

ASSEMBLY BILL NO. 82—COMMITTEE ON NATURAL
RESOURCES, AGRICULTURE, AND MINING

(ON BEHALF OF THE DEPARTMENT OF WILDLIFE)

PREFILED DECEMBER 20, 2014

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Makes various changes relating to wildlife.
(BDR 45-365)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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; changing the name of the Wildlife Fund Account in the State General Fund to the Wildlife Account and amending the permissible uses of money in the Account; changing the name of the Wildlife Heritage Trust Account to the Wildlife Heritage Account; revising provisions relating to the administration of the trout stamp and duck stamp programs in this State; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law creates the Wildlife Fund Account and the Wildlife Heritage Trust
2 Account in the State General Fund and sets forth the permissible uses of money in
3 those accounts. (NRS 365.535, 488.075, 488.536, 501.179, 501.320, 501.356,
4 501.3575, 501.359, 501.361, 502.242, 503.597, 504.155) **Sections 5 and 6** of this
5 bill, respectively, change the name of the Wildlife Fund Account to the Wildlife
6 Account and the Wildlife Heritage Trust Account to the Wildlife Heritage Account.
7 **Sections 1-4, 7-10, 14-21 and 23-30** of this bill make conforming changes.
8 Existing law requires that, with certain exceptions, all fees for the sale or
9 issuance of stamps, tags, permits and licenses that are required to be deposited in
10 the Wildlife Fund Account be used only for the management of wildlife. (NRS
11 501.356) **Section 5** authorizes the Department of Wildlife, in addition to managing
12 wildlife, to use such fees collected for the protection and propagation of wildlife in
13 this State.
14 Under existing law, it is unlawful to take or possess a trout in this State without
15 first purchasing a trout stamp. (NRS 502.326) **Section 12** of this bill requires that
16 all money received from the sale of trout stamps be deposited in the Wildlife



17 Account. **Section 13** of this bill requires that all money received from the sale of
18 trout stamps, after deducting certain administrative costs, must be used for the
19 protection, propagation and management of trout in this State and the payment of
20 any bonded indebtedness incurred therefor.

21 Existing law requires a person to purchase a duck stamp before hunting ducks
22 and certain other migratory birds in this State and provides that the proceeds from
23 the sale of those stamps must be used for the protection and propagation of
24 migratory game birds, and for the acquisition, development and preservation of
25 wetlands in Nevada. (NRS 502.300-502.322) **Section 22** of this bill provides that
26 the proceeds from the sale of duck stamps may also be used for the management of
27 migratory game birds in this State.

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

1 **Section 1.** NRS 501.179 is hereby amended to read as follows:

2 501.179 1. Members of the Commission are entitled to
3 receive a salary of not more than \$80 per day, as fixed by the
4 Commission, while performing official duties for the Commission.

5 2. While engaged in the business of the Commission, each
6 member and employee of the Commission is entitled to receive the
7 per diem allowance and travel expenses provided for state officers
8 and employees generally.

9 3. Compensation and expenses must be paid from the Wildlife
10 ~~Fund~~ Account within the State General Fund.

11 **Sec. 2.** NRS 501.320 is hereby amended to read as follows:

12 501.320 1. Annually, not later than May 1, each board shall
13 prepare a budget for the period ending June 30 of the following
14 year, setting forth in detail its proposed expenditures for carrying
15 out its duties as specified in this title within its county, and submit
16 the budget to the Commission accompanied by a statement of the
17 previous year's expenditures, certified by the county auditor.

18 2. The Commission shall examine the budget in conjunction
19 with the Director or a person designated by the Director, and may
20 increase, decrease, alter or amend the budget.

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

28 **Sec. 3.** NRS 501.343 is hereby amended to read as follows:

29 501.343 The Department may:

30 1. Collect and disseminate, throughout the State, information
31 calculated to educate and benefit the people of the State regarding



1 wildlife and boating, and information pertaining to any program
2 administered by the Department.

3 2. Publish wildlife journals and other official publications, for
4 which a specific charge may be made, such charge to be determined
5 by the Commission, with the proceeds to be deposited in the
6 Wildlife ~~[[Fund]]~~ Account within the State General Fund. No charge
7 may be made for any publication required by a regulation of the
8 Commission.

9 **Sec. 4.** NRS 501.346 is hereby amended to read as follows:

10 501.346 1. The Department may charge fees for advertising:

11 (a) In printed materials prepared by the Department; and

12 (b) On a website on the Internet or its successor that is
13 maintained by the Department.

