

ASSEMBLY BILL NO. 41—ASSEMBLYMAN COLLINS

PREFILED JANUARY 31, 2003

Referred to Committee on Natural Resources,  
Agriculture, and Mining

SUMMARY—Converts Division of Wildlife of State Department  
of Conservation and Natural Resources into  
Department of Wildlife. (BDR 45-14)

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; converting the Division of Wildlife of  
the State Department of Conservation and Natural  
Resources into the Department of Wildlife; providing that  
the Department is under the control of the Board of  
Wildlife Commissioners; and providing other matters  
properly relating thereto.

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 and 3 of this act.
- 3     **Sec. 2.** *As used in this title, “Department” means the*
- 4     *Department of Wildlife.*
- 5     **Sec. 3.** *As used in this title, “Director” means the Director of*
- 6     *the Department.*
- 7     **Sec. 4.** NRS 501.047 is hereby amended to read as follows:
- 8     501.047 As used in this title, “game warden” means any person
- 9     authorized by the ~~Administrator~~ *Director* to enforce the provisions
- 10    of this title and of chapter 488 of NRS.
- 11    **Sec. 5.** NRS 501.119 is hereby amended to read as follows:
- 12    501.119 1. The ~~Division~~ *Department* is authorized to
- 13    determine methods of obtaining necessary data from hunters,
- 14    trappers and fishermen relative to their activities and success.



- 1 2. The methods may include return of reports attached to  
2 licenses and tags or questionnaires addressed to license holders.  
3 3. Failure to return such a report or questionnaire within the  
4 period specified by regulation of the Commission or the submission  
5 of any false statement thereon is cause for the Commission to:  
6 (a) Deny the person the right to acquire any license provided  
7 under this title for a period of 1 year; or  
8 (b) Levy an administrative fine of \$50 against the person.  
9 4. Any statement made on such a report or questionnaire may  
10 not be the basis for prosecution for any indicated violations of other  
11 sections of this title.  
12 **Sec. 6.** NRS 501.181 is hereby amended to read as follows:  
13 501.181 The Commission shall:  
14 1. Establish broad policies for:  
15 (a) The protection, propagation, restoration, transplanting,  
16 introduction and management of wildlife in this state.  
17 (b) The promotion of the safety of persons using or property  
18 used in the operation of vessels on the waters of this state.  
19 (c) The promotion of uniformity of laws relating to policy  
20 matters.  
21 2. Guide the ~~Division~~ *Department* in its administration and  
22 enforcement of the provisions of this title and of chapter 488 of  
23 NRS by the establishment of such policies.  
24 3. Establish policies for areas of interest including:  
25 (a) The management of big and small game mammals, upland  
26 and migratory game birds, fur-bearing mammals, game fish,  
27 and protected and unprotected mammals, birds, fish, reptiles and  
28 amphibians.  
29 (b) The control of wildlife depredations.  
30 (c) The acquisition of lands, water rights and easements  
31 and other property for the management, propagation, protection and  
32 restoration of wildlife.  
33 (d) The entry, access to, and occupancy and use of such  
34 property, including leases of grazing rights, sales of agricultural  
35 products and requests by the ~~Administrator~~ *Director* to the State  
36 Land Registrar for the sale of timber if the sale does not interfere  
37 with the use of the property on which the timber is located for  
38 wildlife management or for hunting or fishing thereon.  
39 (e) The control of nonresident hunters.  
40 (f) The introduction, transplanting or exporting of wildlife.  
41 (g) Cooperation with federal, state and local agencies on wildlife  
42 and boating programs.  
43 (h) The revocation of licenses issued pursuant to this title to any  
44 person who is convicted of a violation of any provision of this title  
45 or any regulation adopted pursuant thereto.



1 4. Establish regulations necessary to carry out the provisions of  
2 this title and of chapter 488 of NRS, including:  
3 (a) Regular and special seasons for hunting game mammals and  
4 game birds, for hunting or trapping fur-bearing mammals and for  
5 fishing, the daily and possession limits, the manner and means of  
6 taking wildlife, including, but not limited to, the sex, size or other  
7 physical differentiation for each species, and, when necessary for  
8 management purposes, the emergency closing or extending of a  
9 season, reducing or increasing of the bag or possession limits on a  
10 species, or the closing of any area to hunting, fishing or trapping.  
11 The regulations must be established after first considering the  
12 recommendations of the ~~Division~~ *Department*, the county  
13 advisory boards to manage wildlife and others who wish to present  
14 their views at an open meeting. Any regulations relating to the  
15 closure of a season must be based upon scientific data concerning  
16 the management of wildlife. The data upon which the regulations  
17 are based must be collected or developed by the ~~Division~~  
18 *Department*.  
19 (b) The manner of using, attaching, filling out, punching,  
20 inspecting, validating or reporting tags.  
21 (c) The delineation of game management units embracing  
22 contiguous territory located in more than one county, irrespective of  
23 county boundary lines.  
24 (d) The number of licenses issued to nonresidents for big game  
25 and, if necessary, other game species for the regular and special  
26 seasons.  
27 5. Adopt regulations requiring the ~~Division~~ *Department* to  
28 make public, before official delivery, its proposed responses to any  
29 requests by federal agencies for its comment on drafts of statements  
30 concerning the environmental effect of proposed actions or  
31 regulations affecting public lands.  
32 6. Adopt regulations:  
33 (a) Governing the provisions of the permit required by NRS  
34 502.390 and for the issuance, renewal and revocation of such a  
35 permit.  
36 (b) Establishing the method for determining the amount of an  
37 assessment and the time and manner of payment, necessary for the  
38 collection of the assessment required by NRS 502.390.  
39 7. Designate those portions of wildlife management areas for  
40 big game mammals that are of special concern for the regulation of  
41 the importation, possession and propagation of alternative livestock  
42 pursuant to NRS 576.129.  
43 **Sec. 7.** NRS 501.1812 is hereby amended to read as follows:  
44 501.1812 As used in NRS 501.1812 to 501.1818, inclusive,  
45 unless the context otherwise requires:



1 1. "License" means a license or tag issued by the ~~Division~~  
2 *Department* for:

- 3 (a) Recreational hunting or fishing; or  
4 (b) Taking fur-bearing mammals, trapping unprotected  
5 mammals or selling raw furs for profit.

6 2. "Permit" means a permit issued by the ~~Division~~  
7 *Department* for recreational hunting or fishing.

8 3. "Wildlife conviction" means a conviction obtained in any  
9 court of competent jurisdiction in this state, including, without  
10 limitation, a conviction obtained upon a plea of nolo contendere or  
11 upon a forfeiture of bail not vacated in any such court, for a  
12 violation of:

13 (a) A provision of this title or any regulation adopted pursuant to  
14 this title other than a provision of NRS 502.370, 502.390, 503.185,  
15 503.310 or 504.295 to 504.390, inclusive; or

16 (b) A provision of the Lacey Act Amendment of 1981, Public  
17 Law 97-79, if the violation of that provision is based on a violation  
18 of a law or regulation of this state.

19 **Sec. 8.** NRS 501.1814 is hereby amended to read as follows:

20 501.1814 1. The Commission shall establish and the  
21 ~~Division~~ *Department* shall administer and enforce a system of  
22 assessing demerit points for wildlife convictions. The system must  
23 be uniform in its operation.

24 2. Pursuant to the schedule of demerit points established by  
25 regulation of the Commission for each wildlife conviction occurring  
26 within this state affecting any holder of a license, permit or privilege  
27 issued pursuant to this title, the ~~Division~~ *Department* shall assess  
28 demerit points for the 60-month period preceding a person's most  
29 recent wildlife conviction. Sixty months after the date of the  
30 conviction, the demerit points for that conviction must be deleted  
31 from the total demerit points accumulated by that person. The date  
32 of the violation shall be deemed the date on which accumulated  
33 demerit points must be assessed. If a conviction of two or more  
34 wildlife violations committed at a single event is obtained, demerit  
35 points must be assessed for the offense having the greater number of  
36 demerit points.

37 **Sec. 9.** NRS 501.1816 is hereby amended to read as follows:

38 501.1816 1. If a person accumulates 6 or more demerit  
39 points, but less than 12, the ~~Division~~ *Department* shall notify him  
40 of that fact by certified mail. If, after the ~~Division~~ *Department*  
41 mails the notice, the person presents proof to the ~~Division~~  
42 *Department* that he has, after his most recent wildlife conviction,  
43 successfully completed a course of instruction in the responsibilities  
44 of hunters approved by the ~~Division, the Division~~ *Department, the*  
45 *Department* shall deduct 4 demerit points from his record. A person



1 may attend a course of instruction in the responsibilities of hunters  
2 only once in 60 months for the purpose of reducing his demerit  
3 points.

4 2. If a person accumulates 12 or more demerit points before  
5 completing a course of instruction pursuant to subsection 1, the  
6 ~~[Division]~~ Department shall suspend or revoke any license, permit  
7 or privilege issued to him pursuant to this title.

8 3. Not later than 60 days after the ~~[Division]~~ Department  
9 determines that a person has accumulated 12 demerit points, the  
10 ~~[Division]~~ Department shall notify the person by certified mail that  
11 his privileges will be suspended or revoked. Except as otherwise  
12 provided in subsection 4, the ~~[Division]~~ Department shall suspend  
13 or revoke those privileges 30 days after it mails the notice.

14 4. Any person who receives the notice required by subsection 3  
15 may submit to the ~~[Division]~~ Department a written request for a  
16 hearing before the Commission not later than 30 days after the  
17 receipt of the notice. If a written request for a hearing is received by  
18 the ~~[Division:]~~ Department:

19 (a) The suspension or revocation of the license, permit or  
20 privilege is stayed until a determination is made by the Commission  
21 after the hearing.

22 (b) The hearing must be held within 60 days after the request is  
23 received.

24 5. The periods of suspension or revocation imposed pursuant to  
25 this section must run concurrently. No license, permit or privilege  
26 may be suspended or revoked pursuant to this section for more than  
27 3 years.

28 6. If the ~~[Division]~~ Department suspends or revokes a license,  
29 permit or privilege pursuant to this section, the period of suspension  
30 or revocation begins 30 days after notification pursuant to  
31 subsection 3 or a determination is made by the Commission  
32 pursuant to subsection 4. After a person's license, permit or  
33 privilege is suspended or revoked pursuant to this section, all  
34 demerit points accumulated by that person must be canceled.

35 **Sec. 10.** NRS 501.1817 is hereby amended to read as follows:  
36 501.1817 Any person whose license, permit or privilege has  
37 been suspended or revoked by the ~~[Division]~~ Department pursuant  
38 to NRS 501.1816 is entitled to judicial review of the decision in the  
39 manner provided by chapter 233B of NRS.

40 **Sec. 11.** NRS 501.243 is hereby amended to read as follows:  
41 501.243 1. The ~~[Division]~~ Department shall execute,  
42 administer and enforce , and perform the functions and duties  
43 provided in chapter 488 of NRS.

44 2. The Commission has the power and authority to:



1 (a) Promulgate rules and regulations governing the use of waters  
2 for recreational purposes, which waters are open to the public and  
3 are not under the direct control of any other state or federal agency  
4 for recreational use.

5 (b) Enter into cooperative agreements with federal, state and  
6 county agencies having regulatory powers pertaining to the use of  
7 public waters for recreational purposes for the purpose of  
8 coordinating such rules and regulations.

9 **Sec. 12.** NRS 501.310 is hereby amended to read as follows:

10 501.310 There is hereby created in each of the counties of this  
11 state a fund for the advisory board. The fund must be kept in the  
12 county treasury, and all money received from the ~~{Division}~~  
13 *Department* must be placed in the fund.

14 **Sec. 13.** NRS 501.320 is hereby amended to read as follows:

15 501.320 1. Annually, not later than May 1, each board shall  
16 prepare a budget for the period ending June 30 of the following  
17 year, setting forth in detail its proposed expenditures for carrying  
18 out its duties as specified in this title within its county, and submit  
19 the budget to the Commission accompanied by a statement of the  
20 previous year's expenditures, certified by the county auditor.

21 2. The Commission shall examine the budget in conjunction  
22 with the ~~{Administrator}~~ *Director* or a person designated by him,  
23 and may increase, decrease, alter or amend the budget.

24 3. Upon approval of the budget, the ~~{Division}~~ *Department*  
25 shall transmit a copy of the approved budget to the board, and at the  
26 same time withdraw from the Wildlife Account within the State  
27 General Fund and transmit to the board the money required under  
28 the approved budget for disposition by the board in accordance with  
29 the approved budget. All money so received must be placed in the  
30 fund for the advisory board.

31 **Sec. 14.** NRS 501.331 is hereby amended to read as follows:

32 501.331 There is hereby created the ~~{Division of Wildlife of~~  
33 ~~the State}~~ Department of ~~{Conservation and Natural Resources,}~~  
34 *Wildlife* which shall administer the wildlife laws of this state and  
35 chapter 488 of NRS. *The Department is under the control of the*  
36 *Commission.*

37 **Sec. 15.** NRS 501.333 is hereby amended to read as follows:

38 501.333 1. From among three or more nominees of the  
39 Commission, the ~~{Director of the State Department of Conservation~~  
40 ~~and Natural Resources}~~ *Governor* shall appoint ~~{an Administrator}~~ *a*  
41 *Director* of the ~~{Division,}~~ *Department*, who is its Chief  
42 Administrative Officer. The ~~{Administrator}~~ *Director* serves at the  
43 pleasure of the ~~{director,}~~ *Governor.*

44 2. The ~~{Director}~~ *Governor* shall select as ~~{Administrator}~~  
45 *Director* a person having an academic degree in the management of



1 wildlife or a closely related field, substantial experience in the  
2 management of wildlife and a demonstrated ability to administer ~~the~~  
3 ~~division of~~ a major public agency.

4 3. The ~~Administrator~~ *Director* is in the unclassified service of  
5 the State.

6 **Sec. 16.** NRS 501.337 is hereby amended to read as follows:

7 501.337 The ~~Administrator~~ *Director* shall:

8 1. Carry out the policies and regulations of the Commission.

9 2. Direct and supervise all administrative and operational  
10 activities of the ~~Division,~~ *Department*, and all programs  
11 administered by the ~~Division~~ *Department* as provided by law.  
12 Except as otherwise provided in NRS 284.143, the ~~Administrator~~  
13 *Director* shall devote his entire time to the duties of his office and  
14 shall not follow any other gainful employment or occupation.

15 3. Within such limitations as may be provided by law, organize  
16 the ~~Division~~ *Department* and, from time to time with the consent  
17 of the Commission, *may* alter the organization. The ~~Administrator~~  
18 *Director* shall reassign responsibilities and duties as he may deem  
19 appropriate.

20 4. Appoint or remove such technical, clerical and operational  
21 staff as the execution of his duties and the operation of the  
22 ~~Division~~ *Department* may require, and all those employees are  
23 responsible to him for the proper carrying out of the duties and  
24 responsibilities of their respective positions. The ~~Administrator~~  
25 *Director* shall designate a number of employees as game wardens  
26 and provide for their training.

27 5. Submit technical and other reports to the Commission as  
28 may be necessary or as may be requested, which will enable the  
29 Commission to establish policy and regulations.

30 6. Prepare the biennial budget of the ~~Division~~ *Department*  
31 consistent with the provisions of this title and chapter 488 of NRS  
32 and submit it to the Commission for its review and ~~comment,~~  
33 *approval before being submitted to the Chief of the Budget*  
34 *Division of the Department of Administration pursuant to*  
35 *NRS 353.210.*

36 7. Administer real property assigned to the ~~Division,~~  
37 *Department.*

38 8. Maintain full control, by proper methods and inventories, of  
39 all personal property of the State acquired and held for the purposes  
40 contemplated by this title and by chapter 488 of NRS.

41 9. Act as nonvoting Secretary to the Commission.

42 **Sec. 17.** NRS 501.339 is hereby amended to read as follows:

43 501.339 The ~~Administrator~~ *Director* may:





1 1. In cases of emergency, with the prior approval of the  
2 Governor, exercise the powers of the Commission until such time as  
3 the Commission meets or the emergency ends.

4 2. Designate an employee or employees of the ~~{Division}~~  
5 *Department* to act as his deputy or deputies. In the ~~{Administrator's}~~  
6 *Director's* absence or inability to discharge the powers and duties of  
7 his office, the powers and duties devolve upon his deputy or  
8 deputies.

9 3. Designate persons outside the ~~{Division}~~ *Department* as  
10 game wardens if, in his opinion, the need for such designations  
11 exists.

12 **Sec. 18.** NRS 501.341 is hereby amended to read as follows:

13 501.341 The headquarters of the ~~{Division}~~ *Department* must  
14 be maintained at such a location in the State, and other offices may  
15 be established throughout the State in such number and location, as  
16 will, in the opinion of the ~~{Administrator}~~ *Director* and *the*  
17 Commission, provide an efficient ~~{divisional}~~ *departmental*  
18 operation.

19 **Sec. 19.** NRS 501.343 is hereby amended to read as follows:

20 501.343 The ~~{Division}~~ *Department* may:

21 1. Collect and disseminate, throughout the State, information  
22 calculated to educate and benefit the people of the State regarding  
23 wildlife and boating, and information pertaining to any program  
24 administered by the ~~{Division}~~ *Department*.

25 2. Publish wildlife journals and other official publications, for  
26 which a specific charge may be made, such charge to be determined  
27 by the Commission, with the proceeds to be deposited in the  
28 Wildlife Account within the State General Fund. No charge may be  
29 made for any publication required by a regulation of the  
30 Commission.

31 **Sec. 20.** NRS 501.349 is hereby amended to read as follows:

32 501.349 Regular employees and others designated by the  
33 ~~{Administrator}~~ *Director* as game wardens shall enforce all  
34 provisions of this title and of chapter 488 of NRS.

35 **Sec. 21.** NRS 501.351 is hereby amended to read as follows:

36 501.351 1. The ~~{Administrator}~~ *Director* may enter into  
37 cooperative or reciprocal agreements with the Federal Government  
38 or any agency thereof, any other state or any agency thereof, any  
39 other agency of this state, any county or other political subdivision  
40 of this state, to the extent permitted by the provisions of chapter 277  
41 of NRS, any public or private corporation, or any person, in  
42 accordance with and for the purpose of carrying out the policy of the  
43 Commission.





1 2. Such agreements do not relieve any party thereto of any  
2 liability, independent of such agreements, existing under any  
3 provision of law.

4 **Sec. 22.** NRS 501.352 is hereby amended to read as follows:  
5 501.352 The ~~Administrator~~ *Director* shall require the  
6 personnel of the ~~Division~~ *Department* to report to him as soon as  
7 practicable any reasonable suspicion that a communicable disease  
8 may be present in wildlife in Nevada. The ~~Administrator~~ *Director*  
9 shall, as soon as possible, inform the Director of the State  
10 Department of Agriculture of any reasonable suspicion reported to  
11 him. Any sample collected by the personnel of the ~~Division~~  
12 *Department* in evaluating such a suspicion must be forwarded to the  
13 Director of the State Department of Agriculture as soon as  
14 practicable.

15 **Sec. 23.** NRS 501.354 is hereby amended to read as follows:  
16 501.354 Except as otherwise provided by specific statute, the  
17 ~~Division~~ *Department* shall receive, deposit and expend all money  
18 provided by law for the administration of this title and of chapter  
19 488 of NRS, pursuant to the authority contained in NRS 501.356  
20 and in accordance with the Commission's policy.

21 **Sec. 24.** NRS 501.356 is hereby amended to read as follows:  
22 501.356 1. Money received by the ~~Division~~ *Department*

- 23 from:
- 24 (a) The sale of licenses;
  - 25 (b) Fees pursuant to the provisions of NRS 488.075 and  
26 488.1795;
  - 27 (c) Remittances from the State Treasurer pursuant to the  
28 provisions of NRS 365.535;
  - 29 (d) Appropriations made by the Legislature; and
  - 30 (e) All other sources, except money derived from the forfeiture  
31 of any property described in NRS 501.3857 or money deposited in  
32 the Wildlife Heritage Trust Account pursuant to NRS 501.3575 or in  
33 the Trout Management Account pursuant to NRS 502.327,  
34 must be deposited with the State Treasurer for credit to the Wildlife  
35 Account in the State General Fund.

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

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

44 4. Except as otherwise provided in NRS 502.250, 502.310 and  
45 504.155, all fees for the sale or issuance of stamps, tags, permits and



1 licenses that are required to be deposited in the Wildlife Account  
2 pursuant to the provisions of this title must be accounted for  
3 separately and may be used only for the management of wildlife.

4 **Sec. 25.** NRS 501.3575 is hereby amended to read as follows:  
5 501.3575 1. The Wildlife Heritage Trust Account is hereby  
6 created in the State General Fund. The money in the Account must  
7 be used by the ~~Division~~ **Department** as provided in this section for  
8 the protection, propagation, restoration, transplantation, introduction  
9 and management of any game fish, game mammal, game bird or fur-  
10 bearing mammal in this state.

11 2. Except as otherwise provided in NRS 502.250, money  
12 received by the ~~Division~~ **Department** from:

13 (a) A bid, auction or partnership in wildlife drawing conducted  
14 pursuant to NRS 502.250; and

15 (b) A gift of money made by any person to the Wildlife Heritage  
16 Trust Account,  
17 must be deposited with the State Treasurer for credit to the Account.

18 3. The interest and income earned on the money in the Wildlife  
19 Heritage Trust Account, after deducting any applicable charges,  
20 must be credited to the Account.

21 4. The ~~Division~~ **Department** may annually expend from the  
22 Wildlife Heritage Trust Account an amount of money not greater  
23 than the interest earned on the money in the Account during the  
24 previous year. The Commission shall review and approve  
25 expenditures from the Account. No money may be expended from  
26 the Account without the prior approval of the Commission.

27 5. The Commission shall administer the provisions of this  
28 section and may adopt any regulations necessary for that purpose.

29 **Sec. 26.** NRS 501.359 is hereby amended to read as follows:  
30 501.359 1. The Wildlife Imprest Account in the amount of  
31 \$15,000 is hereby created for the use of the ~~Division,~~ **Department,**  
32 subject to the following conditions:

33 (a) The money must be deposited in a bank or credit union  
34 qualified to receive deposits of public money, except that \$500 must  
35 be kept in the custody of an employee designated by the  
36 ~~Administrator~~ **Director** for immediate use for purposes set forth in  
37 this section.

38 (b) The Account must be replenished periodically from the  
39 Wildlife Account in the State General Fund upon approval of  
40 expenditures as required by law and submission of vouchers or other  
41 documents to indicate payment as may be prescribed.

42 2. The Wildlife Imprest Account may be used to pay for  
43 postage, C.O.D. packages, travel or other minor expenses which are  
44 proper as claims for payment from the Wildlife Account in the State  
45 General Fund.



1 3. The Wildlife Imprest Account may be used to provide  
2 money to employees of the ~~{Division}~~ *Department* for travel  
3 expenses and subsistence allowances arising out of their official  
4 duties or employment. All advances constitute a lien in favor of the  
5 ~~{Division}~~ *Department* upon the accrued wages of the requesting  
6 employee in an amount equal to the money advanced, but the  
7 ~~{Administrator}~~ *Director* may advance more than the amount of the  
8 accrued wages of the employee. Upon the return of the employee, he  
9 is entitled to receive money for any authorized expenses and  
10 subsistence in excess of the amount advanced.

11 **Sec. 27.** NRS 501.361 is hereby amended to read as follows:

12 501.361 A Petty Cash Account in the amount of \$1,000 for the  
13 payment of minor expenses of the ~~{Division}~~ *Department* is hereby  
14 created. The Account must be kept in the custody of an employee  
15 designated by the ~~{Administrator}~~ *Director* and must be replenished  
16 periodically from the Wildlife Account in the State General Fund  
17 upon approval of expenditures as required by law and submission of  
18 vouchers or other documents to indicate payment as may be  
19 prescribed.

