

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Natural Resources  
This measure may be considered for action during today's work session.  
March 11, 2011

**SENATE BILL 102**

**Requires the Board of Wildlife Commissioners to adopt regulations for the taking of shed antlers. (BDR 45-764)**

**Sponsored by:** Senate Committee on Natural Resources  
**Date Heard:** March 9, 2011  
**Fiscal Impact:** Effect on Local Government: No  
Effect on the State: Yes

Senate Bill 102 requires the Board of Wildlife Commissioners to adopt regulations for the taking of antlers naturally shed by big game mammals. The bill also requires the Commission to fix a price up to \$1,500 for the commercial taking of shed antlers. For noncommercial purposes, the bill instructs the Commission to charge up to \$10 to a person 12 years of age or older for a permit to take shed antlers. A person who possesses a valid Nevada hunting license or permit may take shed antlers without paying the additional fee.

**Amendments:** Two amendments were offered on Senate Bill 102.

1. On page 2 of the bill, delete subsections (b) through (d) in Section 1. These provisions would require the Commission to set the various fees for the commercial and noncommercial taking of shed antlers. This amendment was requested by the Department of Wildlife.
2. The second amendment was requested by Kyle Davis, Political Director, Nevada Conservation League. The amendment would add civil penalties for killing or possessing a trophy big game animal. The proposed amendment is attached for review.

**Problem and Justification or Purpose:**

Big game animals are worth a great deal to the people of the State of Nevada, both monetarily and aesthetically. “Trophy” class big game animals are targeted by poachers for both their unique attributes and their monetary value on the black market. Nevada is the only State in the west that does not have trophy civil penalty enhancements. This makes Nevada an elevated target for trophy big game poaching due to a less severe civil penalty liability. This bill will place Nevada’s civil penalties for trophy class big game animals in a category similar to other western states.

**Intent of proposed bill:**

This bill proposes enhanced civil penalties for the unlawful killing or possession of big game animals that meet the criteria of a trophy big game animal. This bill will serve as both a deterrent for poachers targeting trophy class animals and monetary compensation to the people of the State for the loss of said animals.

The Department also believes that moose should be added to the civil penalty section that ranges between \$250 and \$5,000. Moose are classified as a game animal (not a *big* game animal) in Nevada and are very rare in this State, generally with a transient population moving in and out of our borders. Currently the maximum civil penalty for the unlawful killing or possession of a moose cannot exceed \$1,000.

The bill also has language changing the maximum civil penalty for hunting, fishing, trapping without a valid license, tag or permit from \$250 to the commensurate value of said license, tag or permit pursuant to fees established in Chapter 502 of NRS.

NRS 501.3855 Civil penalties.

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

*a. Unlawfully kills or possesses a trophy big game mammal is liable for a civil penalty of not less than \$5,001 nor more than \$30,000;*

*Or*

*b. ~~Unlawfully~~ Unlawfully kills or possesses a big game mammal, other than a trophy big game mammal as described in section 8, bobcat, moose, swan or eagle is liable for a civil penalty of not less than \$250 nor more than \$5,000.*

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

3. For hunting, fishing or trapping without a valid license, tag or permit, ~~the court may order~~ the defendant ~~to pay~~ *is liable for* a civil penalty of not less than \$50 nor more than ~~\$250~~ *the commensurate value of the required license, tag or permit as outlined in Chapter 502 of the Nevada Revised Statutes.*

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

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

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

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

8. *As used in this section “trophy big game mammal” means:*

*a. Mule deer - any buck with an outside antler measurement of 24 inches or greater.*

*(1) “Outside antler measurement” means the perpendicular measurement at right angles to the center line of the skull of a deer at the widest point between either the main antler beams or points off the main antler beams.*

*b. Bighorn sheep - any ram with at least one horn exceeding half curl.*

*(1) “Ram with at least one horn exceeding half curl” means a male sheep with at least one horn that has a horn tip that has grown at least through 180 degrees of a circle to be measured by first establishing a parallel reference line from the base of the horn; and which has at least one horn tip which has grown at least as far as the projection of this reference line.*

*c. Rocky Mountain elk - any bull with six antler points or more on at least one antler.*

*d. Pronghorn antelope - any buck with at least one horn exceeding 14 inches in total length.*

*e. Rocky Mountain goat - any male or female.*

*f. Black bear - any male or female.*

9. *As used in this section “antler” has the meaning as described in NAC 502.005.*

10. *As used in this section “antler point” has the meaning as described in NAC 502.006.*