14 2. Any money collected by the Department, pursuant to
15 subsection 1 must be:

16 (a) Deposited with the State Treasurer for credit to the Wildlife
17 ~~[[Fund]]~~ Account in the State General Fund; and

18 (b) Used to pay the expenses of the Department, including,
19 without limitation, expenses incurred in the development,
20 production and distribution of:

21 (1) Printed materials prepared by the Department;

22 (2) Materials used by the Department on the website
23 maintained by the Department; and

24 (3) Any informational and educational materials provided by
25 the Department for the purposes described in subsection 1 of
26 NRS 501.343.

27 **Sec. 5.** NRS 501.356 is hereby amended to read as follows:

28 501.356 1. Money received by the Department from:

29 (a) The sale of licenses;

30 (b) Fees pursuant to the provisions of NRS 488.075 and
31 488.1795;

32 (c) Remittances from the State Treasurer pursuant to the
33 provisions of NRS 365.535;

34 (d) Appropriations made by the Legislature; and

35 (e) All other sources, including, without limitation, the Federal
36 Government, except money derived from the forfeiture of any
37 property described in NRS 501.3857 or money deposited in the
38 Wildlife Heritage ~~[[Trust]]~~ Account pursuant to NRS 501.3575, the
39 Wildlife Trust Fund pursuant to NRS 501.3585, the Energy
40 Planning and Conservation Account created by NRS 701.630 or the
41 Account for the Recovery of Costs created by NRS 701.640,

42 ➔ must be deposited with the State Treasurer for credit to the
43 Wildlife ~~[[Fund]]~~ Account in the State General Fund.



1 2. The interest and income earned on the money in the Wildlife
2 ~~[Fund]~~ Account, after deducting any applicable charges, must be
3 credited to the Account.

4 3. Except as otherwise provided in subsection 4 and NRS
5 503.597, the Department may use money in the Wildlife ~~[Fund]~~
6 Account only to carry out the provisions of this title and chapter 488
7 of NRS and as provided in NRS 365.535, and the money must not
8 be diverted to any other use.

9 4. Except as otherwise provided in NRS 502.250 and 504.155,
10 all fees for the sale or issuance of stamps, tags, permits and licenses
11 that are required to be deposited in the Wildlife ~~[Fund]~~ Account
12 pursuant to the provisions of this title and any matching money
13 received by the Department from any source must be accounted for
14 separately and must be used:

15 (a) Only for the *protection, propagation and* management of
16 wildlife; and

17 (b) If the fee is for the sale or issuance of a license, permit or tag
18 other than a tag specified in subsection 5 or 6 of NRS 502.250,
19 under the guidance of the Commission pursuant to subsection 2 of
20 NRS 501.181.

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

22 501.3575 1. The Wildlife Heritage ~~[Trust]~~ Account is hereby
23 created in the State General Fund. The money in the Account must
24 be used by the Department as provided in this section for:

25 (a) The protection, propagation, restoration, transplantation,
26 introduction and management of any game fish, game mammal,
27 game bird or fur-bearing mammal in this State; and

28 (b) The management and control of predatory wildlife in this
29 State.

30 2. Except as otherwise provided in NRS 502.250, money
31 received by the Department from:

32 (a) A bid, auction, Silver State Tag Drawing or Partnership in
33 Wildlife Drawing conducted pursuant to NRS 502.250; and

34 (b) A gift of money made by any person to the Wildlife Heritage
35 ~~[Trust]~~ Account,

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

38 3. The interest and income earned on the money in the Wildlife
39 Heritage ~~[Trust]~~ Account, after deducting any applicable charges,
40 must be credited to the Account.

41 4. The Department may annually expend from the Wildlife
42 Heritage ~~[Trust]~~ Account an amount of money not greater than 75
43 percent of the money deposited in the Account pursuant to
44 subsection 2 during the previous year and the total amount of
45 interest earned on the money in the Account during the previous



1 year. The Commission shall review and approve expenditures from
2 the Account. No money may be expended from the Account without
3 the prior approval of the Commission.

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

6 **Sec. 7.** NRS 501.359 is hereby amended to read as follows:

7 501.359 1. The Wildlife Imprest Account in the amount of
8 \$15,000 is hereby created for the use of the Department, subject to
9 the following conditions:

10 (a) The money must be deposited in a bank or credit union
11 qualified to receive deposits of public money, except that \$500 must
12 be kept in the custody of an employee designated by the Director for
13 immediate use for purposes set forth in this section.

14 (b) The Account must be replenished periodically from the
15 Wildlife ~~{Fund}~~ Account in the State General Fund upon approval of
16 expenditures as required by law and submission of vouchers or other
17 documents to indicate payment as may be prescribed.

18 2. The Wildlife Imprest Account may be used to pay for
19 postage, C.O.D. packages, travel or other minor expenses which are
20 proper as claims for payment from the Wildlife ~~{Fund}~~ Account in
21 the State General Fund.