20 **Sec. 28.** NRS 501.363 is hereby amended to read as follows:

21 501.363 A Change Account in the amount of \$3,000 is hereby  
22 created. The Account must be kept in the custody of one or more  
23 employees designated by the ~~{Administrator}~~ *Director* and used for  
24 the making of change incidental to the business of the ~~{Division.}~~  
25 *Department.*

26 **Sec. 29.** NRS 501.383 is hereby amended to read as follows:

27 501.383 It is unlawful for any person maliciously to tear down,  
28 mutilate or destroy any sign, signboard or other notice which has  
29 been erected by the ~~{Division}~~ *Department* or through an agency of  
30 the ~~{Division.}~~ *Department.*

31 **Sec. 30.** NRS 501.385 is hereby amended to read as follows:

32 501.385 Except as otherwise provided by specific statute:

33 1. Any person who:

34 (a) Performs an act or attempts to perform an act made unlawful  
35 or prohibited by a provision of this title;

36 (b) Willfully fails to perform an act required of him by a  
37 provision of this title;

38 (c) Obstructs, hinders, delays or otherwise interferes with any  
39 officer, employee or agent of the ~~{Division}~~ *Department* in the  
40 performance of any duty while enforcing or attempting to enforce  
41 any provision of this title;

42 (d) Violates any order issued or regulation adopted by the  
43 Commission under the provisions of this title; or

44 (e) Having been granted a privilege or been licensed or  
45 permitted to do any act under the provisions of this title,



1 exercises the grant, license or permit in a manner other than as  
2 specified,  
3 is guilty of a misdemeanor.

4 2. Every person who is guilty of a misdemeanor under this title  
5 shall be punished by a fine of not less than \$50 nor more than \$500,  
6 or by imprisonment in the county jail for not more than 6 months, or  
7 by both fine and imprisonment.

8 **Sec. 31.** NRS 501.3855 is hereby amended to read as follows:

9 501.3855 1. In addition to the penalties provided for the  
10 violation of any of the provisions of this title, every person who  
11 unlawfully kills or possesses a big game mammal, bobcat, swan or  
12 eagle is liable for a civil penalty of not less than \$250 nor more than  
13 \$5,000.

14 2. For *the* unlawful killing or possession of fish or wildlife not  
15 included in subsection 1, the court may order the defendant to pay a  
16 civil penalty of not less than \$25 nor more than \$1,000.

17 3. For hunting, fishing or trapping without a valid license, tag  
18 or permit, the court may order the defendant to pay a civil penalty of  
19 not less than \$50 nor more than \$250.

20 4. Every court, before whom a defendant is convicted of  
21 unlawfully killing or possessing any wildlife, shall order the  
22 defendant to pay the civil penalty in the amount stated in this section  
23 for each mammal, bird or fish unlawfully killed or possessed. The  
24 court shall fix the manner and time of payment.

25 5. The ~~Division~~ *Department* may attempt to collect all  
26 penalties and installments that are in default in any manner provided  
27 by law for the enforcement of a judgment.

28 6. Each court that receives money pursuant to the provisions of  
29 this section shall forthwith remit the money to the ~~Division~~  
30 *Department* which shall deposit the money with the State Treasurer  
31 for credit to the Wildlife Account in the State General Fund.

32 **Sec. 32.** NRS 501.389 is hereby amended to read as follows:

33 501.389 1. Except for property described in NRS 501.3857,  
34 equipment:

35 (a) Seized as evidence in accordance with NRS 501.375; and

36 (b) Not recovered by the owner within 1 year from the date of  
37 seizure,  
38 becomes the property of the ~~Division~~ *Department*.

39 2. The ~~Division~~ *Department* shall either sell such equipment  
40 in accordance with the regulations adopted pursuant to subsection 5  
41 of NRS 333.220 or retain such equipment for authorized use by the  
42 ~~Division~~ *Department*. All money received from such sales must  
43 be deposited with the State Treasurer for credit to the Wildlife  
44 Account in the State General Fund.



1 3. Any person of lawful age and lawfully entitled to reside in  
2 the United States may purchase the equipment, whether a prior  
3 owner or not.

4 **Sec. 33.** NRS 501.395 is hereby amended to read as follows:

5 501.395 1. The ~~[Division]~~ *Department* may offer a reward  
6 for one or more classes of wildlife, not to exceed \$1,000, for  
7 information leading to the arrest and conviction of any person who  
8 unlawfully kills or possesses wildlife of the class specified. The  
9 reward must be paid for each person so arrested and convicted upon  
10 his conviction. The reward must be distributed equally among the  
11 persons who supplied the information which led to the arrest and  
12 conviction.

13 2. The Commission may adopt such regulations as are  
14 necessary to carry out the provisions of this section.

15 **Sec. 34.** NRS 502.012 is hereby amended to read as follows:

16 502.012 Upon receipt of a copy of an order of the juvenile  
17 division of a district court, entered pursuant to NRS 62.229, to  
18 revoke the license to hunt of a child, the ~~[Division]~~ *Department*  
19 shall revoke the license. The revocation of the license to hunt shall  
20 be deemed effective as of the date of the order. The ~~[Division]~~  
21 *Department* shall retain the copy of the order.

22 **Sec. 35.** NRS 502.015 is hereby amended to read as follows:

23 502.015 1. For the purpose of issuing and using resident  
24 licenses, tags or permits pursuant to this chapter, a person is  
25 considered to be a resident of the State of Nevada if:

26 (a) He is a citizen of, or is lawfully entitled to remain in, the  
27 United States; and

28 (b) During the 6 months next preceding his application to the  
29 ~~[Division]~~ *Department* for a license, tag or permit, he:

30 (1) Was domiciled in this state;

31 (2) Was physically present in this state, except for temporary  
32 absences; and

33 (3) Did not purchase or apply for any resident license, tag or  
34 permit to hunt, fish or trap in another state, country or province.

35 2. A person who is not domiciled in Nevada but who is  
36 attending an institution of higher learning in this state as a full-time  
37 student is eligible for a resident license, tag or permit if, during the 6  
38 months next preceding his application to the ~~[Division]~~ *Department*  
39 for a license, tag or permit, he:

40 (a) Was physically present in Nevada, except for temporary trips  
41 outside of the State; and

42 (b) Did not purchase or apply for any resident license, tag or  
43 permit to hunt, fish or trap in another state, country or province.

44 3. A resident license, tag or permit issued by this state is void if  
45 the person to whom it was issued establishes his domicile in and



1 obtains any privilege or entitlement conditional on residency from  
2 another state, country or province.

3 **Sec. 36.** NRS 502.020 is hereby amended to read as follows:  
4 502.020 The ~~{Division,}~~ *Department* shall prepare the licenses  
5 for hunting, fishing and trapping, and shall deliver such licenses to  
6 agents for sale to the public.

7 **Sec. 37.** NRS 502.030 is hereby amended to read as follows:  
8 502.030 1. Licenses granting the privilege to hunt, fish or  
9 trap as provided in this title must be of such a form as is deemed  
10 necessary by the ~~{Division,}~~ *Department*, but must include the  
11 following information:

- 12 (a) The holder's name, address and description.
- 13 (b) The date issued.
- 14 (c) The period of validity.
- 15 (d) The correct designation as to whether a fishing, hunting or  
16 trapping license.
- 17 (e) A statement to be signed by the holder: "I, the signator  
18 holder in signing this license, hereby state that I am entitled to this  
19 license under the laws of the State of Nevada and that no false  
20 statement has been made by me to obtain this license."

21 2. The Commission may provide rules and regulations  
22 requiring an applicant to exhibit proof of his identity and residence.  
23 Such information must be included on the license as is deemed  
24 necessary by the ~~{Division,}~~ *Department*.

25 3. The Commission may provide rules and regulations  
26 establishing a permanent licensing system. Such a system may  
27 authorize the use of applications for the issuance of temporary  
28 hunting, fishing and trapping licenses for residents and the issuance  
29 of annual licenses therefrom. The system may provide for the  
30 automatic renewal and validation of the annual license.

31 4. The Commission may provide regulations covering the  
32 method of applying for, the term and expiration date of any license  
33 required by this title to be issued without the payment of a fee.

34 **Sec. 38.** NRS 502.035 is hereby amended to read as follows:  
35 502.035 Licenses, stamps and permits granting the privilege to  
36 hunt, fish or trap during the open season as provided in this title  
37 must be issued by the ~~{Division,}~~ *Department*, upon payment of the  
38 fees required under this title.

39 **Sec. 39.** NRS 502.040 is hereby amended to read as follows:  
40 502.040 1. The Commission shall adopt regulations  
41 regarding:

- 42 (a) The standards to be met by license agents in the performance  
43 of their duties;
- 44 (b) The requirements for the furnishing of surety bonds by  
45 license agents;



1 (c) The manner of remitting money to the ~~[Division]~~  
2 *Department*; and

3 (d) The manner of accounting for licenses, tags, stamps and  
4 permits received, issued, sold or returned.

5 A license agent's authority may be revoked by the ~~[Division]~~  
6 *Department* for his failure to abide by the regulations of the  
7 Commission. The agent may appeal to the Commission for  
8 reinstatement.

9 2. A license agent designated by the ~~[Division]~~ *Department* is  
10 responsible for the correct issuance of all licenses, tags, stamps and  
11 permits entrusted to him, and, so far as he is able, for ensuring that  
12 no licenses are issued upon the false statement of an applicant.  
13 Before issuing any license, the license agent shall satisfy himself of  
14 the identity of the applicant and the place of his residence, and may  
15 require any applicant to present proof of his identity and residence.

16 3. A license agent is responsible to the ~~[Division]~~ *Department*  
17 for the collection of the correct and required fee, for the  
18 safeguarding of the money collected by him, and for the prompt  
19 remission to the ~~[Division]~~ *Department* for deposit in accordance  
20 with NRS 501.356 of all money collected. The ~~[Division]~~  
21 *Department* shall furnish to the license agent receipts for all money  
22 which he remits to it. A license agent shall furnish a receipt to the  
23 ~~[Division]~~ *Department* of all licenses, tags, stamps or permits which  
24 he receives from it.

25 4. For each license, tag, stamp or permit he sells, a license  
26 agent is entitled to receive a service fee of:

27 (a) One dollar for each license, tag or permit, in addition to the  
28 fee for the license, tag or permit; and

29 (b) Ten cents for each stamp.

30 5. Any person authorized to enforce this chapter may inspect,  
31 during the license agent's normal business hours, any record or  
32 document of the agent relating to the issuance of any such license,  
33 tag or permit.

34 6. All money collected by a license agent, except service fees  
35 collected pursuant to subsection 4, is public money of the State of  
36 Nevada, and the State has a prior claim for the amount of money  
37 due it upon all assets of the agent over all creditors, assignees or  
38 other claimants. The use of this money for private or business  
39 transactions is a misuse of public funds and punishable under the  
40 laws provided.

41 **Sec. 40.** NRS 502.063 is hereby amended to read as follows:

42 502.063 The ~~[Division]~~ *Department* shall, upon request of the  
43 Welfare Division of the Department of Human Resources, submit to  
44 the Welfare Division the name, address and social security number  
45 of each person who holds a license or permit to hunt, fish or trap





1 that does not expire less than 6 months after it is issued, or a license  
2 to practice commercial taxidermy, and any pertinent changes in that  
3 information.

4 **Sec. 41.** NRS 502.070 is hereby amended to read as follows:

5 502.070 1. The ~~Division~~ *Department* shall issue to any  
6 member of the Armed Forces of the United States who has been  
7 assigned to permanent duty, as opposed to temporary or casual duty,  
8 within the State of Nevada all necessary hunting or fishing licenses,  
9 tags or permits for fishing, hunting or trapping in the State of  
10 Nevada. A like privilege must be extended to spouses and  
11 dependents, under the age of 21, of such members of the Armed  
12 Forces. All such licenses, tags or permits must be issued on the  
13 same terms and conditions and at the same costs as licenses, tags or  
14 permits are issued to Nevada residents, except that the 6 months'  
15 residence requirement must be waived.

16 2. The issuance of all such licenses, tags and permits must be  
17 made by application upon a form provided for that purpose by the  
18 ~~Division~~ *Department*. The application must include such proof of  
19 assignment to permanent duty within the State of Nevada as may be  
20 deemed necessary by the ~~Division~~ *Department* to determine  
21 whether or not an applicant is actually so assigned.

22 **Sec. 42.** NRS 502.072 is hereby amended to read as follows:

23 502.072 The ~~Division~~ *Department* shall issue without charge  
24 any license authorized under the provisions of this chapter, upon  
25 satisfactory proof of the requisite facts to any bona fide resident of  
26 the State of Nevada who has incurred a service-connected disability  
27 which is considered to be 50 percent or more by the Department of  
28 Veterans Affairs and has received upon severance from service an  
29 honorable discharge or certificate of satisfactory service from the  
30 Armed Forces of the United States.

31 **Sec. 43.** NRS 502.075 is hereby amended to read as follows:

32 502.075 The ~~Division~~ *Department* shall issue to a blind  
33 person, as defined in subsection 4 of NRS 361.085, a hunting  
34 license which:

35 1. Authorizes a person selected by the blind person to hunt on  
36 his behalf if:

37 (a) The person selected is a resident of the State of Nevada and  
38 possesses a valid Nevada hunting license; and

39 (b) The blind person is in the company of or in the immediate  
40 area of the person selected.

41 2. Is issued pursuant and subject to regulations prescribed by  
42 the Commission.

43 3. Contains the word "Blind" printed on the face of the license.



1       **Sec. 44.** NRS 502.077 is hereby amended to read as follows:  
2       502.077 1. The ~~[Division]~~ **Department** shall issue special  
3 fishing permits to the administrative head of:  
4       (a) Northern Nevada Adult Mental Health Services;  
5       (b) Southern Nevada Adult Mental Health Services;  
6       (c) The Northern Nevada Children’s Home;  
7       (d) The Southern Nevada Children’s Home;  
8       (e) The Nevada Youth Training Center;  
9       (f) The Caliente Youth Center;  
10       (g) The Spring Mountain Youth Camp;  
11       (h) The China Spring Youth Camp;  
12       (i) Any facility which provides temporary foster care for  
13 children who are not delinquent; and  
14       (j) Such other public or charitable institutions or organizations  
15 as are designated by regulations adopted by the  
16 Commission,  
17 for use only by the members, patients or children of such institutions  
18 or organizations.  
19       2. The permits:  
20       (a) Must be in the possession of the officer or employee who is  
21 supervising a member, patient or child while he is fishing.  
22       (b) Authorize a member, patient or child to fish in a legal  
23 manner if in the company of an officer or employee of one of the  
24 institutions listed in this section, or of an organization provided for  
25 by regulation, if the officer or employee has a valid Nevada fishing  
26 license.  
27       (c) Must be issued pursuant and subject to regulations  
28 prescribed by the Commission.  
29       (d) Must contain the words “Nevada Special Fishing Permit”  
30 and the number of the permit printed on the face of the permit.  
31       (e) May authorize no more than 15 members, patients or  
32 children, respectively, to fish.  
33       3. Each institution or organization shall pay to the ~~[Division]~~  
34 **Department** an annual fee of \$15 for each permit issued to the  
35 institution or organization pursuant to this section. The ~~[Division]~~  
36 **Department** shall not issue more than two permits per year to each  
37 institution or organization.  
38       4. It is unlawful for any person other than a member, patient or  
39 child in one of these organizations or institutions to fish with a  
40 permit issued by the ~~[Division]~~ **Department** pursuant to this section.  
41       **Sec. 45.** NRS 502.115 is hereby amended to read as follows:  
42       502.115 1. If the ~~[Division]~~ **Department** receives a copy of a  
43 court order issued pursuant to NRS 425.540 that provides for the  
44 suspension of all professional, occupational and recreational  
45 licenses, certificates and permits issued to a person who is the



1 holder of a license or permit to hunt, fish or trap that does not expire  
2 less than 6 months after it is issued, or a license to practice  
3 commercial taxidermy, the ~~Division~~ *Department* shall deem the  
4 license or permit issued to that person to be suspended at the end of  
5 the 30th day after the date on which the court order was issued  
6 unless the ~~Division~~ *Department* receives a letter issued to the  
7 holder of the license or permit by the district attorney or other public  
8 agency pursuant to NRS 425.550 stating that the holder of the  
9 license or permit has complied with the subpoena or warrant or has  
10 satisfied the arrearage pursuant to NRS 425.560.

11 2. The ~~Division~~ *Department* shall reinstate a license or  
12 permit to hunt, fish or trap or a license to practice commercial  
13 taxidermy that has been suspended by a district court pursuant to  
14 NRS 425.540 if the ~~Division~~ *Department* receives a letter issued  
15 by the district attorney or other public agency pursuant to NRS  
16 425.550 to the person whose license or permit was suspended  
17 stating that the person whose permit or license was suspended has  
18 complied with the subpoena or warrant or has satisfied the arrearage  
19 pursuant to NRS 425.560.

20 **Sec. 46.** NRS 502.142 is hereby amended to read as follows:

21 502.142 1. The Commission shall adopt regulations to  
22 establish a program pursuant to which the ~~Division~~ *Department*  
23 will issue special incentive elk tags. The regulations must:

24 (a) Set forth the application and annual review processes for the  
25 issuance of special incentive elk tags.

26 (b) Require that an application for a special incentive elk tag  
27 must be accompanied by:

28 (1) The fee charged for an elk tag pursuant to NRS 502.250;  
29 and

30 (2) Any administrative fee charged in connection with the  
31 issuance of an elk tag pursuant to this chapter.

32 (c) Provide for the issuance of a special incentive elk tag only to  
33 a person who:

34 (1) Lawfully owns, leases or manages private land within an  
35 actual elk use area; and

36 (2) If that private land blocks reasonable access to adjacent  
37 public land, provides reasonable access through the private land to  
38 allow a person or hunting party possessing a valid elk tag to hunt elk  
39 on the adjacent public land.

40 (d) Establish criteria for the issuance of special incentive elk  
41 tags based upon:

42 (1) The number of elk using private land controlled by the  
43 applicant;

44 (2) The number of days the elk use private lands of the  
45 applicant in a calendar year;



1 (3) The total number of elk; and  
2 (4) Limiting the number of special incentive elk tags issued  
3 in each calendar year to not more than one-half of the bull elk tags  
4 issued in that calendar year,  
5 within the actual elk use area in the unit or units of the management  
6 area or areas in which the private land is located.

7 (e) Provide that special incentive elk tags are valid for both  
8 sexes of elk.

9 (f) Prohibit a person who has, within a particular calendar year,  
10 applied for or received compensation pursuant to NRS 504.165 as  
11 reimbursement for damage caused by elk to private land from  
12 applying, within the same calendar year, for a special incentive elk  
13 tag for the same private land.

14 (g) Allow a group of owners, lessees and managers of private  
15 land to qualify for a special incentive elk tag for their combined  
16 lands.

17 (h) Ensure that the issuance of special incentive elk tags will not  
18 result in the number of bull elk tags issued in any year being  
19 reduced to a number below the quota for bull elk tags established by  
20 the Commission for 1997.

21 (i) Provide that a person to whom a special incentive elk tag is  
22 issued by the Commission pursuant to this section may:

23 (1) If he holds a valid hunting license issued by this state, use  
24 the special incentive elk tag himself; or

25 (2) Sell the special incentive elk tag to another person who  
26 holds a valid hunting license issued by this state at any price upon  
27 which the parties mutually agree.

28 (j) Require that a person who is issued a special incentive elk tag  
29 must hunt:

30 (1) During the open season for elk.

31 (2) In the unit or units within the management area or areas  
32 in which the private land is located.

33 (k) Provide for the appointment of an arbitration panel to resolve  
34 disputes between persons who apply for special incentive elk tags  
35 and the ~~Division~~ Department regarding the issuance of such tags.

36 2. As used in this section, "actual elk use area" means an area  
37 in which elk live, as identified and designated by the ~~Division~~  
38 Department.

39 **Sec. 47.** NRS 502.143 is hereby amended to read as follows:

40 502.143 1. The Commission may adopt regulations  
41 establishing a program pursuant to which the ~~Division~~ Department  
42 may issue special incentive deer tags to owners, lessees and  
43 managers of private land in this state for use on the private land of  
44 such owners, lessees or managers.

45 2. The regulations must:



- 1 (a) Require that the owner, lessee or manager who is lawfully in  
2 control of private land must, before he is issued a special incentive  
3 deer tag:  
4 (1) Allow the hunting and viewing of wildlife on his land by  
5 the general public; or  
6 (2) Enter into a cooperative agreement with the ~~Division~~  
7 *Department* to improve deer or other wildlife habitat on his land.  
8 (b) Allow the owner, lessee or manager to sell any special  
9 incentive deer tag that he is issued pursuant to the program.  
10 **Sec. 48.** NRS 502.145 is hereby amended to read as follows:  
11 502.145 1. An owner, lessee or manager of private land in  
12 this state may apply to the ~~Division~~ *Department* for the issuance  
13 to him of one or more deer or antelope tags as provided in this  
14 section. The tags must be issued as compensation for damage caused  
15 by deer or antelope to the private land or to any improvements  
16 thereon.  
17 2. An application made pursuant to this section must:  
18 (a) Be made in the form prescribed by the ~~Division;~~  
19 *Department;*  
20 (b) Establish to the satisfaction of the ~~Division~~ *Department*  
21 that the applicant has sustained damage of the kind described in  
22 subsection 1; and  
23 (c) Be accompanied by the fee charged for the tags pursuant to  
24 NRS 502.250 and any fee charged for administrative costs.  
25 3. The ~~Division~~ *Department* shall review the application,  
26 may conduct any investigation it deems appropriate and, if it  
27 approves the application, shall issue to the applicant not more than  
28 one tag for each 50 animals present on the private land owned,  
29 leased or managed by the applicant. Both deer and antelope tags  
30 may be issued to an applicant.  
31 4. A tag issued as compensation for damage pursuant to this  
32 section:  
33 (a) May be used by the owner, lessee or manager of the private  
34 land if he holds a valid Nevada hunting license, or may be sold by  
35 that person to any holder of a valid Nevada hunting license at any  
36 price mutually agreed upon;  
37 (b) Except as otherwise provided in subparagraph (2) of  
38 paragraph (c), ~~of this subsection,~~ must be used on the private land  
39 or in the unit or units within the management area or areas in which  
40 the private land is located; and  
41 (c) May only be used during:  
42 (1) The open season for the species for which the tag is  
43 issued; or  
44 (2) A special season prescribed by regulation of the  
45 Commission for the use of such tags only on the private land.



1 5. As a condition of receiving a tag from the ~~Division~~  
2 *Department* pursuant to this section, an owner, lessee or manager  
3 who is lawfully in control of private land that blocks access to  
4 adjacent public land must provide access to the public land during  
5 the hunting season to a person or hunting party with a tag for the  
6 purpose of hunting on the public land.

7 6. Insofar as they are consistent with this section, the  
8 provisions of this title and of the regulations adopted by the  
9 Commission apply to the issuance and use of tags pursuant to this  
10 section. The Commission:

11 (a) Shall by regulation establish the maximum number of tags  
12 which may be issued annually by the ~~Division~~ *Department*  
13 pursuant to this section, which must not exceed 1.5 percent of the  
14 total number of deer and antelope tags which are authorized for  
15 issuance annually throughout the State; and

16 (b) May adopt any other regulations it deems necessary to carry  
17 out the provisions of this section.

18 7. The ~~Administrator~~ *Director* shall, not later than the fifth  
19 calendar day of each regular session of the Legislature, submit to the  
20 Director of the Legislative Counsel Bureau for distribution to the  
21 Legislature a report summarizing the activities of the ~~Division~~  
22 *Department* taken pursuant to the provisions of this section during  
23 the preceding biennium, including any problems associated with the  
24 issuance and use of tags authorized by this section and any  
25 recommendations for correcting those problems.

26 **Sec. 49.** NRS 502.147 is hereby amended to read as follows:

27 502.147 1. The ~~Division~~ *Department* shall make available  
28 restricted nonresident deer tags in an amount not to exceed the  
29 amount set forth in this section. If the number of persons who apply  
30 for restricted nonresident deer tags is greater than the number of tags  
31 to be issued, the ~~Division~~ *Department* shall conduct a drawing to  
32 determine the persons to whom to issue the tags.

33 2. The number of restricted nonresident deer tags must:

34 (a) Be subtracted from the quota of rifle deer tags for  
35 nonresidents; and

36 (b) Not exceed 16 percent of the deer tags issued to nonresidents  
37 during the previous year or 400 tags, whichever is greater.

38 3. The number of restricted nonresident deer tags issued for  
39 any management area or unit must not exceed 37.5 percent, rounded  
40 to the nearest whole number, of the rifle deer tags issued to  
41 nonresidents during the previous year for that management area or  
42 unit.

43 4. The ~~Division~~ *Department* shall mail the tags to the  
44 successful applicants.



