

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; 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.
15 2. The methods may include return of reports attached to
16 licenses and tags or questionnaires addressed to license holders.



* A B 4 1 R 1 *

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



1 (a) Regular and special seasons for hunting game mammals and
2 game birds, for hunting or trapping fur-bearing mammals and for
3 fishing, the daily and possession limits, the manner and means of
4 taking wildlife, including, but not limited to, the sex, size or other
5 physical differentiation for each species, and, when necessary for
6 management purposes, the emergency closing or extending of a
7 season, reducing or increasing of the bag or possession limits on a
8 species, or the closing of any area to hunting, fishing or trapping.
9 The regulations must be established after first considering the
10 recommendations of the ~~Division,~~ *Department*, the county
11 advisory boards to manage wildlife and others who wish to present
12 their views at an open meeting. Any regulations relating to the
13 closure of a season must be based upon scientific data concerning
14 the management of wildlife. The data upon which the regulations
15 are based must be collected or developed by the ~~Division,~~
16 *Department*.

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

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

22 (d) The number of licenses issued to nonresidents for big game
23 and, if necessary, other game species for the regular and special
24 seasons.

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

30 6. Adopt regulations:

31 (a) Governing the provisions of the permit required by NRS
32 502.390 and for the issuance, renewal and revocation of such a
33 permit.

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

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

41 **Sec. 7.** NRS 501.1812 is hereby amended to read as follows:

42 501.1812 As used in NRS 501.1812 to 501.1818, inclusive,
43 unless the context otherwise requires:

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



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

4 2. "Permit" means a permit issued by the ~~Division~~

5 *Department* for recreational hunting or fishing.

6 3. "Wildlife conviction" means a conviction obtained in any

7 court of competent jurisdiction in this state, including, without

8 limitation, a conviction obtained upon a plea of nolo contendere or

9 upon a forfeiture of bail not vacated in any such court, for a

10 violation of:

11 (a) A provision of this title or any regulation adopted pursuant to

12 this title other than a provision of NRS 502.370, 502.390, 503.185,

13 503.310 or 504.295 to 504.390, inclusive; or

14 (b) A provision of the Lacey Act Amendment of 1981, Public

15 Law 97-79, if the violation of that provision is based on a violation

16 of a law or regulation of this state.

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

18 501.1814 1. The Commission shall establish and the

19 ~~Division~~ *Department* shall administer and enforce a system of

20 assessing demerit points for wildlife convictions. The system must

21 be uniform in its operation.

22 2. Pursuant to the schedule of demerit points established by

23 regulation of the Commission for each wildlife conviction occurring

24 within this state affecting any holder of a license, permit or privilege

25 issued pursuant to this title, the ~~Division~~ *Department* shall assess

26 demerit points for the 60-month period preceding a person's most

27 recent wildlife conviction. Sixty months after the date of the

28 conviction, the demerit points for that conviction must be deleted

29 from the total demerit points accumulated by that person. The date

30 of the violation shall be deemed the date on which accumulated

31 demerit points must be assessed. If a conviction of two or more

32 wildlife violations committed at a single event is obtained, demerit

33 points must be assessed for the offense having the greater number of

34 demerit points.

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

36 501.1816 1. If a person accumulates 6 or more demerit

37 points, but less than 12, the ~~Division~~ *Department* shall notify him

38 of that fact by certified mail. If, after the ~~Division~~ *Department*

39 mails the notice, the person presents proof to the ~~Division~~

40 *Department* that he has, after his most recent wildlife conviction,

41 successfully completed a course of instruction in the responsibilities

42 of hunters approved by the ~~Division, the Division~~ *Department, the*

43 *Department* shall deduct 4 demerit points from his record. A person

44 may attend a course of instruction in the responsibilities of hunters



1 only once in 60 months for the purpose of reducing his demerit
2 points.

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

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

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

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

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

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

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

34 **Sec. 10.** NRS 501.1817 is hereby amended to read as follows:

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

39 **Sec. 11.** NRS 501.243 is hereby amended to read as follows:

40 501.243 1. The ~~[Division]~~ Department shall execute,
41 administer and enforce , and perform the functions and duties
42 provided in chapter 488 of NRS.

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

44 (a) Promulgate rules and regulations governing the use of waters
45 for recreational purposes, which waters are open to the public and



1 are not under the direct control of any other state or federal agency
2 for recreational use.

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

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

8 501.310 There is hereby created in each of the counties of this
9 state a fund for the advisory board. The fund must be kept in the
10 county treasury, and all money received from the ~~{Division}~~
11 *Department* must be placed in the fund.

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

13 501.320 1. Annually, not later than May 1, each board shall
14 prepare a budget for the period ending June 30 of the following
15 year, setting forth in detail its proposed expenditures for carrying
16 out its duties as specified in this title within its county, and submit
17 the budget to the Commission accompanied by a statement of the
18 previous year's expenditures, certified by the county auditor.

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

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

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

30 501.331 There is hereby created the ~~{Division of Wildlife of~~
31 ~~the State}~~ Department of ~~{Conservation and Natural Resources,}~~
32 *Wildlife* which shall administer the wildlife laws of this state and
33 chapter 488 of NRS.

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

35 501.333 1. From among three or more nominees of the
36 Commission, the ~~{Director of the State Department of Conservation~~
37 ~~and Natural Resources}~~ *Governor* shall appoint ~~{an Administrator}~~ *a*
38 *Director* of the ~~{Division,}~~ *Department*, who is its Chief
39 Administrative Officer. The ~~{Administrator}~~ *Director* serves at the
40 pleasure of the ~~{director,}~~ *Governor*.

41 2. The ~~{Director}~~ *Governor* shall select as ~~{Administrator}~~
42 *Director* a person having an academic degree in the management of
43 wildlife or a closely related field, substantial experience in the
44 management of wildlife and a demonstrated ability to administer ~~{a~~
45 ~~division of}~~ a major public agency.



1 3. The ~~{Administrator}~~ *Director* is in the unclassified service of
2 the State.

3 **Sec. 16.** NRS 501.337 is hereby amended to read as follows:
4 501.337 The ~~{Administrator}~~ *Director* shall:

- 5 1. Carry out the policies and regulations of the Commission.
 - 6 2. Direct and supervise all administrative and operational
7 activities of the ~~{Division,}~~ *Department*, and all programs
8 administered by the ~~{Division}~~ *Department* as provided by law.
9 Except as otherwise provided in NRS 284.143, the ~~{Administrator}~~
10 *Director* shall devote his entire time to the duties of his office and
11 shall not follow any other gainful employment or occupation.
 - 12 3. Within such limitations as may be provided by law, organize
13 the ~~{Division}~~ *Department* and, from time to time with the consent
14 of the Commission, *may* alter the organization. The ~~{Administrator}~~
15 *Director* shall reassign responsibilities and duties as he may deem
16 appropriate.
 - 17 4. Appoint or remove such technical, clerical and operational
18 staff as the execution of his duties and the operation of the
19 ~~{Division}~~ *Department* may require, and all those employees are
20 responsible to him for the proper carrying out of the duties and
21 responsibilities of their respective positions. The ~~{Administrator}~~
22 *Director* shall designate a number of employees as game wardens
23 and provide for their training.
 - 24 5. Submit technical and other reports to the Commission as
25 may be necessary or as may be requested, which will enable the
26 Commission to establish policy and regulations.
 - 27 6. Prepare , *in consultation with the Commission*, the biennial
28 budget of the ~~{Division}~~ *Department* consistent with the provisions
29 of this title and chapter 488 of NRS and submit it to the
30 Commission for its review and ~~{comment,}~~ *recommendation before*
31 *the budget is submitted to the Chief of the Budget Division of the*
32 *Department of Administration pursuant to NRS 353.210.*
 - 33 7. Administer real property assigned to the ~~{Division,}~~
34 *Department.*
 - 35 8. Maintain full control, by proper methods and inventories, of
36 all personal property of the State acquired and held for the purposes
37 contemplated by this title and by chapter 488 of NRS.
 - 38 9. Act as nonvoting Secretary to the Commission.
- 39 **Sec. 17.** NRS 501.339 is hereby amended to read as follows:
40 501.339 The ~~{Administrator}~~ *Director* may:
- 41 1. In cases of emergency, with the prior approval of the
42 Governor, exercise the powers of the Commission until such time as
43 the Commission meets or the emergency ends.
 - 44 2. Designate an employee or employees of the ~~{Division}~~
45 *Department* to act as his deputy or deputies. In the ~~{Administrator's}~~



1 *Director's* absence or inability to discharge the powers and duties of
2 his office, the powers and duties devolve upon his deputy or
3 deputies.

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

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

8 501.341 The headquarters of the ~~{Division}~~ *Department* must
9 be maintained at such a location in the State, and other offices may
10 be established throughout the State in such number and location, as
11 will, in the opinion of the ~~{Administrator}~~ *Director* and *the*
12 Commission, provide an efficient ~~{divisional}~~ *departmental*
13 operation.

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

15 501.343 The ~~{Division}~~ *Department* may:

16 1. Collect and disseminate, throughout the State, information
17 calculated to educate and benefit the people of the State regarding
18 wildlife and boating, and information pertaining to any program
19 administered by the ~~{Division.}~~ *Department.*

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

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

27 501.349 Regular employees and others designated by the
28 ~~{Administrator}~~ *Director* as game wardens shall enforce all
29 provisions of this title and of chapter 488 of NRS.

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

31 501.351 1. The ~~{Administrator}~~ *Director* may enter into
32 cooperative or reciprocal agreements with the Federal Government
33 or any agency thereof, any other state or any agency thereof, any
34 other agency of this state, any county or other political subdivision
35 of this state, to the extent permitted by the provisions of chapter 277
36 of NRS, any public or private corporation, or any person, in
37 accordance with and for the purpose of carrying out the policy of the
38 Commission.

39 2. Such agreements do not relieve any party thereto of any
40 liability, independent of such agreements, existing under any
41 provision of law.

42 **Sec. 22.** NRS 501.352 is hereby amended to read as follows:

43 501.352 The ~~{Administrator}~~ *Director* shall require the
44 personnel of the ~~{Division}~~ *Department* to report to him as soon as
45 practicable any reasonable suspicion that a communicable disease



1 may be present in wildlife in Nevada. The ~~Administrator~~ *Director*
2 shall, as soon as possible, inform the Director of the State
3 Department of Agriculture of any reasonable suspicion reported to
4 him. Any sample collected by the personnel of the ~~Division~~
5 *Department* in evaluating such a suspicion must be forwarded to the
6 Director of the State Department of Agriculture as soon as
7 practicable.

8 **Sec. 23.** NRS 501.354 is hereby amended to read as follows:
9 501.354 Except as otherwise provided by specific statute, the
10 ~~Division~~ *Department* shall receive, deposit and expend all money
11 provided by law for the administration of this title and of chapter
12 488 of NRS, pursuant to the authority contained in NRS 501.356
13 and in accordance with the Commission's policy.

14 **Sec. 24.** NRS 501.356 is hereby amended to read as follows:
15 501.356 1. Money received by the ~~Division~~ *Department*
16 from:

- 17 (a) The sale of licenses;
- 18 (b) Fees pursuant to the provisions of NRS 488.075 and
19 488.1795;
- 20 (c) Remittances from the State Treasurer pursuant to the
21 provisions of NRS 365.535;
- 22 (d) Appropriations made by the Legislature; and
- 23 (e) All other sources, except money derived from the forfeiture
24 of any property described in NRS 501.3857 or money deposited in
25 the Wildlife Heritage Trust Account pursuant to NRS 501.3575 or in
26 the Trout Management Account pursuant to NRS 502.327,
27 must be deposited with the State Treasurer for credit to the Wildlife
28 Account in the State General Fund.

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

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

37 4. Except as otherwise provided in NRS 502.250, 502.310 and
38 504.155, all fees for the sale or issuance of stamps, tags, permits and
39 licenses that are required to be deposited in the Wildlife Account
40 pursuant to the provisions of this title must be accounted for
41 separately and may be used only for the management of wildlife.

42 **Sec. 25.** NRS 501.3575 is hereby amended to read as follows:
43 501.3575 1. The Wildlife Heritage Trust Account is hereby
44 created in the State General Fund. The money in the Account must
45 be used by the ~~Division~~ *Department* as provided in this section for



1 the protection, propagation, restoration, transplantation, introduction
2 and management of any game fish, game mammal, game bird or fur-
3 bearing mammal in this state.

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

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

8 (b) A gift of money made by any person to the Wildlife Heritage
9 Trust Account,

10 must be deposited with the State Treasurer for credit to the Account.

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

14 4. The ~~Division~~ *Department* may annually expend from the
15 Wildlife Heritage Trust Account an amount of money not greater
16 than the interest earned on the money in the Account during the
17 previous year. The Commission shall review and approve
18 expenditures from the Account. No money may be expended from
19 the Account without the prior approval of the Commission.

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

22 **Sec. 26.** NRS 501.359 is hereby amended to read as follows:

23 501.359 1. The Wildlife Imprest Account in the amount of
24 \$15,000 is hereby created for the use of the ~~Division,~~ *Department,*
25 subject to the following conditions:

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

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

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

39 3. The Wildlife Imprest Account may be used to provide
40 money to employees of the ~~Division~~ *Department* for travel
41 expenses and subsistence allowances arising out of their official
42 duties or employment. All advances constitute a lien in favor of the
43 ~~Division~~ *Department* upon the accrued wages of the requesting
44 employee in an amount equal to the money advanced, but the
45 ~~Administrator~~ *Director* may advance more than the amount of the



1 accrued wages of the employee. Upon the return of the employee, he
2 is entitled to receive money for any authorized expenses and
3 subsistence in excess of the amount advanced.

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

5 501.361 A Petty Cash Account in the amount of \$1,000 for the
6 payment of minor expenses of the ~~{Division}~~ *Department* is hereby
7 created. The Account must be kept in the custody of an employee
8 designated by the ~~{Administrator}~~ *Director* and must be replenished
9 periodically from the Wildlife Account in the State General Fund
10 upon approval of expenditures as required by law and submission of
11 vouchers or other documents to indicate payment as may be
12 prescribed.

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

14 501.363 A Change Account in the amount of \$3,000 is hereby
15 created. The Account must be kept in the custody of one or more
16 employees designated by the ~~{Administrator}~~ *Director* and used for
17 the making of change incidental to the business of the ~~{Division.}~~
18 *Department.*

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

20 501.383 It is unlawful for any person maliciously to tear down,
21 mutilate or destroy any sign, signboard or other notice which has
22 been erected by the ~~{Division}~~ *Department* or through an agency of
23 the ~~{Division.}~~ *Department.*

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

25 501.385 Except as otherwise provided by specific statute:

26 1. Any person who:

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

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

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

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

37 (e) Having been granted a privilege or been licensed or
38 permitted to do any act under the provisions of this title,
39 exercises the grant, license or permit in a manner other than as
40 specified,

41 is guilty of a misdemeanor.

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



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

2 501.3855 1. In addition to the penalties provided for the
3 violation of any of the provisions of this title, every person who
4 unlawfully kills or possesses a big game mammal, bobcat, swan or
5 eagle is liable for a civil penalty of not less than \$250 nor more than
6 \$5,000.

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

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

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

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

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

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

26 501.389 1. Except for property described in NRS 501.3857,
27 equipment:

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

29 (b) Not recovered by the owner within 1 year from the date of
30 seizure,
31 becomes the property of the ~~Division~~ *Department*.

32 2. The ~~Division~~ *Department* shall either sell such equipment
33 in accordance with the regulations adopted pursuant to subsection 5
34 of NRS 333.220 or retain such equipment for authorized use by the
35 ~~Division~~ *Department*. All money received from such sales must
36 be deposited with the State Treasurer for credit to the Wildlife
37 Account in the State General Fund.

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

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

42 501.395 1. The ~~Division~~ *Department* may offer a reward
43 for one or more classes of wildlife, not to exceed \$1,000, for
44 information leading to the arrest and conviction of any person who
45 unlawfully kills or possesses wildlife of the class specified. The



1 reward must be paid for each person so arrested and convicted upon
2 his conviction. The reward must be distributed equally among the
3 persons who supplied the information which led to the arrest and
4 conviction.

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

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

8 502.012 Upon receipt of a copy of an order of the juvenile
9 division of a district court, entered pursuant to NRS 62.229, to
10 revoke the license to hunt of a child, the ~~Division~~ **Department**
11 shall revoke the license. The revocation of the license to hunt shall
12 be deemed effective as of the date of the order. The ~~Division~~
13 **Department** shall retain the copy of the order.

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

15 502.015 1. For the purpose of issuing and using resident
16 licenses, tags or permits pursuant to this chapter, a person is
17 considered to be a resident of the State of Nevada if:

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

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

22 (1) Was domiciled in this state;

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

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

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

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

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

36 3. A resident license, tag or permit issued by this state is void if
37 the person to whom it was issued establishes his domicile in and
38 obtains any privilege or entitlement conditional on residency from
39 another state, country or province.

40 **Sec. 36.** NRS 502.020 is hereby amended to read as follows:

41 502.020 The ~~Division~~ **Department** shall prepare the licenses
42 for hunting, fishing and trapping, and shall deliver such licenses to
43 agents for sale to the public.