22 3. The Wildlife Imprest Account may be used to provide
23 money to employees of the Department for travel expenses and
24 subsistence allowances arising out of their official duties or
25 employment. All advances constitute a lien in favor of the
26 Department upon the accrued wages of the requesting employee in
27 an amount equal to the money advanced, but the Director may
28 advance more than the amount of the accrued wages of the
29 employee. Upon the return of the employee, the employee is entitled
30 to receive money for any authorized expenses and subsistence in
31 excess of the amount advanced.

32 **Sec. 8.** NRS 501.361 is hereby amended to read as follows:

33 501.361 A Petty Cash Account in the amount of \$1,000 for the
34 payment of minor expenses of the Department is hereby created.
35 The Account must be kept in the custody of an employee designated
36 by the Director and must be replenished periodically from the
37 Wildlife ~~{Fund}~~ Account in the State General Fund upon approval of
38 expenditures as required by law and submission of vouchers or other
39 documents to indicate payment as may be prescribed.

40 **Sec. 9.** NRS 501.3855 is hereby amended to read as follows:

41 501.3855 1. In addition to the penalties provided for the
42 violation of any of the provisions of this title, every person who:

43 (a) Unlawfully kills or possesses a trophy big game mammal is
44 liable for a civil penalty of not less than \$5,000 nor more than
45 \$30,000; or



1 (b) Except as otherwise provided in paragraph (a), unlawfully
2 kills or possesses a big game mammal, moose, bobcat, swan or
3 eagle is liable for a civil penalty of not less than \$250 but less than
4 \$5,000.

5 2. For the unlawful killing or possession of fish or wildlife not
6 included in subsection 1, a person is liable for a civil penalty of not
7 less than \$25 nor more than \$1,000.

8 3. For hunting, fishing or trapping without a valid license, tag
9 or permit, a person is liable for a civil penalty of not less than \$50
10 nor more than the amount of the fee for the license, tag or permit
11 required for the activity in which the person engaged.

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

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

20 6. If a person who is ordered to pay a civil penalty pursuant to
21 this section fails to do so within 90 days after the date set forth
22 in the order, the Department may suspend, revoke, or refuse to issue
23 or renew any license, tag, permit, certificate or other document or
24 privilege otherwise available to the person pursuant to this title or
25 chapter 488 of NRS.

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

30 8. As used in this section, "trophy big game mammal" means a
31 mule deer with an outside antler measurement of at least 24 inches,
32 a bighorn sheep of any species with at least one horn exceeding a
33 half curl, a Rocky Mountain elk with at least six antler points on one
34 antler, a pronghorn antelope with at least one horn which is more
35 than 14 inches in length, a mountain goat or a black bear. As used in
36 this subsection:

37 (a) "Antler" means any bony growth originating from the
38 pedicle portion of the skull of a big game mammal that is annually
39 cast and regenerated as part of the annual life cycle of the big game
40 mammal.

41 (b) "Antler point" means a projection which is at least 1 inch in
42 length with the length exceeding the width of its base, excluding the
43 first point on the main beam commonly known as the eye guard on
44 mule deer.



1 (c) "Horn exceeding a half curl" means a horn tip that has grown
2 at least through 180 degrees of a circle determined by establishing a
3 parallel reference line from the base of the horn and measuring the
4 horn tip to determine whether the horn tip has grown at least to the
5 projection of the reference line.

6 (d) "Outside antler measurement" means the perpendicular
7 measurement at right angles to the center line of the skull of a deer
8 at the widest point between the main antler beams or the antler
9 points off the main antler beams.

10 **Sec. 10.** NRS 501.389 is hereby amended to read as follows:
11 501.389 1. Except for property described in NRS 501.3857,
12 equipment:

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

14 (b) Not recovered by the owner within 1 year after it is no longer
15 needed for evidentiary purposes,

16 ↪ becomes the property of the Department.

17 2. The Department may:

18 (a) Sell the equipment in accordance with the regulations
19 adopted pursuant to subsection 5 of NRS 333.220;

20 (b) Donate equipment that is not dangerous to nonprofit
21 organizations which benefit children;

22 (c) Donate equipment that is not dangerous to children from
23 low-income families who attend fishing clinics sponsored by the
24 Department; or

25 (d) Retain the equipment for authorized use by the Department.

26 ↪ All money received from the sale of equipment must be deposited
27 with the State Treasurer for credit to the Wildlife ~~Fund~~ Account in
28 the State General Fund.

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

32 **Sec. 11.** Chapter 502 of NRS is hereby amended by adding
33 thereto the provisions set forth as sections 12 and 13 of this act.

