

THE NINETY-SECOND DAY

CARSON CITY (Monday), May 4, 2015

Assembly called to order at 12:22 p.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Peggy Locke.

From Lamentations 3:21-25, "This I recall to my mind, therefore I have hope. The Lord's lovingkindnesses indeed never cease, for His compassions never fail. They are new every morning; great is Your faithfulness. The Lord is my portion, says my soul, Therefore I have hope in Him. The Lord is good to those who wait for Him, to the person who seeks Him.

Heavenly Father, we thank You for Your love and mercy to each one of us. We have hope in You. We give ourselves to seek You today and to walk in Your ways. May You direct our steps and uphold us with Your righteous right hand. Strengthen us and give us help in times of trouble. May we encourage and build each other up as we work together to serve this great people of the state of Nevada.

We commit to You today our families, friends, and co-workers. We also pray protection for those serving in harms way. We put our trust in You, O Most High, as we set ourselves to act justly, to love mercy, and to walk humbly before You.

In Jesus' Name and for Your glory we pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Paul Anderson moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce and Labor, to which were referred Senate Bills Nos. 86, 151, 158, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

RANDY KIRNER, *Chair*

Mr. Speaker:

Your Committee on Health and Human Services, to which were referred Senate Bills Nos. 14, 31, 196, 281, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES OSCARSON, *Chair*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture, and Mining, to which was referred Senate Bill No. 476, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBIN L. TITUS, *Chair*

JOURNAL OF THE ASSEMBLY

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 1, 2015

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day concurred in Assembly Amendment No. 655 to Senate Bill No. 459.

SHERRY RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

NOTICE OF EXEMPTION

May 2, 2015

Pursuant to paragraph (a) of subsection 4 of Joint Standing Rule No. 14.6, BDR 23-1272 is not subject to the provisions of subsection 1 of Joint Standing Rule No. 14, Joint Standing Rule No. 14.1, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3.

RICHARD S. COMBS
Director

Assemblyman Paul Anderson moved that Senate Bills Nos. 271, 418, and 485 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

Assemblyman Paul Anderson moved that Senate Joint Resolution No. 11 be taken from the Chief Clerk's desk and be placed on the General File

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 2.

Bill read second time and ordered to third reading.

Senate Bill No. 37.

Bill read second time and ordered to third reading.

Senate Bill No. 55.

Bill read second time and ordered to third reading.

Senate Bill No. 121.

Bill read second time and ordered to third reading.

Senate Bill No. 136.

Bill read second time and ordered to third reading.

Senate Bill No. 142.

Bill read second time and ordered to third reading.

Senate Bill No. 229.

Bill read second time and ordered to third reading.

Senate Bill No. 244.

Bill read second time and ordered to third reading.

Senate Bill No. 448.

Bill read second time and ordered to third reading.

Senate Bill No. 449.

Bill read second time and ordered to third reading.

Senate Bill No. 473.

Bill read second time and ordered to third reading.

Senate Bill No. 482.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Paul Anderson moved that Senate Bill No. 136 be rereferred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 23.

Bill read third time.

Remarks by Assemblyman Jones.

ASSEMBLYMAN JONES:

Senate Bill 23 revises certain reporting requirements for the Director of Nevada's Department of Transportation (NDOT). This bill requires the Director to report biennially to the Legislature the requirements for the construction and maintenance of highways for the next four years, rather than three years.

Senate Bill 23 also reduces the length of NDOT's plan for resurfacing state highways, on which it must report to the Legislature, from 12 years to 10 years. The Board of Directors of NDOT must submit a proposed work program to the Governor annually by October 1, rather than July 15, to align with the upcoming federal fiscal year. Finally, the Board may provide a copy of the proposed work program to county commissioners by means other than mailing a printed copy.

Roll call on Senate Bill No. 23:

YEAS—42.

NAYS—None.

Senate Bill No. 23 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 43.

Bill read third time.

Remarks by Assemblyman Silberkraus.

ASSEMBLYMAN SILBERKRAUS:

Senate Bill 43 requires the driver of a bus carrying passengers or a vehicle containing hazardous materials to stop before crossing at grade any railroad tracks. The bill also makes it unlawful for the driver of any vehicle to fail to completely cross railroad tracks without stopping due to insufficient space on the opposite side of the railroad crossing or insufficient undercarriage clearance. This bill is effective on October 1, 2015.

Roll call on Senate Bill No. 43:

YEAS—42.

NAYS—None.

Senate Bill No. 43 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 159.

Bill read third time.

Remarks by Assemblyman O'Neill.

ASSEMBLYMAN O'NEILL:

Senate Bill 159 requires that every policy of health, group, or blanket insurance; contract for hospital or medical services; and evidence of coverage include a procedure for the arbitration of disputes related to an independent medical evaluation of a dentist's diagnosis and care of a patient. This bill is effective upon passage and approval for the purpose of adopting regulations or performing any preparatory administrative tasks and on January 1, 2016, for all other purposes.

Roll call on Senate Bill No. 159:

YEAS—42.

NAYS—None.

Senate Bill No. 159 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 200.

Bill read third time.

Remarks by Assemblyman Armstrong.

