
ASSEMBLY BILL NO. 72—COMMITTEE ON NATURAL RESOURCES,
AGRICULTURE, AND MINING

(ON BEHALF OF THE BOARD OF WILDLIFE COMMISSIONERS)

FEBRUARY 10, 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 45-477)

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; requiring
approval of the proposed budget of the Department by the
Board of Wildlife Commissioners; and providing other
matters properly relating thereto.

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

- 1 **Section 1.** Chapter 501 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.
3 **Sec. 2.** *As used in this title, “Department” means the*
4 *Department of Wildlife.*
5 **Sec. 3.** *As used in this title, “Director” means the Director of*
6 *the Department.*
7 **Sec. 4.** NRS 501.047 is hereby amended to read as follows:
8 501.047 As used in this title, “game warden” means any person
9 authorized by the ~~[Administrator]~~ *Director* to enforce the provisions
10 of this title and of chapter 488 of NRS.



* A B 7 2 *

1 **Sec. 5.** NRS 501.119 is hereby amended to read as follows:
2 501.119 1. The ~~{Division}~~ *Department* is authorized to
3 determine methods of obtaining necessary data from hunters,
4 trappers and fishermen relative to their activities and success.
5 2. The methods may include return of reports attached to
6 licenses and tags or questionnaires addressed to license holders.
7 3. Failure to return such a report or questionnaire within the
8 period specified by regulation of the Commission or the submission
9 of any false statement thereon is cause for the Commission to:

- 10 (a) Deny the person the right to acquire any license provided
11 under this title for a period of 1 year; or
12 (b) Levy an administrative fine of \$50 against the person.
13 4. Any statement made on such a report or questionnaire may
14 not be the basis for prosecution for any indicated violations of other
15 sections of this title.

16 **Sec. 6.** NRS 501.181 is hereby amended to read as follows:
17 501.181 The Commission shall:

- 18 1. Establish broad policies for:
19 (a) The protection, propagation, restoration, transplanting,
20 introduction and management of wildlife in this state.
21 (b) The promotion of the safety of persons using or property
22 used in the operation of vessels on the waters of this state.
23 (c) The promotion of uniformity of laws relating to policy
24 matters.
25 2. Guide the ~~{Division}~~ *Department* in its administration and
26 enforcement of the provisions of this title and of chapter 488 of
27 NRS by the establishment of such policies.
28 3. Establish policies for areas of interest including:
29 (a) The management of big and small game mammals, upland
30 and migratory game birds, fur-bearing mammals, game fish,
31 and protected and unprotected mammals, birds, fish, reptiles and
32 amphibians.
33 (b) The control of wildlife depredations.
34 (c) The acquisition of lands, water rights and easements
35 and other property for the management, propagation, protection and
36 restoration of wildlife.
37 (d) The entry, access to, and occupancy and use of such
38 property, including leases of grazing rights, sales of agricultural
39 products and requests by the ~~{Administrator}~~ *Director* to the State
40 Land Registrar for the sale of timber if the sale does not interfere
41 with the use of the property on which the timber is located for
42 wildlife management or for hunting or fishing thereon.
43 (e) The control of nonresident hunters.
44 (f) The introduction, transplanting or exporting of wildlife.



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

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

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

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

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

26 (c) The delineation of game management units embracing
27 contiguous territory located in more than one county, irrespective of
28 county boundary lines.

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

32 5. Adopt regulations requiring the ~~Division~~ *Department* to
33 make public, before official delivery, its proposed responses to any
34 requests by federal agencies for its comment on drafts of statements
35 concerning the environmental effect of proposed actions or
36 regulations affecting public lands.

37 6. Adopt regulations:

38 (a) Governing the provisions of the permit required by NRS
39 502.390 and for the issuance, renewal and revocation of such a
40 permit.

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

44 7. Designate those portions of wildlife management areas for
45 big game mammals that are of special concern for the regulation of



1 the importation, possession and propagation of alternative livestock
2 pursuant to NRS 576.129.

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

4 501.1812 As used in NRS 501.1812 to 501.1818, inclusive,
5 unless the context otherwise requires:

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

8 (a) Recreational hunting or fishing; or

9 (b) Taking fur-bearing mammals, trapping unprotected
10 mammals or selling raw furs for profit.

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

13 3. "Wildlife conviction" means a conviction obtained in any
14 court of competent jurisdiction in this state, including, without
15 limitation, a conviction obtained upon a plea of nolo contendere or
16 upon a forfeiture of bail not vacated in any such court, for a
17 violation of:

18 (a) A provision of this title or any regulation adopted pursuant to
19 this title other than a provision of NRS 502.370, 502.390, 503.185,
20 503.310 or 504.295 to 504.390, inclusive; or

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

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

25 501.1814 1. The Commission shall establish and the
26 ~~Division~~ *Department* shall administer and enforce a system of
27 assessing demerit points for wildlife convictions. The system must
28 be uniform in its operation.

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

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

43 501.1816 1. If a person accumulates 6 or more demerit
44 points, but less than 12, the ~~Division~~ *Department* shall notify him
45 of that fact by certified mail. If, after the ~~Division~~ *Department*



1 mails the notice, the person presents proof to the ~~[Division]~~
2 *Department* that he has, after his most recent wildlife conviction,
3 successfully completed a course of instruction in the responsibilities
4 of hunters approved by the ~~[Division, the Division]~~ *Department, the*
5 *Department* shall deduct 4 demerit points from his record. A person
6 may attend a course of instruction in the responsibilities of hunters
7 only once in 60 months for the purpose of reducing his demerit
8 points.

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

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

19 4. Any person who receives the notice required by subsection 3
20 may submit to the ~~[Division]~~ *Department* a written request for a
21 hearing before the Commission not later than 30 days after the
22 receipt of the notice. If a written request for a hearing is received by
23 the ~~[Division:]~~ *Department:*

24 (a) The suspension or revocation of the license, permit or
25 privilege is stayed until a determination is made by the Commission
26 after the hearing.

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

29 5. The periods of suspension or revocation imposed pursuant to
30 this section must run concurrently. No license, permit or privilege
31 may be suspended or revoked pursuant to this section for more than
32 3 years.

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

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

41 501.1817 Any person whose license, permit or privilege has
42 been suspended or revoked by the ~~[Division]~~ *Department* pursuant
43 to NRS 501.1816 is entitled to judicial review of the decision in the
44 manner provided by chapter 233B of NRS.



1 **Sec. 11.** NRS 501.243 is hereby amended to read as follows:
2 501.243 1. The ~~{Division}~~ *Department* shall execute,
3 administer and enforce , and perform the functions and duties
4 provided in chapter 488 of NRS.

5 2. The Commission has the power and authority to:
6 (a) Promulgate rules and regulations governing the use of waters
7 for recreational purposes, which waters are open to the public and
8 are not under the direct control of any other state or federal agency
9 for recreational use.
10 (b) Enter into cooperative agreements with federal, state and
11 county agencies having regulatory powers pertaining to the use of
12 public waters for recreational purposes for the purpose of
13 coordinating such rules and regulations.