34 **Sec. 12.** *All money received pursuant to NRS 502.326 must*
35 *be deposited with the State Treasurer for credit to the Wildlife*
36 *Account in the State General Fund. The Department shall*
37 *maintain separate accounting records for the receipt and*
38 *expenditure of that money. An amount not to exceed 10 percent of*
39 *that money may be used to reimburse the Department for the cost*
40 *of administering the trout stamp program. This amount is in*
41 *addition to the compensation allowed persons authorized to issue*
42 *and sell licenses.*

43 **Sec. 13.** *Except as otherwise provided in section 12 of this*
44 *act, all money received pursuant to NRS 502.326 must be used for*
45 *the protection, propagation and management of trout in this State*



1 *and for the payment of any bonded indebtedness incurred*
2 *therefor.*

3 **Sec. 14.** NRS 502.148 is hereby amended to read as follows:

4 502.148 1. Except as otherwise provided in this subsection,
5 any person who wishes to apply for a restricted nonresident deer tag
6 pursuant to NRS 502.147 must complete an application on a form
7 prescribed and furnished by the Department. A licensed master
8 guide may complete the application for an applicant. The
9 application must be signed by the applicant and the master guide
10 who will be responsible for conducting the restricted nonresident
11 deer hunt.

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

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

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

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

25 **Sec. 15.** NRS 502.219 is hereby amended to read as follows:

26 502.219 1. A program is hereby established for the issuance
27 of additional big game tags each year to be known as "Dream Tags."
28 The program must provide:

29 (a) For the issuance of Dream Tags to either a resident or
30 nonresident of this State;

31 (b) For the issuance of one Dream Tag for each species of big
32 game for which 50 or more tags were available under the quota
33 established for the species by the Commission during the previous
34 year; and

35 (c) For the sale of Dream Tags to a nonprofit organization
36 pursuant to this section.

37 2. The Department shall administer the program and shall take
38 such actions as the Department determines are necessary to carry
39 out the provisions of this section and NRS 502.222 and 502.225.

40 3. A nonprofit organization established through the
41 Community Foundation of Western Nevada which is exempt from
42 taxation pursuant to 26 U.S.C. § 501(c)(3) and which has as its
43 principal purpose the preservation, protection, management or
44 restoration of wildlife and its habitat may purchase such Dream



1 Tags from the Department, at prices established by the Department,
2 subject to the following conditions:

3 (a) The nonprofit organization must agree to award the Dream
4 Tags by raffle, with unlimited chances to be sold for \$5 each to
5 persons who purchase a resource enhancement stamp pursuant to
6 NRS 502.222.

7 (b) The nonprofit organization must agree to enter into a
8 contract with a private entity that is approved by the Department
9 which requires that the private entity agree to act as the agent of the
10 nonprofit organization to sell chances to win Dream Tags, conduct
11 any required drawing for Dream Tags and issue Dream Tags. For
12 the purposes of this paragraph, a private entity that has entered into
13 a contract with the Department pursuant to NRS 502.175 to conduct
14 a drawing and to award and issue tags or permits as established by
15 the Commission shall be deemed to be approved by the Department.

16 (c) All money received by the nonprofit organization from the
17 proceeds of the Dream Tag raffle, less the cost of the Dream Tags
18 purchased by the nonprofit organization and any administrative
19 costs charged by the Community Foundation of Western Nevada,
20 must be used for the preservation, protection, management or
21 restoration of game and its habitat, as determined by the Advisory
22 Board on Dream Tags created by NRS 502.225.

23 4. All money received by the Department for Dream Tags
24 pursuant to this section must be deposited with the State Treasurer
25 for credit to the Wildlife ~~Fund~~ Account in the State General Fund.

26 5. The nonprofit organization shall, on or before February 1 of
27 each year, report to the Department and the Interim Finance
28 Committee concerning the Dream Tag program, including, without
29 limitation:

30 (a) The number of Dream Tags issued during the immediately
31 preceding calendar year;

32 (b) The total amount of money paid to the Department for
33 Dream Tags during the immediately preceding calendar year;

34 (c) The total amount of money received by the nonprofit
35 organization from the proceeds of the Dream Tag raffle, the amount
36 of such money expended by the nonprofit organization and a
37 description of each project for which the money was spent; and

38 (d) Any recommendations concerning the program or necessary
39 legislation.

40 6. As used in this section, "big game tag" means a tag
41 permitting a person to hunt any species of pronghorn antelope, bear,
42 deer, mountain goat, mountain lion, bighorn sheep or elk.

43 **Sec. 16.** NRS 502.222 is hereby amended to read as follows:

44 502.222 1. To be eligible to participate in the Dream Tag
45 raffle, a person must purchase a resource enhancement stamp.



1 2. Resource enhancement stamps must be sold for a fee of \$10
2 each by the Department and by persons authorized by the
3 Department to sell the stamps. All money received by the
4 Department for resource enhancement stamps pursuant to this
5 section must be deposited with the State Treasurer for credit to the
6 Wildlife ~~[Fund]~~ Account in the State General Fund.