ASSEMBLYMAN ARMSTRONG:

Senate Bill 200 authorizes a charter school to offer enrollment preference to a child of a person who resides or is employed on a federal military installation if the charter school is located on such property.

Roll call on Senate Bill No. 200:

YEAS—42.

NAYS—None.

Senate Bill No. 200 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 205.

Bill read third time.

Remarks by Assemblyman Elliot Anderson.

ASSEMBLYMAN ELLIOT ANDERSON:

Senate Bill 205 requires the Department of Education to develop a model plan for the management of a crisis or an emergency involving a public or private school. This model plan must include certain procedures, plans, and information, including threats or hazards listed in the local county hazard mitigation plan, and be utilized by each school district, charter school, and private school in the development of local plans.

Roll call on Senate Bill No. 205:

YEAS—42.

NAYS—None.

Senate Bill No. 205 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 217.

Bill read third time.

Remarks by Assemblywoman Seaman.

ASSEMBLYWOMAN SEAMAN:

Senate Bill 217 prohibits public and private policies of health insurance and health care plans from denying coverage for covered topical ophthalmic products if refills are provided early. The bill requires a pharmacist to provide early refills of topical ophthalmic products upon the request of a patient who is experiencing inadvertent wastage of the product due to difficulty applying the product to the eye, and only pursuant to a valid prescription that states specific authorization to refill. This bill is effective upon passage and approval for purposes of adopting any regulations and performing any preparatory administrative tasks, and on January 1, 2016, for all other purposes.

Roll call on Senate Bill No. 217:

YEAS—42.

NAYS—None.

Senate Bill No. 217 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 263.

Bill read third time.

Remarks by Assemblyman Araujo.

ASSEMBLYMAN ARAUJO:

Senate Bill 263 expands existing exemptions from driving on a sidewalk to include an electric vehicle designed to travel on three wheels if the vehicle is operated as an authorized emergency vehicle by an officer or other authorized employee of a law enforcement agency or by a security guard. Each board of county commissioners may enact an ordinance regulating the time, place, and manner of the operation of such a vehicle operated by a security guard, including prohibiting the use of such a vehicle in specific areas of the county.

Roll call on Senate Bill No. 263:

YEAS—42.

NAYS—None.

Senate Bill No. 263 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 11.

Resolution read third time.

Remarks by Assemblymen Titus, Edwards, and Swank.

ASSEMBLYWOMAN TITUS:

Senate Joint Resolution 11 proposes to amend the *Nevada Constitution* by adding a new section that preserves the right to hunt, trap, and fish and provides that these activities are integral components of wildlife management. The measure further provides that the right to hunt, trap, and fish does not create a right to trespass on private property; affect existing rights to water management or use; diminish any other private right; diminish the authority of a local government to regulate the use of real property it owns, occupies, or leases; or prohibit the enactment or enforcement of any statute or regulation that requires a person to obtain a hunting, trapping, or fishing license or requires its revocation or suspension. Assemblyman Edwards:

ASSEMBLYMAN EDWARDS:

I have tremendous respect and deference for our national and our state constitutions. These documents are too important to add any unnecessary amendments or changes. When S.J.R. 11 came to the Committee on Natural Resources, Agriculture, and Mining, I was one who was very skeptical about the need for this change. I did not know if it really passed the threshold of being appropriate for changing our constitution. I was not convinced at the time that it was needed.

I recently talked with its sponsor for clarifications of my concerns, and the bill's sponsor presented additional information regarding why we may need to take this action and go down this path. The good Senator's clarifications are sufficient to convince me that this may, in fact, be an appropriate course of action. Sometimes, amending the constitution and changing it is indeed what is necessary. Therefore, I will be voting in favor of S.J.R. 11, and I will encourage all others to do the same.

ASSEMBLYWOMAN SWANK:

I rise in opposition to S.J.R. 11. I want to inform the body that there are only 17 states in the United States that have amended their constitutions to include the protections to hunt and to fish, and only 5 of those 17 explicitly mention trapping. I would be much more comfortable and be able to vote in favor of this if we only included hunting and fishing and excluded trapping.

Roll call on Senate Joint Resolution No. 11:

YEAS—32.

NAYS—Araujo, Benitez-Thompson, Bustamante Adams, Carlton, Diaz, Neal, Ohrenschall, Sprinkle, Swank, Thompson—10.

Senate Joint Resolution No. 11 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 78.

The following Senate amendment was read:

Amendment No. 261.

AN ACT relating to wildlife; **revising the process by which the Board of Wildlife Commissioners establishes certain policies and adopts certain regulations; revising provisions governing programs for the management and control of predatory wildlife;** revising provisions relating to the fees charged to an applicant for an elk tag; **revising certain provisions governing county advisory boards to manage wildlife; revising the membership of the State Predatory Animal and Rodent Committee;** making various other changes relating to wildlife; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Board of Wildlife Commissioners to establish policies for the management of wildlife in this State and to establish policies and adopt regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat. (NRS 501.105, 501.181) Sections 1 and 1.2 of this bill require the Commission, in establishing such policies and adopting such regulations, to first consider the recommendations of the Department of Wildlife, the county advisory boards to manage wildlife and other persons who present their views at an open meeting of the Commission.