1       **Sec. 50.** NRS 502.148 is hereby amended to read as follows:  
2       502.148 1. Except as otherwise provided in this subsection,  
3 any person who wishes to apply for a restricted nonresident deer tag  
4 pursuant to NRS 502.147 must complete an application on a form  
5 prescribed and furnished by the ~~Division~~ *Department*. A licensed  
6 master guide may complete the application for an applicant. The  
7 application must be signed by the applicant and the master guide  
8 who will be responsible for conducting the restricted nonresident  
9 deer hunt.

10       2. The application must be accompanied by a fee for the tag of  
11 \$300, plus any other fees which the ~~Division~~ *Department* may  
12 require. The Commission shall establish the time limits and  
13 acceptable methods for submitting such applications to the  
14 ~~Division~~ *Department*.

15       3. Any application for a restricted nonresident deer tag which  
16 contains an error or omission must be rejected and the fee for the tag  
17 returned to the applicant.

18       4. A person who is issued a restricted nonresident deer tag is  
19 not eligible to apply for any other deer tag issued in this state for the  
20 same hunting season as that restricted nonresident deer hunt.

21       5. All fees collected pursuant to this section must be deposited  
22 with the State Treasurer for credit to the Wildlife Account in the  
23 State General Fund.

24       **Sec. 51.** NRS 502.160 is hereby amended to read as follows:  
25       502.160 1. The ~~Division~~ *Department* shall designate the  
26 form of the tag, requiring such numbering or other manner of  
27 identification as is necessary to designate the name or hunting  
28 license number of the person to whom it is issued. Each tag must  
29 show the game for which it may be used, the year ~~[-]~~ and, whenever  
30 necessary, the management area in which it may be used.

31       2. The Commission may adopt any regulations necessary  
32 relative to the manner of qualifying and applying for, using,  
33 completing, attaching, filling out, punching, inspecting, validating  
34 or reporting such tags. It is unlawful for any person to fail to abide  
35 by any such regulation.

36       **Sec. 52.** NRS 502.175 is hereby amended to read as follows:  
37       502.175 1. The ~~Division~~ *Department* shall contract with a  
38 private entity to conduct a drawing and to award and issue the tags  
39 for a special season. The drawing must be conducted using a  
40 computer program that awards tags based on a random order of  
41 selection. The contract must provide for the acquisition by the  
42 ~~Division~~ *Department* of the ownership of the computer program at  
43 the end of the term of the contract. The ~~Division~~ *Department* shall  
44 solicit bids for the contract pursuant to the provisions of chapter 333  
45 of NRS.





1       2. The ~~Division~~ *Department* shall:  
2       (a) Provide to the private entity to whom a contract is awarded  
3 pursuant to the provisions of subsection 1 any applications for tags,  
4 documents or other information required by the private entity to  
5 conduct the drawing; and  
6       (b) Otherwise cooperate with the private entity in conducting the  
7 drawing.  
8       3. As soon as practicable after the drawing is completed, the  
9 private entity shall submit the results of the drawing to the  
10 ~~Division~~ *Department*.  
11       4. If no private entity qualifies for the awarding of the contract  
12 specified in subsection 1, the ~~Division~~ *Department* shall conduct a  
13 drawing to award tags for a special season in the manner set forth in  
14 the regulations adopted by the Commission pursuant to the  
15 provisions of subsection 5.  
16       5. The Commission shall adopt regulations necessary to carry  
17 out the provisions of this section, including regulations that  
18 prescribe the manner in which the ~~Division~~ *Department* must  
19 conduct a drawing specified in subsection 1 if no private entity  
20 qualifies for the awarding of the contract.  
21       **Sec. 53.** NRS 502.210 is hereby amended to read as follows:  
22       502.210 A duplicate tag may not be issued except as follows:  
23       1. Upon receiving an affidavit of an applicant that a tag  
24 previously issued has been lost or destroyed and upon payment of a  
25 fee of \$5, the ~~Division~~ *Department* shall issue a duplicate tag to  
26 the applicant.  
27       2. Upon receiving an affidavit of an applicant that he has not  
28 received the tag for which he applied and paid the required fee, the  
29 ~~Division~~ *Department* may, not earlier than 7 days after the date on  
30 which the tag was mailed, issue a duplicate tag to the applicant upon  
31 payment of a fee of \$5.  
32 The provisions of this section do not affect the issuance of a  
33 replacement tag pursuant to NRS 502.215.  
34       **Sec. 54.** NRS 502.215 is hereby amended to read as follows:  
35       502.215 1. If any person who possesses a tag to hunt a big  
36 game mammal kills an animal that is believed to be diseased and  
37 unfit for human consumption, he shall place his tag on the carcass in  
38 the manner provided by law or regulation and provide the whole  
39 carcass for inspection by an authorized representative of the  
40 ~~Division~~ *Department* or, at his own expense, by a veterinarian  
41 licensed to practice in Nevada. Except as otherwise provided in this  
42 subsection, the holder of the tag who provides the carcass for such  
43 an inspection is entitled, if the carcass is diseased and unfit for  
44 human consumption, to receive at no charge another tag as a  
45 replacement for the one he placed on the carcass pursuant to this



1 subsection. The holder shall choose whether the replacement tag is  
2 to be issued for the current hunting season or for the next similar  
3 season in the following year. If the holder chooses to retain the  
4 head, antlers, carcass, horns or hide of the animal, and the  
5 authorized representative of the ~~Division~~ *Department* approves  
6 the retention, the holder shall be deemed to waive any claim he may  
7 have had for the issuance of a replacement tag.

8 2. A replacement tag issued pursuant to subsection 1 for the  
9 current hunting season is valid for:

10 (a) The entire remaining portion of the season for which the  
11 original tag was issued; or

12 (b) If the original tag was issued for a period of a split season,  
13 the entire remaining portion of the period for which the original tag  
14 was issued or the entire following period, if any.

15 3. A replacement tag issued pursuant to subsection 1 must be:

16 (a) Issued for the same unit for which the original tag was  
17 issued.

18 (b) Used in the same manner as or pursuant to the same  
19 conditions or restrictions applicable to the original tag.

20 4. The Commission shall adopt by regulation:

21 (a) A procedure for the inspection and verification of the  
22 condition of such a carcass;

23 (b) Requirements for the disposal of such a carcass if it is  
24 determined to be diseased and unfit for human consumption;

25 (c) Requirements for the disposition of the hide and the antlers  
26 or horns of the animal; and

27 (d) Except as otherwise provided in subsection 2, a procedure  
28 for the issuance of a replacement tag pursuant to this section.

29 5. For the purposes of this section, "split season" means a  
30 season which is divided into two or more periods.

31 **Sec. 55.** NRS 502.230 is hereby amended to read as follows:

32 502.230 1. A nonresident deer tag for regular season may be  
33 issued to any nonresident of this state or to the immediate members  
34 of such nonresident's family, as a bona fide owner of land within  
35 this state, for the privilege to hunt upon that land to which he has  
36 title, if not less than 75 percent of all land belonging to him in the  
37 State of Nevada and upon which he proposes to hunt is open to the  
38 public for hunting.

39 2. Such nonresident may hunt deer during the same periods and  
40 subject to the same limitations as may be allowed or imposed upon  
41 residents of Nevada in connection with such hunting if such  
42 nonresident has first obtained a nonresident hunting license.



1 3. A nonresident deer tag for the regular season may be issued  
2 by the ~~Division~~ *Department* only upon proof of the applicant's  
3 title to certain lands within this state. The Commission shall adopt  
4 and promulgate regulations establishing requirements for obtaining  
5 tags, including a determination that the land proposed for hunting is  
6 deer habitat.

7 4. Such nonresident deer tag for the regular season may be  
8 issued only upon payment of the regular nonresident fee and is valid  
9 for use only on the land owned and described, and such nonresident  
10 deer tag for the regular season must indicate "nonresident  
11 landowner."

12 **Sec. 56.** NRS 502.240 is hereby amended to read as follows:  
13 502.240 The ~~Division~~ *Department* shall issue annual licenses  
14 and limited permits:

15 1. To any person who has not attained his 16th birthday and  
16 who has been a bona fide resident of the State of Nevada for 6  
17 months immediately preceding his application for a license, upon  
18 payment of \$5 for an annual trapping license.

19 2. Except as otherwise provided in NRS 502.245 and 504.390,  
20 to any person who has attained his 16th birthday and who has been a  
21 bona fide resident of the State of Nevada for 6 months immediately  
22 preceding his application for a license, upon the payment of:

23		
24	For a fishing license .....	\$20
25	For a 1-day permit to fish.....	6
26	For each consecutive day added to a 1-day permit to fish .....	2
27	For a hunting license .....	23
28	For a combined hunting and fishing license .....	38
29	For a trapping license .....	30
30	For a fur dealer's license .....	50
31	For an annual master guide's license .....	250
32	For an annual subguide's license .....	75
33		

34 3. To any person who has attained his 12th birthday but who  
35 has not attained his 16th birthday, and who is not a bona fide  
36 resident of the State of Nevada, upon the payment of \$8 for an  
37 annual fishing license, except for a fishing license to fish in the  
38 reciprocal waters of the Colorado River, Lake Mead and Lake  
39 Mohave, which annual license must cost a sum agreed upon by the  
40 Commission and the Arizona Game and Fish Commission, but not  
41 to exceed \$30.

42 4. Except as otherwise provided in subsection 3, to any person  
43 who is not a bona fide resident of the State of Nevada, upon the  
44 payment of:



1 For a fishing license, except for a fishing license to  
2 fish in the reciprocal waters of the Colorado  
3 River, Lake Mead and Lake Mohave, which  
4 license must cost a sum agreed upon by the  
5 Commission and the Arizona Game and Fish  
6 Commission, but not to exceed \$30..... \$50  
7 For a 1-day permit to fish..... 11  
8 For each consecutive day added to a 1-day permit to  
9 fish..... 4  
10 For a hunting license ..... 110  
11 For an annual trapper’s license ..... 150  
12 For a fur dealer’s license ..... 100  
13 For an annual master guide’s license ..... 500  
14 For an annual subguide’s license ..... 150  
15 For a 1-day permit to hunt upland game and  
16 waterfowl ..... 15  
17 For each consecutive day added to a 1-day permit to  
18 hunt upland game and waterfowl..... 5

19  
20 5. To any person, without regard to residence, upon the  
21 payment of:

22  
23 For a noncommercial license for the possession of  
24 live wildlife ..... \$5  
25 For a commercial or private shooting preserve..... 100  
26 For a commercial license for the possession of live  
27 wildlife ..... 100  
28 For a live bait dealer’s permit ..... 35  
29 For a competitive field trials permit..... 25  
30 For a permit to train dogs or falcons ..... 5  
31 For a 1-year falconry license..... 30  
32 For a 3-year falconry license..... 75  
33 For an importation permit ..... 5  
34 For an import eligibility permit..... 25  
35 For an exportation permit..... 5  
36 For any other special permit issued by the ~~Division,~~  
37 **Department**, a fee not to exceed \$100 set by the  
38 Commission.  
39

40 **Sec. 57.** NRS 502.245 is hereby amended to read as follows:  
41 502.245 1. The ~~Division~~ **Department** shall issue any  
42 hunting or fishing license or combined hunting and fishing license  
43 authorized under the provisions of this chapter, upon proof  
44 satisfactory of the requisite facts and payment of the applicable fee,  
45 to any person who has resided in this state:



1 (a) For the 6-month period immediately preceding the date of  
2 his application for a license and:

- 3 (1) Has a severe physical disability; or
- 4 (2) Has attained his 12th birthday but has not attained his  
5 16th birthday; or

6 (b) Continuously for 5 years immediately preceding the date of  
7 this application for a license and is 65 years of age or older.

8 2. The ~~Division~~ Department shall charge and collect for such  
9 a:

11	Hunting license.....	\$4
12	Fishing license.....	4
13	Combined hunting and fishing license.....	7

14  
15 3. For the purposes of this section, "severe physical disability"  
16 means a physical disability which materially limits the person's  
17 ability to engage in gainful employment.

18 **Sec. 58.** NRS 502.250 is hereby amended to read as follows:

19 502.250 1. Except as otherwise provided in this section, the  
20 following fees must be charged for tags:

21		
22	Resident deer tag for regular season .....	\$15
23	Nonresident and alien deer tag for regular season .....	60
24	Resident antelope tag .....	50
25	Resident elk tag .....	100
26	Resident bighorn <i>sheep</i> tag .....	100
27	Resident mountain goat tag .....	100
28	Resident mountain lion tag.....	25

29  
30 2. Other resident big game tags for special seasons must not  
31 exceed \$50. Other nonresident big game tags for special seasons  
32 must not exceed \$1,000.

33 3. Tags determined to be necessary by the Commission for  
34 other species pursuant to NRS 502.130 must not exceed \$100.

35 4. A fee not to exceed \$10 may be charged for processing an  
36 application for a tag other than an elk tag. A fee of not less than \$5  
37 but not more than \$15 must be charged for processing an application  
38 for an elk tag, \$5 of which must be deposited with the State  
39 Treasurer for credit to the Wildlife Account in the State General  
40 Fund and used for the prevention and mitigation of damage caused  
41 by elk or game mammals not native to this state.

42 5. The Commission may accept sealed bids for or auction not  
43 more than 15 big game tags and not more than 5 wild turkey tags  
44 each year. To reimburse the ~~Division~~ Department for the cost of  
45 managing wildlife and administering and conducting the bid or



1 auction, not more than 18 percent of the total amount of money  
2 received from the bid or auction may be deposited with the State  
3 Treasurer for credit to the Wildlife Account in the State General  
4 Fund. Any amount of money received from the bid or auction that is  
5 not so deposited must be deposited with the State Treasurer for  
6 credit to the Wildlife Heritage Trust Account in the State General  
7 Fund in accordance with the provisions of NRS 501.3575.

8 6. The Commission may by regulation establish an additional  
9 drawing for big game tags, which may be entitled the Partnership in  
10 Wildlife Drawing. To reimburse the ~~Division~~ *Department* for the  
11 cost of managing wildlife and administering and conducting the  
12 drawing, not more than 18 percent of the total amount of money  
13 received from the drawing may be deposited with the State  
14 Treasurer for credit to the Wildlife Account in the State General  
15 Fund. Except as otherwise provided by regulations adopted by the  
16 Commission pursuant to subsection 7, the money received by the  
17 ~~Division~~ *Department* from applicants in the drawing who are not  
18 awarded big game tags must be deposited with the State Treasurer  
19 for credit to the Wildlife Heritage Trust Account in accordance with  
20 the provisions of NRS 501.3575.

21 7. The Commission may adopt regulations which authorize the  
22 return of all or a portion of any fee collected from a person pursuant  
23 to the provisions of this section.

24 **Sec. 59.** NRS 502.253 is hereby amended to read as follows:

25 502.253 1. In addition to any fee charged and collected  
26 pursuant to NRS 502.250, a fee of \$3 must be charged for  
27 processing each application for a game tag, the revenue from which  
28 must be accounted for separately, deposited with the State Treasurer  
29 for credit to the Wildlife Account in the State General Fund and  
30 used by the ~~Division~~ *Department* for costs related to:

31 (a) Programs for the management and control of injurious  
32 predatory wildlife;

33 (b) Wildlife management activities relating to the protection of  
34 nonpredatory game animals, sensitive wildlife species and related  
35 wildlife habitat;

36 (c) Conducting research, as needed, to determine successful  
37 techniques for managing and controlling predatory wildlife,  
38 including studies necessary to ensure effective programs for the  
39 management and control of injurious predatory wildlife; and

40 (d) Programs for the education of the general public concerning  
41 the management and control of predatory wildlife.

42 2. The ~~Division~~ *Department* of Wildlife is hereby authorized  
43 to expend a portion of the money collected pursuant to subsection 1  
44 to enable the State Department of Agriculture to develop and carry  
45 out the programs described in subsection 1.



1 3. The money in the Wildlife Account remains in the Account  
2 and does not revert to the State General Fund at the end of any fiscal  
3 year.

4 **Sec. 60.** NRS 502.255 is hereby amended to read as follows:

5 502.255 The ~~{Division}~~ *Department* shall account separately  
6 for the money received from fees for processing applications for  
7 tags and, except as otherwise provided in NRS 502.253, use that  
8 money only for all of the ~~{Division's}~~ *Department's* direct and  
9 indirect costs associated with the system of applications and  
10 drawings for, and the issuance of, tags.

11 **Sec. 61.** NRS 502.300 is hereby amended to read as follows:

12 502.300 1. Except as otherwise provided in subsection 2, it is  
13 unlawful for any person to hunt any migratory game bird, except  
14 jacksnipe, coot, gallinule, western mourning dove, white-winged  
15 dove and band-tailed pigeon, unless at the time he is hunting he  
16 carries on his person:

17 (a) An unexpired state duck stamp validated by his signature in  
18 ink across the face of the stamp; or

19 (b) Such documentation as the ~~{Division}~~ *Department* provides  
20 via the Internet as proof that he has paid to the ~~{Division,}~~  
21 *Department*, for the licensing period that includes the time he is  
22 hunting, the same fee as that required pursuant to subsection 3 for  
23 the purchase of an unexpired state duck stamp for that period.

24 2. The provisions of subsection 1 do not apply to a person who:

25 (a) Is under the age of 12 years; or

26 (b) Is 65 years of age or older.

27 3. Unexpired duck stamps must be sold for a fee of not more  
28 than \$5 each by the ~~{Division}~~ *Department* and by persons  
29 authorized by the ~~{Division}~~ *Department* to sell hunting licenses.  
30 The Commission shall establish the price to be charged by the  
31 ~~{Division}~~ *Department* or agents of the ~~{Division}~~ *Department* for  
32 expired duck stamps, and the fee for unexpired duck stamps within  
33 the limit provided.

34 4. The ~~{Division}~~ *Department* shall determine the form of the  
35 stamps.

36 **Sec. 62.** NRS 502.310 is hereby amended to read as follows:

37 502.310 All money received pursuant to NRS 502.300 must be  
38 deposited with the State Treasurer for credit to the Wildlife Account  
39 in the State General Fund. The ~~{Division}~~ *Department* shall  
40 maintain separate accounting records for the receipt and expenditure  
41 of that money. An amount not to exceed 10 percent of that money  
42 may be used to reimburse the ~~{Division}~~ *Department* for the cost of  
43 administering the state duck stamp programs. This amount is in  
44 addition to compensation allowed persons authorized to issue and  
45 sell licenses.





1     **Sec. 63.** NRS 502.322 is hereby amended to read as follows:  
2     502.322 1. Before the ~~Division~~ *Department* may undertake  
3 any project using money received pursuant to NRS 502.300, it shall  
4 analyze the project and provide the Commission with  
5 recommendations as to the need for the project and its feasibility.

6     2. Money received pursuant to NRS 502.300 must be used for  
7 projects approved by the Commission for the protection and  
8 propagation of migratory game birds, and for the acquisition,  
9 development and preservation of wetlands in Nevada.

10    **Sec. 64.** NRS 502.324 is hereby amended to read as follows:

11     502.324 The ~~Division~~ *Department* shall, not later than the  
12 ~~5th~~ *fifth* calendar day of each regular session of the Legislature,  
13 submit to ~~the~~ *the Legislature* a report summarizing any projects  
14 undertaken, receipt and expenditure of money , and public benefits  
15 achieved by the program for the sale of state duck stamps.

16    **Sec. 65.** NRS 502.326 is hereby amended to read as follows:

17     502.326 1. Except as otherwise provided in subsection 2, it is  
18 unlawful for any person to take or possess trout unless at the time he  
19 is fishing he carries on his person:

20     (a) An unexpired state trout stamp affixed to his fishing license  
21 and validated by his signature in ink across the face of the stamp; or

22     (b) Such documentation as the ~~Division~~ *Department* provides  
23 via the Internet as proof that he has paid to the ~~Division,~~  
24 *Department*, for the licensing period that includes the time he is  
25 fishing, the same fee as that required pursuant to subsection 3 for the  
26 purchase of a state trout stamp for that period.

27     2. The provisions of subsection 1 do not apply to a person who:

28     (a) Is under the age of 12; or

29     (b) Is fishing:

30         (1) Under the authority of a valid 1-day permit to fish or  
31 during a consecutive day validly added to that permit; or

32         (2) In accordance with regulations adopted by the  
33 Commission pursuant to subparagraph (2) of paragraph (e) of  
34 subsection 1 of NRS 502.010.

35     3. State trout stamps must be sold for a fee of \$10 each by the  
36 ~~Division~~ *Department* and by persons authorized by the ~~Division~~  
37 *Department* to sell hunting, fishing and trapping licenses.

38     4. The ~~Division~~ *Department* shall determine the form of the  
39 stamps.

40    **Sec. 66.** NRS 502.327 is hereby amended to read as follows:

41     502.327 1. All money received pursuant to NRS 502.326  
42 must be deposited with the State Treasurer for credit to the Trout  
43 Management Account, which is hereby established in the State  
44 General Fund.



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

4 3. The ~~Division~~ Department shall:

5 (a) Maintain separate accounting records for the receipt of  
6 money pursuant to NRS 502.326 and the expenditure of that money.

7 (b) Administer the Trout Management Account. The ~~Division~~  
8 Department may use money in the Account only for the protection,  
9 propagation and management of trout in this state and for any  
10 bonded indebtedness incurred therefor.

11 **Sec. 67.** NRS 502.330 is hereby amended to read as follows:

12 502.330 1. No hunting license may be obtained by any  
13 person born after January 1, 1960, unless he presents to the  
14 ~~Division~~ Department, or one of its authorized licensing agents:

15 (a) A certificate of successful completion of a course of  
16 instruction in the responsibilities of hunters as provided by  
17 NRS 502.340;

18 (b) An equivalent certificate of completion of a course in the  
19 responsibilities of hunters provided by a state or an agency of a  
20 Canadian province for the management of wildlife; or

21 (c) A hunting license issued to him in a previous year by the  
22 ~~Division~~ Department, a state or an agency of a Canadian  
23 province, which bears a number or other unique mark evidencing  
24 successful completion of a course of instruction in the  
25 responsibilities of hunters.

26 2. Any person who has been convicted of violating NRS  
27 503.165 or 503.175 may not obtain a hunting license until he has  
28 successfully completed a course in the responsibilities of hunters  
29 conducted pursuant to NRS 502.340.

30 **Sec. 68.** NRS 502.340 is hereby amended to read as follows:

31 502.340 The ~~Division~~ Department shall certify instructors  
32 who will, with the cooperation of the ~~Division~~ Department,  
33 provide instruction in the responsibilities of hunters established by  
34 the ~~Division~~ Department to all eligible persons who, upon the  
35 successful completion of the course, must be issued a certificate.  
36 Persons who are disqualified from obtaining a hunting license,  
37 pursuant to NRS 502.330, are eligible for the course.

38 **Sec. 69.** NRS 502.370 is hereby amended to read as follows:

39 502.370 1. A license to practice taxidermy is required before  
40 any person may perform taxidermal services for others on any  
41 wildlife or their parts, nests or eggs.

42 2. Annual licenses for the term of 1 year from July 1 to June 30  
43 must be issued by the ~~Division~~ Department for the following fees:



1           Fee to practice commercial taxidermy ..... \$35  
2           Fee to practice noncommercial taxidermy ..... 5  
3

4           3. Any person who wishes to obtain a license to practice  
5 taxidermy must apply for the license on an application form  
6 provided by the ~~Division~~ Department. The applicant must provide  
7 such information on the form as the Commission may require by  
8 regulation.

9           4. The Commission may adopt regulations governing the  
10 licensing of taxidermists and the practice of taxidermy, including:

11           (a) The receipt, possession, transportation, identification,  
12 purchase and sale of wildlife or parts thereof to be or which have  
13 been processed by a taxidermist;

14           (b) The maintenance and submission of written records; and

15           (c) Any other matter concerning the practice, conduct and  
16 operating procedures of taxidermists as the Commission may deem  
17 necessary.

18           5. A person who is authorized to enforce the provisions of this  
19 title may enter the facilities of a licensee at any reasonable hour and  
20 inspect his operations and records.

21           6. If a licensee is convicted of a violation of any provision of  
22 this title or the regulations adopted by the Commission, the  
23 Commission may revoke his license and may refuse to issue another  
24 license to him for a period not to exceed 5 years.

25           7. The provisions of this section do not apply to institutions of  
26 learning of this state or of the United States, or to research activities  
27 conducted exclusively for scientific purposes, or for the  
28 advancement of agriculture, biology or any of the sciences.