7 3. The Department shall determine the form of the stamps.

8 **Sec. 17.** NRS 502.242 is hereby amended to read as follows:

9 502.242 1. In addition to any fee charged and collected for an
10 annual hunting, trapping, fishing or combined hunting and fishing
11 license pursuant to NRS 502.240, a habitat conservation fee of \$3
12 must be paid.

13 2. Revenue from the habitat conservation fee must be
14 accounted for separately, deposited with the State Treasurer for
15 credit to the Wildlife ~~[Fund]~~ Account and, except as otherwise
16 provided in this subsection and NRS 502.294 and 502.310, used by
17 the Department for the purposes of wildlife habitat rehabilitation
18 and restoration. Each year, not more than 18 percent of the money
19 credited to the Wildlife ~~[Fund]~~ Account from any revenue received
20 pursuant to subsection 1 may be used to monitor wildlife and its
21 habitat for those purposes.

22 3. The money in the Wildlife ~~[Fund]~~ Account *credited*
23 *pursuant to this section* remains in the Account and does not revert
24 to the State General Fund at the end of any fiscal year.

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

26 502.250 1. The amount of the fee that must be charged for
27 the following tags is:

28	
29	Resident deer tag \$30
30	Resident antelope tag..... 60
31	Resident elk tag 120
32	Resident bighorn sheep tag..... 120
33	Resident mountain goat tag 120
34	Resident mountain lion tag..... 25
35	Nonresident deer tag..... 240
36	Nonresident antelope tag 300
37	Nonresident antlered elk tag..... 1,200
38	Nonresident antlerless elk tag..... 500
39	Nonresident bighorn sheep tag 1,200
40	Nonresident mountain goat tag..... 1,200
41	Nonresident mountain lion tag 100
42	

43 2. The amount of the fee for other resident or nonresident big
44 game tags must not exceed the highest fee for a resident or
45 nonresident big game tag established pursuant to this section.



1 3. The amount of the fee for a tag determined to be necessary
2 by the Commission for other species pursuant to NRS 502.130 must
3 not exceed the highest fee for a resident or nonresident tag
4 established pursuant to this section.

5 4. A fee not to exceed \$10 may be charged for processing an
6 application for a game species or permit other than an application
7 for an elk. A fee of not less than \$5 but not more than \$15 must be
8 charged for processing an application for an elk, \$5 of which must
9 be deposited with the State Treasurer for credit to the Wildlife
10 ~~[[Fund]]~~ Account in the State General Fund and used for the
11 prevention and mitigation of damage caused by elk or game
12 mammals not native to this State. A fee of not less than \$15 and not
13 more than \$50 must be charged for processing an application for a
14 Silver State Tag.

15 5. The Commission may accept sealed bids for, or award
16 through an auction or a Silver State Tag Drawing, or any
17 combination thereof, not more than 15 big game tags and not more
18 than 5 wild turkey tags each year. To reimburse the Department for
19 the cost of managing wildlife and administering and conducting the
20 bid, auction or Silver State Tag Drawing, not more than 18 percent
21 of the total amount of money received from the bid, auction or
22 Silver State Tag Drawing may be deposited with the State Treasurer
23 for credit to the Wildlife ~~[[Fund]]~~ Account in the State General Fund.
24 Any amount of money received from the bid, auction or Silver State
25 Tag Drawing that is not so deposited must be deposited with the
26 State Treasurer for credit to the Wildlife Heritage ~~[[Trust]]~~ Account in
27 the State General Fund in accordance with the provisions of
28 NRS 501.3575.

29 6. The Commission may by regulation establish an additional
30 drawing for big game tags, which may be entitled the Partnership in
31 Wildlife Drawing. To reimburse the Department for the cost of
32 managing wildlife and administering and conducting the drawing,
33 not more than 18 percent of the total amount of money received
34 from the drawing may be deposited with the State Treasurer for
35 credit to the Wildlife ~~[[Fund]]~~ Account in the State General Fund.
36 Except as otherwise provided by regulations adopted by the
37 Commission pursuant to subsection 7, the money received by the
38 Department from applicants in the drawing who are not awarded big
39 game tags must be deposited with the State Treasurer for credit to
40 the Wildlife Heritage ~~[[Trust]]~~ Account in accordance with the
41 provisions of NRS 501.3575.