Existing law establishes a county advisory board to manage wildlife in each of the counties of this State. (NRS 501.260) Sections 1.4-1.6 of this bill make various changes relating to those boards.

Existing law sets forth the fees to be charged by the Department of Wildlife to a hunter who applies for an elk tag. In addition to a fee for the tag itself, the Department is required to charge a fee for processing the application of not more than \$15, of which \$5 must be used for the prevention and mitigation of damage caused by elk or game mammals not native to this State. (NRS 502.250) **Section 3** of this bill revises those provisions so that the fee for processing the application is fixed at \$10 and the fee to cover costs of prevention and mitigation is increased to not more than \$10, as provided by regulation of the Board of Wildlife Commissioners. ~~Sections 1.2 and 2~~ of this bill make conforming changes.

Existing law also provides that in addition to any fee charged and collected for a game tag, a fee of \$3 must be charged for processing each application for a game tag, the revenue from which must be deposited with the State Treasurer for credit to the Wildlife Fund Account in the State General Fund and used by the Department for costs related to certain programs, management activities and research relating to wildlife. (NRS 502.253) Section 4 of this bill revises the provisions governing the use of this money. Section 4 also requires the Commission to consider the recommendations of the State Predatory Animal and Rodent Committee, the county advisory boards to manage wildlife and other persons who present their views at an open meeting before approving certain programs, activities and research.

Existing law creates and governs the State Predatory Animal and Rodent Committee. (NRS 567.010-567.090) Section 5 of this bill adds two new members to the Committee and establishes their qualifications. Section 8 of this bill requires the Chair to designate the two additional members described in section 5 of this bill as soon as practicable after the effective date of this bill. Sections 6 and 7 of this bill make various changes relating to the meetings of the Committee.

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

Section 1. NRS 501.105 is hereby amended to read as follows:

501.105 The Commission shall establish policies and adopt regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat. **In establishing such policies and adopting such regulations, the Commission must first consider the recommendations of the Department, the county advisory boards to manage wildlife and other persons who present their views at an open meeting of the Commission.**

Sec. 1.2. NRS 501.181 is hereby amended to read as follows:

501.181 The Commission shall:

1. Establish broad policies for:

(a) The protection, propagation, restoration, transplanting, introduction and management of wildlife in this State.

(b) The promotion of the safety of persons using or property used in the operation of vessels on the waters of this State.

(c) The promotion of uniformity of laws relating to policy matters.

2. Guide the Department in its administration and enforcement of the provisions of this title and of chapter 488 of NRS by the establishment of such policies.

3. Establish policies for areas of interest including:

(a) The management of big and small game mammals, upland and migratory game birds, fur-bearing mammals, game fish, and protected and unprotected mammals, birds, fish, reptiles and amphibians.

(b) The **management and** control of **predatory** wildlife. ~~[depredations.]~~

(c) The acquisition of lands, water rights and easements and other property for the management, propagation, protection and restoration of wildlife.

(d) The entry, access to, and occupancy and use of such property, including leases of grazing rights, sales of agricultural products and requests by the Director to the State Land Registrar for the sale of timber if the sale does not interfere with the use of the property on which the timber is located for wildlife management or for hunting or fishing thereon.

(e) The control of nonresident hunters.

(f) The introduction, transplanting or exporting of wildlife.

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

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

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

(a) Seasons for hunting game mammals and game birds, for hunting or trapping fur-bearing mammals and for fishing, the daily and possession

limits, the manner and means of taking wildlife, including, but not limited to, the sex, size or other physical differentiation for each species, and, when necessary for management purposes, the emergency closing or extending of a season, reducing or increasing of the bag or possession limits on a species, or the closing of any area to hunting, fishing or trapping. ~~The~~ **If, in establishing any regulations ~~must be established after first considering~~ pursuant to this subsection, the Commission rejects the recommendations of the Department, the a county advisory ~~boards~~ board to manage wildlife ~~and others who wish to present their views at an open meeting.~~ with regard to the length of seasons for fishing, hunting and trapping or the bag or possession limits applicable within the respective county, the Commission shall provide to the county advisory board to manage wildlife a written explanation of the Commission's decision to reject the recommendations.**

Any regulations relating to the closure of a season must be based upon scientific data concerning the management of wildlife. The data upon which the regulations are based must be collected or developed by the Department.

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

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

(d) The number of licenses issued for big game and, if necessary, other game species.

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

6. Adopt regulations:

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

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

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

8. Adopt regulations governing the trapping of fur-bearing mammals in a residential area of a county whose population is 100,000 or more.

9. In establishing any policy or adopting any regulations pursuant to this section, first consider the recommendations of the Department, the county advisory boards to manage wildlife and other persons who present their views at an open meeting of the Commission.

Sec. 1.4. NRS 501.290 is hereby amended to read as follows:

501.290 The board shall meet before ~~those meetings~~ each meeting of the Commission ~~at which seasons, bag limits or hours are to be established~~ and at such other times as the chair may call or the Commission may request.