1 **Sec. 37.** NRS 502.030 is hereby amended to read as follows:
2 502.030 1. Licenses granting the privilege to hunt, fish or
3 trap as provided in this title must be of such a form as is deemed
4 necessary by the ~~{Division;}~~ *Department*, but must include the
5 following information:
6 (a) The holder's name, address and description.
7 (b) The date issued.
8 (c) The period of validity.
9 (d) The correct designation as to whether a fishing, hunting or
10 trapping license.
11 (e) A statement to be signed by the holder: "I, the signator
12 holder in signing this license, hereby state that I am entitled to this
13 license under the laws of the State of Nevada and that no false
14 statement has been made by me to obtain this license."
15 2. The Commission may provide rules and regulations
16 requiring an applicant to exhibit proof of his identity and residence.
17 Such information must be included on the license as is deemed
18 necessary by the ~~{Division;}~~ *Department*.
19 3. The Commission may provide rules and regulations
20 establishing a permanent licensing system. Such a system may
21 authorize the use of applications for the issuance of temporary
22 hunting, fishing and trapping licenses for residents and the issuance
23 of annual licenses therefrom. The system may provide for the
24 automatic renewal and validation of the annual license.
25 4. The Commission may provide regulations covering the
26 method of applying for, the term and expiration date of any license
27 required by this title to be issued without the payment of a fee.
28 **Sec. 38.** NRS 502.035 is hereby amended to read as follows:
29 502.035 Licenses, stamps and permits granting the privilege to
30 hunt, fish or trap during the open season as provided in this title
31 must be issued by the ~~{Division;}~~ *Department*, upon payment of the
32 fees required under this title.
33 **Sec. 39.** NRS 502.040 is hereby amended to read as follows:
34 502.040 1. The Commission shall adopt regulations
35 regarding:
36 (a) The standards to be met by license agents in the performance
37 of their duties;
38 (b) The requirements for the furnishing of surety bonds by
39 license agents;
40 (c) The manner of remitting money to the ~~{Division;}~~
41 *Department*; and
42 (d) The manner of accounting for licenses, tags, stamps and
43 permits received, issued, sold or returned.
44 A license agent's authority may be revoked by the ~~{Division}~~
45 *Department* for his failure to abide by the regulations of the



1 Commission. The agent may appeal to the Commission for
2 reinstatement.

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

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

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

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

23 (b) Ten cents for each stamp.

24 5. Any person authorized to enforce this chapter may inspect,
25 during the license agent's normal business hours, any record or
26 document of the agent relating to the issuance of any such license,
27 tag or permit.

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

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

36 502.063 The **[Division] Department** shall, upon request of the
37 Welfare Division of the Department of Human Resources, submit to
38 the Welfare Division the name, address and social security number
39 of each person who holds a license or permit to hunt, fish or trap
40 that does not expire less than 6 months after it is issued, or a license
41 to practice commercial taxidermy, and any pertinent changes in that
42 information.

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

44 502.070 1. The **[Division] Department** shall issue to any
45 member of the Armed Forces of the United States who has been



1 assigned to permanent duty, as opposed to temporary or casual duty,
2 within the State of Nevada all necessary hunting or fishing licenses,
3 tags or permits for fishing, hunting or trapping in the State of
4 Nevada. A like privilege must be extended to spouses and
5 dependents, under the age of 21, of such members of the Armed
6 Forces. All such licenses, tags or permits must be issued on the
7 same terms and conditions and at the same costs as licenses, tags or
8 permits are issued to Nevada residents, except that the 6 months'
9 residence requirement must be waived.

10 2. The issuance of all such licenses, tags and permits must be
11 made by application upon a form provided for that purpose by the
12 ~~{Division}~~ *Department*. The application must include such proof of
13 assignment to permanent duty within the State of Nevada as may be
14 deemed necessary by the ~~{Division}~~ *Department* to determine
15 whether or not an applicant is actually so assigned.

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

17 502.072 The ~~{Division}~~ *Department* shall issue without charge
18 any license authorized under the provisions of this chapter, upon
19 satisfactory proof of the requisite facts to any bona fide resident of
20 the State of Nevada who has incurred a service-connected disability
21 which is considered to be 50 percent or more by the Department of
22 Veterans Affairs and has received upon severance from service an
23 honorable discharge or certificate of satisfactory service from the
24 Armed Forces of the United States.

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

26 502.075 The ~~{Division}~~ *Department* shall issue to a blind
27 person, as defined in subsection 4 of NRS 361.085, a hunting
28 license which:

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

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

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

35 2. Is issued pursuant and subject to regulations prescribed by
36 the Commission.

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

38 **Sec. 44.** NRS 502.077 is hereby amended to read as follows:

39 502.077 1. The ~~{Division}~~ *Department* shall issue special
40 fishing permits to the administrative head of:

41 (a) Northern Nevada Adult Mental Health Services;

42 (b) Southern Nevada Adult Mental Health Services;

43 (c) The Northern Nevada Children's Home;

44 (d) The Southern Nevada Children's Home;

45 (e) The Nevada Youth Training Center;



- 1 (f) The Caliente Youth Center;
- 2 (g) The Spring Mountain Youth Camp;
- 3 (h) The China Spring Youth Camp;
- 4 (i) Any facility which provides temporary foster care for
- 5 children who are not delinquent; and
- 6 (j) Such other public or charitable institutions or organizations
- 7 as are designated by regulations adopted by the
- 8 Commission,
- 9 for use only by the members, patients or children of such institutions
- 10 or organizations.

11 2. The permits:

12 (a) Must be in the possession of the officer or employee who is

13 supervising a member, patient or child while he is fishing.

14 (b) Authorize a member, patient or child to fish in a legal

15 manner if in the company of an officer or employee of one of the

16 institutions listed in this section, or of an organization provided for

17 by regulation, if the officer or employee has a valid Nevada fishing

18 license.

19 (c) Must be issued pursuant and subject to regulations

20 prescribed by the Commission.

21 (d) Must contain the words "Nevada Special Fishing Permit"

22 and the number of the permit printed on the face of the permit.

23 (e) May authorize no more than 15 members, patients or

24 children, respectively, to fish.

25 3. Each institution or organization shall pay to the ~~Division~~

26 *Department* an annual fee of \$15 for each permit issued to the

27 institution or organization pursuant to this section. The ~~Division~~

28 *Department* shall not issue more than two permits per year to each

29 institution or organization.

30 4. It is unlawful for any person other than a member, patient or

31 child in one of these organizations or institutions to fish with a

32 permit issued by the ~~Division~~ *Department* pursuant to this section.

33 **Sec. 45.** NRS 502.115 is hereby amended to read as follows:

34 502.115 1. If the ~~Division~~ *Department* receives a copy of a

35 court order issued pursuant to NRS 425.540 that provides for the

36 suspension of all professional, occupational and recreational

37 licenses, certificates and permits issued to a person who is the

38 holder of a license or permit to hunt, fish or trap that does not expire

39 less than 6 months after it is issued, or a license to practice

40 commercial taxidermy, the ~~Division~~ *Department* shall deem the

41 license or permit issued to that person to be suspended at the end of

42 the 30th day after the date on which the court order was issued

43 unless the ~~Division~~ *Department* receives a letter issued to the

44 holder of the license or permit by the district attorney or other public

45 agency pursuant to NRS 425.550 stating that the holder of the



1 license or permit has complied with the subpoena or warrant or has
2 satisfied the arrearage pursuant to NRS 425.560.

3 2. The ~~Division~~ *Department* shall reinstate a license or
4 permit to hunt, fish or trap or a license to practice commercial
5 taxidermy that has been suspended by a district court pursuant to
6 NRS 425.540 if the ~~Division~~ *Department* receives a letter issued
7 by the district attorney or other public agency pursuant to NRS
8 425.550 to the person whose license or permit was suspended
9 stating that the person whose permit or license was suspended has
10 complied with the subpoena or warrant or has satisfied the arrearage
11 pursuant to NRS 425.560.

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

13 502.142 1. The Commission shall adopt regulations to
14 establish a program pursuant to which the ~~Division~~ *Department*
15 will issue special incentive elk tags. The regulations must:

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

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

20 (1) The fee charged for an elk tag pursuant to NRS 502.250;

21 and

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

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

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

28 (2) If that private land blocks reasonable access to adjacent
29 public land, provides reasonable access through the private land to
30 allow a person or hunting party possessing a valid elk tag to hunt elk
31 on the adjacent public land.

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

34 (1) The number of elk using private land controlled by the
35 applicant;

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

38 (3) The total number of elk; and

39 (4) Limiting the number of special incentive elk tags issued
40 in each calendar year to not more than one-half of the bull elk tags
41 issued in that calendar year,
42 within the actual elk use area in the unit or units of the management
43 area or areas in which the private land is located.

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



1 (f) Prohibit a person who has, within a particular calendar year,
2 applied for or received compensation pursuant to NRS 504.165 as
3 reimbursement for damage caused by elk to private land from
4 applying, within the same calendar year, for a special incentive elk
5 tag for the same private land.

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

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

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

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

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

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

22 (1) During the open season for elk.

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

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

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

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

32 502.143 1. The Commission may adopt regulations
33 establishing a program pursuant to which the ~~Division~~ Department
34 may issue special incentive deer tags to owners, lessees and
35 managers of private land in this state for use on the private land of
36 such owners, lessees or managers.

37 2. The regulations must:

38 (a) Require that the owner, lessee or manager who is lawfully in
39 control of private land must, before he is issued a special incentive
40 deer tag:

41 (1) Allow the hunting and viewing of wildlife on his land by
42 the general public; or

43 (2) Enter into a cooperative agreement with the ~~Division~~
44 Department to improve deer or other wildlife habitat on his land.



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



1 6. Insofar as they are consistent with this section, the
2 provisions of this title and of the regulations adopted by the
3 Commission apply to the issuance and use of tags pursuant to this
4 section. The Commission:

5 (a) Shall by regulation establish the maximum number of tags
6 which may be issued annually by the ~~Division~~ Department
7 pursuant to this section, which must not exceed 1.5 percent of the
8 total number of deer and antelope tags which are authorized for
9 issuance annually throughout the State; and

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

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

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

21 502.147 1. The ~~Division~~ Department shall make available
22 restricted nonresident deer tags in an amount not to exceed the
23 amount set forth in this section. If the number of persons who apply
24 for restricted nonresident deer tags is greater than the number of tags
25 to be issued, the ~~Division~~ Department shall conduct a drawing to
26 determine the persons to whom to issue the tags.

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

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

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

32 3. The number of restricted nonresident deer tags issued for
33 any management area or unit must not exceed 37.5 percent, rounded
34 to the nearest whole number, of the rifle deer tags issued to
35 nonresidents during the previous year for that management area or
36 unit.

37 4. The ~~Division~~ Department shall mail the tags to the
38 successful applicants.

39 **Sec. 50.** NRS 502.148 is hereby amended to read as follows:

40 502.148 1. Except as otherwise provided in this subsection,
41 any person who wishes to apply for a restricted nonresident deer tag
42 pursuant to NRS 502.147 must complete an application on a form
43 prescribed and furnished by the ~~Division~~ Department. A licensed
44 master guide may complete the application for an applicant. The
45 application must be signed by the applicant and the master guide



1 who will be responsible for conducting the restricted nonresident
2 deer hunt.

3 2. The application must be accompanied by a fee for the tag of
4 \$300, plus any other fees which the ~~{Division}~~ *Department* may
5 require. The Commission shall establish the time limits and
6 acceptable methods for submitting such applications to the
7 ~~{Division}~~ *Department*.

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

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

14 5. All fees collected pursuant to this section must be deposited
15 with the State Treasurer for credit to the Wildlife Account in the
16 State General Fund.

17 **Sec. 51.** NRS 502.160 is hereby amended to read as follows:

18 502.160 1. The ~~{Division}~~ *Department* shall designate the
19 form of the tag, requiring such numbering or other manner of
20 identification as is necessary to designate the name or hunting
21 license number of the person to whom it is issued. Each tag must
22 show the game for which it may be used, the year ~~{}~~ and, whenever
23 necessary, the management area in which it may be used.

24 2. The Commission may adopt any regulations necessary
25 relative to the manner of qualifying and applying for, using,
26 completing, attaching, filling out, punching, inspecting, validating
27 or reporting such tags. It is unlawful for any person to fail to abide
28 by any such regulation.

29 **Sec. 52.** NRS 502.175 is hereby amended to read as follows:

30 502.175 1. The ~~{Division}~~ *Department* shall contract with a
31 private entity to conduct a drawing and to award and issue the tags
32 for a special season. The drawing must be conducted using a
33 computer program that awards tags based on a random order of
34 selection. The contract must provide for the acquisition by the
35 ~~{Division}~~ *Department* of the ownership of the computer program at
36 the end of the term of the contract. The ~~{Division}~~ *Department* shall
37 solicit bids for the contract pursuant to the provisions of chapter 333
38 of NRS.

39 2. The ~~{Division}~~ *Department* shall:

40 (a) Provide to the private entity to whom a contract is awarded
41 pursuant to the provisions of subsection 1 any applications for tags,
42 documents or other information required by the private entity to
43 conduct the drawing; and

44 (b) Otherwise cooperate with the private entity in conducting the
45 drawing.



1 3. As soon as practicable after the drawing is completed, the
2 private entity shall submit the results of the drawing to the
3 ~~Division~~ Department.

4 4. If no private entity qualifies for the awarding of the contract
5 specified in subsection 1, the ~~Division~~ Department shall conduct a
6 drawing to award tags for a special season in the manner set forth in
7 the regulations adopted by the Commission pursuant to the
8 provisions of subsection 5.

9 5. The Commission shall adopt regulations necessary to carry
10 out the provisions of this section, including regulations that
11 prescribe the manner in which the ~~Division~~ Department must
12 conduct a drawing specified in subsection 1 if no private entity
13 qualifies for the awarding of the contract.

14 **Sec. 53.** NRS 502.210 is hereby amended to read as follows:

15 502.210 A duplicate tag may not be issued except as follows:

16 1. Upon receiving an affidavit of an applicant that a tag
17 previously issued has been lost or destroyed and upon payment of a
18 fee of \$5, the ~~Division~~ Department shall issue a duplicate tag to
19 the applicant.

20 2. Upon receiving an affidavit of an applicant that he has not
21 received the tag for which he applied and paid the required fee, the
22 ~~Division~~ Department may, not earlier than 7 days after the date on
23 which the tag was mailed, issue a duplicate tag to the applicant upon
24 payment of a fee of \$5.

25 The provisions of this section do not affect the issuance of a
26 replacement tag pursuant to NRS 502.215.

27 **Sec. 54.** NRS 502.215 is hereby amended to read as follows:

28 502.215 1. If any person who possesses a tag to hunt a big
29 game mammal kills an animal that is believed to be diseased and
30 unfit for human consumption, he shall place his tag on the carcass in
31 the manner provided by law or regulation and provide the whole
32 carcass for inspection by an authorized representative of the
33 ~~Division~~ Department or, at his own expense, by a veterinarian
34 licensed to practice in Nevada. Except as otherwise provided in this
35 subsection, the holder of the tag who provides the carcass for such
36 an inspection is entitled, if the carcass is diseased and unfit for
37 human consumption, to receive at no charge another tag as a
38 replacement for the one he placed on the carcass pursuant to this
39 subsection. The holder shall choose whether the replacement tag is
40 to be issued for the current hunting season or for the next similar
41 season in the following year. If the holder chooses to retain the
42 head, antlers, carcass, horns or hide of the animal, and the
43 authorized representative of the ~~Division~~ Department approves
44 the retention, the holder shall be deemed to waive any claim he may
45 have had for the issuance of a replacement tag.



- 1 2. A replacement tag issued pursuant to subsection 1 for the
2 current hunting season is valid for:
- 3 (a) The entire remaining portion of the season for which the
4 original tag was issued; or
- 5 (b) If the original tag was issued for a period of a split season,
6 the entire remaining portion of the period for which the original tag
7 was issued or the entire following period, if any.
- 8 3. A replacement tag issued pursuant to subsection 1 must be:
- 9 (a) Issued for the same unit for which the original tag was
10 issued.
- 11 (b) Used in the same manner as or pursuant to the same
12 conditions or restrictions applicable to the original tag.
- 13 4. The Commission shall adopt by regulation:
- 14 (a) A procedure for the inspection and verification of the
15 condition of such a carcass;
- 16 (b) Requirements for the disposal of such a carcass if it is
17 determined to be diseased and unfit for human consumption;
- 18 (c) Requirements for the disposition of the hide and the antlers
19 or horns of the animal; and
- 20 (d) Except as otherwise provided in subsection 2, a procedure
21 for the issuance of a replacement tag pursuant to this section.
- 22 5. For the purposes of this section, "split season" means a
23 season which is divided into two or more periods.
- 24 **Sec. 55.** NRS 502.230 is hereby amended to read as follows:
- 25 502.230 1. A nonresident deer tag for regular season may be
26 issued to any nonresident of this state or to the immediate members
27 of such nonresident's family, as a bona fide owner of land within
28 this state, for the privilege to hunt upon that land to which he has
29 title, if not less than 75 percent of all land belonging to him in the
30 State of Nevada and upon which he proposes to hunt is open to the
31 public for hunting.
- 32 2. Such nonresident may hunt deer during the same periods and
33 subject to the same limitations as may be allowed or imposed upon
34 residents of Nevada in connection with such hunting if such
35 nonresident has first obtained a nonresident hunting license.
- 36 3. A nonresident deer tag for the regular season may be issued
37 by the ~~Division~~ *Department* only upon proof of the applicant's
38 title to certain lands within this state. The Commission shall adopt
39 and promulgate regulations establishing requirements for obtaining
40 tags, including a determination that the land proposed for hunting is
41 deer habitat.
- 42 4. Such nonresident deer tag for the regular season may be
43 issued only upon payment of the regular nonresident fee and is valid
44 for use only on the land owned and described, and such nonresident



1 deer tag for the regular season must indicate “nonresident
2 landowner.”

3 **Sec. 56.** NRS 502.240 is hereby amended to read as follows:

4 502.240 The ~~Division~~ *Department* shall issue annual licenses
5 and limited permits:

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

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

14		
15	For a fishing license	\$20
16	For a 1-day permit to fish.....	6
17	For each consecutive day added to a 1-day permit to fish	2
18	For a hunting license	23
19	For a combined hunting and fishing license	38
20	For a trapping license	30
21	For a fur dealer’s license	50
22	For an annual master guide’s license	250
23	For an annual subguide’s license	75
24		

25 3. To any person who has attained his 12th birthday but who
26 has not attained his 16th birthday, and who is not a bona fide
27 resident of the State of Nevada, upon the payment of \$8 for an
28 annual fishing license, except for a fishing license to fish in the
29 reciprocal waters of the Colorado River, Lake Mead and Lake
30 Mohave, which annual license must cost a sum agreed upon by the
31 Commission and the Arizona Game and Fish Commission, but not
32 to exceed \$30.