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



1 **Sec. 19.** NRS 502.253 is hereby amended to read as follows:

2 502.253 1. In addition to any fee charged and collected
3 pursuant to NRS 502.250, a fee of \$3 must be charged for
4 processing each application for a game tag, the revenue from which
5 must be accounted for separately, deposited with the State Treasurer
6 for credit to the Wildlife ~~Fund~~ Account in the State General Fund
7 and used by the Department for costs related to:

8 (a) Programs for the management and control of injurious
9 predatory wildlife;

10 (b) Wildlife management activities relating to the protection of
11 nonpredatory game animals, sensitive wildlife species and related
12 wildlife habitat;

13 (c) Conducting research, as needed, to determine successful
14 techniques for managing and controlling predatory wildlife,
15 including studies necessary to ensure effective programs for the
16 management and control of injurious predatory wildlife; and

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

19 2. The Department of Wildlife is hereby authorized to expend a
20 portion of the money collected pursuant to subsection 1 to enable
21 the State Department of Agriculture to develop and carry out the
22 programs described in subsection 1.

23 3. Any program developed or wildlife management activity or
24 research conducted pursuant to this section must be developed or
25 conducted under the guidance of the Commission pursuant to
26 subsection 2 of NRS 501.181.

27 4. The money in the Wildlife ~~Fund~~ Account *credited*
28 *pursuant to this section* remains in the Account and does not revert
29 to the State General Fund at the end of any fiscal year.

30 **Sec. 20.** NRS 502.294 is hereby amended to read as follows:

31 502.294 All money received pursuant to NRS 502.292 must be
32 deposited with the State Treasurer for credit to the Wildlife ~~Fund~~
33 Account in the State General Fund. The Department shall maintain
34 separate accounting records for the receipt and expenditure of that
35 money. An amount not to exceed 10 percent of that money may be
36 used to reimburse the Department for the cost of administering the
37 program of documentation. This amount is in addition to
38 compensation allowed persons authorized to issue and sell licenses.

39 **Sec. 21.** NRS 502.310 is hereby amended to read as follows:

40 502.310 All money received pursuant to NRS 502.300 must be
41 deposited with the State Treasurer for credit to the Wildlife ~~Fund~~
42 Account in the State General Fund. The Department shall maintain
43 separate accounting records for the receipt and expenditure of that
44 money. An amount not to exceed 10 percent of that money may be
45 used to reimburse the Department for the cost of administering the



1 state duck stamp programs. This amount is in addition to
2 compensation allowed persons authorized to issue and sell licenses.

3 **Sec. 22.** NRS 502.322 is hereby amended to read as follows:

4 502.322 1. Before the Department may undertake any project
5 using money received pursuant to NRS 502.300, it shall analyze the
6 project and provide the Commission with recommendations as to the
7 need for the project and its feasibility.

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

12 **Sec. 23.** NRS 502.410 is hereby amended to read as follows:

13 502.410 1. Any money received by the Department pursuant
14 to NRS 502.400 must be deposited with the State Treasurer for
15 credit to the Wildlife ~~Fund~~ Account in the State General Fund.

16 2. The Department:

17 (a) Shall maintain separate accounting records for the receipt
18 and expenditure of any money pursuant to this section or NRS
19 502.400; and

20 (b) Must use the money to operate and manage the Carson Lake
21 Wildlife Management Area.

22 **Sec. 24.** 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 Department, for any person at any time to receive, bring or have
26 brought or shipped into this State, or remove from one stream or
27 body of water in this State to any other, or from one portion of the
28 State to any other, or to any other state, any aquatic life or wildlife,
29 or any spawn, eggs or young of any of them.

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

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

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



1 5. A person who knowingly or intentionally introduces, causes
2 to be introduced or attempts to introduce an aquatic invasive species
3 or injurious aquatic species into any waters of this State is guilty of:

4 (a) For a first offense, a misdemeanor; and

5 (b) For any subsequent offense, a category E felony and shall be
6 punished as provided in NRS 193.130.

7 6. A court before whom a defendant is convicted of a violation
8 of subsection 5 shall, for each violation, order the defendant to pay a
9 civil penalty of at least \$25,000 but not more than \$250,000. The
10 money must be deposited into the Wildlife ~~[Fund]~~ Account in the
11 State General Fund and used to:

12 (a) Remove the aquatic invasive species or injurious aquatic
13 species;

14 (b) Reintroduce any game fish or other aquatic wildlife
15 destroyed by the aquatic invasive species or injurious aquatic
16 species;

17 (c) Restore any habitat destroyed by the aquatic invasive species
18 or injurious aquatic species;

19 (d) Repair any other damage done to the waters of this State by
20 the introduction of the aquatic invasive species or injurious aquatic
21 species; and

22 (e) Defray any other costs incurred by the Department because
23 of the introduction of the aquatic invasive species or injurious
24 aquatic species.

25 7. The provisions of this section do not apply to:

26 (a) Alternative livestock and products made therefrom; or

27 (b) The introduction of any species by the Department for sport
28 fishing or other wildlife management programs.