Sec. 1.5. NRS 501.297 is hereby amended to read as follows:

501.297 The boards shall solicit and evaluate local opinion and advise the Commission on matters relating to the management of wildlife, ~~within their respective counties.~~

Sec. 1.6. NRS 501.303 is hereby amended to read as follows:

501.303 1. The boards shall submit recommendations for the management of wildlife and setting seasons for fishing, hunting and trapping, which must be considered by the Commission in its deliberation on and establishment of regulations, ~~covering open or closed seasons, bag limits, hours and other regulations or policies.~~

2. The chair or vice chair, or members of the board appointed by them:

(a) Shall attend the meetings of the Commission; ~~at which seasons are set or bag limits, hours or other regulations and policies are established;~~ and

(b) Are entitled to receive such travel and per diem expenses as are allowed by law.

~~Section 1.7~~ **Sec. 1.8.** NRS 501.356 is hereby amended to read as follows:

501.356 1. Money received by the Department from:

(a) The sale of licenses;

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

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

(d) Appropriations made by the Legislature; and

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

↪ must be deposited with the State Treasurer for credit to the Wildlife Fund Account in the State General Fund.

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

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

4. Except as otherwise provided in NRS 502.250 and 504.155, all fees for the sale or issuance of stamps, tags, permits and licenses that are required

to be deposited in the Wildlife Fund Account pursuant to the provisions of this title and any matching money received by the Department from any source must be accounted for separately and must be used:

- (a) Only for the management of wildlife; and
- (b) If the fee is for the sale or issuance of a license, permit or tag other than a tag specified in subsection 5 ~~for 6~~, **7 or 8** of NRS 502.250, under the guidance of the Commission pursuant to subsection 2 of NRS 501.181.

Sec. 2. NRS 502.142 is hereby amended to read as follows:

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

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

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

- (1) The fee charged for an elk tag pursuant to *subsection 1 of* NRS 502.250; and

- (2) Any administrative fee charged in connection with the issuance of an elk tag pursuant to this chapter ~~4~~, **including, without limitation, the fees charged pursuant to subsections 4 and 6 of NRS 502.250.**

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

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

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

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

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

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

- (3) The total number of elk; and

- (4) Limiting the number of special incentive elk tags issued in each calendar year to not more than one-half of the bull elk tags issued in that calendar year,

- ↪ within the actual elk use area in the unit or units of the management area or areas in which the private land is located.

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

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

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

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

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

(1) If the person holds a valid hunting license issued by this State, use the special incentive elk tag himself or herself; or

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

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

(1) During the open season for elk.

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

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

2. As used in this section, “actual elk use area” means an area in which elk live, as identified and designated by the Department.

Sec. 3. NRS 502.250 is hereby amended to read as follows:

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

Resident deer tag	\$30
Resident antelope tag	60
Resident elk tag	120
Resident bighorn sheep tag.....	120
Resident mountain goat tag.....	120
Resident mountain lion tag.....	25
Nonresident deer tag.....	240
Nonresident antelope tag.....	300
Nonresident antlered elk tag.....	1,200
Nonresident antlerless elk tag.....	500
Nonresident bighorn sheep tag.....	1,200
Nonresident mountain goat tag.....	1,200
Nonresident mountain lion tag	100

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

3. The amount of the fee for a tag determined to be necessary by the Commission for other species pursuant to NRS 502.130 must not exceed the

highest fee for a resident or nonresident tag established pursuant to this section.

4. A fee not to exceed \$10 may be charged for processing an application for a game species or permit other than an application for ~~an elk. A fee of not less than \$5 but not more than \$15 must be charged for processing an application for an elk, \$5 of which~~ **a Silver State Tag. Any fee collected pursuant to this subsection** must be deposited with the State Treasurer for credit to the Wildlife Fund Account in the State General Fund. ~~and used for the prevention and mitigation of damage caused by elk or game mammals not native to this State.~~

5. A fee of not less than \$15 and not more than \$50 must be charged for processing an application for a Silver State Tag.

~~{5}~~ **Any fee collected pursuant to this subsection must be deposited with the State Treasurer for credit to the Wildlife Heritage Trust Account in the State General Fund.**

6. **If an application is for an elk, in addition to the fee for the elk tag required by subsection 1 and the fee for processing an application required by subsection 4 or 5, a fee of not less than \$5 and not more than \$10, as provided by regulation of the Commission, must be charged. Any fee collected pursuant to this subsection must be deposited with the State Treasurer for credit to the Wildlife Fund Account in the State General Fund and used pursuant to NRS 504.155 for the prevention and mitigation of damage caused by elk or game mammals not native to this State.**

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

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

tags must be deposited with the State Treasurer for credit to the Wildlife Heritage Trust Account in accordance with the provisions of NRS 501.3575.

~~{7}~~ 9. The Commission may adopt regulations which authorize the return of all or a portion of any fee collected from a person pursuant to the provisions of this section.

