

NEW DESIGNATION FOR “PREDATOR” CLASSIFICATION – MOUNTAIN LION

LEGISLATION:

- *Add new classification to NRS Chapter 501... “Predator” defined. “Predator” means any mammal so classified by Commission regulation.*
- *Add section to NRS Chapter 503 for manner hunting AND trapping “predators”.*

NRS 503.150 Manner of hunting game birds or mammals.

1. Unless otherwise specified by Commission regulation, it is unlawful to hunt:
 - (a) Any game bird or game mammal with any gun capable of firing more than one round with one continuous pull of the trigger, or with any full steel, full steel core, full metal jacket, tracer or incendiary bullet or shell, or any shotgun larger than number 10 gauge.
 - (b) Big game mammals in any manner other than with a rifle, held in the hand, that exerts at least 1,000 foot-pounds of energy at 100 yards, or with a longbow and arrow which meet the specifications established by Commission regulation.
 - (c) Small game mammals in any manner other than with a handgun, shotgun, rifle, longbow and arrow or by means of falconry.
 - (d) Game birds with any rifle or handgun, or in any manner other than with a shotgun held in the hand, with a longbow and arrow or by means of falconry.
 - (e) Migratory game birds with any shotgun capable of holding more than three shells.
 - (f) Any game bird or game mammal with the aid of any artificial light.
 - (g) Any big game mammal, except mountain lions, with a dog of any breed.
2. Nothing in this section prohibits the use of dogs in the hunting of game birds or small game mammals.

- *Remove mountain lion –*

NRS 501.110 Classification of wildlife.

1. For the purposes of this title, wildlife must be classified as follows:
 - (a) Wild mammals, which must be further classified as either game mammals, fur-bearing mammals, protected mammals or unprotected mammals.
 - (b) Wild birds, which must be further classified as either game birds, protected birds or unprotected birds. Game birds must be further classified as upland game birds or migratory game birds.
 - (c) Fish, which must be further classified as either game fish, protected fish or unprotected fish.
 - (d) Reptiles, which must be further classified as either protected reptiles or unprotected reptiles.
 - (e) Amphibians, which must be further classified as either game amphibians, protected amphibians or unprotected amphibians.
 - (f) Mollusks, which must be further classified as either protected mollusks or unprotected mollusks.
 - (g) Crustaceans, which must be further classified as either protected crustaceans or unprotected crustaceans.
2. Protected wildlife may be further classified as either sensitive, threatened or endangered.
3. Each species of wildlife must be placed in a classification by regulation of the Commission and, when it is in the public interest to do so, species may be moved from one classification to another.

- *Add “predator” to section 1(a)-*

NRS 501.376 Unlawful killing or possession of bighorn sheep, mountain goat, elk, deer, pronghorn antelope, mountain lion or black bear; criminal penalties.

1. Except as otherwise provided in this section, a person shall not intentionally kill or aid and abet another person to kill a bighorn sheep, mountain goat, elk, deer, pronghorn antelope, mountain lion or black bear:

- (a) Outside of the prescribed season set by the Commission for the lawful hunting of that animal;
 - (b) Through the use of an aircraft or helicopter in violation of [NRS 503.010](#);
 - (c) By a method other than the method prescribed on the tag issued by the Department for hunting that animal;
 - (d) Knowingly during a time other than:
 - (1) The time of day set by the Commission for hunting that animal pursuant to [NRS 503.140](#); or
 - (2) If the Commission has not set such a time, between sunrise and sunset as determined pursuant to that section; or
 - (e) **Without a valid tag issued by the Department for hunting that animal.** A tag issued for hunting any animal specified in this subsection is not valid if knowingly used by a person:
 - (1) Other than the person specified on the tag;
 - (2) Outside of the management area or other area specified on the tag; or
 - (3) If the tag was obtained by a false or fraudulent representation.
2. The provisions of subsection 1 do not prohibit the killing of an animal specified in subsection 1 if:
- (a) The killing of the animal is necessary to protect the life or property of any person in imminent danger of being attacked by the animal; or
 - (b) The animal killed was not the intended target of the person who killed the animal and the killing of the animal which was the intended target would not violate the provisions of subsection 1.
3. A person who violates the provisions of subsection 1 shall be punished for a category E felony as provided in [NRS 193.130](#) or, if the court reduces the penalty pursuant to this subsection, for a gross misdemeanor. In determining whether to reduce the penalty, the court shall consider:
- (a) The nature of the offense;
 - (b) The circumstances surrounding the offense;
 - (c) The defendant's understanding and appreciation of the gravity of the offense;
 - (d) The attitude of the defendant towards the offense; and
 - (e) The general objectives of sentencing.
4. A person shall not willfully possess any animal specified in subsection 1 if the person knows the animal was killed in violation of subsection 1 or the circumstances should have caused a reasonable person to know that the animal was killed in violation of subsection 1.
5. A person who violates the provisions of subsection 4 is guilty of a gross misdemeanor.

- A mountain lion tag would be required even if classified as a "predator" without legislative removal of mountain lion from 1 (e).

NRS 502.250 Fees for tags and for processing certain applications; acceptance of sealed bids for tags or award of tags by auction or drawing; disposition of proceeds; regulations.

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 must be deposited with the State Treasurer for credit to the Wildlife Obligated Reserve 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. 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. 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 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. 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 Account in the State General Fund. Except as otherwise provided by regulations adopted by the Commission pursuant to subsection 7, 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. 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.

- A mountain lion tag would be required even if classified as a “predator” without legislative removal of mountain lion –

REGULATION ISSUES:

- If legislation passed changing designation of mountain lion to “predator” all references to mountain lion as big game mammal would need to be addressed.