29 8. As used in this section:

30 (a) "Aquatic invasive species" means an aquatic species which
31 is exotic or not native to this State and which the Commission has
32 determined to be detrimental to aquatic life, water resources or
33 infrastructure for providing water in this State.

34 (b) "Injurious aquatic species" means an aquatic species which
35 the Commission has determined to be a threat to sensitive,
36 threatened or endangered aquatic species or game fish or to the
37 habitat of sensitive, threatened or endangered aquatic species or
38 game fish by any means, including, without limitation:

39 (1) Predation;

40 (2) Parasitism;

41 (3) Interbreeding; or

42 (4) The transmission of disease.

43 **Sec. 25.** NRS 504.155 is hereby amended to read as follows:

44 504.155 All gifts, grants, fees and appropriations of money
45 received by the Department for the prevention and mitigation of



1 damage caused by elk or game mammals not native to this State,
2 and the interest and income earned on the money, less any
3 applicable charges, must be accounted for separately within the
4 Wildlife [Fund] Account and may only be disbursed as provided in
5 the regulations adopted pursuant to NRS 504.165.

6 **Sec. 26.** NRS 321.385 is hereby amended to read as follows:

7 321.385 The State Land Registrar, after consultation with the
8 Division of Forestry of the State Department of Conservation and
9 Natural Resources, may:

10 1. Sell timber from any land owned by the State of Nevada
11 which is not assigned to the Department of Wildlife.

12 2. At the request of the Director of the Department of Wildlife,
13 sell timber from any land owned by the State of Nevada which is
14 assigned to the Department of Wildlife. Revenues from the sale of
15 such timber must be deposited with the State Treasurer for credit to
16 the Wildlife [Fund] Account in the State General Fund.

17 **Sec. 27.** NRS 365.535 is hereby amended to read as follows:

18 365.535 1. It is declared to be the policy of the State of
19 Nevada to apply the tax on motor vehicle fuel paid on fuel used in
20 watercraft for recreational purposes during each calendar year,
21 which is hereby declared to be not refundable to the consumer, for
22 the:

23 (a) Improvement of boating and the improvement, operation and
24 maintenance of other outdoor recreational facilities located in any
25 state park that includes a body of water used for recreational
26 purposes; and

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

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

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

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

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



1 3. The Department of Wildlife shall submit annually to the
2 Department, on or before April 1, the number of boats with motors
3 registered in the previous calendar year. On or before June 1, the
4 Department, using that data, shall compute the amount of excise
5 taxes paid on all motor vehicle fuel used in watercraft for
6 recreational purposes based on the formula set forth in subsection 2,
7 and shall certify the ratio for apportionment and distribution, in
8 writing, to the Department of Wildlife and to the Division of State
9 Parks of the State Department of Conservation and Natural
10 Resources for the next fiscal year.

11 4. In each fiscal year, the State Treasurer shall, upon receipt of
12 the tax money from the Department collected pursuant to the
13 provisions of NRS 365.175 to 365.190, inclusive, allocate the
14 amount determined pursuant to subsection 2, in proportions directed
15 by the Legislature, to:

16 (a) The Wildlife ~~[Fund]~~ Account in the State General Fund. This
17 money may be expended only for the administration and
18 enforcement of the provisions of chapter 488 of NRS and for the
19 improvement, operation and maintenance of boating facilities and
20 other outdoor recreational facilities associated with boating. Any
21 money received in excess of the amount authorized by the
22 Legislature to be expended for such purposes must be retained in the
23 Wildlife ~~[Fund]~~ Account.

24 (b) The Division of State Parks of the State Department of
25 Conservation and Natural Resources. Such money may be expended
26 only as authorized by the Legislature for the improvement,
27 operation and maintenance of boating facilities and other outdoor
28 recreational facilities located in any state park that includes a body
29 of water used for recreational purposes.

30 **Sec. 28.** NRS 488.075 is hereby amended to read as follows:

31 488.075 1. The owner of each motorboat requiring
32 numbering by this State shall file an application for a number and
33 for a certificate of ownership with the Department on forms
34 approved by it accompanied by:

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

39 (b) Such evidence of ownership as the Department may require.

40 ➔ The Department shall not issue a number, a certificate of number
41 or a certificate of ownership until this evidence is presented to it.