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

36		
37	For a fishing license, except for a fishing license to	
38	fish in the reciprocal waters of the Colorado	
39	River, Lake Mead and Lake Mohave, which	
40	license must cost a sum agreed upon by the	
41	Commission and the Arizona Game and Fish	
42	Commission, but not to exceed \$30.....	\$50
43	For a 1-day permit to fish.....	11
44	For each consecutive day added to a 1-day permit to	
45	fish.....	4



1 For a hunting license \$110
2 For an annual trapper’s license 150
3 For a fur dealer’s license 100
4 For an annual master guide’s license 500
5 For an annual subguide’s license 150
6 For a 1-day permit to hunt upland game and
7 waterfowl 15
8 For each consecutive day added to a 1-day permit to
9 hunt upland game and waterfowl 5

10
11 5. To any person, without regard to residence, upon the
12 payment of:

13
14 For a noncommercial license for the possession of
15 live wildlife \$5
16 For a commercial or private shooting preserve 100
17 For a commercial license for the possession of live
18 wildlife 100
19 For a live bait dealer’s permit 35
20 For a competitive field trials permit 25
21 For a permit to train dogs or falcons 5
22 For a 1-year falconry license 30
23 For a 3-year falconry license 75
24 For an importation permit 5
25 For an import eligibility permit 25
26 For an exportation permit 5
27 For any other special permit issued by the ~~Division,~~
28 *Department*, a fee not to exceed \$100 set by the
29 Commission.

30
31 **Sec. 57.** NRS 502.245 is hereby amended to read as follows:

32 502.245 1. The ~~Division~~ *Department* shall issue any
33 hunting or fishing license or combined hunting and fishing license
34 authorized under the provisions of this chapter, upon proof
35 satisfactory of the requisite facts and payment of the applicable fee,
36 to any person who has resided in this state:

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

- 39 (1) Has a severe physical disability; or
- 40 (2) Has attained his 12th birthday but has not attained his
41 16th birthday; or

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

44 2. The ~~Division~~ *Department* shall charge and collect for such
45 a:



1 Hunting license..... \$4
2 Fishing license..... 4
3 Combined hunting and fishing license 7
4

5 3. For the purposes of this section, “severe physical disability”
6 means a physical disability which materially limits the person’s
7 ability to engage in gainful employment.

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

9 502.250 1. Except as otherwise provided in this section, the
10 following fees must be charged for tags:

11
12 Resident deer tag for regular season \$15
13 Nonresident and alien deer tag for regular season 60
14 Resident antelope tag 50
15 Resident elk tag 100
16 Resident bighorn *sheep* tag 100
17 Resident mountain goat tag 100
18 Resident mountain lion tag..... 25
19

20 2. Other resident big game tags for special seasons must not
21 exceed \$50. Other nonresident big game tags for special seasons
22 must not exceed \$1,000.

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

25 4. A fee not to exceed \$10 may be charged for processing an
26 application for a tag other than an elk tag. A fee of not less than \$5
27 but not more than \$15 must be charged for processing an application
28 for an elk tag, \$5 of which must be deposited with the State
29 Treasurer for credit to the Wildlife Account in the State General
30 Fund and used for the prevention and mitigation of damage caused
31 by elk or game mammals not native to this state.

32 5. The Commission may accept sealed bids for or auction not
33 more than 15 big game tags and not more than 5 wild turkey tags
34 each year. To reimburse the ~~Division~~ *Department* for the cost of
35 managing wildlife and administering and conducting the bid or
36 auction, not more than 18 percent of the total amount of money
37 received from the bid or auction may be deposited with the State
38 Treasurer for credit to the Wildlife Account in the State General
39 Fund. Any amount of money received from the bid or auction that is
40 not so deposited must be deposited with the State Treasurer for
41 credit to the Wildlife Heritage Trust Account in the State General
42 Fund in accordance with the provisions of NRS 501.3575.

43 6. The Commission may by regulation establish an additional
44 drawing for big game tags, which may be entitled the Partnership in
45 Wildlife Drawing. To reimburse the ~~Division~~ *Department* for the



1 cost of managing wildlife and administering and conducting the
2 drawing, not more than 18 percent of the total amount of money
3 received from the drawing may be deposited with the State
4 Treasurer for credit to the Wildlife Account in the State General
5 Fund. Except as otherwise provided by regulations adopted by the
6 Commission pursuant to subsection 7, the money received by the
7 ~~Division~~ *Department* from applicants in the drawing who are not
8 awarded big game tags must be deposited with the State Treasurer
9 for credit to the Wildlife Heritage Trust Account in accordance with
10 the provisions of NRS 501.3575.

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

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

15 502.253 1. In addition to any fee charged and collected
16 pursuant to NRS 502.250, a fee of \$3 must be charged for
17 processing each application for a game tag, the revenue from which
18 must be accounted for separately, deposited with the State Treasurer
19 for credit to the Wildlife Account in the State General Fund and
20 used by the ~~Division~~ *Department* for costs related to:

21 (a) Programs for the management and control of injurious
22 predatory wildlife;

23 (b) Wildlife management activities relating to the protection of
24 nonpredatory game animals, sensitive wildlife species and related
25 wildlife habitat;

26 (c) Conducting research, as needed, to determine successful
27 techniques for managing and controlling predatory wildlife,
28 including studies necessary to ensure effective programs for the
29 management and control of injurious predatory wildlife; and

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

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

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

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

40 502.255 The ~~Division~~ *Department* shall account separately
41 for the money received from fees for processing applications for
42 tags and, except as otherwise provided in NRS 502.253, use that
43 money only for all of the ~~Division's~~ *Department's* direct and
44 indirect costs associated with the system of applications and
45 drawings for, and the issuance of, tags.



1 **Sec. 61.** NRS 502.300 is hereby amended to read as follows:
2 502.300 1. Except as otherwise provided in subsection 2, it is
3 unlawful for any person to hunt any migratory game bird, except
4 jacksnipe, coot, gallinule, western mourning dove, white-winged
5 dove and band-tailed pigeon, unless at the time he is hunting he
6 carries on his person:

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

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

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

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

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

17 3. Unexpired duck stamps must be sold for a fee of not more
18 than \$5 each by the ~~{Division}~~ *Department* and by persons
19 authorized by the ~~{Division}~~ *Department* to sell hunting licenses.
20 The Commission shall establish the price to be charged by the
21 ~~{Division}~~ *Department* or agents of the ~~{Division}~~ *Department* for
22 expired duck stamps, and the fee for unexpired duck stamps within
23 the limit provided.

24 4. The ~~{Division}~~ *Department* shall determine the form of the
25 stamps.

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

27 502.310 All money received pursuant to NRS 502.300 must be
28 deposited with the State Treasurer for credit to the Wildlife Account
29 in the State General Fund. The ~~{Division}~~ *Department* shall
30 maintain separate accounting records for the receipt and expenditure
31 of that money. An amount not to exceed 10 percent of that money
32 may be used to reimburse the ~~{Division}~~ *Department* for the cost of
33 administering the state duck stamp programs. This amount is in
34 addition to compensation allowed persons authorized to issue and
35 sell licenses.

36 **Sec. 63.** NRS 502.322 is hereby amended to read as follows:

37 502.322 1. Before the ~~{Division}~~ *Department* may undertake
38 any project using money received pursuant to NRS 502.300, it shall
39 analyze the project and provide the Commission with
40 recommendations as to the need for the project and its feasibility.

41 2. Money received pursuant to NRS 502.300 must be used for
42 projects approved by the Commission for the protection and
43 propagation of migratory game birds, and for the acquisition,
44 development and preservation of wetlands in Nevada.



1 **Sec. 64.** NRS 502.324 is hereby amended to read as follows:
2 502.324 The ~~[Division]~~ *Department* shall, not later than the
3 ~~[5th]~~ *fifth* calendar day of each regular session of the Legislature,
4 submit to ~~[t]~~ *the Legislature* a report summarizing any projects
5 undertaken, receipt and expenditure of money , and public benefits
6 achieved by the program for the sale of state duck stamps.

7 **Sec. 65.** NRS 502.326 is hereby amended to read as follows:
8 502.326 1. Except as otherwise provided in subsection 2, it is
9 unlawful for any person to take or possess trout unless at the time he
10 is fishing he carries on his person:

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

13 (b) Such documentation as the ~~[Division]~~ *Department* provides
14 via the Internet as proof that he has paid to the ~~[Division,]~~
15 *Department*, for the licensing period that includes the time he is
16 fishing, the same fee as that required pursuant to subsection 3 for the
17 purchase of a state trout stamp for that period.

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

19 (a) Is under the age of 12; or

20 (b) Is fishing:

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

23 (2) In accordance with regulations adopted by the
24 Commission pursuant to subparagraph (2) of paragraph (e) of
25 subsection 1 of NRS 502.010.

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

29 4. The ~~[Division]~~ *Department* shall determine the form of the
30 stamps.

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

32 502.327 1. All money received pursuant to NRS 502.326
33 must be deposited with the State Treasurer for credit to the Trout
34 Management Account, which is hereby established in the State
35 General Fund.

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

39 3. The ~~[Division]~~ *Department* shall:

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

42 (b) Administer the Trout Management Account. The ~~[Division]~~
43 *Department* may use money in the Account only for the protection,
44 propagation and management of trout in this state and for any
45 bonded indebtedness incurred therefor.



1 **Sec. 67.** NRS 502.330 is hereby amended to read as follows:
2 502.330 1. No hunting license may be obtained by any
3 person born after January 1, 1960, unless he presents to the
4 ~~{Division.}~~ *Department*, or one of its authorized licensing agents:

5 (a) A certificate of successful completion of a course of
6 instruction in the responsibilities of hunters as provided by
7 NRS 502.340;

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

11 (c) A hunting license issued to him in a previous year by the
12 ~~{Division.}~~ *Department*, a state or an agency of a Canadian
13 province, which bears a number or other unique mark evidencing
14 successful completion of a course of instruction in the
15 responsibilities of hunters.

16 2. Any person who has been convicted of violating NRS
17 503.165 or 503.175 may not obtain a hunting license until he has
18 successfully completed a course in the responsibilities of hunters
19 conducted pursuant to NRS 502.340.

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

21 502.340 The ~~{Division.}~~ *Department* shall certify instructors
22 who will, with the cooperation of the ~~{Division.}~~ *Department*,
23 provide instruction in the responsibilities of hunters established by
24 the ~~{Division.}~~ *Department* to all eligible persons who, upon the
25 successful completion of the course, must be issued a certificate.
26 Persons who are disqualified from obtaining a hunting license,
27 pursuant to NRS 502.330, are eligible for the course.

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

29 502.370 1. A license to practice taxidermy is required before
30 any person may perform taxidermal services for others on any
31 wildlife or their parts, nests or eggs.

32 2. Annual licenses for the term of 1 year from July 1 to June 30
33 must be issued by the ~~{Division.}~~ *Department* for the following fees:

34	
35	Fee to practice commercial taxidermy \$35
36	Fee to practice noncommercial taxidermy 5
37	

38 3. Any person who wishes to obtain a license to practice
39 taxidermy must apply for the license on an application form
40 provided by the ~~{Division.}~~ *Department*. The applicant must provide
41 such information on the form as the Commission may require by
42 regulation.

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



* A B 4 1 R 1 *

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

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

5 (c) Any other matter concerning the practice, conduct and
6 operating procedures of taxidermists as the Commission may deem
7 necessary.

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

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

15 7. The provisions of this section do not apply to institutions of
16 learning of this state or of the United States, or to research activities
17 conducted exclusively for scientific purposes, or for the
18 advancement of agriculture, biology or any of the sciences.

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

20 502.390 1. Any:

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

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

29 must first obtain a permit from the ~~Division~~ *Department*
30 authorizing the development or maintenance of the body of water.

31 2. Within 30 working days after receiving an application for a
32 permit, the ~~Division~~ *Department* shall issue the permit or deny the
33 application and list the reasons for denial. An applicant may appeal
34 the denial of a permit to the Commission. A permit may be valid for
35 up to 5 years. The Commission may establish a fee for a permit of
36 not more than \$100 per year.

37 3. Upon the transfer of ownership of any artificial or man-made
38 body of water as to which a permit issued pursuant to this section is
39 in force at the time of the transfer, the permit remains in effect for
40 30 days after the transfer of ownership.

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



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

6 6. As used in this section:

7 (a) "Mining operation" means any activity conducted in this
8 state by a person on or beneath the surface of land for the purpose
9 of, or in connection with, the development or extraction of any
10 mineral.

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

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

14 503.005 1. Except as otherwise provided in subsection 2, a
15 person shall not kill or attempt to kill any birds or animals while
16 flying in an aircraft.

17 2. The Commission may promulgate rules and regulations
18 whereby the ~~Division~~ *Department* may issue permits authorizing
19 the hunting, killing or nonlethal control of coyotes, bobcats or
20 ravens from an aircraft.

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

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

24 503.035 1. "Meat or game processor" as used in this section
25 means any person, firm or corporation that receives any game for
26 the purpose of processing or storage or for the purposes of
27 processing and storage.

28 2. Any meat or game processor who receives any game for the
29 purpose of processing or storage may, within 90 days after the
30 receipt thereof, if such game remains in the possession of such meat
31 or game processor, dispose of such game to the ~~Division~~
32 *Department* if the owner of such game has not paid such meat or
33 game processor for the processing or storage thereof.

34 3. The ~~Division~~ *Department* shall distribute such game to
35 public charities on a fair and equitable basis.

36 4. No action may be commenced against such meat or game
37 processor by the owner of such game after such game has been
38 delivered to the ~~Division~~ *Department* under the provisions of this
39 section.

40 5. Nothing in this section deprives a meat or game processor of
41 any remedy at law available to a creditor against a debtor for the
42 recovery of any money or other legal consideration owing from the
43 owner of the game to the meat or game processor for such
44 processing or storage.



1 **Sec. 73.** NRS 503.040 is hereby amended to read as follows:
2 503.040 1. Except as otherwise provided in this section, it is
3 unlawful for any person at any time to transport or offer for
4 transportation to any place within or outside of this state any game
5 mammal, raw furs, wild mammal taken by trapping, game bird or
6 game fish taken within this state.
7 2. Any person who has legally taken any game mammal, raw
8 furs, wild mammal taken by trapping, game bird or game fish within
9 this state may use his hunting license, trapping license or fishing
10 license or tag or stamp, when required, as a permit to transport one
11 possession limit to points within or outside the State.
12 3. Any person who legally acquires ownership or custody of
13 any game mammal, raw furs, wild mammal taken by trapping, game
14 bird or game fish not taken by him through hunting, trapping or
15 fishing may transport such mammal, furs, bird or fish within the
16 State without a transportation permit if such shipment does not
17 exceed one possession limit and if such shipment is labeled with the
18 name, address, number and class of license of the hunter, trapper or
19 fisherman who legally took such mammal, furs, bird or fish and date
20 taken, if the mammal, furs, bird or fish is not required by law or
21 regulation to be tagged. Unless otherwise permitted by a regulation
22 of the Commission, when tagged shipments are involved, a
23 transportation permit is required as provided in this section.
24 4. Any other person who desires to transport any game
25 mammal, raw furs, wild mammal taken by trapping, game fish or
26 game bird to a point within or without the State may do so only
27 under the authority of a transportation permit as provided in this
28 section.
29 5. The ~~Division~~ *Department* shall designate the form of the
30 transportation permit and such permits may be issued for a fee of \$1
31 by any game warden or other such persons as may be specifically
32 designated by the ~~Division~~ *Department*. The person legally in
33 possession of the game mammals, raw furs, wild mammals taken by
34 trapping, game birds or game fish to be transported must appear
35 before the issuing agent to obtain a transportation permit. The
36 permit must describe the wildlife to be transported and identify by
37 name, address, license number and class the person who legally took
38 the furs or wildlife and by name and address the person transporting
39 it. Whenever raw furs or wildlife is to be transported by the postal
40 service or by common carrier, freight or express agency, such an
41 agency may be designated by name alone.
42 6. Game mammals, raw furs, wild mammals taken by trapping,
43 game birds or game fish transported to another person shall be
44 deemed to be in the legal possession of the person making shipment
45 until actual delivery is made.



1 7. Any package or container in which game birds, raw furs,
2 wild mammals taken by trapping, game mammals or game fish are
3 being transported by common carrier must have the name and
4 address of the shipper and of the consignee and an accurate
5 statement of the number and kinds of game birds, raw furs, wild
6 mammals taken by trapping, game mammals or game fish contained
7 therein attached to the outside thereof.

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

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

12 503.185 1. Every person involved in a hunting accident
13 where damage to property results, or which involves the injury of or
14 death to another person, shall file a report of the accident with the
15 ~~{Division}~~ Department within 30 days after the accident. The report
16 must be on the form prescribed by the ~~{Division.}~~ Department.

17 2. The ~~{Division}~~ Department shall revoke any hunting license
18 held by a person convicted of violating NRS 503.165 or 503.175, if
19 the violation results in an injury to or the death of another person.
20 The ~~{Division}~~ Department shall not issue another such license to
21 the person sooner than 2 years after the revocation.

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

23 503.200 1. The ~~{Division}~~ Department is empowered to
24 authorize, under permit and for such fee as may be provided in NRS
25 502.240, competitive field trials for hunting dogs or competitive
26 field trials for falconry. The Commission shall prescribe the rules
27 and regulations to be followed by those in charge of such trials
28 insofar as conduct of the field trials has any effect or bearing upon
29 wildlife and the laws of this state respecting closed and open
30 seasons.

31 2. For the purpose of permitting such field trials , the
32 ~~{Division}~~ Department may authorize shooting of legally acquired
33 upland game birds during any closed season on the species of bird
34 or birds to be hunted.