29           **Sec. 70.** NRS 502.390 is hereby amended to read as follows:

30           502.390 1. Any:

31           (a) Person who develops or maintains an artificial or man-made  
32 body of water, other than a body of water maintained for  
33 agricultural or recreational purposes, containing chemicals or  
34 substances in quantities which, with the normal use of the body of  
35 water, causes or will cause the death of any wildlife; or

36           (b) Operator of a mining operation which develops or maintains  
37 an artificial body of water containing chemicals directly associated  
38 with the processing of ore,

39 must first obtain a permit from the ~~Division~~ Department  
40 authorizing the development or maintenance of the body of water.

41           2. Within 30 working days after receiving an application for a  
42 permit, the ~~Division~~ Department shall issue the permit or deny the  
43 application and list the reasons for denial. An applicant may appeal  
44 the denial of a permit to the Commission. A permit may be valid for



1 up to 5 years. The Commission may establish a fee for a permit of  
2 not more than \$100 per year.

3 3. Upon the transfer of ownership of any artificial or man-made  
4 body of water as to which a permit issued pursuant to this section is  
5 in force at the time of the transfer, the permit remains in effect for  
6 30 days after the transfer of ownership.

7 4. A person holding a permit issued pursuant to this section  
8 shall, in addition to the fee for the permit, pay to the ~~[Division]~~  
9 *Department* an assessment. The amount of the assessment must be  
10 determined pursuant to regulations adopted by the Commission. The  
11 assessment must be no more than \$10,000 per year for each permit.

12 5. Any person who fails to obtain a permit or pay an  
13 assessment as required by this section and the regulations adopted  
14 pursuant thereto or who fails to comply with the provisions of a  
15 permit is guilty of a misdemeanor for the first offense and a gross  
16 misdemeanor for any subsequent offense.

17 6. As used in this section:

18 (a) "Mining operation" means any activity conducted in this  
19 state by a person on or beneath the surface of land for the purpose  
20 of, or in connection with, the development or extraction of any  
21 mineral.

22 (b) "Operator" means any person who owns, controls or  
23 manages a mining operation.

24 **Sec. 71.** NRS 503.005 is hereby amended to read as follows:

25 503.005 1. Except as otherwise provided in subsection 2, a  
26 person shall not kill or attempt to kill any birds or animals while  
27 flying in an aircraft.

28 2. The Commission may promulgate rules and regulations  
29 whereby the ~~[Division]~~ *Department* may issue permits authorizing  
30 the hunting, killing or nonlethal control of coyotes, bobcats or  
31 ravens from an aircraft.

32 3. Every person who willfully violates the provisions of  
33 subsection 1 is guilty of a misdemeanor.

34 **Sec. 72.** NRS 503.035 is hereby amended to read as follows:

35 503.035 1. "Meat or game processor" as used in this section  
36 means any person, firm or corporation that receives any game for  
37 the purpose of processing or storage or for the purposes of  
38 processing and storage.

39 2. Any meat or game processor who receives any game for the  
40 purpose of processing or storage may, within 90 days after the  
41 receipt thereof, if such game remains in the possession of such meat  
42 or game processor, dispose of such game to the ~~[Division]~~  
43 *Department* if the owner of such game has not paid such meat or  
44 game processor for the processing or storage thereof.



- 1 3. The ~~Division~~ *Department* shall distribute such game to  
2 public charities on a fair and equitable basis.
- 3 4. No action may be commenced against such meat or game  
4 processor by the owner of such game after such game has been  
5 delivered to the ~~Division~~ *Department* under the provisions of this  
6 section.
- 7 5. Nothing in this section deprives a meat or game processor of  
8 any remedy at law available to a creditor against a debtor for the  
9 recovery of any money or other legal consideration owing from the  
10 owner of the game to the meat or game processor for such  
11 processing or storage.
- 12 **Sec. 73.** NRS 503.040 is hereby amended to read as follows:  
13 503.040 1. Except as otherwise provided in this section, it is  
14 unlawful for any person at any time to transport or offer for  
15 transportation to any place within or outside of this state any game  
16 mammal, raw furs, wild mammal taken by trapping, game bird or  
17 game fish taken within this state.
- 18 2. Any person who has legally taken any game mammal, raw  
19 furs, wild mammal taken by trapping, game bird or game fish within  
20 this state may use his hunting license, trapping license or fishing  
21 license or tag or stamp, when required, as a permit to transport one  
22 possession limit to points within or outside the State.
- 23 3. Any person who legally acquires ownership or custody of  
24 any game mammal, raw furs, wild mammal taken by trapping, game  
25 bird or game fish not taken by him through hunting, trapping or  
26 fishing may transport such mammal, furs, bird or fish within the  
27 State without a transportation permit if such shipment does not  
28 exceed one possession limit and if such shipment is labeled with the  
29 name, address, number and class of license of the hunter, trapper or  
30 fisherman who legally took such mammal, furs, bird or fish and date  
31 taken, if the mammal, furs, bird or fish is not required by law or  
32 regulation to be tagged. Unless otherwise permitted by a regulation  
33 of the Commission, when tagged shipments are involved, a  
34 transportation permit is required as provided in this section.
- 35 4. Any other person who desires to transport any game  
36 mammal, raw furs, wild mammal taken by trapping, game fish or  
37 game bird to a point within or without the State may do so only  
38 under the authority of a transportation permit as provided in this  
39 section.
- 40 5. The ~~Division~~ *Department* shall designate the form of the  
41 transportation permit and such permits may be issued for a fee of \$1  
42 by any game warden or other such persons as may be specifically  
43 designated by the ~~Division~~ *Department*. The person legally in  
44 possession of the game mammals, raw furs, wild mammals taken by  
45 trapping, game birds or game fish to be transported must appear



1 before the issuing agent to obtain a transportation permit. The  
2 permit must describe the wildlife to be transported and identify by  
3 name, address, license number and class the person who legally took  
4 the furs or wildlife and by name and address the person transporting  
5 it. Whenever raw furs or wildlife is to be transported by the postal  
6 service or by common carrier, freight or express agency, such an  
7 agency may be designated by name alone.

8 6. Game mammals, raw furs, wild mammals taken by trapping,  
9 game birds or game fish transported to another person shall be  
10 deemed to be in the legal possession of the person making shipment  
11 until actual delivery is made.

12 7. Any package or container in which game birds, raw furs,  
13 wild mammals taken by trapping, game mammals or game fish are  
14 being transported by common carrier must have the name and  
15 address of the shipper and of the consignee and an accurate  
16 statement of the number and kinds of game birds, raw furs, wild  
17 mammals taken by trapping, game mammals or game fish contained  
18 therein attached to the outside thereof.

19 8. The Commission may limit the number of shipments by any  
20 one person in any one season of any kind of game bird, game  
21 mammal or game fish.

22 **Sec. 74.** NRS 503.185 is hereby amended to read as follows:

23 503.185 1. Every person involved in a hunting accident  
24 where damage to property results, or which involves the injury of or  
25 death to another person, shall file a report of the accident with the  
26 ~~Division~~ *Department* within 30 days after the accident. The report  
27 must be on the form prescribed by the ~~Division.~~ *Department.*

28 2. The ~~Division~~ *Department* shall revoke any hunting license  
29 held by a person convicted of violating NRS 503.165 or 503.175, if  
30 the violation results in an injury to or the death of another person.  
31 The ~~Division~~ *Department* shall not issue another such license to  
32 the person sooner than 2 years after the revocation.

33 **Sec. 75.** NRS 503.200 is hereby amended to read as follows:

34 503.200 1. The ~~Division~~ *Department* is empowered to  
35 authorize, under permit and for such fee as may be provided in NRS  
36 502.240, competitive field trials for hunting dogs or competitive  
37 field trials for falconry. The Commission shall prescribe the rules  
38 and regulations to be followed by those in charge of such trials  
39 insofar as conduct of the field trials has any effect or bearing upon  
40 wildlife and the laws of this state respecting closed and open  
41 seasons.

42 2. For the purpose of permitting such field trials , the  
43 ~~Division~~ *Department* may authorize shooting of legally acquired  
44 upland game birds during any closed season on the species of bird  
45 or birds to be hunted.



1 3. All legally acquired upland game birds used in a field trial or  
2 for the purpose of training hunting dogs and for falconry training  
3 must be banded with legbands by the person in charge of such field  
4 trial or training. Such birds may only be released in an area first  
5 approved by the ~~Division,~~ *Department*, after which the ~~Division~~  
6 *Department* shall authorize, under permit and under such rules and  
7 regulations as the Commission may prescribe, the releasing of such  
8 legally acquired upland game birds for the foregoing purposes.

9 4. All birds killed under the provisions of this section must be  
10 accompanied by a receipt, giving the permit number, the date, the  
11 name of the person in possession, and signed by the permit holder.  
12 Birds killed and accompanied by a receipt under the provisions of  
13 this section may be legally possessed.

14 **Sec. 76.** NRS 503.290 is hereby amended to read as follows:

15 503.290 1. Except as otherwise provided in subsection 2, it is  
16 unlawful for any person to fish in or from any of the waters of the  
17 State of Nevada for any fish of any species in any manner other than  
18 with hook and line attached to a rod or reel closely attended in the  
19 manner known as angling. Only one combination of hook, line and  
20 rod must be used by one person at any time, except that a second  
21 combination of hook, line and rod may be used by a person if the  
22 person:

23 (a) Purchases from the ~~Division~~ *Department* or a license agent  
24 of the ~~Division~~ *Department* a stamp or permit for a second rod;

25 (b) Uses the rod in the manner prescribed in this section; and

26 (c) Has in his possession a valid fishing license, combined  
27 hunting and fishing license or permit to fish issued to him by the  
28 ~~Division.~~ *Department.*

29 The fee for the stamp or permit is \$10, and is valid only for the  
30 period for which it is issued.

31 2. The Commission may by regulation authorize other methods  
32 for taking fish. Frogs may be taken by spear, bow and arrow, hook  
33 and line or by other methods authorized by the Commission's  
34 regulation.

35 3. For the purposes of this section, "hook" includes not more  
36 than three baited hooks, not more than three fly hooks or not more  
37 than two plugs or similar lures. No more than two such plugs or  
38 lures, irrespective of the number of hooks or attractor blades  
39 attached thereto, may be attached to the line.

40 **Sec. 77.** NRS 503.310 is hereby amended to read as follows:

41 503.310 1. The Commission may regulate or prohibit the use  
42 of live bait in fishing so that no undesirable species are introduced  
43 into the public waters of this state.

44 2. Any person engaged in the sale of live bait must first obtain  
45 a permit from the ~~Division~~ *Department* for the fee provided in





1 NRS 502.240. The permit may be revoked for any violation of  
2 regulations.

3 3. The Commission may prescribe the species which may be  
4 held or sold by the permittee.

5 **Sec. 78.** NRS 503.360 is hereby amended to read as follows:

6 503.360 1. It is unlawful for any person at any time to fish  
7 from any state hatchery, or from any waters set aside or used for the  
8 purpose of rearing or growing fish for transplanting by the State.

9 2. Nothing in this section prohibits employees of the ~~[Division]~~  
10 **Department** from handling, at any time, all such fish, as may be  
11 required in the propagation, care and distribution of the fish.

12 **Sec. 79.** NRS 503.380 is hereby amended to read as follows:

13 503.380 The ~~[Division]~~ **Department** may take or permit the  
14 commercial taking of unprotected wildlife in any manner approved  
15 by the Commission. The Commission may fix a price to be paid for  
16 wildlife so taken. Unprotected wildlife taken under this  
17 authorization may be sold.

18 **Sec. 80.** NRS 503.400 is hereby amended to read as follows:

19 503.400 1. Every person who has erected, or who may  
20 hereafter erect, any dams, water weirs or other obstructions to the  
21 free passage of fish in the rivers, streams, lakes or other waters of  
22 the State of Nevada shall construct and keep in repair , to the  
23 satisfaction of the ~~[Division]~~ **Department**, fishways or fish ladders  
24 at all such dams, water weirs or other obstructions so that at all  
25 seasons of the year fish may ascend above such dams, water weirs  
26 or other obstructions to deposit their spawn.

27 2. Every person so placing, controlling or owning any such  
28 obstruction who fails to comply with the provisions of this section  
29 after having been notified in writing so to do by the ~~[Division,]~~  
30 **Department**, and every person who at any time willfully or  
31 knowingly destroys, injures or obstructs any fishway or fish ladder  
32 which is required by law is guilty of a misdemeanor.

33 **Sec. 81.** NRS 503.420 is hereby amended to read as follows:

34 503.420 1. Any person, firm or corporation owning in whole  
35 or in part any canal, ditch or any artificial watercourse, taking or  
36 receiving its waters from any river, creek or lake in which fish have  
37 been placed or may exist, shall place or cause to be placed, and such  
38 persons shall maintain at the intake or inlet of such canal, ditch or  
39 watercourse, a grating, screen or other device, either stationary or  
40 operated mechanically, of such construction, fineness, strength and  
41 quality as may be designated by the ~~[Division,]~~ **Department**, to  
42 prevent any fish from entering such canal, ditch or watercourse.

43 2. If such person, firm or corporation, after due notice from the  
44 ~~[Division,]~~ **Department**, fails to install or maintain such grating,  
45 screen or device, the Commission is authorized to enter upon lands



1 adjacent to the inlet of such canal, ditch or watercourse, and may  
2 install therein, and thereafter maintain, such grating, screen or  
3 device as in the discretion of the ~~[Division]~~ *Department* is proper.

4 3. It is unlawful for any person or persons, except a game  
5 warden, to remove, tamper with, destroy or in any way molest such  
6 screens when the same have been installed.

7 **Sec. 82.** NRS 503.425 is hereby amended to read as follows:

8 503.425 1. Before a person may use any vacuum or suction  
9 dredge equipment in any river, stream or lake of this state, he must  
10 submit an application to the ~~[Division.]~~ *Department*. The  
11 application must be accompanied by a fee of \$5 and must specify  
12 the type and size of equipment to be used and its location. If the  
13 ~~[Division]~~ *Department* determines that the operations will not be  
14 deleterious to fish, it shall issue a permit to the applicant.

15 2. A permit issued pursuant to subsection 1 does not authorize  
16 the recipient to use any equipment in any navigable body of water  
17 unless the recipient has obtained the appropriate permit for such a  
18 use from the State Land Registrar.

19 3. It is unlawful for any person to:

20 (a) Conduct dredging operations without securing a permit  
21 pursuant to subsection 1;

22 (b) Operate any equipment other than that specified in the  
23 permit; or

24 (c) Conduct a dredging operation outside the area designated on  
25 the permit.

26 **Sec. 83.** NRS 503.452 is hereby amended to read as follows:

27 503.452 Each trap, snare or similar device used in the taking of  
28 wild mammals may bear a number registered with the ~~[Division]~~  
29 *Department* or be permanently marked with the name and address  
30 of the owner or trapper using it. If a trap is registered, the  
31 registration is permanent. A registration fee of \$5 for each registrant  
32 is payable only once, at the time the first trap, snare or similar  
33 device is registered.

34 **Sec. 84.** NRS 503.470 is hereby amended to read as follows:

35 503.470 1. Fur-bearing mammals injuring any property may  
36 be taken or killed at any time in any manner, provided a permit is  
37 first obtained from the ~~[Division.]~~ *Department*.

38 2. When the ~~[Division]~~ *Department* has determined from  
39 investigations or upon a petition signed by the owners of 25 percent  
40 of the land area in any irrigation district or the area served by a ditch  
41 company alleging that an excessive population of beaver or otter  
42 exists or that beaver or otter are doing damage to lands, streams,  
43 ditches, roads or water control structures, the ~~[Division]~~ *Department*  
44 shall remove such excess or depredating beaver or otter.



1       **Sec. 85.** NRS 503.540 is hereby amended to read as follows:  
2       503.540 Whenever the ~~[Division]~~ *Department* determines that  
3 beaver or otter are doing damage and that it will be necessary to  
4 remove beaver or otter from the land of a person to protect the lands  
5 of another landowner, the ~~[Division]~~ *Department* is not prevented  
6 from taking such beaver or otter by the refusal of the landowner to  
7 allow the ~~[Division's]~~ employees *of the Department* to enter upon  
8 his land. The ~~[Division]~~ *Department* is authorized to enter upon the  
9 lands of such owner and remove beaver or otter for the relief of  
10 other landowners and the protection of the public welfare.

11       **Sec. 86.** NRS 503.575 is hereby amended to read as follows:  
12       503.575 The ~~[Division,]~~ *Department*, with the approval of the  
13 Commission, may sell live beaver.

14       **Sec. 87.** NRS 503.582 is hereby amended to read as follows:  
15       503.582 Except as otherwise provided in this section, it is  
16 unlawful for any person to hunt, trap, possess or sell any species,  
17 native or otherwise, of owl, hawk or other birds of prey, including  
18 all raptors or the parts thereof, without first obtaining a permit from  
19 the ~~[Division,]~~ *Department*. The Commission may adopt  
20 regulations:

- 21       1. Covering the hunting, trapping, possession or sale of any of  
22 those species.
- 23       2. Authorizing a person to hunt, trap, possess or sell any of  
24 those species without obtaining a permit pursuant to the provisions  
25 of this section.

26       **Sec. 88.** NRS 503.583 is hereby amended to read as follows:

27       503.583 1. Except as otherwise provided in this section, any  
28 person who practices falconry or trains birds of prey must obtain a  
29 falconry license from the ~~[Division]~~ *Department* upon payment of a  
30 license fee as provided in NRS 502.240.

31       2. The licensee, under permit, may obtain from the wild only  
32 two birds per year. All such birds of prey must be banded in  
33 accordance with regulations adopted by the Commission.

34       3. Birds of prey may not be taken, captured or disturbed during  
35 the months in which they breed.

36       4. This section does not prohibit the capture or killing of a  
37 hawk or an owl by holders of scientific collecting permits.

38       5. The Commission may adopt regulations authorizing a person  
39 to practice falconry or train birds of prey without obtaining a  
40 falconry license pursuant to the provisions of subsection 1.

41       **Sec. 89.** NRS 503.5833 is hereby amended to read as follows:

42       503.5833 The ~~[Division]~~ *Department* shall, upon request of the  
43 Welfare Division of the Department of Human Resources, submit to  
44 the Welfare Division the name, address and social security number  
45 of each person who holds a permit or license issued pursuant to



1 NRS 503.582 or 503.583 that does not expire less than 6 months  
2 after it is issued and any pertinent changes in that information.

3 **Sec. 90.** NRS 503.5835 is hereby amended to read as follows:

4 503.5835 1. If the ~~{Division}~~ *Department* receives a copy of  
5 a court order issued pursuant to NRS 425.540 that provides for the  
6 suspension of all professional, occupational and recreational  
7 licenses, certificates and permits issued to a person who is the  
8 holder of a permit or license issued pursuant to NRS 503.582 or  
9 503.583 that does not expire less than 6 months after it is issued, the  
10 ~~{Division}~~ *Department* shall deem the permit or license issued to  
11 that person to be suspended at the end of the 30th day after the date  
12 on which the court order was issued unless the ~~{Division}~~  
13 *Department* receives a letter issued to the holder of the permit or  
14 license by the district attorney or other public agency pursuant to  
15 NRS 425.550 stating that the holder of the permit or license has  
16 complied with the subpoena or warrant or has satisfied the arrearage  
17 pursuant to NRS 425.560.

18 2. The ~~{Division}~~ *Department* shall reinstate a permit or  
19 license issued pursuant to NRS 503.582 or 503.583 that has been  
20 suspended by a district court pursuant to NRS 425.540 if the  
21 ~~{Division}~~ *Department* receives a letter issued by the district  
22 attorney or other public agency pursuant to NRS 425.550 to the  
23 person whose permit or license was suspended stating that the  
24 person whose permit or license was suspended has complied with  
25 the subpoena or warrant or has satisfied the arrearage pursuant to  
26 NRS 425.560.

27 **Sec. 91.** NRS 503.585 is hereby amended to read as follows:

28 503.585 A species or subspecies of native fish, wildlife and  
29 other fauna must be regarded as threatened with extinction when the  
30 Commission, after consultation with competent authorities,  
31 determines that its existence is endangered and its survival requires  
32 assistance because of overexploitation, disease or other factors or its  
33 habitat is threatened with destruction, drastic modification or severe  
34 curtailment. Any animal so declared to be threatened with extinction  
35 must be placed on the list of fully protected species, and no member  
36 of its kind may be captured, removed or destroyed at any time by  
37 any means except under special permit issued by the ~~{Division}~~  
38 *Department*.

39 **Sec. 92.** NRS 503.586 is hereby amended to read as follows:

40 503.586 Where any bird, mammal or other wildlife which is  
41 declared to be in danger of extinction pursuant to NRS 503.585 is  
42 found to be destructive of domestic animals or fowl or a menace to  
43 health, the ~~{Division}~~ *Department* may provide for its destruction or  
44 its removal, alive, for translocating.



1       **Sec. 93.** NRS 503.589 is hereby amended to read as follows:  
2       503.589 In carrying out the program authorized by NRS  
3       503.584 to 503.589, inclusive, the ~~[Administrator]~~ *Director* shall  
4       cooperate, to the maximum extent practicable, with other states and  
5       with the counties in the State of Nevada, and he may enter into  
6       agreements with such other states and counties and with other legal  
7       entities for the administration and management of any area  
8       established pursuant to NRS 503.584 to 503.589, inclusive, for the  
9       conservation, protection, restoration and propagation of species of  
10      native fish, wildlife and other fauna which are threatened with  
11      extinction.

12      **Sec. 94.** NRS 503.595 is hereby amended to read as follows:  
13      503.595 After the owner or tenant of any land or property has  
14      made a report to the ~~[Division]~~ *Department* indicating that such  
15      land or property is being damaged or destroyed, or is in danger of  
16      being damaged or destroyed, by wildlife, the ~~[Division]~~ *Department*  
17      may, after thorough investigation and pursuant to such regulations  
18      as the Commission may promulgate, cause such action to be taken  
19      as it may deem necessary, desirable and practical to prevent or  
20      alleviate such damage or threatened damage to such land or  
21      property.

22      **Sec. 95.** NRS 503.597 is hereby amended to read as follows:  
23      503.597 1. Except as otherwise provided in this section, it is  
24      unlawful, except by the written consent and approval of the  
25      ~~[Division,]~~ *Department*, for any person at anytime to receive, bring  
26      or have brought or shipped into this state, or remove from one  
27      stream or body of water in this state to any other, or from one  
28      portion of the State to any other, or to any other state, any aquatic  
29      life ~~[,]~~ *or* wildlife, *or any* spawn, eggs or young of any of them.

30      2. The ~~[Division]~~ *Department* shall require an applicant to  
31      conduct an investigation to confirm that such an introduction or  
32      removal will not be detrimental to the wildlife or the habitat of  
33      wildlife in this state. Written consent and approval of the ~~[Division]~~  
34      *Department* may be given only if the results of the investigation  
35      prove that the introduction, removal or importation will not be  
36      detrimental to existing aquatic life ~~[,]~~ *or* wildlife, *or any* spawn,  
37      eggs or young of any of them.

38      3. The Commission may through appropriate regulation  
39      provide for the inspection of such introduced or removed creatures  
40      and the inspection fees therefor.

41      4. The Commission may adopt regulations to prohibit the  
42      importation, transportation or possession of any species of wildlife  
43      which the Commission deems to be detrimental to the wildlife or the  
44      habitat of the wildlife in this state.



1 5. The provisions of this section do not apply to alternative  
2 livestock and products made therefrom.

3 **Sec. 96.** NRS 503.610 is hereby amended to read as follows:  
4 503.610 1. Except as otherwise provided in subsection 2, it is  
5 unlawful for any person, firm, company, corporation or association  
6 to kill, destroy, wound, trap, injure, possess dead or alive, or in any  
7 other manner to catch or capture, or to pursue with such intent the  
8 birds known as the ~~[American]~~ *bald* eagle and the golden eagle, or  
9 to take, injure, possess or destroy the nests or eggs of such birds.

10 2. The ~~[Division]~~ *Department* may issue permits to take bald  
11 eagles or golden eagles whenever it determines that they have  
12 become seriously injurious to wildlife or agricultural or other  
13 interests in any particular area of the State and the injury  
14 complained of is substantial and can only be abated by taking some  
15 or all of the offending birds. The issuance of such permits must be  
16 consistent with federal law.

17 **Sec. 97.** NRS 503.650 is hereby amended to read as follows:  
18 503.650 Nothing in this title:

19 1. Prohibits any person, upon the written permit of the  
20 ~~[Division.]~~ *Department*, from taking, killing, possessing or banding  
21 any species of wildlife, or collecting the nest or eggs thereof, for  
22 strictly scientific or educational purposes, the number and species of  
23 wildlife to be limited by the ~~[Division.]~~ *Department*.

