

Amendment No. 110

Assembly Amendment to Assembly Bill No. 221	(BDR 45-339)
Proposed by: Assembly Committee on Natural Resources	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 221 (§ 8 & NRS 502.240).
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ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date					
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

SLD/ERS



Date: 4/11/2023

A.B. No. 221—Authorizes the management of designated terrestrial invertebrates. (BDR 45-339)



ASSEMBLY BILL NO. 221—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE JOINT INTERIM STANDING
COMMITTEE ON NATURAL RESOURCES)

FEBRUARY 23, 2023

Referred to Committee on Natural Resources

SUMMARY—Authorizes the management of designated ~~terrestrial~~ invertebrates.
(BDR 45-339)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for
Term of Imprisonment in County or City Jail or Detention
Facility.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to wildlife; authorizing the management of designated ~~terrestrial~~
invertebrates by the Board of Wildlife Commissioners and the
Department of Wildlife; revising the definition of “wildlife” to include
designated ~~terrestrial~~ invertebrates; establishing a wildlife
classification for designated ~~terrestrial~~ invertebrates; requiring the
listing of designated ~~terrestrial~~ invertebrates as a fully protected
species under certain circumstances; providing a penalty; and
providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law establishes certain provisions governing the management of wildlife in this
State by the Board of Wildlife Commissioners and the Department of Wildlife. (Chapter 501
of NRS) This bill expands the wildlife managed by the Board and Department to include
designated ~~terrestrial~~ invertebrates. As a result of the inclusion of designated ~~terrestrial~~
invertebrates, certain fees and penalties that apply to violations of certain provisions of law
relating to wildlife will also apply to designated ~~terrestrial~~ invertebrates. (See, e.g., NRS
501.385, 502.240, 504.295)

Section 2 of this bill defines “designated ~~terrestrial~~ invertebrate” to mean any nonpest
species of ~~terrestrial~~ invertebrate designated as a species of greatest conservation need in the
State Wildlife Action Plan. **Section 3** of this bill defines “State Wildlife Action Plan.” **Section**
5 of this bill revises the definition of “wildlife” to include designated ~~terrestrial~~
invertebrates.

Section 4 of this bill makes a conforming change to indicate the proper placement of
sections 2 and 3 in the Nevada Revised Statutes.

Existing law requires: (1) wildlife to be classified into certain categories; and (2) the
Commission to place each species of wildlife in a classification by regulation. (NRS 501.110)
Section 6 of this bill establishes a classification for designated ~~terrestrial~~ invertebrates.

Existing law provides that if the Commission determines that the existence of a species or
subspecies of native fish, wildlife and other fauna is endangered and its survival requires

20 assistance, the Commission must place the animal on the list of fully protected species and the
 21 animal may not be captured, removed or destroyed except by means of a special permit issued
 22 by the Department. (NRS 503.585) **Sections 5, 7 and 8** of this bill provide for the placement
 23 of designated ~~terrestrial~~ invertebrates on the list of fully protected species.

24 Existing law requires the Commission to carry out a program for conserving, protecting,
 25 restoring and propagating selected species of native fish, wildlife and other vertebrates and
 26 their habitats which are threatened with extinction and destruction. (NRS 503.587) **Section 9**
 27 of this bill requires the Commission to include designated ~~terrestrial~~ invertebrates in such a
 28 program.

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 thereto the
 2 provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2.** *“Designated ~~terrestrial~~ invertebrate” means any nonpest species*
 4 *of ~~terrestrial~~ invertebrate designated as a species of greatest conservation need*
 5 *in the State Wildlife Action Plan.*

6 **Sec. 3.** *“State Wildlife Action Plan” means a statewide plan prepared by*
 7 *the Department and approved by the United States Fish and Wildlife Service*
 8 *which sets forth provisions for the conservation of wildlife and wildlife habitat,*
 9 *including, without limitation, provisions for assisting in the prevention of any*
 10 *species of wildlife from becoming threatened or endangered.*

11 **Sec. 4.** NRS 501.001 is hereby amended to read as follows:

12 501.001 As used in this title, unless the context otherwise requires, the words
 13 and terms defined in NRS 501.003 to 501.097, inclusive, *and sections 2 and 3 of*
 14 *this act*, have the meanings ascribed to them in those sections.