35 3. All legally acquired upland game birds used in a field trial or
36 for the purpose of training hunting dogs and for falconry training
37 must be banded with legbands by the person in charge of such field
38 trial or training. Such birds may only be released in an area first
39 approved by the ~~{Division.}~~ Department, after which the ~~{Division}~~
40 Department shall authorize, under permit and under such rules and
41 regulations as the Commission may prescribe, the releasing of such
42 legally acquired upland game birds for the foregoing purposes.

43 4. All birds killed under the provisions of this section must be
44 accompanied by a receipt, giving the permit number, the date, the
45 name of the person in possession, and signed by the permit holder.



1 Birds killed and accompanied by a receipt under the provisions of
2 this section may be legally possessed.

3 **Sec. 76.** NRS 503.290 is hereby amended to read as follows:
4 503.290 1. Except as otherwise provided in subsection 2, it is
5 unlawful for any person to fish in or from any of the waters of the
6 State of Nevada for any fish of any species in any manner other than
7 with hook and line attached to a rod or reel closely attended in the
8 manner known as angling. Only one combination of hook, line and
9 rod must be used by one person at any time, except that a second
10 combination of hook, line and rod may be used by a person if the
11 person:

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

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

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

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

20 2. The Commission may by regulation authorize other methods
21 for taking fish. Frogs may be taken by spear, bow and arrow, hook
22 and line or by other methods authorized by the Commission's
23 regulation.

24 3. For the purposes of this section, "hook" includes not more
25 than three baited hooks, not more than three fly hooks or not more
26 than two plugs or similar lures. No more than two such plugs or
27 lures, irrespective of the number of hooks or attractor blades
28 attached thereto, may be attached to the line.

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

30 503.310 1. The Commission may regulate or prohibit the use
31 of live bait in fishing so that no undesirable species are introduced
32 into the public waters of this state.

33 2. Any person engaged in the sale of live bait must first obtain
34 a permit from the ~~Division~~ *Department* for the fee provided in
35 NRS 502.240. The permit may be revoked for any violation of
36 regulations.

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

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

40 503.360 1. It is unlawful for any person at any time to fish
41 from any state hatchery, or from any waters set aside or used for the
42 purpose of rearing or growing fish for transplanting by the State.

43 2. Nothing in this section prohibits employees of the ~~Division~~
44 *Department* from handling, at any time, all such fish, as may be
45 required in the propagation, care and distribution of the fish.



1 **Sec. 79.** NRS 503.380 is hereby amended to read as follows:
2 503.380 The ~~{Division}~~ *Department* may take or permit the
3 commercial taking of unprotected wildlife in any manner approved
4 by the Commission. The Commission may fix a price to be paid for
5 wildlife so taken. Unprotected wildlife taken under this
6 authorization may be sold.

7 **Sec. 80.** NRS 503.400 is hereby amended to read as follows:
8 503.400 1. Every person who has erected, or who may
9 hereafter erect, any dams, water weirs or other obstructions to the
10 free passage of fish in the rivers, streams, lakes or other waters of
11 the State of Nevada shall construct and keep in repair , to the
12 satisfaction of the ~~{Division}~~ *Department*, fishways or fish ladders
13 at all such dams, water weirs or other obstructions so that at all
14 seasons of the year fish may ascend above such dams, water weirs
15 or other obstructions to deposit their spawn.

16 2. Every person so placing, controlling or owning any such
17 obstruction who fails to comply with the provisions of this section
18 after having been notified in writing so to do by the ~~{Division,}~~
19 *Department*, and every person who at any time willfully or
20 knowingly destroys, injures or obstructs any fishway or fish ladder
21 which is required by law is guilty of a misdemeanor.

22 **Sec. 81.** NRS 503.420 is hereby amended to read as follows:
23 503.420 1. Any person, firm or corporation owning in whole
24 or in part any canal, ditch or any artificial watercourse, taking or
25 receiving its waters from any river, creek or lake in which fish have
26 been placed or may exist, shall place or cause to be placed, and such
27 persons shall maintain at the intake or inlet of such canal, ditch or
28 watercourse, a grating, screen or other device, either stationary or
29 operated mechanically, of such construction, fineness, strength and
30 quality as may be designated by the ~~{Division,}~~ *Department*, to
31 prevent any fish from entering such canal, ditch or watercourse.

32 2. If such person, firm or corporation, after due notice from the
33 ~~{Division,}~~ *Department*, fails to install or maintain such grating,
34 screen or device, the Commission is authorized to enter upon lands
35 adjacent to the inlet of such canal, ditch or watercourse, and may
36 install therein, and thereafter maintain, such grating, screen or
37 device as in the discretion of the ~~{Division}~~ *Department* is proper.

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

41 **Sec. 82.** NRS 503.425 is hereby amended to read as follows:
42 503.425 1. Before a person may use any vacuum or suction
43 dredge equipment in any river, stream or lake of this state, he must
44 submit an application to the ~~{Division,}~~ *Department*. The
45 application must be accompanied by a fee of \$5 and must specify



1 the type and size of equipment to be used and its location. If the
2 ~~{Division}~~ *Department* determines that the operations will not be
3 deleterious to fish, it shall issue a permit to the applicant.

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

8 3. It is unlawful for any person to:

9 (a) Conduct dredging operations without securing a permit
10 pursuant to subsection 1;

11 (b) Operate any equipment other than that specified in the
12 permit; or

13 (c) Conduct a dredging operation outside the area designated on
14 the permit.

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

16 503.452 Each trap, snare or similar device used in the taking of
17 wild mammals may bear a number registered with the ~~{Division}~~
18 *Department* or be permanently marked with the name and address
19 of the owner or trapper using it. If a trap is registered, the
20 registration is permanent. A registration fee of \$5 for each registrant
21 is payable only once, at the time the first trap, snare or similar
22 device is registered.

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

24 503.470 1. Fur-bearing mammals injuring any property may
25 be taken or killed at any time in any manner, provided a permit is
26 first obtained from the ~~{Division}~~ *Department*.

27 2. When the ~~{Division}~~ *Department* has determined from
28 investigations or upon a petition signed by the owners of 25 percent
29 of the land area in any irrigation district or the area served by a ditch
30 company alleging that an excessive population of beaver or otter
31 exists or that beaver or otter are doing damage to lands, streams,
32 ditches, roads or water control structures, the ~~{Division}~~ *Department*
33 shall remove such excess or depredating beaver or otter.

34 **Sec. 85.** NRS 503.540 is hereby amended to read as follows:

35 503.540 Whenever the ~~{Division}~~ *Department* determines that
36 beaver or otter are doing damage and that it will be necessary to
37 remove beaver or otter from the land of a person to protect the lands
38 of another landowner, the ~~{Division}~~ *Department* is not prevented
39 from taking such beaver or otter by the refusal of the landowner to
40 allow the ~~{Division's}~~ employees *of the Department* to enter upon
41 his land. The ~~{Division}~~ *Department* is authorized to enter upon the
42 lands of such owner and remove beaver or otter for the relief of
43 other landowners and the protection of the public welfare.



1 **Sec. 86.** NRS 503.575 is hereby amended to read as follows:
2 503.575 The ~~{Division}~~ *Department*, with the approval of the
3 Commission, may sell live beaver.

4 **Sec. 87.** NRS 503.582 is hereby amended to read as follows:
5 503.582 Except as otherwise provided in this section, it is
6 unlawful for any person to hunt, trap, possess or sell any species,
7 native or otherwise, of owl, hawk or other birds of prey, including
8 all raptors or the parts thereof, without first obtaining a permit from
9 the ~~{Division}~~ *Department*. The Commission may adopt
10 regulations:

11 1. Covering the hunting, trapping, possession or sale of any of
12 those species.

13 2. Authorizing a person to hunt, trap, possess or sell any of
14 those species without obtaining a permit pursuant to the provisions
15 of this section.

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

17 503.583 1. Except as otherwise provided in this section, any
18 person who practices falconry or trains birds of prey must obtain a
19 falconry license from the ~~{Division}~~ *Department* upon payment of a
20 license fee as provided in NRS 502.240.

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

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

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

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

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

32 503.5833 The ~~{Division}~~ *Department* shall, upon request of the
33 Welfare Division of the Department of Human Resources, submit to
34 the Welfare Division the name, address and social security number
35 of each person who holds a permit or license issued pursuant to
36 NRS 503.582 or 503.583 that does not expire less than 6 months
37 after it is issued and any pertinent changes in that information.

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

39 503.5835 1. If the ~~{Division}~~ *Department* receives a copy of
40 a 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 permit or license issued pursuant to NRS 503.582 or
44 503.583 that does not expire less than 6 months after it is issued, the
45 ~~{Division}~~ *Department* shall deem the permit or license issued to



1 that person to be suspended at the end of the 30th day after the date
2 on which the court order was issued unless the ~~Division~~
3 *Department* receives a letter issued to the holder of the permit or
4 license by the district attorney or other public agency pursuant to
5 NRS 425.550 stating that the holder of the permit or license has
6 complied with the subpoena or warrant or has satisfied the arrearage
7 pursuant to NRS 425.560.

8 2. The ~~Division~~ *Department* shall reinstate a permit or
9 license issued pursuant to NRS 503.582 or 503.583 that has been
10 suspended by a district court pursuant to NRS 425.540 if the
11 ~~Division~~ *Department* receives a letter issued by the district
12 attorney or other public agency pursuant to NRS 425.550 to the
13 person whose permit or license was suspended stating that the
14 person whose permit or license was suspended has complied with
15 the subpoena or warrant or has satisfied the arrearage pursuant to
16 NRS 425.560.

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

18 503.585 A species or subspecies of native fish, wildlife and
19 other fauna must be regarded as threatened with extinction when the
20 Commission, after consultation with competent authorities,
21 determines that its existence is endangered and its survival requires
22 assistance because of overexploitation, disease or other factors or its
23 habitat is threatened with destruction, drastic modification or severe
24 curtailment. Any animal so declared to be threatened with extinction
25 must be placed on the list of fully protected species, and no member
26 of its kind may be captured, removed or destroyed at any time by
27 any means except under special permit issued by the ~~Division~~
28 *Department*.

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

30 503.586 Where any bird, mammal or other wildlife which is
31 declared to be in danger of extinction pursuant to NRS 503.585 is
32 found to be destructive of domestic animals or fowl or a menace to
33 health, the ~~Division~~ *Department* may provide for its destruction or
34 its removal, alive, for translocating.

35 **Sec. 93.** NRS 503.589 is hereby amended to read as follows:

36 503.589 In carrying out the program authorized by NRS
37 503.584 to 503.589, inclusive, the ~~Administrator~~ *Director* shall
38 cooperate, to the maximum extent practicable, with other states and
39 with the counties in the State of Nevada, and he may enter into
40 agreements with such other states and counties and with other legal
41 entities for the administration and management of any area
42 established pursuant to NRS 503.584 to 503.589, inclusive, for the
43 conservation, protection, restoration and propagation of species of
44 native fish, wildlife and other fauna which are threatened with
45 extinction.



1 **Sec. 94.** NRS 503.595 is hereby amended to read as follows:
2 503.595 After the owner or tenant of any land or property has
3 made a report to the ~~[Division]~~ *Department* indicating that such
4 land or property is being damaged or destroyed, or is in danger of
5 being damaged or destroyed, by wildlife, the ~~[Division]~~ *Department*
6 may, after thorough investigation and pursuant to such regulations
7 as the Commission may promulgate, cause such action to be taken
8 as it may deem necessary, desirable and practical to prevent or
9 alleviate such damage or threatened damage to such land or
10 property.

11 **Sec. 95.** NRS 503.597 is hereby amended to read as follows:
12 503.597 1. Except as otherwise provided in this section, it is
13 unlawful, except by the written consent and approval of the
14 ~~[Division]~~ *Department*, for any person at anytime to receive, bring
15 or have brought or shipped into this state, or remove from one
16 stream or body of water in this state to any other, or from one
17 portion of the State to any other, or to any other state, any aquatic
18 life ~~[]~~ *or* wildlife, *or any* spawn, eggs or young of any of them.
19 2. The ~~[Division]~~ *Department* shall require an applicant to
20 conduct an investigation to confirm that such an introduction or
21 removal will not be detrimental to the wildlife or the habitat of
22 wildlife in this state. Written consent and approval of the ~~[Division]~~
23 *Department* may be given only if the results of the investigation
24 prove that the introduction, removal or importation will not be
25 detrimental to existing aquatic life ~~[]~~ *or* wildlife, *or any* spawn,
26 eggs or young of any of them.
27 3. The Commission may through appropriate regulation
28 provide for the inspection of such introduced or removed creatures
29 and the inspection fees therefor.
30 4. The Commission may adopt regulations to prohibit the
31 importation, transportation or possession of any species of wildlife
32 which the Commission deems to be detrimental to the wildlife or the
33 habitat of the wildlife in this state.
34 5. The provisions of this section do not apply to alternative
35 livestock and products made therefrom.

36 **Sec. 96.** NRS 503.610 is hereby amended to read as follows:
37 503.610 1. Except as otherwise provided in subsection 2, it is
38 unlawful for any person, firm, company, corporation or association
39 to kill, destroy, wound, trap, injure, possess dead or alive, or in any
40 other manner to catch or capture, or to pursue with such intent the
41 birds known as the ~~[American]~~ *bald* eagle and the golden eagle, or
42 to take, injure, possess or destroy the nests or eggs of such birds.
43 2. The ~~[Division]~~ *Department* may issue permits to take bald
44 eagles or golden eagles whenever it determines that they have
45 become seriously injurious to wildlife or agricultural or other



1 interests in any particular area of the State and the injury
2 complained of is substantial and can only be abated by taking some
3 or all of the offending birds. The issuance of such permits must be
4 consistent with federal law.

5 **Sec. 97.** NRS 503.650 is hereby amended to read as follows:

6 503.650 Nothing in this title:

7 1. Prohibits any person, upon the written permit of the
8 ~~Division~~ *Department*, from taking, killing, possessing or banding
9 any species of wildlife, or collecting the nest or eggs thereof, for
10 strictly scientific or educational purposes, the number and species of
11 wildlife to be limited by the ~~Division~~ *Department*.

12 2. Prevents shipping into any other county or state, under a
13 written permit issued by the ~~Division~~ *Department*, any wildlife
14 for scientific or educational purposes.

15 The fee for a permit to collect wildlife for scientific or educational
16 purposes is \$5.

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

18 504.140 1. The ~~Division~~ *Department* is authorized, subject
19 to approval by the Commission, to enter into agreements with
20 landowners, individually or in groups, to establish wildlife
21 management areas and to enforce regulations necessary thereto for
22 the purpose of providing greater areas for the public to hunt or fish
23 on private lands and to protect the landowner or lessee from damage
24 due to trespass or excessive hunting or fishing pressure.

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

28 3. The zones must be posted conspicuously along all
29 boundaries and it is unlawful to hunt, fish or trespass therein or to
30 hunt or fish on any cooperative area contrary to the regulations
31 provided.

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

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

36 504.147 1. The ~~Division~~ *Department* may, if such leases or
37 sales do not interfere with the use of such real property for wildlife
38 management or for hunting or fishing thereon:

39 (a) Lease, for a term not exceeding 5 years, grazing or pasturage
40 rights in and to real property which is assigned to the ~~Division~~
41 *Department* for administration.

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

44 2. Except as otherwise provided in subsection 3, whenever the
45 ~~Division~~ *Department* intends to lease grazing or pasturage rights



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1 or to sell or offer for sale agricultural products as provided in
2 subsection 1, the ~~{Division}~~ *Department* may do so only by
3 advertising for bids, reserving in such advertising the right to reject
4 any or all bids.

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

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

17 5. If the deed to real property assigned to the ~~{Division}~~
18 *Department* for administration contains a covenant or provision
19 giving to the grantor an option to meet the highest bid for any lease
20 by the ~~{Division}~~ *Department* of grazing or pasturage rights to the
21 real property or the sale of agricultural products from it, the
22 ~~{Division}~~ *Department* shall comply with the terms of the covenant
23 or provision in the deed.

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

25 504.155 All gifts, grants, fees and appropriations of money
26 received by the ~~{Division}~~ *Department* for the prevention and
27 mitigation of damage caused by elk or game mammals not native to
28 this state, and the interest and income earned on the money, less any
29 applicable charges, must be accounted for separately within the
30 Wildlife Account and may only be disbursed as provided in the
31 regulations adopted pursuant to NRS 504.165.

32 **Sec. 101.** NRS 504.165 is hereby amended to read as follows:

33 504.165 1. The Commission shall adopt regulations
34 governing the disbursement of money to:

35 (a) Prevent or mitigate damage to private property and privately
36 maintained improvements; and

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

40 2. The regulations must contain:

41 (a) Requirements for the eligibility of those persons claiming
42 damage to private property or privately maintained improvements to
43 receive money or materials from the ~~{Division,}~~ *Department*,
44 including a requirement that such a person enter into a cooperative



1 agreement with the ~~Administrator~~ *Director* for purposes related to
2 this title.

3 (b) Procedures for the formation of local panels to assess
4 damage caused by elk or game mammals not native to this state and
5 to determine the value of a loss claimed if the person claiming the
6 loss and the ~~Division~~ *Department* do not agree on the value of the
7 loss.

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

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

13 3. The regulations must:

14 (a) Provide for the payment of money or other compensation to
15 cover the costs of labor and materials necessary to prevent or
16 mitigate damage to private property and privately maintained
17 improvements caused by elk or game mammals not native to this
18 state.

19 (b) Prohibit a person who has, within a particular calendar year,
20 applied for or received a special incentive elk tag pursuant to NRS
21 502.142 from applying, within the same calendar year, for
22 compensation pursuant to this section for the same private land.