24 2. Prevents shipping into any other county or state, under a  
25 written permit issued by the ~~[Division.]~~ *Department*, any wildlife  
26 for scientific or educational purposes.  
27 The fee for a permit to collect wildlife for scientific or educational  
28 purposes is \$5.

29 **Sec. 98.** NRS 504.140 is hereby amended to read as follows:

30 504.140 1. The ~~[Division]~~ *Department* is authorized, subject  
31 to approval by the Commission, to enter into agreements with  
32 landowners, individually or in groups, to establish wildlife  
33 management areas and to enforce regulations necessary thereto for  
34 the purpose of providing greater areas for the public to hunt or fish  
35 on private lands and to protect the landowner or lessee from damage  
36 due to trespass or excessive hunting or fishing pressure.

37 2. Such an agreement must require that the Department  
38 designate certain portions of the area as closed zones for the  
39 protection of livestock, buildings, persons and other properties.

40 3. The zones must be posted conspicuously along all  
41 boundaries and it is unlawful to hunt, fish or trespass therein or to  
42 hunt or fish on any cooperative area contrary to the regulations  
43 provided.



1 4. The agreement may designate the number of hunters or  
2 fishermen who may be admitted to the area, if such limitation is  
3 necessary or desirable.

4 **Sec. 99.** NRS 504.147 is hereby amended to read as follows:

5 504.147 1. The ~~{Division}~~ *Department* may, if such leases or  
6 sales do not interfere with the use of such real property for wildlife  
7 management or for hunting or fishing thereon:

8 (a) Lease, for a term not exceeding 5 years, grazing or pasturage  
9 rights in and to real property which is assigned to the ~~{Division}~~  
10 *Department* for administration.

11 (b) Sell crops or agricultural products of whatever kind  
12 produced on such real property.

13 2. Except as otherwise provided in subsection 3, whenever the  
14 ~~{Division}~~ *Department* intends to lease grazing or pasturage rights  
15 or to sell or offer for sale agricultural products as provided in  
16 subsection 1, the ~~{Division}~~ *Department* may do so only by  
17 advertising for bids, reserving in such advertising the right to reject  
18 any or all bids.

19 3. The ~~{Division}~~ *Department* may enter into such a lease with  
20 or make such a sale to a state agency without advertising for bids if  
21 the rent agreed to be paid for the lease or the sale price agreed to be  
22 paid for any agricultural commodities to be sold is, in the opinion of  
23 the ~~{Division}~~ *Department*, equal to the amount that would be  
24 obtained by advertising for bids.

25 4. If the ~~{Division}~~ *Department* finds that the highest or best  
26 bid is less than the amount that should be paid, the ~~{Division}~~  
27 *Department* may reject all bids and negotiate with interested  
28 persons for such lease or sale, but shall not accept any negotiated  
29 price if it is less in amount than the highest bid tendered for the  
30 same lease or sale.

31 5. If the deed to real property assigned to the ~~{Division}~~  
32 *Department* for administration contains a covenant or provision  
33 giving to the grantor an option to meet the highest bid for any lease  
34 by the ~~{Division}~~ *Department* of grazing or pasturage rights to the  
35 real property or the sale of agricultural products from it, the  
36 ~~{Division}~~ *Department* shall comply with the terms of the covenant  
37 or provision in the deed.

38 **Sec. 100.** NRS 504.155 is hereby amended to read as follows:

39 504.155 All gifts, grants, fees and appropriations of money  
40 received by the ~~{Division}~~ *Department* for the prevention and  
41 mitigation of damage caused by elk or game mammals not native to  
42 this state, and the interest and income earned on the money, less any  
43 applicable charges, must be accounted for separately within the  
44 Wildlife Account and may only be disbursed as provided in the  
45 regulations adopted pursuant to NRS 504.165.





1       **Sec. 101.** NRS 504.165 is hereby amended to read as follows:  
2       504.165 1. The Commission shall adopt regulations  
3 governing the disbursement of money to:

4       (a) Prevent or mitigate damage to private property and privately  
5 maintained improvements; and

6       (b) Compensate persons for grazing reductions and the loss of  
7 stored and standing crops,  
8 caused by elk or game mammals not native to this state.

9       2. The regulations must contain:

10      (a) Requirements for the eligibility of those persons claiming  
11 damage to private property or privately maintained improvements to  
12 receive money or materials from the ~~[Division,]~~ *Department*,  
13 including a requirement that such a person enter into a cooperative  
14 agreement with the ~~[Administrator]~~ *Director* for purposes related to  
15 this title.

16      (b) Procedures for the formation of local panels to assess  
17 damage caused by elk or game mammals not native to this state and  
18 to determine the value of a loss claimed if the person claiming the  
19 loss and the ~~[Division]~~ *Department* do not agree on the value of the  
20 loss.

21      (c) Procedures for the use on private property of materials  
22 purchased by the State to prevent damage caused by elk or game  
23 mammals not native to this state.

24      (d) Any other regulations necessary to carry out the provisions  
25 of this section and NRS 504.155 and 504.175.

26      3. The regulations must:

27      (a) Provide for the payment of money or other compensation to  
28 cover the costs of labor and materials necessary to prevent or  
29 mitigate damage to private property and privately maintained  
30 improvements caused by elk or game mammals not native to this  
31 state.

32      (b) Prohibit a person who has, within a particular calendar year,  
33 applied for or received a special incentive elk tag pursuant to NRS  
34 502.142 from applying, within the same calendar year, for  
35 compensation pursuant to this section for the same private land.

36      4. Money may not be disbursed to a claimant pursuant to this  
37 section unless the claimant shows by a preponderance of the  
38 evidence that the damage for which he is seeking compensation was  
39 caused solely by elk or game mammals not native to this state.

40       **Sec. 102.** NRS 504.175 is hereby amended to read as follows:

41       504.175 The ~~[Administrator]~~ *Director* shall, on or before the  
42 fifth calendar day of each regular session of the Legislature, submit  
43 to the Legislature a report summarizing the actions taken by the  
44 ~~[Division]~~ *Department* to prevent or mitigate damage caused by elk  
45 or game mammals not native to this state. The report must include a



1 list of the expenditures made pursuant to this section and NRS  
2 504.155 and 504.165 during the preceding biennium and a  
3 determination of the amount of money remaining for those  
4 purposes.

5 **Sec. 103.** NRS 504.185 is hereby amended to read as follows:  
6 504.185 The provisions of NRS 504.155 to 504.185, inclusive,  
7 do not apply to:  
8 1. Alternative livestock; or  
9 2. Game mammals not native to this state,  
10 that are held in captivity for purposes other than as required by the  
11 ~~{Division}~~ *Department*.

12 **Sec. 104.** NRS 504.245 is hereby amended to read as follows:  
13 504.245 1. Any species of wildlife, including alternative  
14 livestock, that:

15 (a) Is released from confinement without the prior written  
16 authorization of the ~~{Division}~~ *Department*; or

17 (b) Escapes from the possessor's control,  
18 may be captured, seized or destroyed by the ~~{Division}~~ *Department*  
19 if the ~~{Division}~~ *Department* determines that such actions are  
20 necessary to protect wildlife and the habitat of wildlife in this state.

21 2. The owner or possessor of such wildlife:

22 (a) Shall report its escape immediately after receiving  
23 knowledge of the escape; and

24 (b) Is liable for the costs incurred by the ~~{Division}~~ *Department*  
25 to capture, maintain and dispose of the wildlife and for any damage  
26 caused by the wildlife.

27 3. The ~~{Division}~~ *Department* is not liable for any damage to  
28 wildlife, or caused by wildlife, in carrying out the provisions of this  
29 section.

30 **Sec. 105.** NRS 504.295 is hereby amended to read as follows:  
31 504.295 1. Except as otherwise provided in this section and  
32 NRS 503.590, or unless otherwise specified by a regulation adopted  
33 by the Commission, no person may:

34 (a) Possess any live wildlife unless he is licensed by the  
35 ~~{Division}~~ *Department* to do so.

36 (b) Capture live wildlife in this state to stock a commercial or  
37 noncommercial wildlife facility.

38 (c) Possess or release from confinement any mammal for the  
39 purposes of hunting.

40 2. The Commission shall adopt regulations for the possession  
41 of live wildlife. The regulations must set forth the species of wildlife  
42 which may be possessed and propagated, and provide for the  
43 inspection by the ~~{Division}~~ *Department* of any related facilities.

44 3. In accordance with the regulations of the Commission, the  
45 ~~{Division}~~ *Department* may issue commercial and noncommercial



1 licenses for the possession of live wildlife upon receipt of the  
2 applicable fee.

3 4. The provisions of this section do not apply to alternative  
4 livestock and products made therefrom.

5 **Sec. 106.** NRS 504.310 is hereby amended to read as follows:

6 504.310 1. Before being entitled to the benefits of any  
7 commercial or private shooting preserve, the owner or proprietor  
8 thereof must make application to the ~~Division~~ Department. The  
9 application must set forth:

10 (a) The name and location of the shooting preserve.

11 (b) A legal description of the area included in the preserve.

12 (c) A statement whether the preserve is to be a commercial or  
13 private preserve.

14 (d) If the application is for a commercial shooting preserve, a  
15 statement of fees that are to be collected for the privilege of  
16 shooting on the preserve.

17 2. If, after investigation, the ~~Division~~ Department is satisfied  
18 that the tract is suitable for the purpose, and that the establishment  
19 of such a preserve will not conflict with the public interest, the  
20 ~~Division~~ Department may issue a commercial or private shooting  
21 preserve license upon the payment of a license fee as provided in  
22 NRS 502.240.

23 **Sec. 107.** NRS 504.320 is hereby amended to read as follows:

24 504.320 1. Before any shooting may be done on such  
25 commercial or private shooting preserve, the licensee must advise  
26 the ~~Division~~ Department, in writing, of the number of each  
27 species of upland game bird reared, purchased or acquired for  
28 liberation, and request, and receive in writing, a shooting  
29 authorization which states the number of each species which may be  
30 taken by shooting.

31 2. Birds must be at least 8 weeks of age, full winged, and in a  
32 condition to go wild before liberation. Before release, all birds must  
33 be banded with legbands, the specifications of which must be  
34 determined by Commission regulation. Legbands must remain with  
35 the birds and not be removed until the birds are utilized by the  
36 hunter.

37 3. The licensee, or with his written permit the holder thereof,  
38 may take such upland game bird from such licensed preserve by  
39 shooting only, from August 1 to April 30, inclusive.

40 4. Permits to hunt on such licensed preserve may be used only  
41 on the date of issuance, and the hunter must carry the permit on his  
42 person at all times while on the area and while in possession of birds  
43 taken on such area.



1       **Sec. 108.** NRS 504.350 is hereby amended to read as follows:  
2       504.350 1. No game bird taken in accordance with the  
3 provisions of NRS 504.300 to 504.380, inclusive, may be removed  
4 from the licensed premises until the licensee or his agent has  
5 attached thereto an invoice, signed by the licensee or his agent,  
6 stating:

- 7       (a) The number of his license.
- 8       (b) The name of the shooting preserve.
- 9       (c) The date that the birds were killed.
- 10       (d) The kind and number of such birds.
- 11       (e) The name and address of the hunter killing such birds.

12       2. The invoice must authorize transportation and use of the  
13 birds.

14       3. Within 1 week thereafter, the licensee or his agent shall  
15 mail, postpaid, a duplicate of the invoice to the ~~Division~~  
16 *Department*.

17       **Sec. 109.** NRS 504.360 is hereby amended to read as follows:

18       504.360 Every licensee of a commercial or private shooting  
19 preserve under this chapter shall keep records and make an annual  
20 report to the ~~Division~~ *Department* of the number of birds released  
21 and the number of birds killed on the preserve. The report must be  
22 verified by the affidavit of the licensee or his agent. The record must  
23 be continuous and kept on the premises described in the application  
24 for license, and the licensee shall allow any person authorized to  
25 enforce the provisions of this title to enter such premises and inspect  
26 his operations and records at all reasonable hours.

27       **Sec. 110.** NRS 504.390 is hereby amended to read as follows:

28       504.390 1. As used in this section, unless the context requires  
29 otherwise, "guide" means to assist another person in hunting wild  
30 mammals or wild birds and fishing and includes the transporting of  
31 another person or his equipment to hunting and fishing locations  
32 within a general hunting and fishing area whether or not the guide  
33 determines the destination or course of travel.

34       2. Every person who provides guide service for compensation  
35 or provides guide service as an incidental service to customers of  
36 any commercial enterprise, whether a direct fee is charged for the  
37 guide service or not, shall obtain a master guide license from the  
38 ~~Division~~ *Department*. Such a license must not be issued to any  
39 person who has not reached 21 years of age.

40       3. Each person who assists a person who is required to have a  
41 master guide license and acts as a guide in the course of that activity  
42 shall obtain a subguide license from the ~~Division~~ *Department*.  
43 Such a license must not be issued to any person who has not reached  
44 18 years of age.



1 4. Fees for master guide and subguide licenses must be as  
2 provided in NRS 502.240.

3 5. Any person who desires a master guide license must apply  
4 for the license on a form prescribed and furnished by the ~~Division~~  
5 *Department*. The application must contain the social security  
6 number of the applicant and such other information as the  
7 Commission may require by regulation. If that person was not  
8 licensed as a master guide during the previous licensing year, his  
9 application must be accompanied by a fee of \$500, which is not  
10 refundable.

11 6. Any person who desires a subguide license must apply for  
12 the license on a form prescribed and furnished by the ~~Division~~  
13 *Department*.

14 7. If the holder of a master guide license operates with pack or  
15 riding animals, he shall also have a grazing or special use permit if  
16 he operates in any area where such a permit is required.

17 8. The holder of a master guide license shall maintain records  
18 of the number of hunters and fishermen served, and any other  
19 information which the ~~Division~~ *Department* may require  
20 concerning fish and game taken by such persons. Such information  
21 must be furnished to the ~~Division~~ *Department* on request.

22 9. If any licensee under this section, or person served by a  
23 licensee, is convicted of a violation of any provision of this title or  
24 chapter 488 of NRS, the Commission may revoke the license of the  
25 licensee and may refuse issuance of another license to the licensee  
26 for a period not to exceed 5 years.

27 10. The Commission may adopt regulations covering the  
28 conduct and operation of a guide service.

29 11. The ~~Division~~ *Department* may issue master guide and  
30 subguide licenses to be valid only in certain districts in such a  
31 manner as may be determined by the regulations of the Commission.

32 **Sec. 111.** NRS 504.393 is hereby amended to read as follows:  
33 504.393 The ~~Division~~ *Department* shall, upon request of the  
34 Welfare Division of the Department of Human Resources, submit to  
35 the Welfare Division the name, address and social security number  
36 of each person who holds a master guide license or subguide license  
37 and any pertinent changes in that information.

38 **Sec. 112.** NRS 504.398 is hereby amended to read as follows:  
39 504.398 1. If the ~~Division~~ *Department* receives a copy of a  
40 court order issued pursuant to NRS 425.540 that provides for the  
41 suspension of all professional, occupational and recreational  
42 licenses, certificates and permits issued to a person who is the  
43 holder of a master guide license or subguide license, the ~~Division~~  
44 *Department* shall deem the license issued to that person to be  
45 suspended at the end of the 30th day after the date on which the



1 court order was issued unless the ~~{Division}~~ *Department* receives a  
2 letter issued to the holder of the license by the district attorney or  
3 other public agency pursuant to NRS 425.550 stating that the holder  
4 of the license has complied with the subpoena or warrant or has  
5 satisfied the arrearage pursuant to NRS 425.560.

6 2. The ~~{Division}~~ *Department* shall reinstate a master guide  
7 license or subguide license that has been suspended by a district  
8 court pursuant to NRS 425.540 if the ~~{Division}~~ *Department*  
9 receives a letter issued by the district attorney or other public agency  
10 pursuant to NRS 425.550 to the person whose license was  
11 suspended stating that the person whose license was suspended has  
12 complied with the subpoena or warrant or has satisfied the arrearage  
13 pursuant to NRS 425.560.

14 **Sec. 113.** NRS 505.025 is hereby amended to read as follows:

15 505.025 The ~~{Division}~~ *Department* shall, upon request of the  
16 Welfare Division of the Department of Human Resources, submit to  
17 the Welfare Division the name, address and social security number  
18 of each person who holds a fur dealer's license and any pertinent  
19 changes in that information.

20 **Sec. 114.** NRS 505.035 is hereby amended to read as follows:

21 505.035 1. If the ~~{Division}~~ *Department* receives a copy of a  
22 court order issued pursuant to NRS 425.540 that provides for the  
23 suspension of all professional, occupational and recreational  
24 licenses, certificates and permits issued to a person who is the  
25 holder of a fur dealer's license, the ~~{Division}~~ *Department* shall  
26 deem the license issued to that person to be suspended at the end of  
27 the 30th day after the date on which the court order was issued  
28 unless the ~~{Division}~~ *Department* receives a letter issued to the  
29 holder of the license by the district attorney or other public agency  
30 pursuant to NRS 425.550 stating that the holder of the license has  
31 complied with the subpoena or warrant or has satisfied the arrearage  
32 pursuant to NRS 425.560.

33 2. The ~~{Division}~~ *Department* shall reinstate a fur dealer's  
34 license that has been suspended by a district court pursuant to NRS  
35 425.540 if the ~~{Division}~~ *Department* receives a letter issued by the  
36 district attorney or other public agency pursuant to NRS 425.550 to  
37 the person whose license was suspended stating that the person  
38 whose license was suspended has complied with the subpoena or  
39 warrant or has satisfied the arrearage pursuant to NRS 425.560.

40 **Sec. 115.** NRS 506.020 is hereby amended to read as follows:

41 506.020 The ~~{Administrator of the Division of Wildlife of the~~  
42 ~~State Department of Conservation and Natural Resources}~~ *Director*  
43 shall appoint a person to serve on the Board of Compact  
44 Administrators as the Compact Administrator for this state as



1 required by section 1 of article VII of the Wildlife ~~[Violators]~~  
2 *Violator* Compact.

3 **Sec. 116.** NRS 62.229 is hereby amended to read as follows:  
4 62.229 In addition to the options set forth in NRS 62.211 and  
5 62.213 and the requirements of NRS 62.228, if a child is adjudicated  
6 delinquent pursuant to paragraph (b) of subsection 1 of NRS 62.040  
7 because he handled or possessed a firearm or had a firearm under  
8 his control in violation of NRS 202.300, the court shall order that  
9 any license to hunt issued to the child pursuant to chapter 502 of  
10 NRS must be revoked by the ~~[Division of Wildlife of the State]~~  
11 Department of ~~[Conservation and Natural Resources]~~ *Wildlife* and  
12 that the child shall not receive a license to hunt within the 2 years  
13 following the date of the order or until he is 18 years of age,  
14 whichever is later. The judge shall require the child to surrender to  
15 the court any license to hunt then held by the child. The court shall,  
16 within 5 days after issuing the order, forward to the ~~[Division]~~  
17 *Department* of Wildlife any license to hunt surrendered by the child,  
18 together with a copy of the order.

19 **Sec. 117.** NRS 232.090 is hereby amended to read as follows:  
20 232.090 1. The Department consists of the Director and the  
21 following divisions:

- 22 (a) The Division of Water Resources.
- 23 (b) The Division of State Lands.
- 24 (c) The Division of Forestry.
- 25 (d) The Division of State Parks.
- 26 (e) The Division of Conservation Districts.
- 27 (f) The Division of Environmental Protection.
- 28 (g) The Division of Water Planning.
- 29 (h) ~~[The Division of Wildlife.~~
- 30 ~~—(i)]~~ Such other divisions as the Director may from time to time  
31 establish.

32 2. The State Environmental Commission, the State  
33 Conservation Commission, the Commission for the Preservation of  
34 Wild Horses, the Nevada Natural Heritage Program and the Board  
35 to Review Claims are within the Department.

36 **Sec. 118.** NRS 242.131 is hereby amended to read as follows:  
37 242.131 1. The Department shall provide state agencies and  
38 elected state officers with all their required design of information  
39 systems. All agencies and officers must use those services and  
40 equipment, except as otherwise provided in subsection 2.

41 2. The following agencies may negotiate with the Department  
42 for its services or the use of its equipment, subject to the provisions  
43 of this chapter, and the Department shall provide those services and  
44 the use of that equipment as may be mutually agreed:

- 45 (a) The Court Administrator;





- 1 (b) The Department of Motor Vehicles;
- 2 (c) The Department of Public Safety;
- 3 (d) The Department of Transportation;
- 4 (e) The Employment Security Division of the Department of
- 5 Employment, Training and Rehabilitation;
- 6 (f) The ~~{Division of Wildlife of the State}~~ Department of
- 7 ~~{Conservation and Natural Resources;}~~ *Wildlife;*
- 8 (g) The Legislative Counsel Bureau;
- 9 (h) The State Controller;
- 10 (i) The State Gaming Control Board and Nevada Gaming
- 11 Commission; and
- 12 (j) The University and Community College System of Nevada.

13 3. Any state agency or elected state officer who uses the  
14 services of the Department and desires to withdraw substantially  
15 from that use must apply to the Director for approval. The  
16 application must set forth justification for the withdrawal. If the  
17 Director denies the application, the agency or officer must:

- 18 (a) If the Legislature is in regular or special session, obtain the
- 19 approval of the Legislature by concurrent resolution.
- 20 (b) If the Legislature is not in regular or special session, obtain
- 21 the approval of the Interim Finance Committee. The Director shall,
- 22 within 45 days after receipt of the application, forward the
- 23 application together with his recommendation for approval or denial
- 24 to the Interim Finance Committee. The Interim Finance Committee
- 25 has 45 days after the application and recommendation are submitted
- 26 to its Secretary within which to consider the application. Any
- 27 application which is not considered by the Committee within the
- 28 45-day period shall be deemed approved.

29 4. If the demand for services or use of equipment exceeds the  
30 capability of the Department to provide them, the Department may  
31 contract with other agencies or independent contractors to furnish  
32 the required services or use of equipment and is responsible for the  
33 administration of the contracts.

34 **Sec. 119.** NRS 321.385 is hereby amended to read as follows:

35 321.385 The State Land Registrar, after consultation with the  
36 Division of Forestry of the State Department of Conservation and  
37 Natural Resources, may:

38 1. Sell timber from any land owned by the State of Nevada  
39 which is not assigned to the ~~{Division of Wildlife of the State}~~  
40 Department of ~~{Conservation and Natural Resources;}~~ *Wildlife.*

41 2. At the request of the ~~{Administrator}~~ *Director* of the  
42 ~~{Division of Wildlife of the State}~~ Department of ~~{Conservation and~~  
43 ~~Natural Resources;}~~ *Wildlife*, sell timber from any land owned by  
44 the State of Nevada which is assigned to the ~~{Division}~~ *Department*  
45 of *Wildlife*. Revenues from the sale of such timber must be



1 deposited with the State Treasurer for credit to the Wildlife Account  
2 in the State General Fund.

3 **Sec. 120.** NRS 331.165 is hereby amended to read as follows:

4 331.165 1. The Marlette Lake Water System Advisory  
5 Committee is hereby created to be composed of:

6 (a) One member appointed by the ~~Administrator~~ *Director* of  
7 the ~~Division of Wildlife of the State~~ Department of ~~Conservation~~  
8 ~~and Natural Resources.~~ *Wildlife.*

9 (b) One member appointed by the Administrator of the Division  
10 of State Parks.

11 (c) Three members from the State Legislature, including at least  
12 one member of the Senate and one member of the Assembly,  
13 appointed by the Legislative Commission.

14 (d) One member from the staff of the Legislative Counsel  
15 Bureau appointed by the Legislative Commission. The member so  
16 appointed shall serve as a nonvoting member of the Advisory  
17 Committee.

18 (e) One member appointed by the State Forester Firewarden.

19 (f) One member appointed by the Department of  
20 Administration.

21 2. The voting members of the Advisory Committee shall select  
22 one of the legislative members of the Advisory Committee as  
23 Chairman and one as Vice Chairman. After the initial selection of a  
24 Chairman and Vice Chairman, each such officer serves a term of 2  
25 years beginning on July 1 of each odd-numbered year. If a vacancy  
26 occurs in the Chairmanship or Vice Chairmanship, the person  
27 appointed to succeed that officer shall serve for the remainder of the  
28 unexpired term.