15 **Sec. 5.** NRS 501.097 is hereby amended to read as follows:

16 501.097 “Wildlife” means any wild mammal, wild bird, fish, reptile,
 17 amphibian, mollusk, ~~for~~ crustacean *or designated ~~terrestrial~~ invertebrate* found
 18 naturally in a wild state, whether indigenous to Nevada or not and whether raised in
 19 captivity or not.

20 **Sec. 6.** NRS 501.110 is hereby amended to read as follows:

21 501.110 1. For the purposes of this title, wildlife must be classified as
 22 follows:

23 (a) Wild mammals, which must be further classified as either game mammals,
 24 fur-bearing mammals, protected mammals or unprotected mammals.

25 (b) Wild birds, which must be further classified as either game birds, protected
 26 birds or unprotected birds. Game birds must be further classified as upland game
 27 birds or migratory game birds.

28 (c) Fish, which must be further classified as either game fish, protected fish or
 29 unprotected fish.

30 (d) Reptiles, which must be further classified as either protected reptiles or
 31 unprotected reptiles.

32 (e) Amphibians, which must be further classified as either game amphibians,
 33 protected amphibians or unprotected amphibians.

34 (f) Mollusks, which must be further classified as either protected mollusks or
 35 unprotected mollusks.

36 (g) Crustaceans, which must be further classified as either protected
 37 crustaceans or unprotected crustaceans.

38 (h) *Designated ~~terrestrial~~ invertebrates.*

1 2. Protected wildlife may be further classified as either sensitive, threatened
2 or endangered.

3 3. Each species of wildlife must be placed in a classification by regulation of
4 the Commission and, when it is in the public interest to do so, species may be
5 moved from one classification to another.

6 **Sec. 7.** NRS 503.584 is hereby amended to read as follows:

7 503.584 1. The Legislature finds that:

8 (a) The economic growth of the State of Nevada has been attended with some
9 serious and unfortunate consequences. Nevada has experienced the extermination
10 or extirpation of some of the State's native species of animals, including fish, ~~[and]~~
11 vertebrate wildlife ~~[]~~ and designated ~~[terrestrial]~~ invertebrates. Serious losses
12 have occurred and are occurring in other species of native wild animals with
13 important economic, educational, historical, political, recreational, scientific and
14 aesthetic values.

15 (b) The people of the State of Nevada have an obligation to conserve and
16 protect the various species of native fish and wildlife that are threatened with
17 extinction.

18 2. The purpose of NRS 503.584 to 503.589, inclusive, is to provide a program
19 for the:

20 (a) Conservation, protection, restoration and propagation of selected species of
21 native fish, ~~[and other]~~ vertebrate wildlife, including, *without limitation,*
22 migratory birds ~~[]~~ and designated ~~[terrestrial]~~ invertebrates; and

23 (b) Perpetuation of the populations and habitats of such species.

24 **Sec. 8.** NRS 503.585 is hereby amended to read as follows:

25 503.585 A species or subspecies of native fish, wildlife, *including, without*
26 *limitation, vertebrates and designated* ~~[terrestrial]~~ *invertebrates* and other fauna
27 must be regarded as threatened with extinction when the Commission, after
28 consultation with competent authorities, determines that its existence is endangered
29 and its survival requires assistance because of overexploitation, disease or other
30 factors or its habitat is threatened with destruction, drastic modification or severe
31 curtailment. Any animal so declared to be threatened with extinction must be
32 placed on the list of fully protected species, and no member of its kind may be
33 captured, removed or destroyed at any time by any means except under special
34 permit issued by the Department.

35 **Sec. 9.** NRS 503.587 is hereby amended to read as follows:

36 503.587 The Commission shall use its authority to manage land to carry out a
37 program for conserving, protecting, restoring and propagating selected species of
38 native fish ~~[]~~ and wildlife ~~[and other]~~, *including, without limitation,* vertebrates
39 *and designated* ~~[terrestrial]~~ *invertebrates* and their habitats which are threatened
40 with extinction and destruction.