42 2. The application must be signed by the owner of the
43 motorboat and must be accompanied by a fee of \$20 for the
44 certificate of ownership and a fee according to the following



1 schedule as determined by the straight line length which is measured
2 from the tip of the bow to the back of the transom of the motorboat:

3	
4	Less than 13 feet..... \$20
5	13 feet or more but less than 18 feet..... 25
6	18 feet or more but less than 22 feet..... 40
7	22 feet or more but less than 26 feet..... 55
8	26 feet or more but less than 31 feet..... 75
9	31 feet or more 100

10
11 Except as otherwise provided in this subsection, all fees received by
12 the Department under the provisions of this chapter must be
13 deposited in the Wildlife ~~[Fund]~~ Account in the State General Fund
14 and, except as otherwise provided in NRS 488.536, may be
15 expended only for the administration and enforcement of the
16 provisions of this chapter. On or before December 31 of each year,
17 the Department shall deposit with the respective county school
18 districts 50 percent of each fee collected according to the
19 motorboat's length for every motorboat registered from their
20 respective counties. Upon receipt of the application in approved
21 form, the Department shall enter the application upon the records of
22 its office and issue to the applicant a certificate of number stating
23 the number awarded to the motorboat, a certificate of ownership
24 stating the same information and the name and address of the
25 registered owner and the legal owner.

26 3. A certificate of number may be renewed each year by the
27 purchase of a validation decal. The fee for a validation decal is
28 determined by the straight line length of the motorboat and is
29 equivalent to the fee set forth in the schedule provided in subsection
30 2. The amount of the fee for issuing a duplicate validation decal is
31 \$20.

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

37 5. The certificate of number must be available at all times for
38 inspection on the motorboat for which issued, whenever the
39 motorboat is in operation.

40 6. The Commission shall provide by regulation for the issuance
41 of numbers to manufacturers and dealers which may be used
42 interchangeably upon motorboats operated by the manufacturers and
43 dealers in connection with the demonstration, sale or exchange of
44 those motorboats. The amount of the fee for each such a number is
45 \$20.



1 **Sec. 29.** NRS 488.536 is hereby amended to read as follows:
2 488.536 1. Except as otherwise provided in subsection 6, a
3 person shall not operate a vessel on the waters of this State unless
4 the person has:

5 (a) Paid to the Department the aquatic invasive species fee
6 established pursuant to subsection 4; and

7 (b) Attached the aquatic invasive species decal issued pursuant
8 to subsection 2 to the port side transom of the vessel so that the
9 decal is distinctly visible.

10 2. The Department shall issue to a person who pays the fee
11 established pursuant to subsection 4 an aquatic invasive species
12 decal as evidence of the payment of the aquatic invasive species fee.

13 3. Aquatic invasive species decals expire at the end of each
14 calendar year. Only the decal for the current year may be displayed
15 on a vessel.

16 4. The Commission shall establish by regulation an aquatic
17 invasive species fee, which:

18 (a) For a motorboat which is owned or operated by a person who
19 is a resident of this State, must not exceed \$10;

20 (b) For a vessel, other than a motorboat, which is owned or
21 operated by a person who is a resident of this State, must not exceed
22 \$5;

23 (c) For a motorboat which is owned or operated by a
24 nonresident of this State, must be \$20; and

25 (d) For a vessel, other than a motorboat, which is owned or
26 operated by a nonresident of this State, must be \$10.

27 5. The aquatic invasive species fee established pursuant to
28 subsection 4 must be paid annually for the issuance of an aquatic
29 invasive species decal. The fee must be deposited in the Wildlife
30 ~~Fund~~ Account in the State General Fund and used by the
31 Department for enforcement of this section ~~and~~ **and** NRS 488.530,
32 488.533 and 503.597 and for education about and management of
33 aquatic invasive species.

34 6. The provisions of this section do not apply to a person who
35 operates a vessel on the waters of:

36 (a) The Colorado River, Lake Mead or Lake Mohave if, as
37 determined by the Department, the vessel is registered in Arizona
38 and Arizona has a program in effect for the management of aquatic
39 invasive species; or

40 (b) Lake Tahoe or Topaz Lake if, as determined by the
41 Department, the vessel is registered in California and California has
42 a program in effect for the management of aquatic invasive species.

43 **Sec. 30.** The Legislative Counsel shall:

44 1. In preparing the Nevada Revised Statutes, make such
45 changes as necessary so that references to the "Wildlife Fund



1 Account” and the “Wildlife Heritage Trust Account” are changed to
2 the “Wildlife Account” and “Wildlife Heritage Account,”
3 respectively; and

4 2. In preparing supplements to the Nevada Administrative
5 Code, make such changes as necessary so that references to the
6 “Wildlife Fund Account” and the “Wildlife Heritage Trust Account”
7 are changed to the “Wildlife Account” and “Wildlife Heritage
8 Account,” respectively.

9 **Sec. 31.** 1. This section and sections 1 to 22, inclusive, and
10 24 to 30, inclusive, of this act become effective on July 1, 2015.

11 2. Section 23 of this act becomes effective upon the
12 conveyance of the Carson Lake Pasture to the State of Nevada in
13 accordance with chapter 209, Statutes of Nevada 1993, at page 447.

⑩