14 **Sec. 12.** NRS 501.310 is hereby amended to read as follows:
15 501.310 There is hereby created in each of the counties of this
16 state a fund for the advisory board. The fund must be kept in the
17 county treasury, and all money received from the ~~{Division}~~
18 *Department* must be placed in the fund.

19 **Sec. 13.** NRS 501.320 is hereby amended to read as follows:
20 501.320 1. Annually, not later than May 1, each board shall
21 prepare a budget for the period ending June 30 of the following
22 year, setting forth in detail its proposed expenditures for carrying
23 out its duties as specified in this title within its county, and submit
24 the budget to the Commission accompanied by a statement of the
25 previous year's expenditures, certified by the county auditor.

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

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

36 **Sec. 14.** NRS 501.331 is hereby amended to read as follows:
37 501.331 There is hereby created the ~~{Division of Wildlife of~~
38 ~~the State}~~ Department of ~~{Conservation and Natural Resources,}~~
39 *Wildlife* which shall administer the wildlife laws of this state and
40 chapter 488 of NRS.

41 **Sec. 15.** NRS 501.333 is hereby amended to read as follows:
42 501.333 1. From among three or more nominees of the
43 Commission, the ~~{Director of the State Department of Conservation~~
44 ~~and Natural Resources}~~ *Governor* shall appoint ~~{an Administrator}~~ a
45 *Director* of the ~~{Division,}~~ *Department*, who is its Chief



- 1 Administrative Officer. The ~~{Administrator}~~ *Director* serves at the
2 pleasure of the ~~{director.}~~ *Governor*.
- 3 2. The ~~{Director}~~ *Governor* shall select as ~~{Administrator}~~
4 *Director* a person having an academic degree in the management of
5 wildlife or a closely related field, substantial experience in the
6 management of wildlife and a demonstrated ability to administer ~~{a~~
7 ~~division of}~~ a major public agency.
- 8 3. The ~~{Administrator}~~ *Director* is in the unclassified service of
9 the State.
- 10 **Sec. 16.** NRS 501.337 is hereby amended to read as follows:
11 501.337 The ~~{Administrator}~~ *Director* shall:
- 12 1. Carry out the policies and regulations of the Commission.
- 13 2. Direct and supervise all administrative and operational
14 activities of the ~~{Division.}~~ *Department*, and all programs
15 administered by the ~~{Division}~~ *Department* as provided by law.
16 Except as otherwise provided in NRS 284.143, the ~~{Administrator}~~
17 *Director* shall devote his entire time to the duties of his office and
18 shall not follow any other gainful employment or occupation.
- 19 3. Within such limitations as may be provided by law, organize
20 the ~~{Division}~~ *Department* and, from time to time with the consent
21 of the Commission, *may* alter the organization. The ~~{Administrator}~~
22 *Director* shall reassign responsibilities and duties as he may deem
23 appropriate.
- 24 4. Appoint or remove such technical, clerical and operational
25 staff as the execution of his duties and the operation of the
26 ~~{Division}~~ *Department* may require, and all those employees are
27 responsible to him for the proper carrying out of the duties and
28 responsibilities of their respective positions. The ~~{Administrator}~~
29 *Director* shall designate a number of employees as game wardens
30 and provide for their training.
- 31 5. Submit technical and other reports to the Commission as
32 may be necessary or as may be requested, which will enable the
33 Commission to establish policy and regulations.
- 34 6. Prepare the biennial budget of the ~~{Division}~~ *Department*
35 consistent with the provisions of this title and chapter 488 of NRS
36 and submit it to the Commission for its review and ~~{comment.}~~
37 *approval before being submitted to the Chief of the Budget*
38 *Division of the Department of Administration pursuant to*
39 *NRS 353.210.*
- 40 7. Administer real property assigned to the ~~{Division.}~~
41 *Department*.
- 42 8. Maintain full control, by proper methods and inventories, of
43 all personal property of the State acquired and held for the purposes
44 contemplated by this title and by chapter 488 of NRS.
- 45 9. Act as nonvoting Secretary to the Commission.



1 **Sec. 17.** NRS 501.339 is hereby amended to read as follows:
2 501.339 The ~~{Administrator}~~ *Director* may:
3 1. In cases of emergency, with the prior approval of the
4 Governor, exercise the powers of the Commission until such time as
5 the Commission meets or the emergency ends.
6 2. Designate an employee or employees of the ~~{Division}~~
7 ~~Department~~ to act as his deputy or deputies. In the ~~{Administrator's}~~
8 ~~Director's~~ absence or inability to discharge the powers and duties of
9 his office, the powers and duties devolve upon his deputy or
10 deputies.
11 3. Designate persons outside the ~~{Division}~~ *Department* as
12 game wardens if, in his opinion, the need for such designations
13 exists.

14 **Sec. 18.** NRS 501.341 is hereby amended to read as follows:
15 501.341 The headquarters of the ~~{Division}~~ *Department* must
16 be maintained at such a location in the State, and other offices may
17 be established throughout the State in such number and location, as
18 will, in the opinion of the ~~{Administrator}~~ *Director* and *the*
19 Commission, provide an efficient ~~{divisional}~~ *departmental*
20 operation.

21 **Sec. 19.** NRS 501.343 is hereby amended to read as follows:
22 501.343 The ~~{Division}~~ *Department* may:
23 1. Collect and disseminate, throughout the State, information
24 calculated to educate and benefit the people of the State regarding
25 wildlife and boating, and information pertaining to any program
26 administered by the ~~{Division.}~~ *Department.*
27 2. Publish wildlife journals and other official publications, for
28 which a specific charge may be made, such charge to be determined
29 by the Commission, with the proceeds to be deposited in the
30 Wildlife Account within the State General Fund. No charge may be
31 made for any publication required by a regulation of the
32 Commission.

33 **Sec. 20.** NRS 501.349 is hereby amended to read as follows:
34 501.349 Regular employees and others designated by the
35 ~~{Administrator}~~ *Director* as game wardens shall enforce all
36 provisions of this title and of chapter 488 of NRS.

37 **Sec. 21.** NRS 501.351 is hereby amended to read as follows:
38 501.351 1. The ~~{Administrator}~~ *Director* may enter into
39 cooperative or reciprocal agreements with the Federal Government
40 or any agency thereof, any other state or any agency thereof, any
41 other agency of this state, any county or other political subdivision
42 of this state, to the extent permitted by the provisions of chapter 277
43 of NRS, any public or private corporation, or any person, in
44 accordance with and for the purpose of carrying out the policy of the
45 Commission.



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

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

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

21 **Sec. 24.** NRS 501.356 is hereby amended to read as follows:

22 501.356 1. Money received by the ~~Division~~ *Department*
23 from:

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

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

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



1 4. Except as otherwise provided in NRS 502.250, 502.310 and
2 504.155, all fees for the sale or issuance of stamps, tags, permits and
3 licenses that are required to be deposited in the Wildlife Account
4 pursuant to the provisions of this title must be accounted for
5 separately and may be used only for the management of wildlife.

6 **Sec. 25.** NRS 501.3575 is hereby amended to read as follows:

7 501.3575 1. The Wildlife Heritage Trust Account is hereby
8 created in the State General Fund. The money in the Account must
9 be used by the ~~[Division]~~ *Department* as provided in this section for
10 the protection, propagation, restoration, transplantation, introduction
11 and management of any game fish, game mammal, game bird or fur-
12 bearing mammal in this state.