Sec. 4. NRS 502.253 is hereby amended to read as follows:

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

(a) ~~{Programs}~~ **Developing and implementing an annual program** for the management and control of ~~{injurious}~~ predatory wildlife;

(b) Wildlife management activities relating to the protection of nonpredatory game animals ~~{,}~~ **and** sensitive wildlife species ~~;~~ and ~~{related wildlife habitat,}~~

(c) Conducting research ~~{, as needed,}~~ **necessary** to determine successful techniques for managing and controlling predatory ~~{wildlife, including studies necessary to ensure effective programs for the management and control of injurious predatory wildlife, and}~~

~~{(d) Programs for the education of the general public concerning the management and control of predatory}~~ wildlife.

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

3. Any program developed or wildlife management activity or research conducted pursuant to this section ~~{must be developed or conducted under the guidance of}~~ **may be implemented or conducted only if the program, activity or research is approved by** the Commission **pursuant to subsection 4 and is in accordance with the policies adopted by the Commission** pursuant to ~~{subsection 2 of}~~ NRS 501.181.

4. The Commission:

(a) In approving any program developed or wildlife management activity or research conducted pursuant to this section, shall first consider the recommendations of the State Predatory Animal and Rodent Committee created by NRS 567.020, the county advisory boards to manage wildlife and other persons who present their views at an open meeting of the Commission.

(b) Shall not approve any program for the management and control of predatory wildlife developed pursuant to this section that provides for the expenditure of less than 80 percent of the amount of money collected pursuant to subsection 1 in the immediately preceding fiscal year for the purposes of lethal management and control of predatory wildlife.

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

Sec. 5. NRS 567.030 is hereby amended to read as follows:

567.030 The Committee consists of ~~five~~ the following seven members ~~††~~:

1. Two members ~~†† must be~~ designated by the State Board of Agriculture from among its members, one of which must be the appointee for range or semirange sheep production.

2. One member ~~†† must be~~ designated by the Board of Wildlife Commissioners from among its members.

3. One member ~~†† must be~~ designated by the State Board of Health from among its members.

4. One member ~~†† must be~~ designated by the Nevada Farm Bureau Federation from among its members.

5. *One member designated by the Chair of the Committee from among the persons who make application to the Committee who:*

(a) Must have been issued a license to hunt, trap or fish in this State in at least 3 of the 5 years immediately preceding the date on which he or she is designated as a member; and

(b) Must not have been convicted of any violation of the provisions of this title or any regulations adopted pursuant thereto or any federal law or regulation or any law or regulation of any other state relating to hunting, trapping or fishing in the 5 years immediately preceding the date on which he or she is designated as a member.

6. *One member designated by the Chair of the Committee from among the persons who make application to the Committee who:*

(a) Must hold a license as a master guide issued pursuant to NRS 504.390; and

(b) Must not have been convicted of any violation of the provisions of this title or any regulations adopted pursuant thereto or any federal law or regulation or any law or regulation of any other state relating to hunting, trapping or fishing in the 5 years immediately preceding the date on which he or she is designated as a member.

Sec. 6. NRS 567.040 is hereby amended to read as follows:

567.040 1. ~~†† Upon and following its organization~~ At the *first meeting of each year, the* Committee shall select its own Chair ~~††~~ *and Vice Chair from among its members. A member may not serve as the Chair or Vice Chair for more than two consecutive terms.*

2. *Upon the selection of the Chair at the first meeting of each year, the Chair shall designate the members described in subsections 5 and 6 of NRS 567.030.*

3. The Secretary of the State Board of Agriculture shall serve as Secretary of the Committee.

Sec. 7. NRS 567.070 is hereby amended to read as follows:

567.070 The Committee's Secretary shall call the first meeting of the Committee **each year** following the designation of ~~its~~ **the** members ~~as provided~~ **described in subsections 1 to 4, inclusive, of** NRS 567.030.

Sec. 8. Notwithstanding the amendatory provisions of subsection 2 of section 6 of this act, the Chair of the State Predatory Animal and Rodent Committee shall, as soon as practicable after the effective date of this act, designate the members of the Committee described in subsections 5 and 6 of NRS 567.030, as amended by section 5 of this act, each to serve a term that expires on the date of the first meeting of the Committee that occurs on or after January 1, 2017.

~~{Sec. 4.}~~ **Sec. 9.** This act becomes effective upon passage and approval.

Assemblywoman Titus moved that the Assembly do not concur in the Senate Amendment No. 261 to Assembly Bill No. 78.

Remarks by Assemblywoman Titus.

ASSEMBLYWOMAN TITUS:

Amendment 261 to Assembly Bill 78 revises the provisions by which the Board of Wildlife Commissioners establishes certain policies and adopts certain regulations. I feel that we should not concur with this amendment.

Motion carried.

The following Senate amendment was read:

Amend No. 583.

AN ACT relating to wildlife; revising the process by which the Board of Wildlife Commissioners establishes certain policies and adopts certain regulations; revising provisions governing programs for the management and control of predatory wildlife; ~~revising provisions relating to the fees charged to an applicant for an elk tag;~~ revising certain provisions governing county advisory boards to manage wildlife; revising the membership of the State Predatory Animal and Rodent Committee; ~~making various other changes relating to wildlife;~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Board of Wildlife Commissioners to establish policies for the management of wildlife in this State and to establish policies and adopt regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat. (NRS 501.105, 501.181) **Sections 1 and 1.2** of this bill require the Commission, in establishing such policies and adopting such regulations, to first consider the recommendations of the Department of Wildlife, the county advisory boards to manage wildlife and other persons who present their views at an open meeting of the Commission.

