, normally are found in a wild state.

This amended definition would be consistent with other segments of the Fish and Game Laws, and would enable more effective enforcement of the Federal laws governing interstate transportation of wildlife. Nevada's definition would be in agreement with established Federal definitions.

### Classification of Wildlife

A. B. 141 would authorize the Commission to classify crustaceans and mollusks as protected species or unprotected species. This classification would be made in conformity with the provisions of the Administrative Procedure Act, similar to procedure used for classifying all other species of wildlife.

### Licensing Requirements

It is proposed to expand and to clarify the licensing requirement for hunters and trappers. Under this change, a license would be required of any person to hunt, trap, or fish; provided (a) no license to hunt, trap, or fish shall be required of residents of Nevada who have not yet attained their 12th birthday unless required for the issuance of tags, (b) no license to fish shall be required of nonresidents who have not yet attained their 12th birthday unless required for the issuance of tags.

The licensing requirement for hunting or trapping does not apply to the protection of persons and property from unprotected wildlife, such as coyotes, bobcats, jackrabbits, ground squirrels; etc., on or in the immediate vicinity of home or ranch premises. Thus under this provision, the rancher would still be able to take immediate action to protect his livestock from predateding animals and could do so without a license. (If an animal was classified as a game animal, the rancher could obtain an annual depredation permit at no cost from the Department - no license required.)

### Importation of Wildlife

This amendment clarifies the rules governing the importation of wildlife; maximizes the protection afforded the native species and its habitat, and makes it unlawful to possess imported wildlife without the appropriate permit issued by the Nevada Department of Fish and Game.

Repeal of certain fish and game laws

A. B. 141 would repeal the following:

1. Sections 502.300, 503.310 and 503.320, which provide for the issuance of pheasant stamps; management of the funds received from the stamps; and the purchase of pheasants for stocking. Adequate authority to conduct a pheasant management program exists under Chapter 501 of the Fish and Game Laws as the Commission shall establish policies and adopt regulations necessary to the preservation, protection, management and restoration of all wildlife.

2. Section 503.470, which provides for the control of fur-bearing animals doing damage is obsolete, as the situation is effectively covered by 503.595 which provides for the prevention, alleviation of damage caused by wildlife.

3. Section 503.600, which states that it is unlawful for any person to hunt or trap the desert tortoise, is obsolete. It is covered by the Commission's authority to fully protect the desert tortoise.

4. Section 505.020 "Fur dealer's agent" defined is no longer needed in the management of the State's wildlife.

STATEMENT BEFORE THE  
THE SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC RESOURCES

Relative to A.B. 142 by Nevada Department of Fish and Game

April 14, 1975

Mr. Chairman, A.B. 142 proposes to make a number of minor and substantial increases in our license fee structure. This has become necessary due to the increased cost of doing business. Most of the other fish and game departments across the nation are in the same dilemma and are seeking license increases. In fact we understand that the Utah Division of Wildlife Resources not only received a license increase but were granted a general fund appropriation of \$1.2 million to offset increased costs.

The Assembly Committee on Environment and Public Resources has amended A.B. 142 establishing a \$2.50 Junior Hunting License, a \$2.50 Junior Fishing License and a \$4.00 Junior Combination License. In this case it is not possible to have only a combination license due to the hunter safety requirements.

We recommend that the Junior Hunting License be termed a Junior Hunting and Trapping License at \$2.50. This would then make the combination license a fishing, hunting and trapping license at \$4.00. We have just found this to be necessary to clear up an inadvertent conflict between A.B. 141 and A.B. 142.

Also, the Assembly Committee amended the senior citizen eligibility to 10 years and \$2.50 to hunt and fish. In this regard we recommend our proposal as discussed under S.B. 117 to once and for all establish a purpose for this license.

The Assembly Committee changed line 20, page 1 of A.B. 142 to \$10.00 instead of \$8.50 for a hunting license. Line 15, page 2 was changed from

\$15.00 to \$20.00 for a nonresident fishing license. The department recommended that line 45 be deleted leaving this class of tag up to commission authority and they accepted that recommendation.

Initially, A.B. 142 was estimated to generate approximately \$350,000 based upon 1974 sales. The Assembly amendments will add an estimated \$71,000 for a total of \$421,000.

If A.B. 142 passes and if sales equal 1974 volume, the increase in income would not be available to the department until fiscal year 1976. Of the estimated \$421,000 approximately \$285,000 would be needed to cover the 15% salary increase now being considered. Part of the balance will be needed to offset other cost increases.

Needless to say, we recommend acceptance of the Assembly amendment, and passage of this bill.



STATEMENT BEFORE THE  
THE SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC RESOURCES  
Relative to A.B. 143 by Nevada Department of Fish and Game

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April 14, 1975

Mr. Chairman, we initially requested this bill to change the license agents' commission structure from one where the commission is credited the agent by deducting from the value of the document sold to where the commission would be added to the fee by the agent.

Some agents objected to this approach of asking the licensee for a commission on top of the fee.

We then proposed a change to the Assembly Committee on Environment and Public Resources whereby a service fee shall be added to the established fee. The service fee was not to exceed 25¢ for license, tag, or permit as set by the Commission and 10¢ for stamps, etc. The service fee would then become a part of the license, tag, or stamp as printed on the document and the agent would be credited accordingly.

We understand that the Assembly Committee has now amended this bill to require that the service fee be within the established fee of the license.

We concur that license agents should receive an increase in commissions and that the service fee should vary between document types. For example, we may have documents as permitted under S.B. 462 that would be supplied to the applicant with all data entered and that applicant would appear before a license agent to have the document validated which we visualize would be a very simple operation.

While A.B. 143 will not change the intent of NRS 502.040 as presently written, it will improve upon the wording and bring in tags as being subject to a service fee even though a commission has been given on tags over the past years.