13 2. Except as otherwise provided in NRS 502.250, money
14 received by the ~~[Division]~~ *Department* from:

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

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

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

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

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

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

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

32 501.359 1. The Wildlife Imprest Account in the amount of
33 \$15,000 is hereby created for the use of the ~~[Division,]~~ *Department,*
34 subject to the following conditions:

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

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

44 2. The Wildlife Imprest Account may be used to pay for
45 postage, C.O.D. packages, travel or other minor expenses which are



1 proper as claims for payment from the Wildlife Account in the State
2 General Fund.

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

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

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

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

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

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

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

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

34 501.385 Except as otherwise provided by specific statute:

35 1. Any person who:

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

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

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

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



1 (e) Having been granted a privilege or been licensed or
2 permitted to do any act under the provisions of this title,
3 exercises the grant, license or permit in a manner other than as
4 specified,
5 is guilty of a misdemeanor.

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

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

11 501.3855 1. In addition to the penalties provided for the
12 violation of any of the provisions of this title, every person who
13 unlawfully kills or possesses a big game mammal, bobcat, swan or
14 eagle is liable for a civil penalty of not less than \$250 nor more than
15 \$5,000.

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

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

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

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

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

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

35 501.389 1. Except for property described in NRS 501.3857,
36 equipment:

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

38 (b) Not recovered by the owner within 1 year from the date of
39 seizure,

40 becomes the property of the ~~[Division.]~~ *Department.*

41 2. The ~~[Division]~~ *Department* shall either sell such equipment
42 in accordance with the regulations adopted pursuant to subsection 5
43 of NRS 333.220 or retain such equipment for authorized use by the
44 ~~[Division.]~~ *Department.* All money received from such sales must



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

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

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

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

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

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

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

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

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

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

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

32 (1) Was domiciled in this state;

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

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

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

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

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



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

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

6 502.020 The ~~{Division}~~ *Department* shall prepare the licenses
7 for hunting, fishing and trapping, and shall deliver such licenses to
8 agents for sale to the public.

9 **Sec. 37.** NRS 502.030 is hereby amended to read as follows:

10 502.030 1. Licenses granting the privilege to hunt, fish or
11 trap as provided in this title must be of such a form as is deemed
12 necessary by the ~~{Division}~~ *Department*, but must include the
13 following information:

- 14 (a) The holder's name, address and description.
- 15 (b) The date issued.
- 16 (c) The period of validity.
- 17 (d) The correct designation as to whether a fishing, hunting or
18 trapping license.

19 (e) A statement to be signed by the holder: "I, the signator
20 holder in signing this license, hereby state that I am entitled to this
21 license under the laws of the State of Nevada and that no false
22 statement has been made by me to obtain this license."

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

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

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

36 **Sec. 38.** NRS 502.035 is hereby amended to read as follows:

37 502.035 Licenses, stamps and permits granting the privilege to
38 hunt, fish or trap during the open season as provided in this title
39 must be issued by the ~~{Division}~~ *Department*, upon payment of the
40 fees required under this title.

41 **Sec. 39.** NRS 502.040 is hereby amended to read as follows:

42 502.040 1. The Commission shall adopt regulations
43 regarding:

- 44 (a) The standards to be met by license agents in the performance
45 of their duties;



1 (b) The requirements for the furnishing of surety bonds by
2 license agents;

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

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

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

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

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

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

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

31 (b) Ten cents for each stamp.

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

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

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

44 502.063 The ~~[Division]~~ *Department* shall, upon request of the
45 Welfare Division of the Department of Human Resources, submit to



1 the Welfare Division the name, address and social security number
2 of each person who holds a license or permit to hunt, fish or trap
3 that does not expire less than 6 months after it is issued, or a license
4 to practice commercial taxidermy, and any pertinent changes in that
5 information.

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

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

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

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

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

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

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

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

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

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

43 2. Is issued pursuant and subject to regulations prescribed by
44 the Commission.

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



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



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

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

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

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

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

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

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

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

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

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

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

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

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

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



- 1 (3) The total number of elk; and
2 (4) Limiting the number of special incentive elk tags issued
3 in each calendar year to not more than one-half of the bull elk tags
4 issued in that calendar year,
5 within the actual elk use area in the unit or units of the management
6 area or areas in which the private land is located.
7 (e) Provide that special incentive elk tags are valid for both
8 sexes of elk.
9 (f) Prohibit a person who has, within a particular calendar year,
10 applied for or received compensation pursuant to NRS 504.165 as
11 reimbursement for damage caused by elk to private land from
12 applying, within the same calendar year, for a special incentive elk
13 tag for the same private land.
14 (g) Allow a group of owners, lessees and managers of private
15 land to qualify for a special incentive elk tag for their combined
16 lands.
17 (h) Ensure that the issuance of special incentive elk tags will not
18 result in the number of bull elk tags issued in any year being
19 reduced to a number below the quota for bull elk tags established by
20 the Commission for 1997.
21 (i) Provide that a person to whom a special incentive elk tag is
22 issued by the Commission pursuant to this section may:
23 (1) If he holds a valid hunting license issued by this state, use
24 the special incentive elk tag himself; or
25 (2) Sell the special incentive elk tag to another person who
26 holds a valid hunting license issued by this state at any price upon
27 which the parties mutually agree.
28 (j) Require that a person who is issued a special incentive elk tag
29 must hunt:
30 (1) During the open season for elk.
31 (2) In the unit or units within the management area or areas
32 in which the private land is located.
33 (k) Provide for the appointment of an arbitration panel to resolve
34 disputes between persons who apply for special incentive elk tags
35 and the ~~Division~~ *Department* regarding the issuance of such tags.
36 2. As used in this section, "actual elk use area" means an area
37 in which elk live, as identified and designated by the ~~Division~~
38 *Department*.
39 **Sec. 47.** NRS 502.143 is hereby amended to read as follows:
40 502.143 1. The Commission may adopt regulations
41 establishing a program pursuant to which the ~~Division~~ *Department*
42 may issue special incentive deer tags to owners, lessees and
43 managers of private land in this state for use on the private land of
44 such owners, lessees or managers.
45 2. The regulations must:



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



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

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

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

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

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

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

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

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

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

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

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

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



1 **Sec. 50.** NRS 502.148 is hereby amended to read as follows:
2 502.148 1. Except as otherwise provided in this subsection,
3 any person who wishes to apply for a restricted nonresident deer tag
4 pursuant to NRS 502.147 must complete an application on a form
5 prescribed and furnished by the ~~Division~~ *Department*. A licensed
6 master guide may complete the application for an applicant. The
7 application must be signed by the applicant and the master guide
8 who will be responsible for conducting the restricted nonresident
9 deer hunt.
10 2. The application must be accompanied by a fee for the tag of
11 \$300, plus any other fees which the ~~Division~~ *Department* may
12 require. The Commission shall establish the time limits and
13 acceptable methods for submitting such applications to the
14 ~~Division~~ *Department*.
15 3. Any application for a restricted nonresident deer tag which
16 contains an error or omission must be rejected and the fee for the tag
17 returned to the applicant.
18 4. A person who is issued a restricted nonresident deer tag is
19 not eligible to apply for any other deer tag issued in this state for the
20 same hunting season as that restricted nonresident deer hunt.
21 5. All fees collected pursuant to this section must be deposited
22 with the State Treasurer for credit to the Wildlife Account in the
23 State General Fund.
24 **Sec. 51.** NRS 502.160 is hereby amended to read as follows:
25 502.160 1. The ~~Division~~ *Department* shall designate the
26 form of the tag, requiring such numbering or other manner of
27 identification as is necessary to designate the name or hunting
28 license number of the person to whom it is issued. Each tag must
29 show the game for which it may be used, the year ~~[-]~~ and, whenever
30 necessary, the management area in which it may be used.
31 2. The Commission may adopt any regulations necessary
32 relative to the manner of qualifying and applying for, using,
33 completing, attaching, filling out, punching, inspecting, validating
34 or reporting such tags. It is unlawful for any person to fail to abide
35 by any such regulation.
36 **Sec. 52.** NRS 502.175 is hereby amended to read as follows:
37 502.175 1. The ~~Division~~ *Department* shall contract with a
38 private entity to conduct a drawing and to award and issue the tags
39 for a special season. The drawing must be conducted using a
40 computer program that awards tags based on a random order of
41 selection. The contract must provide for the acquisition by the
42 ~~Division~~ *Department* of the ownership of the computer program at
43 the end of the term of the contract. The ~~Division~~ *Department* shall
44 solicit bids for the contract pursuant to the provisions of chapter 333
45 of NRS.



1 2. The ~~Division~~ *Department* shall:
2 (a) Provide to the private entity to whom a contract is awarded
3 pursuant to the provisions of subsection 1 any applications for tags,
4 documents or other information required by the private entity to
5 conduct the drawing; and

6 (b) Otherwise cooperate with the private entity in conducting
7 the drawing.

8 3. As soon as practicable after the drawing is completed, the
9 private entity shall submit the results of the drawing to the
10 ~~Division~~ *Department*.

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

16 5. The Commission shall adopt regulations necessary to carry
17 out the provisions of this section, including regulations that
18 prescribe the manner in which the ~~Division~~ *Department* must
19 conduct a drawing specified in subsection 1 if no private entity
20 qualifies for the awarding of the contract.

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

22 502.210 A duplicate tag may not be issued except as follows:

23 1. Upon receiving an affidavit of an applicant that a tag
24 previously issued has been lost or destroyed and upon payment of a
25 fee of \$5, the ~~Division~~ *Department* shall issue a duplicate tag to
26 the applicant.

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

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

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

35 502.215 1. If any person who possesses a tag to hunt a big
36 game mammal kills an animal that is believed to be diseased and
37 unfit for human consumption, he shall place his tag on the carcass in
38 the manner provided by law or regulation and provide the whole
39 carcass for inspection by an authorized representative of the
40 ~~Division~~ *Department* or, at his own expense, by a veterinarian
41 licensed to practice in Nevada. Except as otherwise provided in this
42 subsection, the holder of the tag who provides the carcass for such
43 an inspection is entitled, if the carcass is diseased and unfit for
44 human consumption, to receive at no charge another tag as a
45 replacement for the one he placed on the carcass pursuant to this



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

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

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

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

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

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

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

20 4. The Commission shall adopt by regulation:

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

38 **Sec. 57.** NRS 502.245 is hereby amended to read as follows:
39 502.245 1. The ~~Division~~ *Department* shall issue any
40 hunting or fishing license or combined hunting and fishing license
41 authorized under the provisions of this chapter, upon proof
42 satisfactory of the requisite facts and payment of the applicable fee,
43 to any person who has resided in this state:
44 (a) For the 6-month period immediately preceding the date of
45 his application for a license and:



- 1 (1) Has a severe physical disability; or
- 2 (2) Has attained his 12th birthday but has not attained his
- 3 16th birthday; or
- 4 (b) Continuously for 5 years immediately preceding the date of
- 5 this application for a license and is 65 years of age or older.

6 2. The ~~Division~~ *Department* shall charge and collect for

7 such a:

8

9	Hunting license.....	\$4
10	Fishing license.....	4
11	Combined hunting and fishing license.....	7

12

13 3. For the purposes of this section, “severe physical disability”

14 means a physical disability which materially limits the person’s

15 ability to engage in gainful employment.

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

17 502.250 1. Except as otherwise provided in this section, the

18 following fees must be charged for tags:

19

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

27

28 2. Other resident big game tags for special seasons must not

29 exceed \$50. Other nonresident big game tags for special seasons

30 must not exceed \$1,000.

31 3. Tags determined to be necessary by the Commission for

32 other species pursuant to NRS 502.130 must not exceed \$100.

33 4. A fee not to exceed \$10 may be charged for processing an

34 application for a tag other than an elk tag. A fee of not less than \$5

35 but not more than \$15 must be charged for processing an application

36 for an elk tag, \$5 of which must be deposited with the State

37 Treasurer for credit to the Wildlife Account in the State General

38 Fund and used for the prevention and mitigation of damage caused

39 by elk or game mammals not native to this state.

40 5. The Commission may accept sealed bids for or auction not

41 more than 15 big game tags and not more than 5 wild turkey tags

42 each year. To reimburse the ~~Division~~ *Department* for the cost of

43 managing wildlife and administering and conducting the bid or

44 auction, not more than 18 percent of the total amount of money

45 received from the bid or auction may be deposited with the State



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

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

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

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

23 502.253 1. In addition to any fee charged and collected
24 pursuant to NRS 502.250, a fee of \$3 must be charged for
25 processing each application for a game tag, the revenue from which
26 must be accounted for separately, deposited with the State Treasurer
27 for credit to the Wildlife Account in the State General Fund and
28 used by the ~~{Division}~~ *Department* for costs related to:

29 (a) Programs for the management and control of injurious
30 predatory wildlife;

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

29 (b) Is fishing:

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

30 502.390 1. Any:

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

36 (b) Operator of a mining operation which develops or maintains
37 an artificial body of water containing chemicals directly associated
38 with the processing of ore,
39 must first obtain a permit from the ~~Division~~ *Department*
40 authorizing the development or maintenance of the body of water.

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



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

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

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

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

17 6. As used in this section:

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

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

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

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

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

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

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

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

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



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

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

7 5. Nothing in this section deprives a meat or game processor of
8 any remedy at law available to a creditor against a debtor for the
9 recovery of any money or other legal consideration owing from the
10 owner of the game to the meat or game processor for such
11 processing or storage.

12 **Sec. 73.** NRS 503.040 is hereby amended to read as follows:

13 503.040 1. Except as otherwise provided in this section, it is
14 unlawful for any person at any time to transport or offer for
15 transportation to any place within or outside of this state any game
16 mammal, raw furs, wild mammal taken by trapping, game bird or
17 game fish taken within this state.

18 2. Any person who has legally taken any game mammal, raw
19 furs, wild mammal taken by trapping, game bird or game fish within
20 this state may use his hunting license, trapping license or fishing
21 license or tag or stamp, when required, as a permit to transport one
22 possession limit to points within or outside the State.