Existing law establishes a county advisory board to manage wildlife in each of the counties of this State. (NRS 501.260) **Sections 1.4-1.6** of this bill make various changes relating to those boards.

~~[Existing law sets forth the fees to be charged by the Department of Wildlife to a hunter who applies for an elk tag. In addition to a fee for the tag itself, the Department is required to charge a fee for processing the application of not more than \$15, of which \$5 must be used for the prevention and mitigation of damage caused by elk or game mammals not native to this State. (NRS 502.250) Section 3 of this bill revises those provisions so that the fee for processing the application is fixed at \$10 and the fee to cover costs of prevention and mitigation is increased to not more than \$10, as provided by regulation of the Board of Wildlife Commissioners. Sections 1.2 and 2 of this bill make conforming changes.]~~

Existing law ~~also~~ provides that in addition to any fee charged and collected for a game tag, a fee of \$3 must be charged for processing each application for a game tag, the revenue from which must be deposited with the State Treasurer for credit to the Wildlife Fund Account in the State General Fund and used by the Department for costs related to certain programs, management activities and research relating to wildlife. (NRS 502.253) **Section 4** of this bill revises the provisions governing the use of this money. **Section 4** also requires the Commission to consider the recommendations of the State Predatory Animal and Rodent Committee, the county advisory boards to manage wildlife and other persons who present their views at an open meeting before approving certain programs, activities and research.

Existing law creates and governs the State Predatory Animal and Rodent Committee. (NRS 567.010-567.090) **Section 5** of this bill adds two new members to the Committee and establishes their qualifications. **Section 8** of this bill requires the Chair to designate the two additional members described in **section 5** of this bill as soon as practicable after the effective date of this bill. **Sections 6 and 7** of this bill make various changes relating to the meetings of the Committee.

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

Section 1. NRS 501.105 is hereby amended to read as follows:

501.105 The Commission shall establish policies and adopt regulations necessary to the preservation, protection, management and restoration of wildlife and its habitat. ***In establishing such policies and adopting such regulations, the Commission must first consider the recommendations of the Department, the county advisory boards to manage wildlife and other persons who present their views at an open meeting of the Commission.***

Sec. 1.2. NRS 501.181 is hereby amended to read as follows:

501.181 The Commission shall:

1. Establish broad policies for:

(a) The protection, propagation, restoration, transplanting, introduction and management of wildlife in this State.

(b) The promotion of the safety of persons using or property used in the operation of vessels on the waters of this State.

(c) The promotion of uniformity of laws relating to policy matters.

2. Guide the Department in its administration and enforcement of the provisions of this title and of chapter 488 of NRS by the establishment of such policies.

3. Establish policies for areas of interest including:

(a) The management of big and small game mammals, upland and migratory game birds, fur-bearing mammals, game fish, and protected and unprotected mammals, birds, fish, reptiles and amphibians.

(b) The **management and** control of **predatory** wildlife. ~~{depredations.}~~

(c) The acquisition of lands, water rights and easements and other property for the management, propagation, protection and restoration of wildlife.

(d) The entry, access to, and occupancy and use of such property, including leases of grazing rights, sales of agricultural products and requests by the Director to the State Land Registrar for the sale of timber if the sale does not interfere with the use of the property on which the timber is located for wildlife management or for hunting or fishing thereon.

(e) The control of nonresident hunters.

(f) The introduction, transplanting or exporting of wildlife.

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

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

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

(a) Seasons for hunting game mammals and game birds, for hunting or trapping fur-bearing mammals and for fishing, the daily and possession limits, the manner and means of taking wildlife, including, but not limited to, the sex, size or other physical differentiation for each species, and, when necessary for management purposes, the emergency closing or extending of a season, reducing or increasing of the bag or possession limits on a species, or the closing of any area to hunting, fishing or trapping. ~~{The}~~ ***If, in establishing any regulations*** ~~{must be established after first considering}~~ ***pursuant to this subsection, the Commission rejects*** the recommendations of ~~{the Department, the}~~ ***a county advisory*** ~~{boards}~~ ***board*** to manage wildlife ~~{and others who wish to present their views at an open meeting.}~~ ***with regard to the length of seasons for fishing, hunting and trapping or the bag or possession limits applicable within the respective county, the Commission shall provide to the county advisory board to manage wildlife a written explanation of the Commission's decision to reject the recommendations.*** Any regulations relating to the closure of a season must be based upon

scientific data concerning the management of wildlife. The data upon which the regulations are based must be collected or developed by the Department.

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

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

(d) The number of licenses issued for big game and, if necessary, other game species.

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

6. Adopt regulations:

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

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

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

8. Adopt regulations governing the trapping of fur-bearing mammals in a residential area of a county whose population is 100,000 or more.

9. *In establishing any policy or adopting any regulations pursuant to this section, first consider the recommendations of the Department, the county advisory boards to manage wildlife and other persons who present their views at an open meeting of the Commission.*

Sec. 1.4. NRS 501.290 is hereby amended to read as follows:

501.290 The board shall meet before ~~those meetings~~ **each meeting** of the Commission ~~at which seasons, bag limits or hours are to be established~~ and at such other times as the chair may call or the Commission may request.