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

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

28 504.175 The ~~Administrator~~ *Director* shall, on or before the
29 fifth calendar day of each regular session of the Legislature, submit
30 to the Legislature a report summarizing the actions taken by the
31 ~~Division~~ *Department* to prevent or mitigate damage caused by elk
32 or game mammals not native to this state. The report must include a
33 list of the expenditures made pursuant to this section and NRS
34 504.155 and 504.165 during the preceding biennium and a
35 determination of the amount of money remaining for those
36 purposes.

37 **Sec. 103.** NRS 504.185 is hereby amended to read as follows:

38 504.185 The provisions of NRS 504.155 to 504.185, inclusive,
39 do not apply to:

40 1. Alternative livestock; or

41 2. Game mammals not native to this state,

42 that are held in captivity for purposes other than as required by the
43 ~~Division~~ *Department*.



1 **Sec. 104.** NRS 504.245 is hereby amended to read as follows:
2 504.245 1. Any species of wildlife, including alternative
3 livestock, that:

4 (a) Is released from confinement without the prior written
5 authorization of the ~~Division;~~ *Department*; or

6 (b) Escapes from the possessor's control,
7 may be captured, seized or destroyed by the ~~Division~~ *Department*
8 if the ~~Division~~ *Department* determines that such actions are
9 necessary to protect wildlife and the habitat of wildlife in this state.

10 2. The owner or possessor of such wildlife:

11 (a) Shall report its escape immediately after receiving
12 knowledge of the escape; and

13 (b) Is liable for the costs incurred by the ~~Division~~ *Department*
14 to capture, maintain and dispose of the wildlife and for any damage
15 caused by the wildlife.

16 3. The ~~Division~~ *Department* is not liable for any damage to
17 wildlife, or caused by wildlife, in carrying out the provisions of this
18 section.

19 **Sec. 105.** NRS 504.295 is hereby amended to read as follows:

20 504.295 1. Except as otherwise provided in this section and
21 NRS 503.590, or unless otherwise specified by a regulation adopted
22 by the Commission, no person may:

23 (a) Possess any live wildlife unless he is licensed by the
24 ~~Division~~ *Department* to do so.

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

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

29 2. The Commission shall adopt regulations for the possession
30 of live wildlife. The regulations must set forth the species of wildlife
31 which may be possessed and propagated, and provide for the
32 inspection by the ~~Division~~ *Department* of any related facilities.

33 3. In accordance with the regulations of the Commission, the
34 ~~Division~~ *Department* may issue commercial and noncommercial
35 licenses for the possession of live wildlife upon receipt of the
36 applicable fee.

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

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

40 504.310 1. Before being entitled to the benefits of any
41 commercial or private shooting preserve, the owner or proprietor
42 thereof must make application to the ~~Division;~~ *Department*. The
43 application must set forth:

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

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



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

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

6 2. If, after investigation, the ~~[Division]~~ *Department* is satisfied
7 that the tract is suitable for the purpose, and that the establishment
8 of such a preserve will not conflict with the public interest, the
9 ~~[Division]~~ *Department* may issue a commercial or private shooting
10 preserve license upon the payment of a license fee as provided in
11 NRS 502.240.

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

13 504.320 1. Before any shooting may be done on such
14 commercial or private shooting preserve, the licensee must advise
15 the ~~[Division,]~~ *Department*, in writing, of the number of each
16 species of upland game bird reared, purchased or acquired for
17 liberation, and request, and receive in writing, a shooting
18 authorization which states the number of each species which may be
19 taken by shooting.

20 2. Birds must be at least 8 weeks of age, full winged, and in a
21 condition to go wild before liberation. Before release, all birds must
22 be banded with legbands, the specifications of which must be
23 determined by Commission regulation. Legbands must remain with
24 the birds and not be removed until the birds are utilized by the
25 hunter.

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

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

33 **Sec. 108.** NRS 504.350 is hereby amended to read as follows:

34 504.350 1. No game bird taken in accordance with the
35 provisions of NRS 504.300 to 504.380, inclusive, may be removed
36 from the licensed premises until the licensee or his agent has
37 attached thereto an invoice, signed by the licensee or his agent,
38 stating:

- 39 (a) The number of his license.
- 40 (b) The name of the shooting preserve.
- 41 (c) The date that the birds were killed.
- 42 (d) The kind and number of such birds.
- 43 (e) The name and address of the hunter killing such birds.

44 2. The invoice must authorize transportation and use of the
45 birds.



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

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

5 504.360 Every licensee of a commercial or private shooting
6 preserve under this chapter shall keep records and make an annual
7 report to the ~~{Division.}~~ *Department* of the number of birds released
8 and the number of birds killed on the preserve. The report must be
9 verified by the affidavit of the licensee or his agent. The record must
10 be continuous and kept on the premises described in the application
11 for license, and the licensee shall allow any person authorized to
12 enforce the provisions of this title to enter such premises and inspect
13 his operations and records at all reasonable hours.

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

15 504.390 1. As used in this section, unless the context requires
16 otherwise, "guide" means to assist another person in hunting wild
17 mammals or wild birds and fishing and includes the transporting of
18 another person or his equipment to hunting and fishing locations
19 within a general hunting and fishing area whether or not the guide
20 determines the destination or course of travel.

21 2. Every person who provides guide service for compensation
22 or provides guide service as an incidental service to customers of
23 any commercial enterprise, whether a direct fee is charged for the
24 guide service or not, shall obtain a master guide license from the
25 ~~{Division.}~~ *Department.* Such a license must not be issued to any
26 person who has not reached 21 years of age.

27 3. Each person who assists a person who is required to have a
28 master guide license and acts as a guide in the course of that activity
29 shall obtain a subguide license from the ~~{Division.}~~ *Department.*
30 Such a license must not be issued to any person who has not reached
31 18 years of age.

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

34 5. Any person who desires a master guide license must apply
35 for the license on a form prescribed and furnished by the ~~{Division.}~~
36 *Department.* The application must contain the social security
37 number of the applicant and such other information as the
38 Commission may require by regulation. If that person was not
39 licensed as a master guide during the previous licensing year, his
40 application must be accompanied by a fee of \$500, which is not
41 refundable.

42 6. Any person who desires a subguide license must apply for
43 the license on a form prescribed and furnished by the ~~{Division.}~~
44 *Department.*



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

4 8. The holder of a master guide license shall maintain records
5 of the number of hunters and fishermen served, and any other
6 information which the ~~{Division}~~ *Department* may require
7 concerning fish and game taken by such persons. Such information
8 must be furnished to the ~~{Division}~~ *Department* on request.

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

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

16 11. The ~~{Division}~~ *Department* may issue master guide and
17 subguide licenses to be valid only in certain districts in such a
18 manner as may be determined by the regulations of the Commission.

19 **Sec. 111.** NRS 504.393 is hereby amended to read as follows:

20 504.393 The ~~{Division}~~ *Department* shall, upon request of the
21 Welfare Division of the Department of Human Resources, submit to
22 the Welfare Division the name, address and social security number
23 of each person who holds a master guide license or subguide license
24 and any pertinent changes in that information.

25 **Sec. 112.** NRS 504.398 is hereby amended to read as follows:

26 504.398 1. If the ~~{Division}~~ *Department* receives a copy of a
27 court order issued pursuant to NRS 425.540 that provides for the
28 suspension of all professional, occupational and recreational
29 licenses, certificates and permits issued to a person who is the
30 holder of a master guide license or subguide license, the ~~{Division}~~
31 *Department* shall deem the license issued to that person to be
32 suspended at the end of the 30th day after the date on which the
33 court order was issued unless the ~~{Division}~~ *Department* receives a
34 letter issued to the holder of the license by the district attorney or
35 other public agency pursuant to NRS 425.550 stating that the holder
36 of the license has complied with the subpoena or warrant or has
37 satisfied the arrearage pursuant to NRS 425.560.

38 2. The ~~{Division}~~ *Department* shall reinstate a master guide
39 license or subguide license that has been suspended by a district
40 court pursuant to NRS 425.540 if the ~~{Division}~~ *Department*
41 receives a letter issued by the district attorney or other public agency
42 pursuant to NRS 425.550 to the person whose license was
43 suspended stating that the person whose license was suspended has
44 complied with the subpoena or warrant or has satisfied the arrearage
45 pursuant to NRS 425.560.



1 **Sec. 113.** NRS 505.025 is hereby amended to read as follows:
2 505.025 The ~~{Division}~~ *Department* shall, upon request of the
3 Welfare Division of the Department of Human Resources, submit to
4 the Welfare Division the name, address and social security number
5 of each person who holds a fur dealer's license and any pertinent
6 changes in that information.

7 **Sec. 114.** NRS 505.035 is hereby amended to read as follows:
8 505.035 1. If the ~~{Division}~~ *Department* receives a copy of a
9 court order issued pursuant to NRS 425.540 that provides for the
10 suspension of all professional, occupational and recreational
11 licenses, certificates and permits issued to a person who is the
12 holder of a fur dealer's license, the ~~{Division}~~ *Department* shall
13 deem the license issued to that person to be suspended at the end of
14 the 30th day after the date on which the court order was issued
15 unless the ~~{Division}~~ *Department* receives a letter issued to the
16 holder of the license by the district attorney or other public agency
17 pursuant to NRS 425.550 stating that the holder of the license has
18 complied with the subpoena or warrant or has satisfied the arrearage
19 pursuant to NRS 425.560.

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

27 **Sec. 115.** NRS 506.020 is hereby amended to read as follows:
28 506.020 The ~~{Administrator of the Division of Wildlife of the~~
29 ~~State Department of Conservation and Natural Resources}~~ *Director*
30 shall appoint a person to serve on the Board of Compact
31 Administrators as the Compact Administrator for this state as
32 required by section 1 of article VII of the Wildlife ~~{Violators}~~
33 *Violator* Compact.

34 **Sec. 116.** NRS 62.229 is hereby amended to read as follows:
35 62.229 In addition to the options set forth in NRS 62.211 and
36 62.213 and the requirements of NRS 62.228, if a child is adjudicated
37 delinquent pursuant to paragraph (b) of subsection 1 of NRS 62.040
38 because he handled or possessed a firearm or had a firearm under
39 his control in violation of NRS 202.300, the court shall order that
40 any license to hunt issued to the child pursuant to chapter 502 of
41 NRS must be revoked by the ~~{Division of Wildlife of the State}~~
42 Department of ~~{Conservation and Natural Resources}~~ *Wildlife* and
43 that the child shall not receive a license to hunt within the 2 years
44 following the date of the order or until he is 18 years of age,
45 whichever is later. The judge shall require the child to surrender to



1 the court any license to hunt then held by the child. The court shall,
2 within 5 days after issuing the order, forward to the ~~Division~~
3 *Department* of Wildlife any license to hunt surrendered by the child,
4 together with a copy of the order.

5 **Sec. 117.** NRS 232.090 is hereby amended to read as follows:
6 232.090 1. The Department consists of the Director and the
7 following divisions:

- 8 (a) The Division of Water Resources.
- 9 (b) The Division of State Lands.
- 10 (c) The Division of Forestry.
- 11 (d) The Division of State Parks.
- 12 (e) The Division of Conservation Districts.
- 13 (f) The Division of Environmental Protection.
- 14 (g) The Division of Water Planning.
- 15 (h) ~~The Division of Wildlife.~~

16 ~~(i)~~ Such other divisions as the Director may from time to time
17 establish.

18 2. The State Environmental Commission, the State
19 Conservation Commission, the Commission for the Preservation of
20 Wild Horses, the Nevada Natural Heritage Program and the Board
21 to Review Claims are within the Department.

22 **Sec. 118.** NRS 242.131 is hereby amended to read as follows:
23 242.131 1. The Department shall provide state agencies and
24 elected state officers with all their required design of information
25 systems. All agencies and officers must use those services and
26 equipment, except as otherwise provided in subsection 2.

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

- 31 (a) The Court Administrator;
- 32 (b) The Department of Motor Vehicles;
- 33 (c) The Department of Public Safety;
- 34 (d) The Department of Transportation;
- 35 (e) The Employment Security Division of the Department of
36 Employment, Training and Rehabilitation;
- 37 (f) The ~~Division of Wildlife of the State~~ Department of
38 ~~Conservation and Natural Resources;~~ *Wildlife;*
- 39 (g) The Legislative Counsel Bureau;
- 40 (h) The State Controller;
- 41 (i) The State Gaming Control Board and Nevada Gaming
42 Commission; and
- 43 (j) The University and Community College System of Nevada.

44 3. Any state agency or elected state officer who uses the
45 services of the Department and desires to withdraw substantially



1 from that use must apply to the Director for approval. The
2 application must set forth justification for the withdrawal. If the
3 Director denies the application, the agency or officer must:

4 (a) If the Legislature is in regular or special session, obtain the
5 approval of the Legislature by concurrent resolution.

6 (b) If the Legislature is not in regular or special session, obtain
7 the approval of the Interim Finance Committee. The Director shall,
8 within 45 days after receipt of the application, forward the
9 application together with his recommendation for approval or denial
10 to the Interim Finance Committee. The Interim Finance Committee
11 has 45 days after the application and recommendation are submitted
12 to its Secretary within which to consider the application. Any
13 application which is not considered by the Committee within the
14 45-day period shall be deemed approved.

15 4. If the demand for services or use of equipment exceeds the
16 capability of the Department to provide them, the Department may
17 contract with other agencies or independent contractors to furnish
18 the required services or use of equipment and is responsible for the
19 administration of the contracts.

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

21 321.385 The State Land Registrar, after consultation with the
22 Division of Forestry of the State Department of Conservation and
23 Natural Resources, may:

24 1. Sell timber from any land owned by the State of Nevada
25 which is not assigned to the ~~Division of Wildlife of the State~~
26 Department of ~~Conservation and Natural Resources.~~ *Wildlife.*

27 2. At the request of the ~~Administrator~~ *Director* of the
28 ~~Division of Wildlife of the State~~ Department of ~~Conservation and~~
29 ~~Natural Resources.~~ *Wildlife*, sell timber from any land owned by
30 the State of Nevada which is assigned to the ~~Division~~ *Department*
31 of *Wildlife*. Revenues from the sale of such timber must be
32 deposited with the State Treasurer for credit to the Wildlife Account
33 in the State General Fund.

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

35 331.165 1. The Marlette Lake Water System Advisory
36 Committee is hereby created to be composed of:

37 (a) One member appointed by the ~~Administrator~~ *Director* of
38 the ~~Division of Wildlife of the State~~ Department of ~~Conservation~~
39 ~~and Natural Resources.~~ *Wildlife.*

40 (b) One member appointed by the Administrator of the Division
41 of State Parks.

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



1 (d) One member from the staff of the Legislative Counsel
2 Bureau appointed by the Legislative Commission. The member so
3 appointed shall serve as a nonvoting member of the Advisory
4 Committee.

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

6 (f) One member appointed by the Department of
7 Administration.

8 2. The voting members of the Advisory Committee shall select
9 one of the legislative members of the Advisory Committee as
10 Chairman and one as Vice Chairman. After the initial selection of a
11 Chairman and Vice Chairman, each such officer serves a term of 2
12 years beginning on July 1 of each odd-numbered year. If a vacancy
13 occurs in the Chairmanship or Vice Chairmanship, the person
14 appointed to succeed that officer shall serve for the remainder of the
15 unexpired term.

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

18 4. Members of the Advisory Committee serve at the pleasure
19 of their respective appointing authorities.

20 5. The Advisory Committee may make recommendations to
21 the Legislative Commission, the Interim Finance Committee, the
22 Department of Administration, the State Department of
23 Conservation and Natural Resources, and the Governor concerning
24 any matters relating to the Marlette Lake Water System or any part
25 thereof.

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

27 353.250 1. The State Treasurer shall designate the financial
28 institutions into which money received by a state officer, department
29 or commission must be deposited.

30 2. Except as otherwise provided in subsections 3 and 4, every
31 state officer, department or commission which receives or which
32 may receive any money of the State of Nevada or for its use and
33 benefit shall deposit on Thursday of each week, in a financial
34 institution designated by the State Treasurer to the credit of the State
35 Treasurer's Account, all money received by that officer, department
36 or commission during the previous week.

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

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

44 5. Every officer, department or commission which is required
45 to deposit money with the State Treasurer shall comply with that



1 requirement by depositing the money in a financial institution
2 designated by the State Treasurer to the credit of the State
3 Treasurer's Account.

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

7 7. As used in this section, "financial institution" means a bank,
8 savings and loan association, thrift company or credit union
9 regulated pursuant to title 55 or 56 of NRS.

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

11 361.055 1. All lands and other property owned by the State
12 are exempt from taxation, except real property acquired by the State
13 of Nevada and assigned to the ~~Division of Wildlife of the State~~
14 Department of ~~Conservation and Natural Resources~~ *Wildlife*
15 which is or was subject to taxation under the provisions of this
16 chapter at the time of acquisition.

17 2. In lieu of payment of taxes on each parcel of real property
18 acquired by it which is subject to assessment and taxation pursuant
19 to subsection 1, the ~~Division of Wildlife of the State~~ Department
20 of ~~Conservation and Natural Resources~~ *Wildlife* shall make annual
21 ~~payment~~ *payments* to the county tax receiver of the county
22 wherein each such parcel of real property is located of an amount
23 equal to the total taxes levied and assessed against each such parcel
24 of real property in the year in which title to it was acquired by the
25 State of Nevada.

26 3. Such payments in lieu of taxes must be collected and
27 accounted for in the same manner as taxes levied and assessed
28 against real property pursuant to this chapter are collected and
29 accounted for.

30 4. Money received pursuant to this section must be apportioned
31 each year to the counties, school districts and cities wherein each
32 such parcel of real property is located in the proportion that the tax
33 rate of each such political subdivision bears to the total combined
34 tax rate in effect for that year.