29 3. The Director of the Legislative Counsel Bureau shall  
30 provide a Secretary for the Advisory Committee.

31 4. Members of the Advisory Committee serve at the pleasure  
32 of their respective appointing authorities.

33 5. The Advisory Committee may make recommendations to  
34 the Legislative Commission, the Interim Finance Committee, the  
35 Department of Administration, the State Department of  
36 Conservation and Natural Resources, and the Governor concerning  
37 any matters relating to the Marlette Lake Water System or any part  
38 thereof.

39 **Sec. 121.** NRS 353.250 is hereby amended to read as follows:

40 353.250 1. The State Treasurer shall designate the financial  
41 institutions into which money received by a state officer, department  
42 or commission must be deposited.

43 2. Except as otherwise provided in subsections 3 and 4, every  
44 state officer, department or commission which receives or which  
45 may receive any money of the State of Nevada or for its use and



1 benefit shall deposit on Thursday of each week, in a financial  
2 institution designated by the State Treasurer to the credit of the State  
3 Treasurer’s Account, all money received by that officer, department  
4 or commission during the previous week.

5 3. Except as otherwise provided in subsection 4, if on any day  
6 the money accumulated for deposit is \$10,000 or more, a deposit  
7 must be made not later than the next working day.

8 4. If the ~~Division of Wildlife of the State~~ Department of  
9 ~~Conservation and Natural Resources~~ *Wildlife* accumulates for  
10 deposit \$10,000 or more on any day, the money must be deposited  
11 within 10 working days.

12 5. Every officer, department or commission which is required  
13 to deposit money with the State Treasurer shall comply with that  
14 requirement by depositing the money in a financial institution  
15 designated by the State Treasurer to the credit of the State  
16 Treasurer’s Account.

17 6. Every officer, head of any department or commissioner who  
18 fails to comply with the provisions of this section is guilty of a  
19 misdemeanor in office.

20 7. As used in this section, “financial institution” means a bank,  
21 savings and loan association, thrift company or credit union  
22 regulated pursuant to title 55 or 56 of NRS.

23 **Sec. 122.** NRS 361.055 is hereby amended to read as follows:

24 361.055 1. All lands and other property owned by the State  
25 are exempt from taxation, except real property acquired by the State  
26 of Nevada and assigned to the ~~Division of Wildlife of the State~~  
27 Department of ~~Conservation and Natural Resources~~ *Wildlife*  
28 which is or was subject to taxation under the provisions of this  
29 chapter at the time of acquisition.

30 2. In lieu of payment of taxes on each parcel of real property  
31 acquired by it which is subject to assessment and taxation pursuant  
32 to subsection 1, the ~~Division of Wildlife of the State~~ Department  
33 of ~~Conservation and Natural Resources~~ *Wildlife* shall make annual  
34 ~~payment~~ *payments* to the county tax receiver of the county  
35 wherein each such parcel of real property is located of an amount  
36 equal to the total taxes levied and assessed against each such parcel  
37 of real property in the year in which title to it was acquired by the  
38 State of Nevada.

39 3. Such payments in lieu of taxes must be collected and  
40 accounted for in the same manner as taxes levied and assessed  
41 against real property pursuant to this chapter are collected and  
42 accounted for.

43 4. Money received pursuant to this section must be apportioned  
44 each year to the counties, school districts and cities wherein each  
45 such parcel of real property is located in the proportion that the tax



1 rate of each such political subdivision bears to the total combined  
2 tax rate in effect for that year.

3 **Sec. 123.** NRS 365.535 is hereby amended to read as follows:

4 365.535 1. It is declared to be the policy of the State of  
5 Nevada to apply the tax on motor vehicle fuel paid on fuel used in  
6 watercraft for recreational purposes during each calendar year,  
7 which is hereby declared to be not refundable to the consumer, for  
8 the:

9 (a) Improvement of boating and the improvement, operation and  
10 maintenance of other outdoor recreational facilities located in any  
11 state park that includes a body of water used for recreational  
12 purposes; and

13 (b) Payment of the costs incurred, in part, for the administration  
14 and enforcement of the provisions of chapter 488 of NRS.

15 2. The amount of excise taxes paid on all motor vehicle fuel  
16 used in watercraft for recreational purposes must be determined  
17 annually by the Department by use of the following formula:

18 (a) Multiplying the total boats with motors registered the  
19 previous calendar year, pursuant to provisions of chapter 488 of  
20 NRS, times 220.76 gallons average fuel purchased per boat;

21 (b) Adding 566,771 gallons of fuel purchased by out-of-state  
22 boaters as determined through a study conducted during 1969-1970  
23 by the Division of Agricultural and Resource Economics, Max C.  
24 Fleischmann College of Agriculture, University of Nevada, Reno;  
25 and

26 (c) Multiplying the total gallons determined by adding the total  
27 obtained under paragraph (a) to the figure in paragraph (b) times the  
28 rate of tax, per gallon, imposed on motor vehicle fuel used in  
29 watercraft for recreational purposes, less the percentage of the tax  
30 authorized to be deducted by the supplier pursuant to NRS 365.330.

31 3. The ~~{Division of Wildlife of the State}~~ Department of  
32 ~~{Conservation and Natural Resources}~~ *Wildlife* shall submit  
33 annually to the Department, on or before April 1, the number of  
34 boats with motors registered in the previous calendar year. On or  
35 before June 1, the Department, using that data, shall compute the  
36 amount of excise taxes paid on all motor vehicle fuel used in  
37 watercraft for recreational purposes based on the formula set forth in  
38 subsection 2, and shall certify the ratio for apportionment and  
39 distribution, in writing, to the ~~{Division of Wildlife of the State}~~  
40 Department of ~~{Conservation and Natural Resources}~~ *Wildlife* and  
41 to the Division of State Parks of the State Department of  
42 Conservation and Natural Resources for the next fiscal year.

43 4. In each fiscal year, the State Treasurer shall, upon receipt of  
44 the tax money from the Department collected pursuant to the  
45 provisions of NRS 365.175 to 365.190, inclusive, allocate the



1 amount determined pursuant to subsection 2, in proportions directed  
2 by the Legislature, to:

3 (a) The Wildlife Account in the State General Fund. This money  
4 may be expended only for the administration and enforcement of the  
5 provisions of chapter 488 of NRS and for the improvement,  
6 operation and maintenance of boating facilities and other outdoor  
7 recreational facilities associated with boating. Any money received  
8 in excess of the amount authorized by the Legislature to be  
9 expended for such purposes must be retained in the Wildlife  
10 Account.

11 (b) The Division of State Parks of the State Department of  
12 Conservation and Natural Resources. Such money may be expended  
13 only as authorized by the Legislature for the improvement,  
14 operation and maintenance of boating facilities and other outdoor  
15 recreational facilities located in any state park that includes a body  
16 of water used for recreational purposes.

17 **Sec. 124.** NRS 425.500 is hereby amended to read as follows:

18 425.500 As used in NRS 425.500 to 425.560, inclusive, unless  
19 the context otherwise requires, "agency that issues a professional,  
20 occupational or recreational license, certificate or permit" means the  
21 ~~{Division of Wildlife of the State}~~ Department of ~~{Conservation and~~  
22 ~~Natural Resources}~~ *Wildlife* and any officer, agency, board or  
23 commission of this state which is prohibited by specific statute from  
24 issuing or renewing a license, certificate or permit unless the  
25 applicant for the issuance or renewal of that license, certificate or  
26 permit submits to the officer, agency, board or commission the  
27 statement prescribed by the ~~{Welfare}~~ Division pursuant to  
28 NRS 425.520.

29 **Sec. 125.** NRS 425.520 is hereby amended to read as follows:

30 425.520 1. The ~~{Welfare}~~ Division shall prescribe, by  
31 regulation, a statement which must be submitted to an agency that  
32 issues a professional, occupational or recreational license, certificate  
33 or permit, other than the ~~{Division of Wildlife of the State}~~  
34 Department of ~~{Conservation and Natural Resources,}~~ *Wildlife*, by  
35 an applicant for the issuance or renewal of such a license, certificate  
36 or permit.

37 2. The statement prescribed pursuant to subsection 1 must:

38 (a) Provide the applicant with an opportunity to indicate that:

39 (1) He is not subject to a court order for the support of a  
40 child;

41 (2) He is subject to a court order for the support of one or  
42 more children and is in compliance with the order or is in  
43 compliance with a plan approved by the district attorney or other  
44 public agency enforcing the order for the repayment of the amount  
45 owed pursuant to the order; or



1 (3) He is subject to a court order for the support of one or  
2 more children and is not in compliance with the order or a plan  
3 approved by the district attorney or other public agency enforcing  
4 the order for the repayment of the amount owed pursuant to the  
5 order;

6 (b) Include a statement that the application for the issuance or  
7 renewal of the license, certificate or permit will be denied if the  
8 applicant does not indicate on the statement which of the provisions  
9 of paragraph (a) applies to the applicant; and

10 (c) Include a space for the signature of the applicant.

11 **Sec. 126.** NRS 425.540 is hereby amended to read as follows:

12 425.540 1. If a master enters a recommendation determining  
13 that a person:

14 (a) Has failed to comply with a subpoena or warrant relating to a  
15 proceeding to determine the paternity of a child or to establish or  
16 enforce an obligation for the support of a child; or

17 (b) Is in arrears in the payment for the support of one or more  
18 children,

19 and the district court issues an order approving the recommendation  
20 of the master, the court shall provide a copy of the order to all  
21 agencies that issue professional, occupational or recreational  
22 licenses, certificates or permits.

23 2. A court order issued pursuant to subsection 1 must provide  
24 that if the person named in the order does not, within 30 days after  
25 the date on which the order is issued, submit to any agency that has  
26 issued a professional, occupational or recreational license, certificate  
27 or permit to that person a letter from the district attorney or other  
28 public agency stating that the person has complied with the  
29 subpoena or warrant or has satisfied the arrearage pursuant to NRS  
30 425.560, the professional, occupational or recreational licenses  
31 issued to the person by that agency will be automatically suspended.  
32 Such an order must not apply to a license, certificate or permit  
33 issued by the ~~Division of Wildlife of the State~~ Department of  
34 ~~Conservation and Natural Resources~~ *Wildlife* or the State Land  
35 Registrar if that license, certificate or permit expires less than 6  
36 months after it is issued.

37 3. If a court issues an order pursuant to subsection 1, the  
38 district attorney or other public agency shall send a notice by first-  
39 class mail to the person who is subject to the order. The notice must  
40 include:

41 (a) If the person has failed to comply with a subpoena or  
42 warrant, a copy of the court order and a copy of the subpoena or  
43 warrant; or

44 (b) If the person is in arrears in the payment for the support of  
45 one or more children:



- 1 (1) A copy of the court order;
- 2 (2) A statement of the amount of the arrearage; and
- 3 (3) A statement of the action that the person may take to
- 4 satisfy the arrearage pursuant to NRS 425.560.

5 **Sec. 127.** NRS 432B.610 is hereby amended to read as  
6 follows:

7 432B.610 1. The Peace Officers' Standards and Training  
8 Commission shall:

9 (a) Require each category I peace officer to complete a program  
10 of training for the detection and investigation of and response to  
11 cases of sexual abuse or sexual exploitation of children under the  
12 age of 18 years.

13 (b) Not certify any person as a category I peace officer unless he  
14 has completed the program of training required pursuant to  
15 paragraph (a).

16 (c) Establish a program to provide the training required pursuant  
17 to paragraph (a).

18 (d) Adopt regulations necessary to carry out the provisions of  
19 this section.

20 2. As used in this section, "category I peace officer" means:

21 (a) Sheriffs of counties and of metropolitan police departments,  
22 their deputies and correctional officers;

23 (b) Personnel of the Nevada Highway Patrol appointed to  
24 exercise the police powers specified in NRS 480.330 and 480.360;

25 (c) Marshals, policemen and correctional officers of cities and  
26 towns;

27 (d) Members of the Police Department of the University and  
28 Community College System of Nevada;

29 (e) Employees of the Division of State Parks of the State  
30 Department of Conservation and Natural Resources designated by  
31 the Administrator of the Division who exercise police powers  
32 specified in NRS 289.260;

33 (f) The Chief, investigators and agents of the Investigation  
34 Division of the Department of Public Safety; and

35 (g) The personnel of the ~~[Division of Wildlife of the State]~~  
36 Department of ~~[Conservation and Natural Resources]~~ *Wildlife* who  
37 exercise those powers of enforcement conferred by title 45 and  
38 chapter 488 of NRS.

39 **Sec. 128.** NRS 445A.615 is hereby amended to read as  
40 follows:

41 445A.615 1. The Director may ~~[authorize the Division of~~  
42 ~~Wildlife of]~~ *issue a permit to* the Department *of Wildlife* to kill fish  
43 through the use of toxicants.

44 2. The ~~[Director shall]~~ *permit must* indicate the terms and  
45 conditions under which the use of toxicants may take place.





1     **Sec. 129.** NRS 445B.200 is hereby amended to read as  
2 follows:

3     445B.200 1. The State Environmental Commission is hereby  
4 created within the State Department of Conservation and Natural  
5 Resources. The Commission consists of:

6     (a) The ~~Administrator of the Division of Wildlife~~ *Director* of  
7 the Department ~~of Wildlife~~;

8     (b) The State Forester Firewarden;

9     (c) The State Engineer;

10    (d) The Director of the State Department of Agriculture;

11    (e) The Administrator of the Division of Minerals of the  
12 Commission on Mineral Resources;

13    (f) A member of the State Board of Health to be designated by  
14 that Board; and

15    (g) Five members appointed by the Governor, one of whom is a  
16 general engineering contractor or a general building contractor  
17 licensed pursuant to chapter 624 of NRS and one of whom  
18 possesses expertise in performing mining reclamation.

19    2. The Governor shall appoint the Chairman of the  
20 Commission from among the members of the Commission.

21    3. A majority of the members constitutes a quorum, and a  
22 majority of those present must concur in any decision.

23    4. Each member who is appointed by the Governor is entitled  
24 to receive a salary of not more than \$80, as fixed by the  
25 Commission, for each day's attendance at a meeting of the  
26 Commission.

27    5. While engaged in the business of the Commission, each  
28 member and employee of the Commission is entitled to receive the  
29 per diem allowance and travel expenses provided for state officers  
30 and employees generally.

31    6. Any person who receives or has received during the  
32 previous 2 years a significant portion of his income, as defined by  
33 any applicable state or federal law, directly or indirectly from one or  
34 more holders of or applicants for a permit required by NRS  
35 445A.300 to 445A.730, inclusive, is disqualified from serving as a  
36 member of the Commission. The provisions of this subsection do  
37 not apply to any person who receives or has received during the  
38 previous 2 years, a significant portion of his income from any  
39 department or agency of state government which is a holder of or an  
40 applicant for a permit required by NRS 445A.300 to 445A.730,  
41 inclusive.

42    7. The State Department of Conservation and Natural  
43 Resources shall provide technical advice, support and assistance to  
44 the Commission. All state officers, departments, commissions and  
45 agencies, including the Department of Transportation, the



1 Department of Human Resources, the University and Community  
2 College System of Nevada, the State Public Works Board, the  
3 Department of Motor Vehicles, the Department of Public Safety, the  
4 Public Utilities Commission of Nevada, the Transportation Services  
5 Authority and the State Department of Agriculture may also provide  
6 technical advice, support and assistance to the Commission.

7 **Sec. 130.** NRS 482.368 is hereby amended to read as follows:  
8 482.368 1. Except as otherwise provided in subsection 2, the  
9 Department shall provide suitable distinguishing license plates for  
10 exempt vehicles. These plates must be displayed on the vehicles in  
11 the same manner as provided for privately owned vehicles. The fee  
12 for the issuance of the plates is \$5. Any license plates authorized by  
13 this section must be immediately returned to the Department when  
14 the vehicle for which they were issued ceases to be used exclusively  
15 for the purpose for which it was exempted from the governmental  
16 services tax.

17 2. License plates furnished for:

18 (a) Those vehicles which are maintained for and used by the  
19 Governor or under the authority and direction of the Chief Parole  
20 and Probation Officer, the State Contractors' Board and auditors, the  
21 State Fire Marshal, the Investigation Division of the Department of  
22 Public Safety and any authorized federal law enforcement agency or  
23 law enforcement agency from another state;

24 (b) One vehicle used by the Department of Corrections, three  
25 vehicles used by the ~~Division of Wildlife of the State~~ Department  
26 of ~~Conservation and Natural Resources,~~ *Wildlife*, two vehicles  
27 used by the Caliente Youth Center and four vehicles used by the  
28 Nevada Youth Training Center;

29 (c) Vehicles of a city, county or the State, if authorized by the  
30 Department for the purposes of law enforcement or work related  
31 thereto or such other purposes as are approved upon proper  
32 application and justification; and

33 (d) Vehicles maintained for and used by investigators of the  
34 following:

- 35 (1) The State Gaming Control Board;
- 36 (2) The State Department of Agriculture;
- 37 (3) The Attorney General;
- 38 (4) City or county juvenile officers;
- 39 (5) District attorneys' offices;
- 40 (6) Public administrators' offices;
- 41 (7) Public guardians' offices;
- 42 (8) Sheriffs' offices;
- 43 (9) Police departments in the State; and



1 (10) The Securities Division of the Office of the Secretary of  
2 State,  
3 must not bear any distinguishing mark which would serve to  
4 identify the vehicles as owned by the State, county or city. These  
5 license plates must be issued annually for \$12 per plate or, if issued  
6 in sets, per set.

7 3. The Director may enter into agreements with departments of  
8 motor vehicles of other states providing for exchanges of license  
9 plates of regular series for vehicles maintained for and used by  
10 investigators of the law enforcement agencies enumerated in  
11 paragraph (d) of subsection 2, subject to all of the requirements  
12 imposed by that paragraph, except that the fee required by that  
13 paragraph must not be charged.

14 4. Applications for the licenses must be made through the head  
15 of the department, board, bureau, commission, school district or  
16 irrigation district, or through the chairman of the board of county  
17 commissioners of the county or town or through the mayor of the  
18 city, owning or controlling the vehicles, and no plate or plates may  
19 be issued until a certificate has been filed with the Department  
20 showing that the name of the department, board, bureau,  
21 commission, county, city, town, school district or irrigation district,  
22 as the case may be, and the words "For Official Use Only" have  
23 been permanently and legibly affixed to each side of the vehicle,  
24 except those vehicles enumerated in subsection 2.

25 5. As used in this section, "exempt vehicle" means a vehicle  
26 exempt from the governmental services tax, except a vehicle owned  
27 by the United States.

28 6. The Department shall adopt regulations governing the use of  
29 all license plates provided for in this section. Upon a finding by the  
30 Department of any violation of its regulations, it may revoke the  
31 violator's privilege of registering vehicles pursuant to this section.

32 **Sec. 131.** NRS 488.035 is hereby amended to read as follows:

33 488.035 As used in this chapter, unless the context otherwise  
34 requires:

35 1. "Commission" means the Board of Wildlife Commissioners.

36 2. *"Department" means the Department of Wildlife.*

37 3. "Flat wake" means the condition of the water close astern a  
38 moving vessel that results in a flat wave disturbance.

39 ~~3.~~ 4. *"Interstate waters of this state" means waters forming  
40 the boundary between the State of Nevada and an adjoining state.*

41 5. "Legal owner" means a secured party under a security  
42 agreement relating to a vessel or a renter or lessor of a vessel to the  
43 State or any political subdivision of the State under a lease or an  
44 agreement to lease and sell or to rent and purchase which grants



1 possession of the vessel to the lessee for a period of 30 consecutive  
2 days or more.

3 ~~[4.]~~ 6. "Motorboat" means any vessel propelled by machinery,  
4 whether or not the machinery is the principal source of propulsion.

5 ~~[5.]~~ 7. "Operate" means to navigate or otherwise use a  
6 motorboat or a vessel.

7 ~~[6.]~~ 8. "Owner" means:  
8 (a) A person having all the incidents of ownership, including the  
9 legal title of a vessel, whether or not he lends, rents or pledges the  
10 vessel; and  
11 (b) A debtor under a security agreement relating to a vessel.  
12 "Owner" does not include a person defined as a "legal owner" under  
13 subsection ~~[3.]~~ 4.

14 ~~[7.]~~ 9. "Prohibited substance" has the meaning ascribed to it in  
15 NRS 484.1245.

16 ~~[8.]~~ 10. "Registered owner" means the person registered by the  
17 Commission as the owner of a vessel.

18 ~~[9.]~~ 11. A vessel is "under way" if it is adrift, making way ~~[5]~~  
19 or being propelled, and is not aground, made fast to the shore, or  
20 tied or made fast to a dock or mooring.

21 ~~[10.]~~ 12. "Vessel" means every description of watercraft, other  
22 than a seaplane on the water, used or capable of being used as a  
23 means of transportation on water.

24 ~~[11.]~~ 13. "Waters of this state" means any waters within the  
25 territorial limits of this state.

26 **Sec. 132.** NRS 488.065 is hereby amended to read as follows:  
27 488.065 1. Every motorboat on the waters of this state must  
28 be numbered and titled, except as otherwise provided in subsection  
29 4 and NRS 488.175.

30 2. Upon receipt of an original application for a certificate of  
31 ownership or for transfer of a certificate of ownership on an  
32 undocumented motorboat, the ~~[Division of Wildlife of the State~~  
33 ~~Department of Conservation and Natural Resources]~~ **Department**  
34 may assign an appropriate builder's hull number to the motorboat  
35 whenever there is no builder's number thereon, or when the  
36 builder's number has been destroyed or obliterated. The builder's  
37 number must be permanently marked on an integral part of the hull  
38 which is accessible for inspection.

39 3. A person shall not operate or give permission for the  
40 operation of any motorboat on the waters of this state unless:  
41 (a) The motorboat is numbered in accordance with the  
42 provisions of this chapter, with applicable federal law or with the  
43 federally approved numbering system of another state;  
44 (b) The certificate of number awarded to the motorboat is in  
45 effect;



1 (c) The identifying number set forth in the certificate of number  
2 is displayed on each side of the bow of the motorboat; and

3 (d) A valid certificate of ownership has been issued to the owner  
4 of any motorboat required to be numbered under this chapter.

5 4. Any person who purchases or otherwise owns a motorboat  
6 before January 1, 1972, is not required to obtain title for the  
7 motorboat until he transfers any portion of his ownership in the  
8 motorboat to another person.

9 **Sec. 133.** NRS 488.075 is hereby amended to read as follows:  
10 488.075 1. The owner of each motorboat requiring  
11 numbering by this state shall file an application for a number and for  
12 a certificate of ownership with the ~~[Division of Wildlife of the State~~  
13 ~~Department of Conservation and Natural Resources]~~ *Department* on  
14 forms approved by it accompanied by:

15 (a) Proof of payment of Nevada sales or use tax as evidenced by  
16 proof of sale by a Nevada dealer or by a certificate of use tax paid  
17 issued by the Department of Taxation, or by proof of exemption  
18 from those taxes as provided in NRS 372.320.

19 (b) Such evidence of ownership as the ~~[Division of Wildlife]~~  
20 *Department* may require.  
21 The ~~[Division of Wildlife]~~ *Department* shall not issue a number, a  
22 certificate of number or a certificate of ownership until this evidence  
23 is presented to it.

24 2. The application must be signed by the owner of the  
25 motorboat and must be accompanied by a fee of \$15 for the  
26 certificate of ownership and a fee according to the following  
27 schedule as determined by the straight line length which is measured  
28 from the tip of the bow to the back of the transom of the motorboat:

29	
30	Less than 13 feet..... \$10
31	13 feet or more but less than 18 feet ..... 15
32	18 feet or more but less than 22 feet ..... 30
33	22 feet or more but less than 26 feet ..... 45
34	26 feet or more but less than 31 feet ..... 60
35	31 feet or more ..... 75

36  
37 Except as otherwise provided in this subsection, all fees received by  
38 the ~~[Division of Wildlife]~~ *Department* under the provisions of this  
39 chapter must be deposited in the Wildlife Account in the State  
40 General Fund and may be expended only for the administration and  
41 enforcement of the provisions of this chapter. On or before  
42 December 31 of each year, the ~~[Division of Wildlife]~~ *Department*  
43 shall deposit with the respective county school districts 50 percent  
44 of each fee collected according to the motorboat's length for every  
45 motorboat registered from their respective counties. Upon receipt of



1 the application in approved form, the ~~Division of Wildlife~~  
2 *Department* shall enter the application upon the records of its office  
3 and issue to the applicant a certificate of number stating the number  
4 awarded to the motorboat, a certificate of ownership stating the  
5 same information and the name and address of the registered owner  
6 and the legal owner.