23 3. Any person who legally acquires ownership or custody of
24 any game mammal, raw furs, wild mammal taken by trapping, game
25 bird or game fish not taken by him through hunting, trapping or
26 fishing may transport such mammal, furs, bird or fish within the
27 State without a transportation permit if such shipment does not
28 exceed one possession limit and if such shipment is labeled with the
29 name, address, number and class of license of the hunter, trapper or
30 fisherman who legally took such mammal, furs, bird or fish and date
31 taken, if the mammal, furs, bird or fish is not required by law or
32 regulation to be tagged. Unless otherwise permitted by a regulation
33 of the Commission, when tagged shipments are involved, a
34 transportation permit is required as provided in this section.

35 4. Any other person who desires to transport any game
36 mammal, raw furs, wild mammal taken by trapping, game fish or
37 game bird to a point within or without the State may do so only
38 under the authority of a transportation permit as provided in this
39 section.

40 5. The ~~Division~~ *Department* shall designate the form of the
41 transportation permit and such permits may be issued for a fee of \$1
42 by any game warden or other such persons as may be specifically
43 designated by the ~~Division~~ *Department*. The person legally in
44 possession of the game mammals, raw furs, wild mammals taken by
45 trapping, game birds or game fish to be transported must appear



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

19 3. It is unlawful for any person to:

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

9 2. The regulations must contain:

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

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

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

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

26 3. The regulations must:

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

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

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

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

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



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

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

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

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

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

21 2. The owner or possessor of such wildlife:

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

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

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

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

31 504.295 1. Except as otherwise provided in this section and
32 NRS 503.590, or unless otherwise specified by a regulation adopted
33 by the Commission, no person may:

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

17 **Sec. 109.** NRS 504.360 is hereby amended to read as follows:
18 504.360 Every licensee of a commercial or private shooting
19 preserve under this chapter shall keep records and make an annual
20 report to the ~~Division~~ *Department* of the number of birds released
21 and the number of birds killed on the preserve. The report must be
22 verified by the affidavit of the licensee or his agent. The record must
23 be continuous and kept on the premises described in the application
24 for license, and the licensee shall allow any person authorized to
25 enforce the provisions of this title to enter such premises and inspect
26 his operations and records at all reasonable hours.

27 **Sec. 110.** NRS 504.390 is hereby amended to read as follows:
28 504.390 1. As used in this section, unless the context requires
29 otherwise, "guide" means to assist another person in hunting wild
30 mammals or wild birds and fishing and includes the transporting of
31 another person or his equipment to hunting and fishing locations
32 within a general hunting and fishing area whether or not the guide
33 determines the destination or course of travel.

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

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



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

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

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

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

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

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

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

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

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

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



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

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

14 **Sec. 113.** NRS 505.025 is hereby amended to read as follows:
15 505.025 The ~~{Division}~~ *Department* shall, upon request of the
16 Welfare Division of the Department of Human Resources, submit to
17 the Welfare Division the name, address and social security number
18 of each person who holds a fur dealer's license and any pertinent
19 changes in that information.

20 **Sec. 114.** NRS 505.035 is hereby amended to read as follows:
21 505.035 1. If the ~~{Division}~~ *Department* receives a copy of a
22 court order issued pursuant to NRS 425.540 that provides for the
23 suspension of all professional, occupational and recreational
24 licenses, certificates and permits issued to a person who is the
25 holder of a fur dealer's license, the ~~{Division}~~ *Department* shall
26 deem the license issued to that person to be suspended at the end of
27 the 30th day after the date on which the court order was issued
28 unless the ~~{Division}~~ *Department* receives a letter issued to the
29 holder of the license by the district attorney or other public agency
30 pursuant to NRS 425.550 stating that the holder of the license has
31 complied with the subpoena or warrant or has satisfied the arrearage
32 pursuant to NRS 425.560.

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

40 **Sec. 115.** NRS 506.020 is hereby amended to read as follows:
41 506.020 The ~~{Administrator of the Division of Wildlife of the~~
42 ~~State Department of Conservation and Natural Resources}~~ *Director*
43 shall appoint a person to serve on the Board of Compact
44 Administrators as the Compact Administrator for this state as



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

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

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

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

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

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

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

- 45 (a) The Court Administrator;



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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

3 **Sec. 123.** NRS 365.535 is hereby amended to read as follows:
4 365.535 1. It is declared to be the policy of the State of
5 Nevada to apply the tax on motor vehicle fuel paid on fuel used in
6 watercraft for recreational purposes during each calendar year,
7 which is hereby declared to be not refundable to the consumer, for
8 the:

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

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

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

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

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

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

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

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



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

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

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

17 **Sec. 124.** NRS 425.500 is hereby amended to read as follows:
18 425.500 As used in NRS 425.500 to 425.560, inclusive, unless
19 the context otherwise requires, "agency that issues a professional,
20 occupational or recreational license, certificate or permit" means the
21 ~~{Division of Wildlife of the State}~~ Department of ~~{Conservation and~~
22 ~~Natural Resources}~~ *Wildlife* and any officer, agency, board or
23 commission of this state which is prohibited by specific statute from
24 issuing or renewing a license, certificate or permit unless the
25 applicant for the issuance or renewal of that license, certificate or
26 permit submits to the officer, agency, board or commission the
27 statement prescribed by the ~~{Welfare}~~ Division pursuant to
28 NRS 425.520.

29 **Sec. 125.** NRS 425.520 is hereby amended to read as follows:
30 425.520 1. The ~~{Welfare}~~ Division shall prescribe, by
31 regulation, a statement which must be submitted to an agency that
32 issues a professional, occupational or recreational license, certificate
33 or permit, other than the ~~{Division of Wildlife of the State}~~
34 Department of ~~{Conservation and Natural Resources,}~~ *Wildlife*, by
35 an applicant for the issuance or renewal of such a license, certificate
36 or permit.

37 2. The statement prescribed pursuant to subsection 1 must:
38 (a) Provide the applicant with an opportunity to indicate that:
39 (1) He is not subject to a court order for the support of a
40 child;
41 (2) He is subject to a court order for the support of one or
42 more children and is in compliance with the order or is in
43 compliance with a plan approved by the district attorney or other
44 public agency enforcing the order for the repayment of the amount
45 owed pursuant to the order; or



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

8 (b) The State Forester Firewarden;

9 (c) The State Engineer;

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

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

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

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

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

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

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

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

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

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



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

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

17 2. License plates furnished for:

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

13 "Owner" does not include a person defined as a "legal owner" under
14 subsection ~~[3.]~~ 4.

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

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

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

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

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

27 **Sec. 132.** NRS 488.065 is hereby amended to read as follows:
28 488.065 1. Every motorboat on the waters of this state must
29 be numbered and titled, except as otherwise provided in subsection
30 4 and NRS 488.175.