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

36 365.535 1. It is declared to be the policy of the State of
37 Nevada to apply the tax on motor vehicle fuel paid on fuel used in
38 watercraft for recreational purposes during each calendar year,
39 which is hereby declared to be not refundable to the consumer, for
40 the:

41 (a) Improvement of boating and the improvement, operation and
42 maintenance of other outdoor recreational facilities located in any
43 state park that includes a body of water used for recreational
44 purposes; and



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

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

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

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

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

19 3. The ~~{Division of Wildlife of the State}~~ Department of
20 ~~{Conservation and Natural Resources}~~ *Wildlife* shall submit
21 annually to the Department, on or before April 1, the number of
22 boats with motors registered in the previous calendar year. On or
23 before June 1, the Department, using that data, shall compute the
24 amount of excise taxes paid on all motor vehicle fuel used in
25 watercraft for recreational purposes based on the formula set forth in
26 subsection 2, and shall certify the ratio for apportionment and
27 distribution, in writing, to the ~~{Division of Wildlife of the State}~~
28 Department of ~~{Conservation and Natural Resources}~~ *Wildlife* and
29 to the Division of State Parks of the State Department of
30 Conservation and Natural Resources for the next fiscal year.

31 4. In each fiscal year, the State Treasurer shall, upon receipt of
32 the tax money from the Department collected pursuant to the
33 provisions of NRS 365.175 to 365.190, inclusive, allocate the
34 amount determined pursuant to subsection 2, in proportions directed
35 by the Legislature, to:

36 (a) The Wildlife Account in the State General Fund. This money
37 may be expended only for the administration and enforcement of the
38 provisions of chapter 488 of NRS and for the improvement,
39 operation and maintenance of boating facilities and other outdoor
40 recreational facilities associated with boating. Any money received
41 in excess of the amount authorized by the Legislature to be
42 expended for such purposes must be retained in the Wildlife
43 Account.

44 (b) The Division of State Parks of the State Department of
45 Conservation and Natural Resources. Such money may be expended



1 only as authorized by the Legislature for the improvement,
2 operation and maintenance of boating facilities and other outdoor
3 recreational facilities located in any state park that includes a body
4 of water used for recreational purposes.

5 **Sec. 124.** NRS 425.500 is hereby amended to read as follows:
6 425.500 As used in NRS 425.500 to 425.560, inclusive, unless
7 the context otherwise requires, "agency that issues a professional,
8 occupational or recreational license, certificate or permit" means the
9 ~~{Division of Wildlife of the State}~~ Department of ~~{Conservation and~~
10 ~~Natural Resources}~~ *Wildlife* and any officer, agency, board or
11 commission of this state which is prohibited by specific statute from
12 issuing or renewing a license, certificate or permit unless the
13 applicant for the issuance or renewal of that license, certificate or
14 permit submits to the officer, agency, board or commission the
15 statement prescribed by the ~~{Welfare}~~ Division pursuant to
16 NRS 425.520.

17 **Sec. 125.** NRS 425.520 is hereby amended to read as follows:
18 425.520 1. The ~~{Welfare}~~ Division shall prescribe, by
19 regulation, a statement which must be submitted to an agency that
20 issues a professional, occupational or recreational license, certificate
21 or permit, other than the ~~{Division of Wildlife of the State}~~
22 Department of ~~{Conservation and Natural Resources,}~~ *Wildlife*, by
23 an applicant for the issuance or renewal of such a license, certificate
24 or permit.

- 25 2. The statement prescribed pursuant to subsection 1 must:
- 26 (a) Provide the applicant with an opportunity to indicate that:
- 27 (1) He is not subject to a court order for the support of a
28 child;
- 29 (2) He is subject to a court order for the support of one or
30 more children and is in compliance with the order or is in
31 compliance with a plan approved by the district attorney or other
32 public agency enforcing the order for the repayment of the amount
33 owed pursuant to the order; or
- 34 (3) He is subject to a court order for the support of one or
35 more children and is not in compliance with the order or a plan
36 approved by the district attorney or other public agency enforcing
37 the order for the repayment of the amount owed pursuant to the
38 order;
- 39 (b) Include a statement that the application for the issuance or
40 renewal of the license, certificate or permit will be denied if the
41 applicant does not indicate on the statement which of the provisions
42 of paragraph (a) applies to the applicant; and
- 43 (c) Include a space for the signature of the applicant.



1 **Sec. 126.** NRS 425.540 is hereby amended to read as follows:
2 425.540 1. If a master enters a recommendation determining
3 that a person:

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

7 (b) Is in arrears in the payment for the support of one or more
8 children,
9 and the district court issues an order approving the recommendation
10 of the master, the court shall provide a copy of the order to all
11 agencies that issue professional, occupational or recreational
12 licenses, certificates or permits.

13 2. A court order issued pursuant to subsection 1 must provide
14 that if the person named in the order does not, within 30 days after
15 the date on which the order is issued, submit to any agency that has
16 issued a professional, occupational or recreational license, certificate
17 or permit to that person a letter from the district attorney or other
18 public agency stating that the person has complied with the
19 subpoena or warrant or has satisfied the arrearage pursuant to NRS
20 425.560, the professional, occupational or recreational licenses
21 issued to the person by that agency will be automatically suspended.
22 Such an order must not apply to a license, certificate or permit
23 issued by the ~~[Division of Wildlife of the State]~~ Department of
24 ~~[Conservation and Natural Resources]~~ *Wildlife* or the State Land
25 Registrar if that license, certificate or permit expires less than 6
26 months after it is issued.

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

31 (a) If the person has failed to comply with a subpoena or
32 warrant, a copy of the court order and a copy of the subpoena or
33 warrant; or

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

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

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

42 432B.610 1. The Peace Officers' Standards and Training
43 Commission shall:

44 (a) Require each category I peace officer to complete a program
45 of training for the detection and investigation of and response to



1 cases of sexual abuse or sexual exploitation of children under the
2 age of 18 years.

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

6 (c) Establish a program to provide the training required pursuant
7 to paragraph (a).

8 (d) Adopt regulations necessary to carry out the provisions of
9 this section.

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

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

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

15 (c) Marshals, policemen and correctional officers of cities and
16 towns;

17 (d) Members of the Police Department of the University and
18 Community College System of Nevada;

19 (e) Employees of the Division of State Parks of the State
20 Department of Conservation and Natural Resources designated by
21 the Administrator of the Division who exercise police powers
22 specified in NRS 289.260;

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

25 (g) The personnel of the ~~Division of Wildlife of the State~~
26 Department of ~~Conservation and Natural Resources~~ *Wildlife* who
27 exercise those powers of enforcement conferred by title 45 and
28 chapter 488 of NRS.

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

31 445A.615 1. The Director may ~~authorize the Division of~~
32 ~~Wildlife of~~ *issue a permit to* the Department *of Wildlife* to kill fish
33 through the use of toxicants.

34 2. The ~~Director shall~~ *permit must* indicate the terms and
35 conditions under which the use of toxicants may take place.

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

38 445B.200 1. The State Environmental Commission is hereby
39 created within the State Department of Conservation and Natural
40 Resources. The Commission consists of:

41 (a) The ~~Administrator of the Division of Wildlife~~ *Director* of
42 the Department ~~of~~ *of Wildlife;*

43 (b) The State Forester Firewarden;

44 (c) The State Engineer;

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



1 (e) The Administrator of the Division of Minerals of the
2 Commission on Mineral Resources;

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

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

9 2. The Governor shall appoint the Chairman of the
10 Commission from among the members of the Commission.

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

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

17 5. While engaged in the business of the Commission, each
18 member and employee of the Commission is entitled to receive the
19 per diem allowance and travel expenses provided for state officers
20 and employees generally.

21 6. Any person who receives or has received during the
22 previous 2 years a significant portion of his income, as defined by
23 any applicable state or federal law, directly or indirectly from one or
24 more holders of or applicants for a permit required by NRS
25 445A.300 to 445A.730, inclusive, is disqualified from serving as a
26 member of the Commission. The provisions of this subsection do
27 not apply to any person who receives or has received during the
28 previous 2 years, a significant portion of his income from any
29 department or agency of state government which is a holder of or an
30 applicant for a permit required by NRS 445A.300 to 445A.730,
31 inclusive.

32 7. The State Department of Conservation and Natural
33 Resources shall provide technical advice, support and assistance to
34 the Commission. All state officers, departments, commissions and
35 agencies, including the Department of Transportation, the
36 Department of Human Resources, the University and Community
37 College System of Nevada, the State Public Works Board, the
38 Department of Motor Vehicles, the Department of Public Safety, the
39 Public Utilities Commission of Nevada, the Transportation Services
40 Authority and the State Department of Agriculture may also provide
41 technical advice, support and assistance to the Commission.

42 **Sec. 130.** NRS 482.368 is hereby amended to read as follows:

43 482.368 1. Except as otherwise provided in subsection 2, the
44 Department shall provide suitable distinguishing license plates for
45 exempt vehicles. These plates must be displayed on the vehicles in



1 the same manner as provided for privately owned vehicles. The fee
2 for the issuance of the plates is \$5. Any license plates authorized by
3 this section must be immediately returned to the Department when
4 the vehicle for which they were issued ceases to be used exclusively
5 for the purpose for which it was exempted from the governmental
6 services tax.

7 2. License plates furnished for:

8 (a) Those vehicles which are maintained for and used by the
9 Governor or under the authority and direction of the Chief Parole
10 and Probation Officer, the State Contractors' Board and auditors, the
11 State Fire Marshal, the Investigation Division of the Department of
12 Public Safety and any authorized federal law enforcement agency or
13 law enforcement agency from another state;

14 (b) One vehicle used by the Department of Corrections, three
15 vehicles used by the ~~{Division of Wildlife of the State}~~ Department
16 of ~~{Conservation and Natural Resources,}~~ *Wildlife*, two vehicles
17 used by the Caliente Youth Center and four vehicles used by the
18 Nevada Youth Training Center;

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

23 (d) Vehicles maintained for and used by investigators of the
24 following:

- 25 (1) The State Gaming Control Board;
- 26 (2) The State Department of Agriculture;
- 27 (3) The Attorney General;
- 28 (4) City or county juvenile officers;
- 29 (5) District attorneys' offices;
- 30 (6) Public administrators' offices;
- 31 (7) Public guardians' offices;
- 32 (8) Sheriffs' offices;
- 33 (9) Police departments in the State; and
- 34 (10) The Securities Division of the Office of the Secretary of
35 State,

36 must not bear any distinguishing mark which would serve to
37 identify the vehicles as owned by the State, county or city. These
38 license plates must be issued annually for \$12 per plate or, if issued
39 in sets, per set.

40 3. The Director may enter into agreements with departments of
41 motor vehicles of other states providing for exchanges of license
42 plates of regular series for vehicles maintained for and used by
43 investigators of the law enforcement agencies enumerated in
44 paragraph (d) of subsection 2, subject to all of the requirements



1 imposed by that paragraph, except that the fee required by that
2 paragraph must not be charged.

3 4. Applications for the licenses must be made through the head
4 of the department, board, bureau, commission, school district or
5 irrigation district, or through the chairman of the board of county
6 commissioners of the county or town or through the mayor of the
7 city, owning or controlling the vehicles, and no plate or plates may
8 be issued until a certificate has been filed with the Department
9 showing that the name of the department, board, bureau,
10 commission, county, city, town, school district or irrigation district,
11 as the case may be, and the words "For Official Use Only" have
12 been permanently and legibly affixed to each side of the vehicle,
13 except those vehicles enumerated in subsection 2.

14 5. As used in this section, "exempt vehicle" means a vehicle
15 exempt from the governmental services tax, except a vehicle owned
16 by the United States.

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

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

22 488.035 As used in this chapter, unless the context otherwise
23 requires:

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

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

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

28 ~~3.~~ 4. *"Interstate waters of this state" means waters forming*
29 *the boundary between the State of Nevada and an adjoining state.*

30 5. "Legal owner" means a secured party under a security
31 agreement relating to a vessel or a renter or lessor of a vessel to the
32 State or any political subdivision of the State under a lease or an
33 agreement to lease and sell or to rent and purchase which grants
34 possession of the vessel to the lessee for a period of 30 consecutive
35 days or more.

36 ~~4.~~ 6. "Motorboat" means any vessel propelled by machinery,
37 whether or not the machinery is the principal source of propulsion.

38 ~~5.~~ 7. "Operate" means to navigate or otherwise use a
39 motorboat or a vessel.

40 ~~6.~~ 8. "Owner" means:

41 (a) A person having all the incidents of ownership, including the
42 legal title of a vessel, whether or not he lends, rents or pledges the
43 vessel; and

44 (b) A debtor under a security agreement relating to a
45 vessel.



1 “Owner” does not include a person defined as a “legal owner” under
2 subsection ~~3~~ 4.

3 ~~7~~ 9. “Prohibited substance” has the meaning ascribed to it in
4 NRS 484.1245.

5 ~~8~~ 10. “Registered owner” means the person registered by the
6 Commission as the owner of a vessel.

7 ~~9~~ 11. A vessel is “under way” if it is adrift, making way ~~1~~
8 or being propelled, and is not aground, made fast to the shore, or
9 tied or made fast to a dock or mooring.

10 ~~10~~ 12. “Vessel” means every description of watercraft, other
11 than a seaplane on the water, used or capable of being used as a
12 means of transportation on water.

13 ~~11~~ 13. “Waters of this state” means any waters within the
14 territorial limits of this state.

15 **Sec. 132.** NRS 488.065 is hereby amended to read as follows:

16 488.065 1. Every motorboat on the waters of this state must
17 be numbered and titled, except as otherwise provided in subsection
18 4 and NRS 488.175.

19 2. Upon receipt of an original application for a certificate of
20 ownership or for transfer of a certificate of ownership on an
21 undocumented motorboat, the ~~Division of Wildlife of the State~~
22 ~~Department of Conservation and Natural Resources~~ **Department**
23 may assign an appropriate builder’s hull number to the motorboat
24 whenever there is no builder’s number thereon, or when the
25 builder’s number has been destroyed or obliterated. The builder’s
26 number must be permanently marked on an integral part of the hull
27 which is accessible for inspection.

28 3. A person shall not operate or give permission for the
29 operation of any motorboat on the waters of this state unless:

30 (a) The motorboat is numbered in accordance with the
31 provisions of this chapter, with applicable federal law or with the
32 federally approved numbering system of another state;

33 (b) The certificate of number awarded to the motorboat is in
34 effect;

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

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

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

43 **Sec. 133.** NRS 488.075 is hereby amended to read as follows:

44 488.075 1. The owner of each motorboat requiring
45 numbering by this state shall file an application for a number and for



1 a certificate of ownership with the ~~Division of Wildlife of the State~~
2 ~~Department of Conservation and Natural Resources~~ *Department* on
3 forms approved by it accompanied by:

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

8 (b) Such evidence of ownership as the ~~Division of Wildlife~~
9 *Department* may require.

10 The ~~Division of Wildlife~~ *Department* shall not issue a number, a
11 certificate of number or a certificate of ownership until this evidence
12 is presented to it.

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

18	
19	Less than 13 feet..... \$10
20	13 feet or more but less than 18 feet 15
21	18 feet or more but less than 22 feet 30
22	22 feet or more but less than 26 feet 45
23	26 feet or more but less than 31 feet 60
24	31 feet or more 75
25	

26 Except as otherwise provided in this subsection, all fees received by
27 the ~~Division of Wildlife~~ *Department* under the provisions of this
28 chapter must be deposited in the Wildlife Account in the State
29 General Fund and may be expended only for the administration and
30 enforcement of the provisions of this chapter. On or before
31 December 31 of each year, the ~~Division of Wildlife~~ *Department*
32 shall deposit with the respective county school districts 50 percent
33 of each fee collected according to the motorboat's length for every
34 motorboat registered from their respective counties. Upon receipt of
35 the application in approved form, the ~~Division of Wildlife~~
36 *Department* shall enter the application upon the records of its office
37 and issue to the applicant a certificate of number stating the number
38 awarded to the motorboat, a certificate of ownership stating the
39 same information and the name and address of the registered owner
40 and the legal owner.

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



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

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

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

14 **Sec. 134.** NRS 488.078 is hereby amended to read as follows:

15 488.078 The ~~{Division of Wildlife of the State Department of~~
16 ~~Conservation and Natural Resources}~~ *Department* shall, upon
17 request of the Welfare Division of the Department of Human
18 Resources, submit to the Welfare Division the name, address and
19 social security number of each person who has been issued a
20 certificate of number or a validation decal and any pertinent changes
21 in that information.

22 **Sec. 135.** NRS 488.105 is hereby amended to read as follows:

23 488.105 If an agency of the United States Government has in
24 force an overall system of identification numbering for motorboats
25 within the United States, the numbering system employed pursuant
26 to the provisions of this chapter by the ~~{Division of Wildlife of the~~
27 ~~State Department of Conservation and Natural Resources}~~
28 *Department* must be in conformity therewith.

29 **Sec. 136.** NRS 488.115 is hereby amended to read as follows:

30 488.115 1. The ~~{Division of Wildlife of the State Department~~
31 ~~of Conservation and Natural Resources}~~ *Department* may award
32 any certificate of number directly or may authorize any person to act
33 as *an* agent for the awarding thereof. If a person accepts the
34 authorization, he may be assigned a block of numbers and
35 certificates therefor which upon award, in conformity with the
36 provisions of this chapter and with any regulations of the
37 Commission, is valid as if awarded directly by the ~~{Division of~~
38 ~~Wildlife.}~~ *Department*. At the time an agent forwards the money
39 collected to the ~~{Division of Wildlife}~~ *Department* he may retain 50
40 cents per certificate of number.

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

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

44 488.135 The ~~{Division of Wildlife of the State Department of~~
45 ~~Conservation and Natural Resources}~~ *Department* shall fix a day



1 and month of the year on which certificates of number due to expire
2 during the calendar year lapse unless renewed pursuant to the
3 provisions of this chapter.

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

5 488.145 1. The owner shall furnish the ~~{Division of Wildlife~~
6 ~~of the State Department of Conservation and Natural Resources}~~
7 *Department* notice of the destruction or abandonment of any
8 motorboat numbered under this chapter, within 10 days thereof.