7 3. A certificate of number may be renewed each year by the  
8 purchase of a validation decal. The fee for a validation decal is  
9 determined by the straight line length of the motorboat and is  
10 equivalent to the fee set forth in the schedule provided in subsection  
11 2. The fee for issuing a duplicate validation decal is \$10.

12 4. The owner shall paint on or attach to each side of the bow of  
13 the motorboat the identification number in such manner as may be  
14 prescribed by regulations of the Commission in order that the  
15 number may be clearly visible. The number must be maintained in  
16 legible condition.

17 5. The certificate of number must be pocket size and must be  
18 available at all times for inspection on the motorboat for which  
19 issued, whenever the motorboat is in operation.

20 6. The Commission shall provide by regulation for the issuance  
21 of numbers to manufacturers and dealers which may be used  
22 interchangeably upon motorboats operated by the manufacturers and  
23 dealers in connection with the demonstration, sale or exchange of  
24 those motorboats. The fee for each such number is \$15.

25 **Sec. 134.** NRS 488.078 is hereby amended to read as follows:  
26 488.078 The ~~Division of Wildlife of the State Department of~~  
27 ~~Conservation and Natural Resources~~ *Department* shall, upon  
28 request of the Welfare Division of the Department of Human  
29 Resources, submit to the Welfare Division the name, address and  
30 social security number of each person who has been issued a  
31 certificate of number or a validation decal and any pertinent changes  
32 in that information.

33 **Sec. 135.** NRS 488.105 is hereby amended to read as follows:  
34 488.105 If an agency of the United States Government has in  
35 force an overall system of identification numbering for motorboats  
36 within the United States, the numbering system employed pursuant  
37 to the provisions of this chapter by the ~~Division of Wildlife of the~~  
38 ~~State Department of Conservation and Natural Resources~~  
39 *Department* must be in conformity therewith.

40 **Sec. 136.** NRS 488.115 is hereby amended to read as follows:  
41 488.115 1. The ~~Division of Wildlife of the State Department~~  
42 ~~of Conservation and Natural Resources~~ *Department* may award  
43 any certificate of number directly or may authorize any person to act  
44 as *an* agent for the awarding thereof. If a person accepts the  
45 authorization, he may be assigned a block of numbers and



1 certificates therefor which upon award, in conformity with the  
2 provisions of this chapter and with any regulations of the  
3 Commission, is valid as if awarded directly by the ~~{Division of  
4 Wildlife.} Department~~. At the time an agent forwards the money  
5 collected to the ~~{Division of Wildlife} Department~~ he may retain 50  
6 cents per certificate of number.

7 2. All records of the ~~{Division of Wildlife} Department~~ made  
8 or kept pursuant to this section are public records.

9 **Sec. 137.** NRS 488.135 is hereby amended to read as follows:

10 488.135 The ~~{Division of Wildlife of the State Department of  
11 Conservation and Natural Resources} Department~~ shall fix a day  
12 and month of the year on which certificates of number due to expire  
13 during the calendar year lapse unless renewed pursuant to the  
14 provisions of this chapter.

15 **Sec. 138.** NRS 488.145 is hereby amended to read as follows:

16 488.145 1. The owner shall furnish the ~~{Division of Wildlife  
17 of the State Department of Conservation and Natural Resources}  
18 Department~~ notice of the destruction or abandonment of any  
19 motorboat numbered under this chapter, within 10 days thereof.

20 2. Such destruction or abandonment terminates the certificate  
21 of number for the motorboat.

22 **Sec. 139.** NRS 488.155 is hereby amended to read as follows:

23 488.155 1. Any holder of a certificate of number and a  
24 certificate of ownership shall notify the ~~{Division of Wildlife of the  
25 State Department of Conservation and Natural Resources}  
26 Department~~, within 10 days, if his address no longer conforms to  
27 the address appearing on the certificates and shall, as a part of the  
28 notification, furnish the ~~{Division of Wildlife} Department~~ with his  
29 new address.

30 2. The Commission may provide in its regulations for the  
31 surrender of the certificates bearing the former address and its  
32 replacement with new certificates bearing the new address or for the  
33 alteration of outstanding certificates to show the new address of the  
34 holder.

35 **Sec. 140.** NRS 488.171 is hereby amended to read as follows:

36 488.171 1. A person shall not:

37 (a) Intentionally deface, destroy, remove or alter any hull  
38 number required for a vessel without written authorization from the  
39 ~~{Division of Wildlife of the State Department of Conservation and  
40 Natural Resources;} Department;~~ or

41 (b) Place or stamp any serial number upon a vessel except a  
42 number assigned to the vessel by the ~~{Division of Wildlife.}  
43 Department~~.

44 2. This section does not prohibit:





1 (a) The restoration of the original hull number by an owner of a  
2 vessel when the restoration is authorized by the ~~Division of~~  
3 ~~Wildlife;~~ *Department*; or

4 (b) Any manufacturer from placing numbers or marks in the  
5 ordinary course of business upon new vessels or parts of vessels.

6 3. The ~~Division of Wildlife~~ *Department* shall, upon request,  
7 assign a hull number to any handmade vessel.

8 4. Any person who violates subsection 1 is guilty of a gross  
9 misdemeanor.

10 **Sec. 141.** NRS 488.175 is hereby amended to read as follows:

11 488.175 1. Except as otherwise provided in subsection 2, a  
12 motorboat need not be numbered pursuant to the provisions of this  
13 chapter if it is:

14 (a) Already covered by a number in effect which has been  
15 awarded or issued to it pursuant to federal law or a federally  
16 approved numbering system of another state if the boat has not been  
17 on the waters of this state for a period in excess of 90 consecutive  
18 days.

19 (b) A motorboat from a country other than the United States  
20 temporarily using the waters of this state.

21 (c) A public vessel of the United States, a state or a political  
22 subdivision of a state.

23 (d) A ship's lifeboat.

24 (e) A motorboat belonging to a class of boats which has been  
25 exempted from numbering by the ~~Division of Wildlife of the State~~  
26 ~~Department of Conservation and Natural Resources;~~ *Department*  
27 after the ~~Division~~ *Department* has found:

28 (1) That the numbering of motorboats of that class will not  
29 materially aid in their identification; and

30 (2) If an agency of the Federal Government has a numbering  
31 system applicable to the class of motorboats to which the motorboat  
32 in question belongs, that the motorboat would also be exempt from  
33 numbering if it were subject to the federal law.

34 2. The ~~Division of Wildlife~~ *Department* may, by regulation,  
35 provide for the issuance of exempt numbers for motorboats not  
36 required to be registered under the provisions of this chapter.

37 3. A motorboat need not be titled pursuant to the provisions of  
38 this chapter, if it is already covered by a certificate of ownership  
39 which has been awarded or issued to it pursuant to the title system  
40 of another state.

41 **Sec. 142.** NRS 488.1793 is hereby amended to read as  
42 follows:

43 488.1793 Except as otherwise provided for the creation or  
44 transfer of a security interest, no transfer of title to or any interest in



1 any motorboat required to be numbered under this chapter is  
2 effective until one of the following conditions is fulfilled:

3 1. The transferor has properly endorsed and delivered the  
4 certificate of ownership and has delivered the certificate of number  
5 to the transferee as provided in this chapter, and the transferee has,  
6 within the prescribed time, delivered the documents to the ~~Division~~  
7 ~~of Wildlife of the State Department of Conservation and Natural~~  
8 ~~Resources~~ *Department* or placed them in the United States mail  
9 addressed to the ~~Division of Wildlife~~ *Department* with the transfer  
10 fee.

11 2. The transferor has delivered to the ~~Division of Wildlife~~  
12 *Department* or placed in the United States mail addressed to the  
13 ~~Division of Wildlife~~ *Department* the appropriate documents for  
14 the transfer of ownership pursuant to the sale or transfer.

15 **Sec. 143.** NRS 488.1795 is hereby amended to read as  
16 follows:

17 488.1795 Upon receipt of a properly endorsed certificate of  
18 ownership and the certificate of number of any motorboat, the  
19 transferee shall within 10 days file the certificates , accompanied by  
20 a fee of \$5 , with the ~~Division of Wildlife of the State Department~~  
21 ~~of Conservation and Natural Resources~~ *Department* and thereby  
22 make application for a new certificate of ownership and a new  
23 certificate of number.

24 **Sec. 144.** NRS 488.1797 is hereby amended to read as  
25 follows:

26 488.1797 1. Before the issuance of any certificate of  
27 ownership, the ~~Division of Wildlife of the State Department of~~  
28 ~~Conservation and Natural Resources~~ *Department* shall obtain a  
29 statement in writing signed by the transferee or transferor, showing:

30 (a) The date of the sale or other transfer of ownership of the  
31 motorboat.

32 (b) The name and address of the seller or transferor.

33 (c) The name and address of the buyer or transferee.

34 2. Upon receipt of the properly endorsed certificate of  
35 ownership, the certificate of number , and the required fee and  
36 statement of information, the ~~Division of Wildlife~~ *Department*  
37 shall issue a new certificate of ownership and a new certificate of  
38 number to the transferee. The previous number may be reassigned to  
39 the transferee.

40 **Sec. 145.** NRS 488.1801 is hereby amended to read as  
41 follows:

42 488.1801 Any owner of any motorboat numbered under this  
43 chapter who sells or transfers his title or any interest in the  
44 motorboat shall within 10 days notify the ~~Division of Wildlife of~~  
45 ~~the State Department of Conservation and Natural Resources~~



1 *Department* of the sale or transfer and furnish the following  
2 information:

- 3 1. The name and address of the legal owner and transferee; and
- 4 2. Such description of the motorboat as may be required by the

5 ~~{Division of Wildlife}~~ *Department*.

6 **Sec. 146.** NRS 488.1803 is hereby amended to read as  
7 follows:

8 488.1803 Any dealer upon transferring by sale, lease or  
9 otherwise any motorboat, whether new or used, required to be  
10 numbered under this chapter, shall give written notice of the transfer  
11 to the ~~{Division of Wildlife of the State Department of Conservation  
12 and Natural Resources}~~ *Department* upon an appropriate form  
13 provided by it. The notice must be given within 3 days after the sale,  
14 but a dealer need not give the notice when selling or transferring a  
15 new unnumbered motorboat to another dealer.

16 **Sec. 147.** NRS 488.1813 is hereby amended to read as  
17 follows:

18 488.1813 1. If a certificate of ownership is lost, stolen,  
19 damaged or mutilated, an application for transfer may be made upon  
20 a form provided by the ~~{Division of Wildlife of the State  
21 Department of Conservation and Natural Resources}~~ *Department*  
22 for a duplicate certificate of ownership. The transferor shall write  
23 his signature and address in the appropriate spaces provided upon  
24 the application and file it together with the proper fees for *a*  
25 duplicate certificate of ownership and transfer.

26 2. The ~~{Division of Wildlife}~~ *Department* may receive the  
27 application and examine into the circumstances of the case and may  
28 require the filing of affidavits or other information, and when the  
29 ~~{Division of Wildlife}~~ *Department* is satisfied that the applicant is  
30 entitled to a transfer of ownership, it may transfer the ownership of  
31 the motorboat, and issue a new certificate of ownership ~~{}~~ and  
32 certificate of number to the person found to be entitled thereto.

33 **Sec. 148.** NRS 488.1823 is hereby amended to read as  
34 follows:

35 488.1823 1. No security interest in any motorboat required to  
36 be numbered under this chapter, whether the number was awarded  
37 before or after the creation of the security interest, is perfected until  
38 the secured party or his successor or assignee has deposited with the  
39 ~~{Division of Wildlife of the State Department of Conservation and  
40 Natural Resources}~~ *Department* a properly endorsed certificate of  
41 ownership to the motorboat subject to the security interest.

42 2. The certificate must show the secured party as legal owner if  
43 the motorboat is then numbered under this chapter, or if not so  
44 numbered, the registered owner shall file an initial application for a  
45 certificate of number and for a certificate of ownership and the



1 certificate of ownership issued thereunder must contain the name  
2 and address of the legal owner.

3 3. Upon compliance with subsections 1 and 2, the security  
4 interest is perfected and the records of the ~~[Division of Wildlife]~~  
5 *Department* must show the secured party or his successor or  
6 assignee as the legal owner of the motorboat.

7 **Sec. 149.** NRS 488.1826 is hereby amended to read as  
8 follows:

9 488.1826 1. If the ~~[Division of Wildlife of the State~~  
10 ~~Department of Conservation and Natural Resources]~~ *Department*  
11 receives a copy of a court order issued pursuant to NRS 425.540 that  
12 provides for the suspension of all professional, occupational and  
13 recreational licenses, certificates and permits issued to a person who  
14 has been issued a certificate of number or a validation decal, the  
15 ~~[Division of Wildlife]~~ *Department* shall deem the certificate of  
16 number or validation decal issued to that person to be suspended at  
17 the end of the 30th day after the date on which the court order was  
18 issued unless the ~~[Division of Wildlife]~~ *Department* receives a letter  
19 issued by the district attorney or other public agency pursuant to  
20 NRS 425.550 to the person who has been issued the certificate of  
21 number or validation decal stating that the person has complied with  
22 the subpoena or warrant or has satisfied the arrearage pursuant to  
23 NRS 425.560.

24 2. The ~~[Division of Wildlife]~~ *Department* shall reinstate a  
25 certificate of number or validation decal that has been suspended by  
26 a district court pursuant to NRS 425.540 if the ~~[Division of~~  
27 ~~Wildlife]~~ *Department* receives a letter issued by the district attorney  
28 or other public agency pursuant to NRS 425.550 to the person  
29 whose certificate of number or validation decal was suspended  
30 stating that the person whose certificate of number or validation  
31 decal was suspended has complied with the subpoena or warrant or  
32 has satisfied the arrearage pursuant to NRS 425.560.

33 **Sec. 150.** NRS 488.1827 is hereby amended to read as  
34 follows:

35 488.1827 The ~~[Division of Wildlife of the State Department of~~  
36 ~~Conservation and Natural Resources]~~ *Department* may suspend or  
37 revoke any certificate of ownership, certificate of number or number  
38 of any motorboat if it is satisfied that any such certificate or number  
39 was fraudulently obtained, or that the appropriate fee was not paid.

40 **Sec. 151.** NRS 488.195 is hereby amended to read as follows:

41 488.195 1. The exhaust of every internal combustion engine  
42 used on any motorboat must be effectively muffled by equipment so  
43 constructed and used as to muffle the noise of the exhaust in a  
44 reasonable manner.

45 2. The use of cutouts is prohibited.



- 1       3. Subsections 1 and 2 do not apply to:  
2       (a) Motorboats competing in a regatta or boat race approved as  
3 provided in NRS 488.305;  
4       (b) Such motorboats while on trial runs between the hours of 9  
5 a.m. and 5 p.m. and during a period not to exceed 48 hours  
6 immediately preceding the regatta or boat race;  
7       (c) Such motorboats while competing in official trials for speed  
8 records during a period not to exceed 48 hours immediately  
9 following the regatta or boat race; or  
10       (d) Any motorboat operating under a separate permit issued by  
11 the ~~{Division of Wildlife of the State Department of Conservation~~  
12 ~~and Natural Resources}~~ *Department* for tuning engines, making test  
13 or trial runs or competing in official trials for speed records other  
14 than in connection with regattas or boat races.

15       4. The ~~{Division of Wildlife}~~ *Department* shall issue permits  
16 for the purposes enumerated in paragraph (a) of subsection 3, under  
17 such conditions and restrictions as the Commission determines  
18 necessary to prevent a public nuisance and to assure the public  
19 safety. The Commission may adopt regulations to carry out the  
20 provisions of this subsection.

21       **Sec. 152.** NRS 488.197 is hereby amended to read as follows:

22       488.197 1. No vessel may be equipped with nor shall any  
23 person use or install upon a vessel a siren, except as otherwise  
24 provided in this chapter.

25       2. Any authorized emergency vessel, when approved by the  
26 ~~{Division of Wildlife of the State Department of Conservation and~~  
27 ~~Natural Resources,}~~ *Department*, may be equipped with a siren  
28 capable of sound audible under normal conditions from a distance of  
29 not less than 500 feet, but the siren must not be used except if the  
30 vessel is operated in response to an emergency call or in the  
31 immediate pursuit of an actual or suspected violator of the law, in  
32 which event the operator of the vessel shall sound the siren when  
33 necessary to warn persons of the approach thereof.

34       **Sec. 153.** NRS 488.259 is hereby amended to read as follows:

35       488.259 1. Except as otherwise provided in NRS 488.263, a  
36 person shall not place any mooring buoy in any waters of this state,  
37 other than the Lake Mead National Recreation Area, without a  
38 permit issued by:

39       (a) The Division of State Lands, if the mooring buoy is to be  
40 placed in navigable waters.

41       (b) The ~~{Division of Wildlife of the State Department of~~  
42 ~~Conservation and Natural Resources,}~~ *Department*, if the mooring  
43 buoy is to be placed in any other waters.

44       2. The Division of State Lands shall transmit a copy of each  
45 application for a permit for the placement of a mooring buoy in the



1 navigable waters of this state to the ~~{Division of Wildlife}~~  
2 *Department* as soon as practicable after receipt.

3 3. Upon receipt of such a copy, the ~~{Division of Wildlife}~~  
4 *Department* shall review the application to determine whether the  
5 placement of the buoy is in the best interests of the State. To  
6 determine whether the placement of a mooring buoy is in the best  
7 interests of the State, the ~~{Division of Wildlife}~~ *Department* may  
8 consider the likelihood that the buoy will:

- 9 (a) Interfere with navigation.  
10 (b) Become a hazard to persons or wildlife.  
11 (c) Have any other detrimental effect on the body of water in  
12 which it is placed.

13 4. If the ~~{Division of Wildlife}~~ *Department* determines that the  
14 permit should be denied, ~~{it}~~ *the Department* shall submit such a  
15 recommendation to the Division of State Lands and provide a brief  
16 summary of the reason for the recommendation within 30 days after  
17 the date on which the application was transmitted.

18 5. If the Division of State Lands does not receive a  
19 recommendation for the denial of the permit from the ~~{Division of}~~  
20 ~~Wildlife}~~ *Department* within the 30-day period provided in  
21 subsection 4, the application shall be deemed to be approved by the  
22 ~~{Division of Wildlife.}~~ *Department.*

23 **Sec. 154.** NRS 488.261 is hereby amended to read as follows:

24 488.261 1. The ~~{Division of Wildlife of the State Department}~~  
25 ~~of Conservation and Natural Resources}~~ *Department* may issue to  
26 any person a permit to place a mooring buoy in the nonnavigable  
27 waters of this state. The ~~{Division of Wildlife}~~ *Department* shall  
28 charge and collect a fee in the amount set by the Commission for  
29 each permit issued pursuant to this subsection. Unless suspended or  
30 revoked by the ~~{Division of Wildlife,}~~ *Department,* a permit issued  
31 pursuant to this subsection is valid through December 31 of the year  
32 in which it is issued. Such a permit may be renewed annually by  
33 paying the fee set by the Commission on or before January 1 of each  
34 year.

35 2. The ~~{Division of Wildlife}~~ *Department* may issue a permit  
36 for the temporary placement of a buoy, other than a navigational aid,  
37 for practice courses or marine events. The ~~{Division of Wildlife}~~  
38 *Department* shall charge and collect a fee in the amount set by the  
39 Commission for each permit issued pursuant to this subsection.  
40 Unless suspended or revoked by the ~~{Division of Wildlife,}~~  
41 *Department,* a permit issued pursuant to this subsection is valid for  
42 the period indicated on the face of the permit which must not exceed  
43 6 months.

44 3. The Commission shall adopt by regulation fees for:



1 (a) The issuance and renewal of permits for mooring buoys  
2 pursuant to subsection 1 which must not be more than \$100 for each  
3 buoy per year.

4 (b) The issuance of permits for the temporary placement of  
5 buoys for practice courses or marine events pursuant to subsection 2  
6 which must not be more than \$50 per buoy.

7 4. The Commission may:

8 (a) Adopt such regulations as are necessary to carry out the  
9 provisions of NRS 488.257 to 488.285, inclusive; and

10 (b) Establish a schedule of administrative fines for the violation  
11 of those regulations which may be assessed in addition to any  
12 criminal penalties for the same act.

13 5. The ~~Division of Wildlife~~ *Department* is responsible for the  
14 enforcement of the laws of this state governing mooring buoys and  
15 may:

16 (a) Revoke or suspend a permit for a mooring buoy issued  
17 pursuant to subsection 1 or 2 or by the Division of State Lands if:

18 (1) The person responsible for the buoy fails to comply with  
19 all applicable statutes and regulations concerning the buoy; or

20 (2) The buoy becomes a hazard to navigation.

21 (b) Remove any mooring buoy determined to be unlawfully  
22 placed.

23 6. This section does not require an agency of this state or the  
24 United States Government to obtain written authorization to place,  
25 move, remove, destroy or tamper with buoys or navigational aids on  
26 the navigable waters of this state.

27 **Sec. 155.** NRS 488.285 is hereby amended to read as follows:

28 488.285 1. Except as otherwise provided in subsection 2:

29 (a) A person shall not moor any vessel to any buoy or  
30 navigational aid placed in any waterway by authority of the United  
31 States or any other governmental authority, or in any manner attach  
32 a vessel to any such buoy or navigational aid.

33 (b) A person shall not place, move, remove, destroy or tamper  
34 with any buoy or other navigational aid without written  
35 authorization from the ~~Division of Wildlife of the State Department~~  
36 ~~of Conservation and Natural Resources.~~ *Department.*

37 2. The provisions of subsection 1 do not apply to mooring  
38 buoys.

39 3. A person who violates a provision of subsection 1 shall be  
40 punished:

41 (a) If no injury results from the violation, for a misdemeanor.

42 (b) If bodily injury or property damage in excess of \$200 results  
43 from the violation, for a gross misdemeanor.

44 (c) If a human death results from the violation, for a category D  
45 felony as provided in NRS 193.130.





1 4. Nothing in this section requires an agency of this state or the  
2 United States Government to obtain written authorization to place,  
3 move, remove, destroy or tamper with buoys or navigational aids on  
4 navigable waters of this state.

5 **Sec. 156.** NRS 488.291 is hereby amended to read as follows:

6 488.291 1. A person shall not abandon a vessel upon a public  
7 waterway or public or private property without the consent of the  
8 owner or person in lawful possession or control of the property.

9 2. The abandonment of any vessel in a manner prohibited by  
10 subsection 1 is prima facie evidence that the last registered owner of  
11 record, unless he has notified the ~~[Division of Wildlife of the State~~  
12 ~~Department of Conservation and Natural Resources]~~ *Department* or  
13 other appropriate agency of his relinquishment of title or interest  
14 therein, is responsible for the abandonment. The person so  
15 responsible is liable for the cost of removal and disposition of the  
16 vessel.

17 3. A game warden, sheriff or other peace officer of this state  
18 may remove a vessel from a public waterway when:

19 (a) The vessel is left unattended and is adrift, moored, docked,  
20 beached or made fast to land in such a position as to interfere with  
21 navigation or in such a condition as to create a hazard to other  
22 vessels using the waterway, to public safety or to the property of  
23 another.

24 (b) The vessel is found upon a waterway and a report has  
25 previously been made that the vessel has been stolen or embezzled.

26 (c) The person in charge of the vessel is by reason of physical  
27 injuries or illness incapacitated to such an extent as to be unable to  
28 provide for its custody or removal.

29 (d) An officer arrests a person operating or in control of the  
30 vessel for an alleged offense, and the officer is required or permitted  
31 to take, and does take, the person arrested before a magistrate  
32 without unnecessary delay.

33 (e) The vessel seriously interferes with navigation or otherwise  
34 poses a critical and immediate danger to navigation or to the public  
35 health, safety or welfare.

36 **Sec. 157.** NRS 488.293 is hereby amended to read as follows:

37 488.293 1. A peace officer may attempt to identify the  
38 registered owner of a vessel abandoned on private property by  
39 inspection of the vessel and any trailer to which it is attached and  
40 may supply the information to the property owner. The property  
41 owner must declare by affidavit the reasons why he believes the  
42 property to be abandoned. The property owner must give 5 days'  
43 notice to the last registered owner before causing the removal of the  
44 vessel. If the last registered owner is unknown or cannot be notified,



1 the vessel may immediately be removed to a secure location  
2 designated by a peace officer.