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

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



1 (b) The certificate of number awarded to the motorboat is in
2 effect;

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

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

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

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

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

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

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

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

31		
32	Less than 13 feet.....	\$10
33	13 feet or more but less than 18 feet	15
34	18 feet or more but less than 22 feet	30
35	22 feet or more but less than 26 feet	45
36	26 feet or more but less than 31 feet	60
37	31 feet or more	75
38		

39 Except as otherwise provided in this subsection, all fees received by
40 the ~~Division of Wildlife~~ *Department* under the provisions of this
41 chapter must be deposited in the Wildlife Account in the State
42 General Fund and may be expended only for the administration and
43 enforcement of the provisions of this chapter. On or before
44 December 31 of each year, the ~~Division of Wildlife~~ *Department*
45 shall deposit with the respective county school districts 50 percent



* A B 7 2 *

1 of each fee collected according to the motorboat's length for every
2 motorboat registered from their respective counties. Upon receipt of
3 the application in approved form, the ~~{Division of Wildlife}~~
4 *Department* shall enter the application upon the records of its office
5 and issue to the applicant a certificate of number stating the number
6 awarded to the motorboat, a certificate of ownership stating the
7 same information and the name and address of the registered owner
8 and the legal owner.

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

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

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

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

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

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

42 **Sec. 136.** NRS 488.115 is hereby amended to read as follows:
43 488.115 1. The ~~{Division of Wildlife of the State Department~~
44 ~~of Conservation and Natural Resources}~~ *Department* may award
45 any certificate of number directly or may authorize any person to act



1 as *an* agent for the awarding thereof. If a person accepts the
2 authorization, he may be assigned a block of numbers and
3 certificates therefor which upon award, in conformity with the
4 provisions of this chapter and with any regulations of the
5 Commission, is valid as if awarded directly by the ~~{Division of
6 Wildlife;} Department~~. At the time an agent forwards the money
7 collected to the ~~{Division of Wildlife} Department~~ he may retain 50
8 cents per certificate of number.

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

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

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

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

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

22 2. Such destruction or abandonment terminates the certificate
23 of number for the motorboat.

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

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

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

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

38 488.171 1. A person shall not:

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

43 (b) Place or stamp any serial number upon a vessel except a
44 number assigned to the vessel by the ~~{Division of Wildlife} Department~~.
45



- 1 2. This section does not prohibit:
2 (a) The restoration of the original hull number by an owner of a
3 vessel when the restoration is authorized by the ~~Division of~~
4 ~~Wildlife;~~ *Department*; or
5 (b) Any manufacturer from placing numbers or marks in the
6 ordinary course of business upon new vessels or parts of vessels.
7 3. The ~~Division of Wildlife~~ *Department* shall, upon request,
8 assign a hull number to any handmade vessel.
9 4. Any person who violates subsection 1 is guilty of a gross
10 misdemeanor.

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

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

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

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

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

24 (d) A ship's lifeboat.

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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



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

- 3 1. The name and address of the legal owner and transferee; and
- 4 2. Such description of the motorboat as may be required by the
5 ~~{Division of Wildlife}~~ *Department*.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

45 2. The use of cutouts is prohibited.



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

7 4. The Commission may:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

22 (c) If the case is otherwise terminated.

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

44 3. The Commission shall adopt regulations:



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

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

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

7 (a) Is guilty of a misdemeanor; and

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

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

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

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

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

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

24 (c) "Sewage" means wastes from the human body and wastes
25 from toilets or other receptacles, including marine sanitation
26 devices, designed to receive or retain wastes from the human body.

27 (d) "Vessel" includes any watercraft or structure floating on the
28 water, whether or not capable of self-locomotion, including
29 houseboats, barges and similar structures.

30 **Sec. 160.** NRS 488.550 is hereby amended to read as follows:

31 488.550 1. The operator of a vessel involved in a collision,
32 accident or other casualty shall, so far as he can do so without
33 serious danger to his own vessel, crew and passengers, render to
34 other persons affected by the casualty such assistance as may be
35 practicable and as may be necessary to save them from or minimize
36 any danger caused by the casualty, and shall give his name, address
37 and the identification of his vessel in writing to any person injured
38 and to the owner of any property damaged in the casualty.

39 2. In the case of collision, accident or other casualty involving
40 a vessel, the operator thereof, if the casualty results in death or
41 injury to a person or damage to property in excess of \$500, shall file
42 with the ~~[Division of Wildlife of the State Department of~~
43 ~~Conservation and Natural Resources] Department~~ a full description
44 of the casualty, including, without limitation, such information as
45 the Commission may, by regulation, require.



1 3. Upon receipt of a claim under a policy of insurance with
2 respect to a collision, accident or other casualty for which a report is
3 required by subsection 2, the insurer shall provide written notice to
4 the insured of his responsibility pursuant to subsection 2 to file with
5 the ~~{Division of Wildlife}~~ *Department* a full description of the
6 casualty.

7 4. Upon receipt of a request for repair with respect to a
8 collision, accident or other casualty for which a report is required by
9 subsection 2, the person who repairs the vessel shall provide written
10 notice to the person requesting the repairs of the requirement set
11 forth in subsection 2 that the operator file with the ~~{Division of
12 Wildlife}~~ *Department* a full description of the casualty.

13 5. The insurer and the person who repairs a vessel shall
14 transmit a copy of each notice they provide pursuant to subsections
15 3 and 4, respectively, to the ~~{Division of Wildlife}~~ *Department*
16 at the same time the notice is provided to the insured or person
17 requesting the repairs.

18 6. The ~~{Division of Wildlife}~~ *Department* shall investigate or
19 cause to be investigated a collision, accident or other casualty
20 involving a vessel which results in death or substantial bodily injury
21 and shall gather evidence to be used in the prosecution of a person
22 charged with violating a law in connection with the collision,
23 accident or other casualty. The ~~{Division of Wildlife}~~ *Department*
24 may investigate or cause to be investigated a collision, accident or
25 other casualty involving a vessel which does not result in death or
26 substantial bodily injury and may gather evidence to be used in the
27 prosecution of a person charged with violating a law in connection
28 with the collision, accident or other casualty.

29 **Sec. 161.** NRS 488.560 is hereby amended to read as follows:

30 488.560 In accordance with any request made by an authorized
31 official or agency of the United States, any information compiled or
32 otherwise available to the ~~{Division of Wildlife of the State
33 Department of Conservation and Natural Resources}~~ *Department*
34 pursuant to NRS 488.550 must be transmitted to the official or
35 agency of the United States.

36 **Sec. 162.** NRS 488.740 is hereby amended to read as follows:

37 488.740 1. The ~~{Division}~~ *Department* shall certify persons
38 to provide, in cooperation with the ~~{Division,}~~ *Department,*
39 instruction in safe boating approved by the National Association of
40 State Boating Law Administrators. All persons who successfully
41 complete the course must be issued a certificate evidencing
42 successful completion.

43 2. The ~~{Division}~~ *Department* may offer the courses in
44 cooperation with organizations that provide education in safe



1 boating, including, without limitation, the United States Coast
2 Guard Auxiliary and the United States Power Squadrons.

3 3. The ~~[Division]~~ *Department* shall maintain a list, available
4 for public inspection, of the availability of courses in safe boating
5 and any instructors who are certified pursuant to subsection 1.