9 2. Such destruction or abandonment terminates the certificate
10 of number for the motorboat.

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

12 488.155 1. Any holder of a certificate of number and a
13 certificate of ownership shall notify the ~~{Division of Wildlife of the~~
14 ~~State Department of Conservation and Natural Resources}~~
15 *Department*, within 10 days, if his address no longer conforms to
16 the address appearing on the certificates and shall, as a part of the
17 notification, furnish the ~~{Division of Wildlife}~~ *Department* with his
18 new address.

19 2. The Commission may provide in its regulations for the
20 surrender of the certificates bearing the former address and its
21 replacement with new certificates bearing the new address or for the
22 alteration of outstanding certificates to show the new address of the
23 holder.

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

25 488.171 1. A person shall not:

26 (a) Intentionally deface, destroy, remove or alter any hull
27 number required for a vessel without written authorization from the
28 ~~{Division of Wildlife of the State Department of Conservation and~~
29 ~~Natural Resources;}~~ *Department*; or

30 (b) Place or stamp any serial number upon a vessel except a
31 number assigned to the vessel by the ~~{Division of Wildlife.}~~
32 *Department*.

33 2. This section does not prohibit:

34 (a) The restoration of the original hull number by an owner of a
35 vessel when the restoration is authorized by the ~~{Division of~~
36 ~~Wildlife.}~~ *Department*; or

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

39 3. The ~~{Division of Wildlife}~~ *Department* shall, upon request,
40 assign a hull number to any handmade vessel.

41 4. Any person who violates subsection 1 is guilty of a gross
42 misdemeanor.



1 **Sec. 141.** NRS 488.175 is hereby amended to read as follows:
2 488.175 1. Except as otherwise provided in subsection 2, a
3 motorboat need not be numbered pursuant to the provisions of this
4 chapter if it is:

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

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

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

14 (d) A ship's lifeboat.

15 (e) A motorboat belonging to a class of boats which has been
16 exempted from numbering by the ~~Division of Wildlife of the State~~
17 ~~Department of Conservation and Natural Resources~~ **Department**
18 after the ~~Division~~ **Department** has found:

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

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

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

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

32 **Sec. 142.** NRS 488.1793 is hereby amended to read as
33 follows:

34 488.1793 Except as otherwise provided for the creation or
35 transfer of a security interest, no transfer of title to or any interest in
36 any motorboat required to be numbered under this chapter is
37 effective until one of the following conditions is fulfilled:

38 1. The transferor has properly endorsed and delivered the
39 certificate of ownership and has delivered the certificate of number
40 to the transferee as provided in this chapter, and the transferee has,
41 within the prescribed time, delivered the documents to the ~~Division~~
42 ~~of Wildlife of the State Department of Conservation and Natural~~
43 ~~Resources~~ **Department** or placed them in the United States mail
44 addressed to the ~~Division of Wildlife~~ **Department** with the transfer
45 fee.



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

5 **Sec. 143.** NRS 488.1795 is hereby amended to read as
6 follows:

7 488.1795 Upon receipt of a properly endorsed certificate of
8 ownership and the certificate of number of any motorboat, the
9 transferee shall within 10 days file the certificates , accompanied by
10 a fee of \$5 , with the ~~Division of Wildlife of the State Department~~
11 ~~of Conservation and Natural Resources~~ *Department* and thereby
12 make application for a new certificate of ownership and a new
13 certificate of number.

14 **Sec. 144.** NRS 488.1797 is hereby amended to read as
15 follows:

16 488.1797 1. Before the issuance of any certificate of
17 ownership, the ~~Division of Wildlife of the State Department of~~
18 ~~Conservation and Natural Resources~~ *Department* shall obtain a
19 statement in writing signed by the transferee or transferor, showing:

20 (a) The date of the sale or other transfer of ownership of the
21 motorboat.

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

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

24 2. Upon receipt of the properly endorsed certificate of
25 ownership, the certificate of number , and the required fee and
26 statement of information, the ~~Division of Wildlife~~ *Department*
27 shall issue a new certificate of ownership and a new certificate of
28 number to the transferee. The previous number may be reassigned to
29 the transferee.

30 **Sec. 145.** NRS 488.1801 is hereby amended to read as
31 follows:

32 488.1801 Any owner of any motorboat numbered under this
33 chapter who sells or transfers his title or any interest in the
34 motorboat shall within 10 days notify the ~~Division of Wildlife of~~
35 ~~the State Department of Conservation and Natural Resources~~
36 *Department* of the sale or transfer and furnish the following
37 information:

38 1. The name and address of the legal owner and transferee; and

39 2. Such description of the motorboat as may be required by the
40 ~~Division of Wildlife.~~ *Department.*

41 **Sec. 146.** NRS 488.1803 is hereby amended to read as
42 follows:

43 488.1803 Any dealer upon transferring by sale, lease or
44 otherwise any motorboat, whether new or used, required to be
45 numbered under this chapter, shall give written notice of the transfer



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1 to the ~~[Division of Wildlife of the State Department of Conservation~~
2 ~~and Natural Resources]~~ *Department* upon an appropriate form
3 provided by it. The notice must be given within 3 days after the sale,
4 but a dealer need not give the notice when selling or transferring a
5 new unnumbered motorboat to another dealer.

6 **Sec. 147.** NRS 488.1813 is hereby amended to read as
7 follows:

8 488.1813 1. If a certificate of ownership is lost, stolen,
9 damaged or mutilated, an application for transfer may be made upon
10 a form provided by the ~~[Division of Wildlife of the State~~
11 ~~Department of Conservation and Natural Resources]~~ *Department*
12 for a duplicate certificate of ownership. The transferor shall write
13 his signature and address in the appropriate spaces provided upon
14 the application and file it together with the proper fees for *a*
15 duplicate certificate of ownership and transfer.

16 2. The ~~[Division of Wildlife]~~ *Department* may receive the
17 application and examine into the circumstances of the case and may
18 require the filing of affidavits or other information, and when the
19 ~~[Division of Wildlife]~~ *Department* is satisfied that the applicant is
20 entitled to a transfer of ownership, it may transfer the ownership of
21 the motorboat, and issue a new certificate of ownership ~~[]~~ and
22 certificate of number to the person found to be entitled thereto.

23 **Sec. 148.** NRS 488.1823 is hereby amended to read as
24 follows:

25 488.1823 1. No security interest in any motorboat required to
26 be numbered under this chapter, whether the number was awarded
27 before or after the creation of the security interest, is perfected until
28 the secured party or his successor or assignee has deposited with the
29 ~~[Division of Wildlife of the State Department of Conservation and~~
30 ~~Natural Resources]~~ *Department* a properly endorsed certificate of
31 ownership to the motorboat subject to the security interest.

32 2. The certificate must show the secured party as legal owner if
33 the motorboat is then numbered under this chapter, or if not so
34 numbered, the registered owner shall file an initial application for a
35 certificate of number and for a certificate of ownership and the
36 certificate of ownership issued thereunder must contain the name
37 and address of the legal owner.

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

42 **Sec. 149.** NRS 488.1826 is hereby amended to read as
43 follows:

44 488.1826 1. If the ~~[Division of Wildlife of the State~~
45 ~~Department of Conservation and Natural Resources]~~ *Department*



1 receives a copy of a court order issued pursuant to NRS 425.540 that
2 provides for the suspension of all professional, occupational and
3 recreational licenses, certificates and permits issued to a person who
4 has been issued a certificate of number or a validation decal, the
5 ~~Division of Wildlife~~ *Department* shall deem the certificate of
6 number or validation decal issued to that person to be suspended at
7 the end of the 30th day after the date on which the court order was
8 issued unless the ~~Division of Wildlife~~ *Department* receives a letter
9 issued by the district attorney or other public agency pursuant to
10 NRS 425.550 to the person who has been issued the certificate of
11 number or validation decal stating that the person has complied with
12 the subpoena or warrant or has satisfied the arrearage pursuant to
13 NRS 425.560.

14 2. The ~~Division of Wildlife~~ *Department* shall reinstate a
15 certificate of number or validation decal that has been suspended by
16 a district court pursuant to NRS 425.540 if the ~~Division of~~
17 ~~Wildlife~~ *Department* receives a letter issued by the district attorney
18 or other public agency pursuant to NRS 425.550 to the person
19 whose certificate of number or validation decal was suspended
20 stating that the person whose certificate of number or validation
21 decal was suspended has complied with the subpoena or warrant or
22 has satisfied the arrearage pursuant to NRS 425.560.

23 **Sec. 150.** NRS 488.1827 is hereby amended to read as
24 follows:

25 488.1827 The ~~Division of Wildlife of the State Department of~~
26 ~~Conservation and Natural Resources~~ *Department* may suspend or
27 revoke any certificate of ownership, certificate of number or number
28 of any motorboat if it is satisfied that any such certificate or number
29 was fraudulently obtained, or that the appropriate fee was not paid.

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

31 488.195 1. The exhaust of every internal combustion engine
32 used on any motorboat must be effectively muffled by equipment so
33 constructed and used as to muffle the noise of the exhaust in a
34 reasonable manner.

35 2. The use of cutouts is prohibited.

36 3. Subsections 1 and 2 do not apply to:

37 (a) Motorboats competing in a regatta or boat race approved as
38 provided in NRS 488.305;

39 (b) Such motorboats while on trial runs between the hours of 9
40 a.m. and 5 p.m. and during a period not to exceed 48 hours
41 immediately preceding the regatta or boat race;

42 (c) Such motorboats while competing in official trials for speed
43 records during a period not to exceed 48 hours immediately
44 following the regatta or boat race; or



1 (d) Any motorboat operating under a separate permit issued by
2 the ~~Division of Wildlife of the State Department of Conservation~~
3 ~~and Natural Resources~~ **Department** for tuning engines, making test
4 or trial runs or competing in official trials for speed records other
5 than in connection with regattas or boat races.

6 4. The ~~Division of Wildlife~~ **Department** shall issue permits
7 for the purposes enumerated in paragraph (a) of subsection 3, under
8 such conditions and restrictions as the Commission determines
9 necessary to prevent a public nuisance and to assure the public
10 safety. The Commission may adopt regulations to carry out the
11 provisions of this subsection.

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

13 488.197 1. No vessel may be equipped with nor shall any
14 person use or install upon a vessel a siren, except as otherwise
15 provided in this chapter.

16 2. Any authorized emergency vessel, when approved by the
17 ~~Division of Wildlife of the State Department of Conservation and~~
18 ~~Natural Resources~~ **Department**, may be equipped with a siren
19 capable of sound audible under normal conditions from a distance of
20 not less than 500 feet, but the siren must not be used except if the
21 vessel is operated in response to an emergency call or in the
22 immediate pursuit of an actual or suspected violator of the law, in
23 which event the operator of the vessel shall sound the siren when
24 necessary to warn persons of the approach thereof.

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

26 488.259 1. Except as otherwise provided in NRS 488.263, a
27 person shall not place any mooring buoy in any waters of this state,
28 other than the Lake Mead National Recreation Area, without a
29 permit issued by:

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

32 (b) The ~~Division of Wildlife of the State Department of~~
33 ~~Conservation and Natural Resources~~ **Department**, if the mooring
34 buoy is to be placed in any other waters.

35 2. The Division of State Lands shall transmit a copy of each
36 application for a permit for the placement of a mooring buoy in the
37 navigable waters of this state to the ~~Division of Wildlife~~
38 **Department** as soon as practicable after receipt.

39 3. Upon receipt of such a copy, the ~~Division of Wildlife~~
40 **Department** shall review the application to determine whether the
41 placement of the buoy is in the best interests of the State. To
42 determine whether the placement of a mooring buoy is in the best
43 interests of the State, the ~~Division of Wildlife~~ **Department** may
44 consider the likelihood that the buoy will:

45 (a) Interfere with navigation.



- 1 (b) Become a hazard to persons or wildlife.
- 2 (c) Have any other detrimental effect on the body of water in
- 3 which it is placed.

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

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

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

15 488.261 1. The ~~{Division of Wildlife of the State Department~~
16 ~~of Conservation and Natural Resources}~~ *Department* may issue to
17 any person a permit to place a mooring buoy in the nonnavigable
18 waters of this state. The ~~{Division of Wildlife}~~ *Department* shall
19 charge and collect a fee in the amount set by the Commission for
20 each permit issued pursuant to this subsection. Unless suspended or
21 revoked by the ~~{Division of Wildlife,}~~ *Department*, a permit issued
22 pursuant to this subsection is valid through December 31 of the year
23 in which it is issued. Such a permit may be renewed annually by
24 paying the fee set by the Commission on or before January 1 of each
25 year.

26 2. The ~~{Division of Wildlife}~~ *Department* may issue a permit
27 for the temporary placement of a buoy, other than a navigational aid,
28 for practice courses or marine events. The ~~{Division of Wildlife}~~
29 *Department* shall charge and collect a fee in the amount set by the
30 Commission for each permit issued pursuant to this subsection.
31 Unless suspended or revoked by the ~~{Division of Wildlife,}~~
32 *Department*, a permit issued pursuant to this subsection is valid for
33 the period indicated on the face of the permit which must not exceed
34 6 months.

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

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

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

42 4. The Commission may:

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



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

4 5. The ~~[Division of Wildlife]~~ *Department* is responsible for the
5 enforcement of the laws of this state governing mooring buoys and
6 may:

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

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

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

12 (b) Remove any mooring buoy determined to be unlawfully
13 placed.

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

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

19 488.285 1. Except as otherwise provided in subsection 2:

20 (a) A person shall not moor any vessel to any buoy or
21 navigational aid placed in any waterway by authority of the United
22 States or any other governmental authority, or in any manner attach
23 a vessel to any such buoy or navigational aid.

24 (b) A person shall not place, move, remove, destroy or tamper
25 with any buoy or other navigational aid without written
26 authorization from the ~~[Division of Wildlife of the State Department
27 of Conservation and Natural Resources.]~~ *Department*.

28 2. The provisions of subsection 1 do not apply to mooring
29 buoys.

30 3. A person who violates a provision of subsection 1 shall be
31 punished:

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

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

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

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

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

42 488.291 1. A person shall not abandon a vessel upon a public
43 waterway or public or private property without the consent of the
44 owner or person in lawful possession or control of the property.



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

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

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

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

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

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

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

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

29 488.293 1. A peace officer may attempt to identify the
30 registered owner of a vessel abandoned on private property by
31 inspection of the vessel and any trailer to which it is attached and
32 may supply the information to the property owner. The property
33 owner must declare by affidavit the reasons why he believes the
34 property to be abandoned. The property owner must give 5 days'
35 notice to the last registered owner before causing the removal of the
36 vessel. If the last registered owner is unknown or cannot be notified,
37 the vessel may immediately be removed to a secure location
38 designated by a peace officer.

39 2. A peace officer shall, within 48 hours after directing the
40 removal of an abandoned vessel on a public waterway or public or
41 private property, notify the ~~[Division of Wildlife of the State~~
42 ~~Department of Conservation and Natural Resources]~~ *Department* of
43 the status of the vessel.

44 3. A law enforcement agency that has custody of an abandoned
45 vessel shall, if the agency knows or can reasonably discover the



1 name and address of the owner of the vessel or any person who
2 holds a security interest in the vessel, notify the owner or the holder
3 of the security interest of the location of the vessel and the method
4 by which the vessel may be claimed. The notice must be sent by
5 certified or registered mail.

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

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

11 (b) Upon the conviction of the person who committed the
12 offense; or

13 (c) If the case is otherwise terminated.

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

18 6. If all recorded interests in a vessel are waived, as provided in
19 subsection 5 or by written disclaimer, the ~~Division of Wildlife~~
20 *Department* may issue a certificate of ownership to the law
21 enforcement agency that has custody of the vessel. If necessary, the
22 ~~Division of Wildlife~~ *Department* may assign a hull number to the
23 vessel. This subsection does not preclude the subsequent return of a
24 vessel, or any component part thereof, by a law enforcement agency
25 to the registered owner of the vessel upon presentation by the
26 registered owner of satisfactory proof of ownership.

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

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

33 (b) Destroys the vessel, the law enforcement agency shall,
34 within 10 days, give notice of the destruction of the vessel to the
35 ~~Division of Wildlife~~ *Department*.

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

37 488.305 1. The ~~Division of Wildlife of the State Department~~
38 ~~of Conservation and Natural Resources~~ *Department* may authorize
39 the holding of regattas, motorboat or other boat races, marine
40 parades, tournaments or exhibitions on any waters of this state. The
41 Commission shall adopt regulations concerning the safety of
42 motorboats and other vessels and persons thereon, either observers
43 or participants.

44 2. At least 30 days before a regatta, motorboat or other boat
45 race, marine parade, tournament or exhibition is proposed to be



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1 held, the person in charge thereof must file an application with the
2 ~~[Division of Wildlife]~~ *Department* for permission to hold the
3 regatta, motorboat or other boat race, marine parade, tournament or
4 exhibition. No such event may be conducted without the written
5 authorization of the ~~[Division of Wildlife.]~~ *Department*.

6 3. The ~~[Administrator]~~ *Director* of the ~~[Division of Wildlife]~~
7 *Department* may require an applicant, or the sponsor of the event, as
8 a condition of the approval of a regatta, motorboat or other boat
9 race, marine parade, tournament or exhibition, to enter into an
10 agreement to reimburse the ~~[Division]~~ *Department* for expenses
11 incurred by the ~~[Division]~~ *Department* to ensure that the event is
12 conducted safely, including, without limitation, expenses for
13 equipment used, expenses for personnel and general operating
14 expenses.

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

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

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

24 488.320 1. A person shall not maintain or operate upon the
25 waters of this state any vessel which is equipped with a marine
26 sanitation device unless the device is approved by the United States
27 Coast Guard and:

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

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

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

34 3. The Commission shall adopt regulations:

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

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

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

41 (a) Is guilty of a misdemeanor; and

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

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



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

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

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

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

14 (c) "Sewage" means wastes from the human body and wastes
15 from toilets or other receptacles, including marine sanitation
16 devices, designed to receive or retain wastes from the human body.