3 2. A peace officer shall, within 48 hours after directing the  
4 removal of an abandoned vessel on a public waterway or public or  
5 private property, notify the ~~{Division of Wildlife of the State~~  
6 ~~Department of Conservation and Natural Resources}~~ **Department** of  
7 the status of the vessel.

8 3. A law enforcement agency that has custody of an abandoned  
9 vessel shall, if the agency knows or can reasonably discover the  
10 name and address of the owner of the vessel or any person who  
11 holds a security interest in the vessel, notify the owner or the holder  
12 of the security interest of the location of the vessel and the method  
13 by which the vessel may be claimed. The notice must be sent by  
14 certified or registered mail.

15 4. If the abandoned vessel is held by a law enforcement agency  
16 as evidence in the investigation or prosecution of a criminal offense,  
17 the notice required by subsection 3 must be sent:

18 (a) Upon the decision of the law enforcement agency or district  
19 attorney not to pursue or prosecute the case;

20 (b) Upon the conviction of the person who committed the  
21 offense; or

22 (c) If the case is otherwise terminated.

23 5. Failure to reclaim the vessel within 180 days after the date  
24 the notice is mailed constitutes a waiver of interest in the vessel by  
25 any person having an interest in the vessel and the vessel shall be  
26 deemed abandoned for all purposes.

27 6. If all recorded interests in a vessel are waived, as provided in  
28 subsection 5 or by written disclaimer, the ~~{Division of Wildlife}~~  
29 **Department** may issue a certificate of ownership to the law  
30 enforcement agency that has custody of the vessel. If necessary, the  
31 ~~{Division of Wildlife}~~ **Department** may assign a hull number to the  
32 vessel. This subsection does not preclude the subsequent return of a  
33 vessel, or any component part thereof, by a law enforcement agency  
34 to the registered owner of the vessel upon presentation by the  
35 registered owner of satisfactory proof of ownership.

36 7. A law enforcement agency to which a certificate of  
37 ownership is issued pursuant to subsection 6 may use, sell or destroy  
38 the vessel, and shall keep a record of the disposition of the vessel. If  
39 the law enforcement agency:

40 (a) Sells the vessel, all proceeds from the sale of the vessel  
41 become the property of the law enforcement agency.

42 (b) Destroys the vessel, the law enforcement agency shall,  
43 within 10 days, give notice of the destruction of the vessel to the  
44 ~~{Division of Wildlife}~~ **Department**.



1       **Sec. 158.** NRS 488.305 is hereby amended to read as follows:

2       488.305 1. The ~~Division of Wildlife of the State Department~~  
3 ~~of Conservation and Natural Resources~~ *Department* may authorize  
4 the holding of regattas, motorboat or other boat races, marine  
5 parades, tournaments or exhibitions on any waters of this state. The  
6 Commission shall adopt regulations concerning the safety of  
7 motorboats and other vessels and persons thereon, either observers  
8 or participants.

9       2. At least 30 days before a regatta, motorboat or other boat  
10 race, marine parade, tournament or exhibition is proposed to be  
11 held, the person in charge thereof must file an application with the  
12 ~~Division of Wildlife~~ *Department* for permission to hold the  
13 regatta, motorboat or other boat race, marine parade, tournament or  
14 exhibition. No such event may be conducted without the written  
15 authorization of the ~~Division of Wildlife~~ *Department*.

16       3. The ~~Administrator~~ *Director* of the ~~Division of Wildlife~~  
17 *Department* may require an applicant, or the sponsor of the event, as  
18 a condition of the approval of a regatta, motorboat or other boat  
19 race, marine parade, tournament or exhibition, to enter into an  
20 agreement to reimburse the ~~Division~~ *Department* for expenses  
21 incurred by the ~~Division~~ *Department* to ensure that the event is  
22 conducted safely, including, without limitation, expenses for  
23 equipment used, expenses for personnel and general operating  
24 expenses.

25       4. The application must set forth the date, time and location  
26 where it is proposed to hold the regatta, motorboat or other boat  
27 race, marine parade, tournament or exhibition, the type of vessels  
28 participating, the number and kind of navigational aids required and  
29 the name of a person who will be present at the event to ensure that  
30 the conditions of the permit are satisfied.

31       5. The provisions of this section do not exempt any person  
32 from compliance with applicable federal law or regulation.

33       **Sec. 159.** NRS 488.320 is hereby amended to read as follows:

34       488.320 1. A person shall not maintain or operate upon the  
35 waters of this state any vessel which is equipped with a marine  
36 sanitation device unless the device is approved by the United States  
37 Coast Guard and:

38       (a) Is designed to prevent the overboard discharge of treated and  
39 untreated sewage; or

40       (b) Is adequately secured to prevent the overboard discharge of  
41 treated and untreated sewage.

42       2. It is unlawful for any person to discharge or attempt to  
43 discharge sewage from a vessel into the waters of this state.

44       3. The Commission shall adopt regulations:



1 (a) That it determines are necessary to carry out the provisions  
2 of this section; and

3 (b) Establishing a schedule of civil penalties for various  
4 violations of this section and those regulations.

5 4. A person who violates any provision of this section or the  
6 regulations adopted pursuant to subsection 3:

7 (a) Is guilty of a misdemeanor; and

8 (b) In addition to any criminal penalty, is subject to:

9 (1) The suspension of the certificate of number of his vessel  
10 for 180 consecutive days; and

11 (2) A civil penalty of not less than \$250, as established in  
12 regulations adopted by the Commission, payable to the ~~[Division of~~  
13 ~~Wildlife of the State Department of Conservation and Natural~~  
14 ~~Resources.] Department.~~

15 5. As used in this section, unless the context otherwise  
16 requires:

17 (a) "Discharge" means to spill, leak, pump, pour, emit, empty or  
18 dump sewage into the water.

19 (b) "Marine sanitation device" means a toilet facility which is  
20 installed on board a vessel and which is designed to receive, retain,  
21 treat or discharge sewage, and any process to treat that sewage. The  
22 term does not include portable devices which are designed to be  
23 carried onto and off of a vessel.

24 (c) "Sewage" means wastes from the human body and wastes  
25 from toilets or other receptacles, including marine sanitation  
26 devices, designed to receive or retain wastes from the human body.

27 (d) "Vessel" includes any watercraft or structure floating on the  
28 water, whether or not capable of self-locomotion, including  
29 houseboats, barges and similar structures.

30 **Sec. 160.** NRS 488.550 is hereby amended to read as follows:

31 488.550 1. The operator of a vessel involved in a collision,  
32 accident or other casualty shall, so far as he can do so without  
33 serious danger to his own vessel, crew and passengers, render to  
34 other persons affected by the casualty such assistance as may be  
35 practicable and as may be necessary to save them from or minimize  
36 any danger caused by the casualty, and shall give his name, address  
37 and the identification of his vessel in writing to any person injured  
38 and to the owner of any property damaged in the casualty.

39 2. In the case of collision, accident or other casualty involving  
40 a vessel, the operator thereof, if the casualty results in death or  
41 injury to a person or damage to property in excess of \$500, shall file  
42 with the ~~[Division of Wildlife of the State Department of~~  
43 ~~Conservation and Natural Resources] Department~~ a full description  
44 of the casualty, including, without limitation, such information as  
45 the Commission may, by regulation, require.



1 3. Upon receipt of a claim under a policy of insurance with  
2 respect to a collision, accident or other casualty for which a report is  
3 required by subsection 2, the insurer shall provide written notice to  
4 the insured of his responsibility pursuant to subsection 2 to file with  
5 the ~~{Division of Wildlife}~~ *Department* a full description of the  
6 casualty.

7 4. Upon receipt of a request for repair with respect to a  
8 collision, accident or other casualty for which a report is required by  
9 subsection 2, the person who repairs the vessel shall provide written  
10 notice to the person requesting the repairs of the requirement set  
11 forth in subsection 2 that the operator file with the ~~{Division of  
12 Wildlife}~~ *Department* a full description of the casualty.

13 5. The insurer and the person who repairs a vessel shall  
14 transmit a copy of each notice they provide pursuant to subsections  
15 3 and 4, respectively, to the ~~{Division of Wildlife}~~ *Department*  
16 at the same time the notice is provided to the insured or person  
17 requesting the repairs.

18 6. The ~~{Division of Wildlife}~~ *Department* shall investigate or  
19 cause to be investigated a collision, accident or other casualty  
20 involving a vessel which results in death or substantial bodily injury  
21 and shall gather evidence to be used in the prosecution of a person  
22 charged with violating a law in connection with the collision,  
23 accident or other casualty. The ~~{Division of Wildlife}~~ *Department*  
24 may investigate or cause to be investigated a collision, accident or  
25 other casualty involving a vessel which does not result in death or  
26 substantial bodily injury and may gather evidence to be used in the  
27 prosecution of a person charged with violating a law in connection  
28 with the collision, accident or other casualty.

29 **Sec. 161.** NRS 488.560 is hereby amended to read as follows:

30 488.560 In accordance with any request made by an authorized  
31 official or agency of the United States, any information compiled or  
32 otherwise available to the ~~{Division of Wildlife of the State  
33 Department of Conservation and Natural Resources}~~ *Department*  
34 pursuant to NRS 488.550 must be transmitted to the official or  
35 agency of the United States.

36 **Sec. 162.** NRS 488.740 is hereby amended to read as follows:

37 488.740 1. The ~~{Division}~~ *Department* shall certify persons  
38 to provide, in cooperation with the ~~{Division,}~~ *Department,*  
39 instruction in safe boating approved by the National Association of  
40 State Boating Law Administrators. All persons who successfully  
41 complete the course must be issued a certificate evidencing  
42 successful completion.

43 2. The ~~{Division}~~ *Department* may offer the courses in  
44 cooperation with organizations that provide education in safe



1 boating, including, without limitation, the United States Coast  
2 Guard Auxiliary and the United States Power Squadrons.

3 3. The ~~[Division]~~ *Department* shall maintain a list, available  
4 for public inspection, of the availability of courses in safe boating  
5 and any instructors who are certified pursuant to subsection 1.

6 **Sec. 163.** NRS 488.750 is hereby amended to read as follows:

7 488.750 1. A person born on or after January 1, 1983, who is  
8 a resident of this state and who possesses a certificate that evidences  
9 his successful:

10 (a) Completion of a course in safe boating that is approved by  
11 the National Association of State Boating Law Administrators,  
12 including, without limitation, courses offered pursuant to NRS  
13 488.740 and courses offered by the United States Coast Guard  
14 Auxiliary or the United States Power Squadrons; or

15 (b) Passage of a proficiency examination that was proctored and  
16 tests the knowledge of the information included in the curriculum of  
17 such a course,

18 shall submit or cause to be submitted a copy of the certificate to the  
19 ~~[Division. The Division]~~ *Department. The Department* may request  
20 additional information necessary for the ~~[Division]~~ *Department* to  
21 maintain the database pursuant to subsection 2.

22 2. The ~~[Division]~~ *Department* shall establish and maintain a  
23 database of certificates that it receives pursuant to subsection 1. The  
24 database must include, without limitation, the:

25 (a) Name, date of birth and gender of the holder of the  
26 certificate;

27 (b) Date, location and name of the course that the holder of the  
28 certificate completed or the examination that he passed; and

29 (c) Number on the certificate.

30 **Sec. 164.** NRS 488.900 is hereby amended to read as follows:

31 488.900 1. Every game warden, sheriff and other peace  
32 officer of this state and its political subdivisions shall enforce the  
33 provisions of this chapter and may stop and board any vessel subject  
34 to the provisions of this chapter.

35 2. Any vessel located upon the waters of this state is subject to  
36 inspection by the ~~[Division of Wildlife of the State Department of  
37 Conservation and Natural Resources]~~ *Department* or any lawfully  
38 designated agent or inspector thereof at any time to determine  
39 whether the vessel is equipped in compliance with the provisions of  
40 this chapter.

41 3. Any vessel located upon the waters of this state is subject to  
42 inspection by the Division of Environmental Protection of the State  
43 Department of Conservation and Natural Resources or any lawfully  
44 designated agent or inspector thereof at any time to determine  
45 whether the vessel is equipped in compliance with the provisions of



1 NRS 488.320. As used in this subsection, "vessel" includes any  
2 watercraft or structure floating on the water, whether or not capable  
3 of self-locomotion, including houseboats, barges and similar  
4 structures.

5 **Sec. 165.** NRS 528.053 is hereby amended to read as follows:

6 528.053 1. No felling of trees, skidding, rigging or  
7 construction of tractor or truck roads or landings, or the operation of  
8 vehicles, may take place within 200 feet, measured on the slope, of  
9 the high water mark of any lake, reservoir, stream or other body of  
10 water unless a variance is first obtained from a committee composed  
11 of the State Forester Firewarden, the ~~[Administrator]~~ *Director* of the  
12 ~~[Division of Wildlife of the State]~~ Department of ~~[Conservation and~~  
13 ~~Natural Resources]~~ *Wildlife* and the State Engineer.

14 2. The committee may grant a variance authorizing any of the  
15 activities prohibited by subsection 1 within a 200-foot buffer area if  
16 the committee determines that the goals of conserving forest  
17 resources and achieving forest regeneration, preserving watersheds,  
18 reaching or maintaining water quality standards adopted by federal  
19 and state law, continuing water flows, preserving and providing for  
20 the propagation of fish life and stream habitat and preventing  
21 significant soil erosion will not be compromised.

22 3. In acting on a request for such variances , the committee  
23 shall consider the following factors:

24 (a) The extent to which such requested activity is consistent with  
25 good forestry management for the harvesting of timber;

26 (b) The extent to which such requested activity significantly  
27 impedes or interrupts the natural volume and flow of water;

28 (c) The extent to which such requested activity significantly  
29 affects a continuation of the natural quality of the water pursuant to  
30 state and federal water quality standards;

31 (d) The extent to which such requested activity is consistent  
32 with the prevention of significant soil erosion;

33 (e) The extent to which such requested activity may  
34 significantly obstruct fish passage, cause sedimentation in fish  
35 spawning areas, infringe on feeding and nursing areas and cause  
36 variations of water temperatures; and

37 (f) The filtration of sediment-laden water as a consequence of  
38 timber harvesting on adjacent slopes.

39 **Sec. 166.** NRS 534A.070 is hereby amended to read as  
40 follows:

41 534A.070 1. The Administrator of the Division of Minerals  
42 of the Commission on Mineral Resources shall approve or reject an  
43 application for a permit to drill an exploratory well within 10 days  
44 after he receives the application in proper form. The permit must not





1 be effective for more than 2 years, but may be extended by the  
2 Administrator.

3 2. Upon receipt of an application for a permit to drill or operate  
4 a geothermal well, the Administrator of the Division of Minerals  
5 shall transmit copies of the application to the State Engineer, the  
6 Administrator of the Division of Environmental Protection of the  
7 State Department of Conservation and Natural Resources, and the  
8 ~~Administrator~~ *Director* of the ~~Division of Wildlife of the State~~  
9 Department of ~~Conservation and Natural Resources.~~ *Wildlife.*  
10 After consultation with the State Engineer, *the Administrator of*  
11 *the Division of Environmental Protection*, and ~~each of the~~  
12 ~~Administrators.~~ *the Director of the Department of Wildlife*, the  
13 Administrator of the Division of Minerals may issue a permit to drill  
14 or operate a geothermal well if it is determined that issuance of a  
15 permit is consistent with:

- 16 (a) The policies specified in NRS 445A.305 and 445B.100;  
17 (b) The purposes of chapters 533 and 534 of NRS; and  
18 (c) The purposes specified in chapter 501 of NRS.

19 3. The Administrator of the Division of Minerals shall approve  
20 or reject the application to drill or operate a geothermal well within  
21 90 days after he receives it in proper form, unless it is determined  
22 that a conflict exists pursuant to subsection 2 or a public hearing is  
23 necessary pursuant to subsection 4. Notice of the conflict or need for  
24 a public hearing must be provided to the applicant within the 90-day  
25 period.

26 4. The State Engineer and the Administrator of the Division of  
27 Minerals may hold public hearings jointly or separately to gather  
28 such evidence or information as they deem necessary for a full  
29 understanding of all the rights involved and to guard properly the  
30 public interest.

31 5. A permit issued pursuant to this section must include any  
32 conditions:

- 33 (a) Deemed necessary by the Administrator of the Division of  
34 Minerals to carry out the purposes of this section; and  
35 (b) Imposed by the State Engineer consistent with the provisions  
36 of chapters 533 and 534 of NRS.

37 **Sec. 167.** NRS 535.060 is hereby amended to read as follows:

38 535.060 1. On any stream system and its tributaries in this  
39 state the distribution of the waters of which are vested in the State  
40 Engineer by law or the final decree of court, where beaver, by the  
41 construction of dams or otherwise, are found to be interfering with  
42 the lawful and necessary distribution of water to the proper users  
43 thereof, the State Engineer, upon complaint of any interested water  
44 user, shall investigate or cause the investigation of the matter.



1 2. The State Engineer and his assistants and water  
2 commissioners and the ~~{Division of Wildlife of the State}~~  
3 Department of ~~{Conservation and Natural Resources}~~ *Wildlife* and  
4 its agents may enter upon privately owned lands for the purposes of  
5 investigating the conditions complained of and the removal and  
6 trapping of beaver.

7 3. If satisfied that such beaver are interfering with the flow of  
8 water to the detriment of water users, the State Engineer shall serve  
9 a written notice on the owner of the land, if it is privately owned,  
10 stating:

11 (a) That the beaver thereon are interfering with or stopping the  
12 flow of water necessary for the proper serving of water rights; and

13 (b) That unless, within 10 days from receipt of the notice,  
14 written objection to the removal of such beaver is filed with the  
15 State Engineer by the landowner, the ~~{Division of Wildlife of the}~~  
16 ~~State}~~ Department of ~~{Conservation and Natural Resources}~~ *Wildlife*  
17 will remove such beaver or as many thereof as will rectify the  
18 existing conditions.

19 4. Failure of the landowner to file such written objections shall  
20 be deemed a waiver thereof. Upon receipt of written objections, the  
21 State Engineer may make further investigation and may sustain or  
22 overrule the objections as the facts warrant. Upon the overruling of  
23 the objections, the landowner may have them reviewed by the  
24 district court having jurisdiction of the land by filing therein a  
25 petition for review within 10 days from the receipt of the order of  
26 the State Engineer overruling the objections. The proceedings on the  
27 petition must be informal and heard by the court at the earliest  
28 possible moment.

29 5. Upon the landowner's waiver of objections to the removal of  
30 beaver from his land, or upon final determination by the court that  
31 the beaver should be removed, the State Engineer shall immediately  
32 notify the ~~{Division of Wildlife}~~ *Department of Wildlife* of the  
33 waiver or determination and the ~~{Division}~~ *Department* or its agents  
34 shall enter upon the land from which the beaver are to be removed  
35 and remove them or as many as may be necessary to prevent the  
36 improper flow of water as directed by the State Engineer.

37 6. The State Engineer may remove or cause the removal of any  
38 beaver dam found to be obstructing the proper and necessary flow of  
39 water to the detriment of water users.

40 **Sec. 168.** NRS 561.301 is hereby amended to read as follows:

41 561.301 Aquatic agriculture, which includes the propagation,  
42 cultivation and harvesting of plants indigenous to water in a  
43 controlled or selected aquatic environment for the commercial  
44 production of food, is one of the agricultural enterprises conducted  
45 in this state. The Department shall promote, protect and regulate



1 aquatic agriculture to the extent that the Department is authorized to  
2 regulate other forms of agriculture and other agricultural products.  
3 The Department shall confer with the ~~[Division of Wildlife of the~~  
4 ~~State]~~ Department of ~~[Conservation and Natural Resources]~~ *Wildlife*  
5 regarding aquatic agriculture to prevent any adverse effects on  
6 existing aquatic animals.

7 **Sec. 169.** NRS 571.120 is hereby amended to read as follows:

8 571.120 1. The Department shall do all things necessary for  
9 the control and eradication of infectious, contagious or parasitic  
10 diseases of livestock.

11 2. The Director shall cooperate with the ~~[Administrator]~~  
12 *Director* of the ~~[Division of Wildlife of the State]~~ Department of  
13 ~~[Conservation and Natural Resources]~~ *Wildlife* in a program to  
14 prevent the spread of communicable diseases in livestock and  
15 wildlife in this state.

16 3. As used in this section, "wildlife" has the meaning ascribed  
17 to it in NRS 501.097.

18 **Sec. 170.** NRS 576.129 is hereby amended to read as follows:

19 576.129 1. It is unlawful for any person to import, possess or  
20 propagate any alternative livestock unless he first obtains from the  
21 State Board of Agriculture a permit that authorizes him to do so.

22 2. The State Board of Agriculture shall adopt regulations for  
23 the importation, possession and propagation of alternative livestock.  
24 The regulations must set forth requirements for:

25 (a) Facilities used to confine alternative livestock, including  
26 minimum requirements for fencing to prevent the escape of  
27 alternative livestock.

28 (b) The genetic testing of alternative livestock.

29 (c) Keeping and maintaining records related to the importation,  
30 transfer, possession and propagation of alternative livestock.

31 (d) Identifying and marking alternative livestock.

32 (e) Marketing alternative livestock.

33 (f) The filing of any bonds which may be required by the State  
34 Board of Agriculture.

35 3. In adopting the regulations required by subsection 2, the  
36 State Board of Agriculture shall consult with the ~~[Division of~~  
37 ~~Wildlife of the State]~~ Department of ~~[Conservation and Natural~~  
38 ~~Resources]~~ *Wildlife* and the Board of Wildlife Commissioners  
39 concerning the provisions that are necessary to protect wildlife in  
40 this state and in the areas designated as areas of special concern by  
41 the Board of Wildlife Commissioners pursuant to NRS 501.181.

42 4. The State Board of Agriculture shall establish by regulation  
43 a schedule of fees required to be paid for a permit issued pursuant to  
44 this section. The fees established must not exceed the approximate  
45 cost to the Board of carrying out the provisions of this section.



1     **Sec. 171.** NRS 576.131 is hereby amended to read as follows:  
2     576.131 1. An owner of alternative livestock may request  
3 assistance from the *State* Department ~~[, the Division of Wildlife of~~  
4 ~~the State] of Agriculture, the~~ Department of ~~[Conservation and~~  
5 ~~Natural Resources] Wildlife~~ and local law enforcement agencies to  
6 recapture any alternative livestock that has escaped from  
7 confinement.

8     2. Any alternative livestock that is recaptured may be  
9 impounded at a suitable facility until sufficient repairs or  
10 improvements are made to the owner's facility to ensure that the  
11 escape of the alternative livestock does not recur.

12     3. The owner of the alternative livestock is liable for:

13     (a) The costs incurred by the *State* Department ~~[, the Division of~~  
14 ~~Wildlife of the State] of Agriculture, the~~ Department of ~~[Conservation and Natural Resources] Wildlife~~ and any local law  
15 enforcement agency to recapture the alternative livestock;

16     (b) The costs of impounding the alternative livestock; and

17     (c) Any damages caused by the alternative livestock during the  
18 escape.

19  
20     **Sec. 172.** NRS 232.138, 488.700, 488.710, 488.720, 501.002  
21 and 501.027 are hereby repealed.

22     **Sec. 173.** The Legislative Counsel shall:

23     1. In preparing the reprint and supplements to the Nevada  
24 Revised Statutes, with respect to any section that is not amended by  
25 this act or is further amended by another act, appropriately change  
26 any reference to:

27     (a) "Division of Wildlife" to "Department of Wildlife"; and

28     (b) Any other agency or any officer whose name is changed or  
29 whose responsibilities have been transferred pursuant to the  
30 provisions of this act to refer to the appropriate agency or officer.

31     2. In preparing supplements to the Nevada Administrative  
32 Code, appropriately change any reference to:

33     (a) "Division of Wildlife" to "Department of Wildlife"; and

34     (b) Any other agency or any officer whose name is changed or  
35 whose responsibilities have been transferred pursuant tot he  
36 provisions of this act to refer to the appropriate agency or officer.

37     **Sec. 174.** This act becomes effective on July 1, 2003.

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#### LEADLINES OF REPEALED SECTIONS

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**232.138 Division of Wildlife: Composition; appointment of  
Administrator.**



\* A B 4 1 \*

- 488.700 Definitions.**
- 488.710 “Division” defined.**
- 488.720 “Interstate waters of the State” defined.**
- 501.002 “Administrator” defined.**
- 501.027 “Division” defined.**

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