6 **Sec. 163.** NRS 488.750 is hereby amended to read as follows:

7 488.750 1. A person born on or after January 1, 1983, who is
8 a resident of this state and who possesses a certificate that evidences
9 his successful:

10 (a) Completion of a course in safe boating that is approved by
11 the National Association of State Boating Law Administrators,
12 including, without limitation, courses offered pursuant to NRS
13 488.740 and courses offered by the United States Coast Guard
14 Auxiliary or the United States Power Squadrons; or

15 (b) Passage of a proficiency examination that was proctored and
16 tests the knowledge of the information included in the curriculum of
17 such a course,

18 shall submit or cause to be submitted a copy of the certificate to the
19 ~~[Division. The Division]~~ *Department. The Department* may request
20 additional information necessary for the ~~[Division]~~ *Department* to
21 maintain the database pursuant to subsection 2.

22 2. The ~~[Division]~~ *Department* shall establish and maintain a
23 database of certificates that it receives pursuant to subsection 1. The
24 database must include, without limitation, the:

25 (a) Name, date of birth and gender of the holder of the
26 certificate;

27 (b) Date, location and name of the course that the holder of the
28 certificate completed or the examination that he passed; and

29 (c) Number on the certificate.

30 **Sec. 164.** NRS 488.900 is hereby amended to read as follows:

31 488.900 1. Every game warden, sheriff and other peace
32 officer of this state and its political subdivisions shall enforce the
33 provisions of this chapter and may stop and board any vessel subject
34 to the provisions of this chapter.

35 2. Any vessel located upon the waters of this state is subject to
36 inspection by the ~~[Division of Wildlife of the State Department of
37 Conservation and Natural Resources]~~ *Department* or any lawfully
38 designated agent or inspector thereof at any time to determine
39 whether the vessel is equipped in compliance with the provisions of
40 this chapter.

41 3. Any vessel located upon the waters of this state is subject to
42 inspection by the Division of Environmental Protection of the State
43 Department of Conservation and Natural Resources or any lawfully
44 designated agent or inspector thereof at any time to determine
45 whether the vessel is equipped in compliance with the provisions of



1 NRS 488.320. As used in this subsection, "vessel" includes any
2 watercraft or structure floating on the water, whether or not capable
3 of self-locomotion, including houseboats, barges and similar
4 structures.

5 **Sec. 165.** NRS 528.053 is hereby amended to read as follows:

6 528.053 1. No felling of trees, skidding, rigging or
7 construction of tractor or truck roads or landings, or the operation
8 of vehicles, may take place within 200 feet, measured on the slope,
9 of the high water mark of any lake, reservoir, stream or other body
10 of water unless a variance is first obtained from a committee
11 composed of the State Forester Firewarden, the ~~{Administrator}~~
12 **Director** of the ~~{Division of Wildlife of the State}~~ Department of
13 ~~{Conservation and Natural Resources}~~ **Wildlife** and the State
14 Engineer.

15 2. The committee may grant a variance authorizing any of the
16 activities prohibited by subsection 1 within a 200-foot buffer area if
17 the committee determines that the goals of conserving forest
18 resources and achieving forest regeneration, preserving watersheds,
19 reaching or maintaining water quality standards adopted by federal
20 and state law, continuing water flows, preserving and providing for
21 the propagation of fish life and stream habitat and preventing
22 significant soil erosion will not be compromised.

23 3. In acting on a request for such variances , the committee
24 shall consider the following factors:

25 (a) The extent to which such requested activity is consistent with
26 good forestry management for the harvesting of timber;

27 (b) The extent to which such requested activity significantly
28 impedes or interrupts the natural volume and flow of water;

29 (c) The extent to which such requested activity significantly
30 affects a continuation of the natural quality of the water pursuant to
31 state and federal water quality standards;

32 (d) The extent to which such requested activity is consistent
33 with the prevention of significant soil erosion;

34 (e) The extent to which such requested activity may
35 significantly obstruct fish passage, cause sedimentation in fish
36 spawning areas, infringe on feeding and nursing areas and cause
37 variations of water temperatures; and

38 (f) The filtration of sediment-laden water as a consequence of
39 timber harvesting on adjacent slopes.

40 **Sec. 166.** NRS 534A.070 is hereby amended to read as
41 follows:

42 534A.070 1. The Administrator of the Division of Minerals
43 of the Commission on Mineral Resources shall approve or reject an
44 application for a permit to drill an exploratory well within 10 days
45 after he receives the application in proper form. The permit must not



1 be effective for more than 2 years, but may be extended by the
2 Administrator.

3 2. Upon receipt of an application for a permit to drill or operate
4 a geothermal well, the Administrator of the Division of Minerals
5 shall transmit copies of the application to the State Engineer, the
6 Administrator of the Division of Environmental Protection of the
7 State Department of Conservation and Natural Resources, and the
8 ~~Administrator~~ *Director* of the ~~Division of Wildlife of the State~~
9 Department of ~~Conservation and Natural Resources.~~ *Wildlife.*
10 After consultation with the State Engineer, *the Administrator of*
11 *the Division of Environmental Protection*, and ~~each of the~~
12 ~~Administrators.~~ *the Director of the Department of Wildlife*, the
13 Administrator of the Division of Minerals may issue a permit to drill
14 or operate a geothermal well if it is determined that issuance of a
15 permit is consistent with:

- 16 (a) The policies specified in NRS 445A.305 and 445B.100;
- 17 (b) The purposes of chapters 533 and 534 of NRS; and
- 18 (c) The purposes specified in chapter 501 of NRS.

19 3. The Administrator of the Division of Minerals shall approve
20 or reject the application to drill or operate a geothermal well within
21 90 days after he receives it in proper form, unless it is determined
22 that a conflict exists pursuant to subsection 2 or a public hearing is
23 necessary pursuant to subsection 4. Notice of the conflict or need for
24 a public hearing must be provided to the applicant within the 90-day
25 period.

26 4. The State Engineer and the Administrator of the Division of
27 Minerals may hold public hearings jointly or separately to gather
28 such evidence or information as they deem necessary for a full
29 understanding of all the rights involved and to guard properly the
30 public interest.

31 5. A permit issued pursuant to this section must include any
32 conditions:

- 33 (a) Deemed necessary by the Administrator of the Division of
34 Minerals to carry out the purposes of this section; and
- 35 (b) Imposed by the State Engineer consistent with the provisions
36 of chapters 533 and 534 of NRS.

37 **Sec. 167.** NRS 535.060 is hereby amended to read as follows:

38 535.060 1. On any stream system and its tributaries in this
39 state the distribution of the waters of which are vested in the State
40 Engineer by law or the final decree of court, where beaver, by the
41 construction of dams or otherwise, are found to be interfering with
42 the lawful and necessary distribution of water to the proper users
43 thereof, the State Engineer, upon complaint of any interested water
44 user, shall investigate or cause the investigation of the matter.



1 2. The State Engineer and his assistants and water
2 commissioners and the ~~{Division of Wildlife of the State}~~
3 Department of ~~{Conservation and Natural Resources}~~ *Wildlife* and
4 its agents may enter upon privately owned lands for the purposes of
5 investigating the conditions complained of and the removal and
6 trapping of beaver.