17 (d) "Vessel" includes any watercraft or structure floating on the
18 water, whether or not capable of self-locomotion, including
19 houseboats, barges and similar structures.

20 **Sec. 160.** NRS 488.550 is hereby amended to read as follows:

21 488.550 1. The operator of a vessel involved in a collision,
22 accident or other casualty shall, so far as he can do so without
23 serious danger to his own vessel, crew and passengers, render to
24 other persons affected by the casualty such assistance as may be
25 practicable and as may be necessary to save them from or minimize
26 any danger caused by the casualty, and shall give his name, address
27 and the identification of his vessel in writing to any person injured
28 and to the owner of any property damaged in the casualty.

29 2. In the case of collision, accident or other casualty involving
30 a vessel, the operator thereof, if the casualty results in death or
31 injury to a person or damage to property in excess of \$500, shall file
32 with the ~~[Division of Wildlife of the State Department of~~
33 ~~Conservation and Natural Resources] Department~~ a full description
34 of the casualty, including, without limitation, such information as
35 the Commission may, by regulation, require.

36 3. Upon receipt of a claim under a policy of insurance with
37 respect to a collision, accident or other casualty for which a report is
38 required by subsection 2, the insurer shall provide written notice to
39 the insured of his responsibility pursuant to subsection 2 to file with
40 the ~~[Division of Wildlife] Department~~ a full description of the
41 casualty.

42 4. Upon receipt of a request for repair with respect to a
43 collision, accident or other casualty for which a report is required by
44 subsection 2, the person who repairs the vessel shall provide written
45 notice to the person requesting the repairs of the requirement set



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1 forth in subsection 2 that the operator file with the ~~Division of~~
2 ~~Wildlife~~ *Department* a full description of the casualty.

3 5. The insurer and the person who repairs a vessel shall
4 transmit a copy of each notice they provide pursuant to subsections
5 3 and 4, respectively, to the ~~Division of Wildlife~~ *Department*
6 at the same time the notice is provided to the insured or person
7 requesting the repairs.

8 6. The ~~Division of Wildlife~~ *Department* shall investigate or
9 cause to be investigated a collision, accident or other casualty
10 involving a vessel which results in death or substantial bodily injury
11 and shall gather evidence to be used in the prosecution of a person
12 charged with violating a law in connection with the collision,
13 accident or other casualty. The ~~Division of Wildlife~~ *Department*
14 may investigate or cause to be investigated a collision, accident or
15 other casualty involving a vessel which does not result in death or
16 substantial bodily injury and may gather evidence to be used in the
17 prosecution of a person charged with violating a law in connection
18 with the collision, accident or other casualty.

19 **Sec. 161.** NRS 488.560 is hereby amended to read as follows:

20 488.560 In accordance with any request made by an authorized
21 official or agency of the United States, any information compiled or
22 otherwise available to the ~~Division of Wildlife of the State~~
23 ~~Department of Conservation and Natural Resources~~ *Department*
24 pursuant to NRS 488.550 must be transmitted to the official or
25 agency of the United States.

26 **Sec. 162.** NRS 488.740 is hereby amended to read as follows:

27 488.740 1. The ~~Division~~ *Department* shall certify persons
28 to provide, in cooperation with the ~~Division,~~ *Department,*
29 instruction in safe boating approved by the National Association of
30 State Boating Law Administrators. All persons who successfully
31 complete the course must be issued a certificate evidencing
32 successful completion.

33 2. The ~~Division~~ *Department* may offer the courses in
34 cooperation with organizations that provide education in safe
35 boating, including, without limitation, the United States Coast
36 Guard Auxiliary and the United States Power Squadrons.

37 3. The ~~Division~~ *Department* shall maintain a list, available
38 for public inspection, of the availability of courses in safe boating
39 and any instructors who are certified pursuant to subsection 1.

40 **Sec. 163.** NRS 488.750 is hereby amended to read as follows:

41 488.750 1. A person born on or after January 1, 1983, who is
42 a resident of this state and who possesses a certificate that evidences
43 his successful:

44 (a) Completion of a course in safe boating that is approved by
45 the National Association of State Boating Law Administrators,



1 including, without limitation, courses offered pursuant to NRS
2 488.740 and courses offered by the United States Coast Guard
3 Auxiliary or the United States Power Squadrons; or

4 (b) Passage of a proficiency examination that was proctored and
5 tests the knowledge of the information included in the curriculum of
6 such a course,

7 shall submit or cause to be submitted a copy of the certificate to the
8 ~~Division. The Division~~ *Department. The Department* may request
9 additional information necessary for the ~~Division~~ *Department*
10 to maintain the database pursuant to subsection 2.

11 2. The ~~Division~~ *Department* shall establish and maintain a
12 database of certificates that it receives pursuant to subsection 1. The
13 database must include, without limitation, the:

14 (a) Name, date of birth and gender of the holder of the
15 certificate;

16 (b) Date, location and name of the course that the holder of the
17 certificate completed or the examination that he passed; and

18 (c) Number on the certificate.

19 **Sec. 164.** NRS 488.900 is hereby amended to read as follows:

20 488.900 1. Every game warden, sheriff and other peace
21 officer of this state and its political subdivisions shall enforce the
22 provisions of this chapter and may stop and board any vessel subject
23 to the provisions of this chapter.

24 2. Any vessel located upon the waters of this state is subject to
25 inspection by the ~~Division of Wildlife of the State Department of~~
26 ~~Conservation and Natural Resources~~ *Department* or any lawfully
27 designated agent or inspector thereof at any time to determine
28 whether the vessel is equipped in compliance with the provisions of
29 this chapter.

30 3. Any vessel located upon the waters of this state is subject to
31 inspection by the Division of Environmental Protection of the State
32 Department of Conservation and Natural Resources or any lawfully
33 designated agent or inspector thereof at any time to determine
34 whether the vessel is equipped in compliance with the provisions of
35 NRS 488.320. As used in this subsection, "vessel" includes any
36 watercraft or structure floating on the water, whether or not capable
37 of self-locomotion, including houseboats, barges and similar
38 structures.

39 **Sec. 165.** NRS 528.053 is hereby amended to read as follows:

40 528.053 1. No felling of trees, skidding, rigging or
41 construction of tractor or truck roads or landings, or the operation of
42 vehicles, may take place within 200 feet, measured on the slope,
43 of the high water mark of any lake, reservoir, stream or other body
44 of water unless a variance is first obtained from a committee
45 composed of the State Forester Firewarden, the ~~Administrator~~



1 *Director* of the ~~[Division of Wildlife of the State]~~ Department of
2 ~~[Conservation and Natural Resources]~~ *Wildlife* and the State
3 Engineer.

4 2. The committee may grant a variance authorizing any of the
5 activities prohibited by subsection 1 within a 200-foot buffer area if
6 the committee determines that the goals of conserving forest
7 resources and achieving forest regeneration, preserving watersheds,
8 reaching or maintaining water quality standards adopted by federal
9 and state law, continuing water flows, preserving and providing for
10 the propagation of fish life and stream habitat and preventing
11 significant soil erosion will not be compromised.

12 3. In acting on a request for such variances , the committee
13 shall consider the following factors:

14 (a) The extent to which such requested activity is consistent with
15 good forestry management for the harvesting of timber;

16 (b) The extent to which such requested activity significantly
17 impedes or interrupts the natural volume and flow of water;

18 (c) The extent to which such requested activity significantly
19 affects a continuation of the natural quality of the water pursuant to
20 state and federal water quality standards;

21 (d) The extent to which such requested activity is consistent
22 with the prevention of significant soil erosion;

23 (e) The extent to which such requested activity may
24 significantly obstruct fish passage, cause sedimentation in fish
25 spawning areas, infringe on feeding and nursing areas and cause
26 variations of water temperatures; and

27 (f) The filtration of sediment-laden water as a consequence of
28 timber harvesting on adjacent slopes.

29 **Sec. 166.** NRS 534A.070 is hereby amended to read as
30 follows:

31 534A.070 1. The Administrator of the Division of Minerals
32 of the Commission on Mineral Resources shall approve or reject an
33 application for a permit to drill an exploratory well within 10 days
34 after he receives the application in proper form. The permit must not
35 be effective for more than 2 years, but may be extended by the
36 Administrator.

37 2. Upon receipt of an application for a permit to drill or operate
38 a geothermal well, the Administrator of the Division of Minerals
39 shall transmit copies of the application to the State Engineer, the
40 Administrator of the Division of Environmental Protection of
41 the State Department of Conservation and Natural Resources , and
42 the ~~[Administrator]~~ *Director* of the ~~[Division of Wildlife of the~~
43 ~~State]~~ Department of ~~[Conservation and Natural Resources.]~~
44 *Wildlife*. After consultation with the State Engineer , *the*
45 *Administrator of the Division of Environmental Protection*, and



1 ~~[each of the Administrators,]~~ *the Director of the Department of*
2 *Wildlife*, the Administrator of the Division of Minerals may issue a
3 permit to drill or operate a geothermal well if it is determined that
4 issuance of a permit is consistent with:

- 5 (a) The policies specified in NRS 445A.305 and 445B.100;
- 6 (b) The purposes of chapters 533 and 534 of NRS; and
- 7 (c) The purposes specified in chapter 501 of NRS.

8 3. The Administrator of the Division of Minerals shall approve
9 or reject the application to drill or operate a geothermal well within
10 90 days after he receives it in proper form, unless it is determined
11 that a conflict exists pursuant to subsection 2 or a public hearing is
12 necessary pursuant to subsection 4. Notice of the conflict or need for
13 a public hearing must be provided to the applicant within the 90-day
14 period.

15 4. The State Engineer and the Administrator of the Division of
16 Minerals may hold public hearings jointly or separately to gather
17 such evidence or information as they deem necessary for a full
18 understanding of all the rights involved and to guard properly the
19 public interest.

20 5. A permit issued pursuant to this section must include any
21 conditions:

- 22 (a) Deemed necessary by the Administrator of the Division of
23 Minerals to carry out the purposes of this section; and
- 24 (b) Imposed by the State Engineer consistent with the provisions
25 of chapters 533 and 534 of NRS.

26 **Sec. 167.** NRS 535.060 is hereby amended to read as follows:

27 535.060 1. On any stream system and its tributaries in this
28 state the distribution of the waters of which are vested in the State
29 Engineer by law or the final decree of court, where beaver, by the
30 construction of dams or otherwise, are found to be interfering with
31 the lawful and necessary distribution of water to the proper users
32 thereof, the State Engineer, upon complaint of any interested water
33 user, shall investigate or cause the investigation of the matter.

34 2. The State Engineer and his assistants and water
35 commissioners and the ~~[Division of Wildlife of the State]~~
36 Department of ~~[Conservation and Natural Resources]~~ *Wildlife* and
37 its agents may enter upon privately owned lands for the purposes of
38 investigating the conditions complained of and the removal and
39 trapping of beaver.

40 3. If satisfied that such beaver are interfering with the flow of
41 water to the detriment of water users, the State Engineer shall serve
42 a written notice on the owner of the land, if it is privately owned,
43 stating:

- 44 (a) That the beaver thereon are interfering with or stopping the
45 flow of water necessary for the proper serving of water rights; and



1 (b) That unless, within 10 days from receipt of the notice,
2 written objection to the removal of such beaver is filed with the
3 State Engineer by the landowner, the ~~[Division of Wildlife of the~~
4 ~~State]~~ Department of ~~[Conservation and Natural Resources]~~ *Wildlife*
5 will remove such beaver or as many thereof as will rectify the
6 existing conditions.

7 4. Failure of the landowner to file such written objections shall
8 be deemed a waiver thereof. Upon receipt of written objections, the
9 State Engineer may make further investigation and may sustain or
10 overrule the objections as the facts warrant. Upon the overruling of
11 the objections, the landowner may have them reviewed by the
12 district court having jurisdiction of the land by filing therein a
13 petition for review within 10 days from the receipt of the order of
14 the State Engineer overruling the objections. The proceedings on the
15 petition must be informal and heard by the court at the earliest
16 possible moment.

17 5. Upon the landowner's waiver of objections to the removal of
18 beaver from his land, or upon final determination by the court that
19 the beaver should be removed, the State Engineer shall immediately
20 notify the ~~[Division of Wildlife]~~ *Department of Wildlife* of the
21 waiver or determination and the ~~[Division]~~ *Department* or its agents
22 shall enter upon the land from which the beaver are to be removed
23 and remove them or as many as may be necessary to prevent the
24 improper flow of water as directed by the State Engineer.

25 6. The State Engineer may remove or cause the removal of any
26 beaver dam found to be obstructing the proper and necessary flow of
27 water to the detriment of water users.

28 **Sec. 168.** NRS 561.301 is hereby amended to read as follows:

29 561.301 Aquatic agriculture, which includes the propagation,
30 cultivation and harvesting of plants indigenous to water in a
31 controlled or selected aquatic environment for the commercial
32 production of food, is one of the agricultural enterprises conducted
33 in this state. The Department shall promote, protect and regulate
34 aquatic agriculture to the extent that the Department is authorized to
35 regulate other forms of agriculture and other agricultural products.
36 The Department shall confer with the ~~[Division of Wildlife of the~~
37 ~~State]~~ Department of ~~[Conservation and Natural Resources]~~ *Wildlife*
38 regarding aquatic agriculture to prevent any adverse effects on
39 existing aquatic animals.

40 **Sec. 169.** NRS 571.120 is hereby amended to read as follows:

41 571.120 1. The Department shall do all things necessary for
42 the control and eradication of infectious, contagious or parasitic
43 diseases of livestock.

44 2. The Director shall cooperate with the ~~[Administrator]~~
45 *Director* of the ~~[Division of Wildlife of the State]~~ Department of



1 ~~Conservation and Natural Resources~~ *Wildlife* in a program to
2 prevent the spread of communicable diseases in livestock and
3 wildlife in this state.

4 3. As used in this section, "wildlife" has the meaning ascribed
5 to it in NRS 501.097.

6 **Sec. 170.** NRS 576.129 is hereby amended to read as follows:

7 576.129 1. It is unlawful for any person to import, possess or
8 propagate any alternative livestock unless he first obtains from the
9 State Board of Agriculture a permit that authorizes him to do so.

10 2. The State Board of Agriculture shall adopt regulations for
11 the importation, possession and propagation of alternative livestock.
12 The regulations must set forth requirements for:

13 (a) Facilities used to confine alternative livestock, including
14 minimum requirements for fencing to prevent the escape of
15 alternative livestock.

16 (b) The genetic testing of alternative livestock.

17 (c) Keeping and maintaining records related to the importation,
18 transfer, possession and propagation of alternative livestock.

19 (d) Identifying and marking alternative livestock.

20 (e) Marketing alternative livestock.

21 (f) The filing of any bonds which may be required by the State
22 Board of Agriculture.

23 3. In adopting the regulations required by subsection 2, the
24 State Board of Agriculture shall consult with the ~~Division of~~
25 ~~Wildlife of the State~~ Department of ~~Conservation and Natural~~
26 ~~Resources~~ *Wildlife* and the Board of Wildlife Commissioners
27 concerning the provisions that are necessary to protect wildlife in
28 this state and in the areas designated as areas of special concern by
29 the Board of Wildlife Commissioners pursuant to NRS 501.181.

30 4. The State Board of Agriculture shall establish by regulation
31 a schedule of fees required to be paid for a permit issued pursuant to
32 this section. The fees established must not exceed the approximate
33 cost to the Board of carrying out the provisions of this section.

34 **Sec. 171.** NRS 576.131 is hereby amended to read as follows:

35 576.131 1. An owner of alternative livestock may request
36 assistance from the *State* Department ~~the Division of Wildlife of~~
37 ~~the State~~ *of Agriculture, the* Department of ~~Conservation and~~
38 ~~Natural Resources~~ *Wildlife* and local law enforcement agencies to
39 recapture any alternative livestock that has escaped from
40 confinement.

41 2. Any alternative livestock that is recaptured may be
42 impounded at a suitable facility until sufficient repairs or
43 improvements are made to the owner's facility to ensure that the
44 escape of the alternative livestock does not recur.

45 3. The owner of the alternative livestock is liable for:



- 1 (a) The costs incurred by the *State* Department ~~[, the Division of~~
2 ~~Wildlife of the State]~~ *of Agriculture, the* Department of
3 ~~[Conservation and Natural Resources]~~ *Wildlife* and any local law
4 enforcement agency to recapture the alternative livestock;
5 (b) The costs of impounding the alternative livestock; and
6 (c) Any damages caused by the alternative livestock during the
7 escape.
8 **Sec. 172.** NRS 232.138, 488.700, 488.710, 488.720, 501.002
9 and 501.027 are hereby repealed.
10 **Sec. 173.** The Legislative Counsel shall:
11 1. In preparing the reprint and supplements to the Nevada
12 Revised Statutes, with respect to any section that is not amended by
13 this act or is further amended by another act, appropriately change
14 any reference to:
15 (a) "Division of Wildlife" to "Department of Wildlife"; and
16 (b) Any other agency or any officer whose name is changed or
17 whose responsibilities have been transferred pursuant to the
18 provisions of this act to refer to the appropriate agency or officer.
19 2. In preparing supplements to the Nevada Administrative
20 Code, appropriately change any reference to:
21 (a) "Division of Wildlife" to "Department of Wildlife"; and
22 (b) Any other agency or any officer whose name is changed or
23 whose responsibilities have been transferred pursuant to the
24 provisions of this act to refer to the appropriate agency or officer.
25 **Sec. 174.** This act becomes effective on July 1, 2003.

LEADLINES OF REPEALED SECTIONS

- 232.138 Division of Wildlife: Composition; appointment of Administrator.**
488.700 Definitions.
488.710 "Division" defined.
488.720 "Interstate waters of the State" defined.
501.002 "Administrator" defined.
501.027 "Division" defined.