Sec. 1.5. NRS 501.297 is hereby amended to read as follows:

501.297 The boards shall solicit and evaluate local opinion and advise the Commission on matters relating to the management of wildlife . ~~within their respective counties.~~

Sec. 1.6. NRS 501.303 is hereby amended to read as follows:

501.303 1. The boards shall submit recommendations for **the management of wildlife and** setting seasons for fishing, hunting and trapping, which must be considered by the Commission in its deliberation on and establishment of regulations . ~~covering open or closed seasons, bag limits, hours and other regulations or policies.~~

2. The chair or vice chair, or members of the board appointed by them:

(a) Shall attend the meetings of the Commission ; ~~at which seasons are set or bag limits, hours or other regulations and policies are established;~~ and

(b) Are entitled to receive such travel and per diem expenses as are allowed by law.

~~Sec. 1.8. NRS 501.356 is hereby amended to read as follows:~~

~~501.356 1. Money received by the Department from:~~

~~(a) The sale of licenses;~~

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

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

~~(d) Appropriations made by the Legislature; and~~

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

~~must be deposited with the State Treasurer for credit to the Wildlife Fund Account in the State General Fund.~~

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

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

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

~~(a) Only for the management of wildlife; and~~

~~(b) If the fee is for the sale or issuance of a license, permit or tag other than a tag specified in subsection 5 [or 6], 7 or 8 of NRS 502.250, under the guidance of the Commission pursuant to subsection 2 of NRS 501.181.]~~

~~(Deleted by amendment.)~~

~~Sec. 2. NRS 502.142 is hereby amended to read as follows:~~

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

~~(a) Set forth the application and annual review processes for the issuance of special incentive elk tags;~~

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

~~(1) The fee charged for an elk tag pursuant to *subsection 1 of NRS 502.250*; and~~

~~— (2) Any administrative fee charged in connection with the issuance of an elk tag pursuant to this chapter [], including, without limitation, the fees charged pursuant to subsections 4 and 6 of NRS 502.250.~~

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

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

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

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

~~— (1) The number of elk using private land controlled by the applicant;~~

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

~~— (3) The total number of elk; and~~

~~— (4) Limiting the number of special incentive elk tags issued in each calendar year to not more than one half of the bull elk tags issued in that calendar year;~~

~~— within the actual elk use area in the unit or units of the management area or areas in which the private land is located.~~

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

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

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

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

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

~~— (1) If the person holds a valid hunting license issued by this State, use the special incentive elk tag himself or herself; or~~

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

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

~~— (1) During the open season for elk.~~

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

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

~~2. As used in this section, "actual elk use area" means an area in which elk live, as identified and designated by the Department.~~ **(Deleted by amendment.)**

Sec. 3. ~~NRS 502.250 is hereby amended to read as follows:~~

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

Resident deer tag	\$30
Resident antelope tag	60
Resident elk tag	120
Resident bighorn sheep tag	120
Resident mountain goat tag	120
Resident mountain lion tag	25
Nonresident deer tag	240
Nonresident antelope tag	300
Nonresident antlered elk tag	1,200
Nonresident antlerless elk tag	500
Nonresident bighorn sheep tag	1,200
Nonresident mountain goat tag	1,200
Nonresident mountain lion tag	100

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

~~3. The amount of the fee for a tag determined to be necessary by the Commission for other species pursuant to NRS 502.120 must not exceed the highest fee for a resident or nonresident tag established pursuant to this section.~~

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

~~5. A fee of not less than \$15 and not more than \$50 must be charged for processing an application for a Silver State Tag.~~

~~[5.] ***Any fee collected pursuant to this subsection must be deposited with the State Treasurer for credit to the Wildlife Heritage Trust Account in the State General Fund.***~~

~~6. ***If an application is for an elk, in addition to the fee for the elk tag required by subsection 1 and the fee for processing an application required***~~

~~by subsection 4 or 5, a fee of not less than \$5 and not more than \$10, as provided by regulation of the Commission, must be charged. Any fee collected pursuant to this subsection must be deposited with the State Treasurer for credit to the Wildlife Fund Account in the State General Fund and used pursuant to NRS 504.155 for the prevention and mitigation of damage caused by elk or game mammals not native to this State.~~

~~7. The Commission may accept sealed bids for, or award through an auction or a Silver State Tag Drawing, or any combination thereof, not more than 15 big game tags and not more than 5 wild turkey tags each year. To reimburse the Department for the cost of managing wildlife and administering and conducting the bid, auction or Silver State Tag Drawing, not more than 18 percent of the total amount of money received from the bid, auction or Silver State Tag Drawing may be deposited with the State Treasurer for credit to the Wildlife Fund Account in the State General Fund. Any amount of money received from the bid, auction or Silver State Tag Drawing that is not so deposited must be deposited with the State Treasurer for credit to the Wildlife Heritage Trust Account in the State General Fund in accordance with the provisions of NRS 501.3575.~~