7 3. If satisfied that such beaver are interfering with the flow of
8 water to the detriment of water users, the State Engineer shall serve
9 a written notice on the owner of the land, if it is privately owned,
10 stating:

11 (a) That the beaver thereon are interfering with or stopping the
12 flow of water necessary for the proper serving of water rights; and

13 (b) That unless, within 10 days from receipt of the notice,
14 written objection to the removal of such beaver is filed with the
15 State Engineer by the landowner, the ~~{Division of Wildlife of the~~
16 ~~State}~~ Department of ~~{Conservation and Natural Resources}~~ *Wildlife*
17 will remove such beaver or as many thereof as will rectify the
18 existing conditions.

19 4. Failure of the landowner to file such written objections shall
20 be deemed a waiver thereof. Upon receipt of written objections, the
21 State Engineer may make further investigation and may sustain or
22 overrule the objections as the facts warrant. Upon the overruling of
23 the objections, the landowner may have them reviewed by the
24 district court having jurisdiction of the land by filing therein a
25 petition for review within 10 days from the receipt of the order of
26 the State Engineer overruling the objections. The proceedings on the
27 petition must be informal and heard by the court at the earliest
28 possible moment.

29 5. Upon the landowner's waiver of objections to the removal of
30 beaver from his land, or upon final determination by the court that
31 the beaver should be removed, the State Engineer shall immediately
32 notify the ~~{Division of Wildlife}~~ *Department of Wildlife* of the
33 waiver or determination and the ~~{Division}~~ *Department* or its agents
34 shall enter upon the land from which the beaver are to be removed
35 and remove them or as many as may be necessary to prevent the
36 improper flow of water as directed by the State Engineer.

37 6. The State Engineer may remove or cause the removal of any
38 beaver dam found to be obstructing the proper and necessary flow of
39 water to the detriment of water users.

40 **Sec. 168.** NRS 561.301 is hereby amended to read as follows:

41 561.301 Aquatic agriculture, which includes the propagation,
42 cultivation and harvesting of plants indigenous to water in a
43 controlled or selected aquatic environment for the commercial
44 production of food, is one of the agricultural enterprises conducted
45 in this state. The Department shall promote, protect and regulate



1 aquatic agriculture to the extent that the Department is authorized to
2 regulate other forms of agriculture and other agricultural products.
3 The Department shall confer with the ~~[Division of Wildlife of the~~
4 ~~State]~~ Department of ~~[Conservation and Natural Resources]~~ *Wildlife*
5 regarding aquatic agriculture to prevent any adverse effects on
6 existing aquatic animals.

7 **Sec. 169.** NRS 571.120 is hereby amended to read as follows:

8 571.120 1. The Department shall do all things necessary for
9 the control and eradication of infectious, contagious or parasitic
10 diseases of livestock.

11 2. The Director shall cooperate with the ~~[Administrator]~~
12 *Director* of the ~~[Division of Wildlife of the State]~~ Department of
13 ~~[Conservation and Natural Resources]~~ *Wildlife* in a program to
14 prevent the spread of communicable diseases in livestock and
15 wildlife in this state.

16 3. As used in this section, "wildlife" has the meaning ascribed
17 to it in NRS 501.097.

18 **Sec. 170.** NRS 576.129 is hereby amended to read as follows:

19 576.129 1. It is unlawful for any person to import, possess or
20 propagate any alternative livestock unless he first obtains from the
21 State Board of Agriculture a permit that authorizes him to do so.

22 2. The State Board of Agriculture shall adopt regulations for
23 the importation, possession and propagation of alternative livestock.
24 The regulations must set forth requirements for:

25 (a) Facilities used to confine alternative livestock, including
26 minimum requirements for fencing to prevent the escape of
27 alternative livestock.

28 (b) The genetic testing of alternative livestock.

29 (c) Keeping and maintaining records related to the importation,
30 transfer, possession and propagation of alternative livestock.

31 (d) Identifying and marking alternative livestock.

32 (e) Marketing alternative livestock.

33 (f) The filing of any bonds which may be required by the State
34 Board of Agriculture.

35 3. In adopting the regulations required by subsection 2, the
36 State Board of Agriculture shall consult with the ~~[Division of~~
37 ~~Wildlife of the State]~~ Department of ~~[Conservation and Natural~~
38 ~~Resources]~~ *Wildlife* and the Board of Wildlife Commissioners
39 concerning the provisions that are necessary to protect wildlife in
40 this state and in the areas designated as areas of special concern by
41 the Board of Wildlife Commissioners pursuant to NRS 501.181.

42 4. The State Board of Agriculture shall establish by regulation
43 a schedule of fees required to be paid for a permit issued pursuant to
44 this section. The fees established must not exceed the approximate
45 cost to the Board of carrying out the provisions of this section.



1 **Sec. 171.** NRS 576.131 is hereby amended to read as follows:
2 576.131 1. An owner of alternative livestock may request
3 assistance from the *State* Department ~~[, the Division of Wildlife of~~
4 ~~the State] of Agriculture, the~~ Department of ~~[Conservation and~~
5 ~~Natural Resources] Wildlife~~ and local law enforcement agencies to
6 recapture any alternative livestock that has escaped from
7 confinement.

8 2. Any alternative livestock that is recaptured may be
9 impounded at a suitable facility until sufficient repairs or
10 improvements are made to the owner's facility to ensure that the
11 escape of the alternative livestock does not recur.

12 3. The owner of the alternative livestock is liable for:

13 (a) The costs incurred by the *State* Department ~~[, the Division of~~
14 ~~Wildlife of the State] of Agriculture, the~~ Department of ~~[Conservation and Natural Resources] Wildlife~~ and any local law
15 enforcement agency to recapture the alternative livestock;

16 (b) The costs of impounding the alternative livestock; and

17 (c) Any damages caused by the alternative livestock during the
18 escape.

19
20 **Sec. 172.** NRS 232.138, 488.700, 488.710, 488.720, 501.002
21 and 501.027 are hereby repealed.

22 **Sec. 173.** The Legislative Counsel shall:

23 1. In preparing the reprint and supplements to the Nevada
24 Revised Statutes, with respect to any section that is not amended by
25 this act or is further amended by another act, appropriately change
26 any reference to:

27 (a) "Division of Wildlife" to "Department of Wildlife"; and

28 (b) Any other agency or any officer whose name is changed or
29 whose responsibilities have been transferred pursuant to the
30 provisions of this act to refer to the appropriate agency or officer.

31 2. In preparing supplements to the Nevada Administrative
32 Code, appropriately change any reference to:

33 (a) "Division of Wildlife" to "Department of Wildlife"; and

34 (b) Any other agency or any officer whose name is changed or
35 whose responsibilities have been transferred pursuant to the
36 provisions of this act to refer to the appropriate agency or officer.

37 **Sec. 174.** This act becomes effective on July 1, 2003.

LEADLINES OF REPEALED SECTIONS

232.138 Division of Wildlife: Composition; appointment of Administrator.



* A B 7 2 *

- 488.700 Definitions.**
- 488.710 “Division” defined.**
- 488.720 “Interstate waters of the State” defined.**
- 501.002 “Administrator” defined.**
- 501.027 “Division” defined.**

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