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

~~[7.] 9. The Commission may adopt regulations which authorize the return of all or a portion of any fee collected from a person pursuant to the provisions of this section. (Deleted by amendment.)~~

Sec. 4. NRS 502.253 is hereby amended to read as follows:

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

(a) ~~{Programs}~~ **Developing and implementing an annual program** for the management and control of ~~{injurious}~~ predatory wildlife;

(b) Wildlife management activities relating to the protection of nonpredatory game animals ~~{}~~ **and** sensitive wildlife species ; and ~~{related wildlife habitat;}~~

(c) Conducting research ~~{, as needed,}~~ **necessary** to determine successful techniques for managing and controlling predatory ~~{wildlife, including}~~

~~studies necessary to ensure effective programs for the management and control of injurious predatory wildlife; and~~

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

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

3. Any program developed or wildlife management activity or research conducted pursuant to this section ~~must be developed or conducted under the guidance of~~ **may be implemented or conducted only if the program, activity or research is approved by the Commission pursuant to subsection 4 and is in accordance with the policies adopted by the Commission** pursuant to ~~subsection 2 of~~ NRS 501.181.

4. **The Commission:**

(a) In approving any program developed or wildlife management activity or research conducted pursuant to this section, shall first consider the recommendations of the State Predatory Animal and Rodent Committee created by NRS 567.020, the county advisory boards to manage wildlife and other persons who present their views at an open meeting of the Commission.

(b) Shall not approve any program for the management and control of predatory wildlife developed pursuant to this section that provides for the expenditure of less than 80 percent of the amount of money collected pursuant to subsection 1 in the immediately preceding fiscal year for the purposes of lethal management and control of predatory wildlife.

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

Sec. 5. NRS 567.030 is hereby amended to read as follows:

567.030 The Committee consists of ~~five~~ **the following seven** members ~~††~~:

1. Two members ~~must be~~ designated by the State Board of Agriculture from among its members, one of which must be the appointee for range or semirange sheep production.

2. One member ~~must be~~ designated by the Board of Wildlife Commissioners from among its members.

3. One member ~~must be~~ designated by the State Board of Health from among its members.

4. One member ~~must be~~ designated by the Nevada Farm Bureau **Federation** from among its members.

5. **One member designated by the Chair of the Committee from among the persons who make application to the Committee who:**

(a) Must have been issued a license to hunt, trap or fish in this State in at least 3 of the 5 years immediately preceding the date on which he or she is designated as a member; and

(b) Must not have been convicted of any violation of the provisions of this title or any regulations adopted pursuant thereto or any federal law or regulation or any law or regulation of any other state relating to hunting, trapping or fishing in the 5 years immediately preceding the date on which he or she is designated as a member.

6. One member designated by the Chair of the Committee from among the persons who make application to the Committee who:

(a) Must hold a license as a master guide issued pursuant to NRS 504.390; and

(b) Must not have been convicted of any violation of the provisions of this title or any regulations adopted pursuant thereto or any federal law or regulation or any law or regulation of any other state relating to hunting, trapping or fishing in the 5 years immediately preceding the date on which he or she is designated as a member.

Sec. 6. NRS 567.040 is hereby amended to read as follows:

567.040 1. ~~Upon and following its organization~~ *At the first meeting of each year, the* Committee shall select its own Chair ~~and Vice Chair from among its members. A member may not serve as the Chair or Vice Chair for more than two consecutive terms.~~

2. *Upon the selection of the Chair at the first meeting of each year, the Chair shall designate the members described in subsections 5 and 6 of NRS 567.030.*

3. The Secretary of the State Board of Agriculture shall serve as Secretary of the Committee.

Sec. 7. NRS 567.070 is hereby amended to read as follows:

567.070 The Committee's Secretary shall call the first meeting of the Committee *each year* following the designation of ~~its~~ *the* members ~~as provided~~ *described in subsections 1 to 4, inclusive, of* NRS 567.030.

Sec. 8. Notwithstanding the amendatory provisions of subsection 2 of section 6 of this act, the Chair of the State Predatory Animal and Rodent Committee shall, as soon as practicable after the effective date of this act, designate the members of the Committee described in subsections 5 and 6 of NRS 567.030, as amended by section 5 of this act, each to serve a term that expires on the date of the first meeting of the Committee that occurs on or after January 1, 2017.

Sec. 9. This act becomes effective upon passage and approval.

Assemblywoman Titus moved that the Assembly do not concur in the Senate Amendment No. 583 to Assembly Bill No. 78.

Remarks by Assemblywoman Titus.

ASSEMBLYWOMAN TITUS:

Amendment 583 to Assembly Bill 78 would remove the fees and some of the regulations from the elk tag process and I propose that we not concur with this amendment.

Motion carried.

Bill ordered transmitted to the Senate.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 37; Senate Bills Nos. 26, 27, 30, 47, 83, 118, 177, 311, 362 and 459.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Dickman, the privilege of the floor of the Assembly Chamber for this day was extended to Marian Bond.

Assemblyman Paul Anderson moved that the Assembly adjourn until Tuesday, May 5, 2015, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:54 p.m.

Approved:

JOHN HAMBRICK
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly