

**ADOPTED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R067-08

Effective August 26, 2008

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

AUTHORITY: §1, NRS 501.105, 501.181 and 502.160.

A REGULATION relating to wildlife; expanding the amount of hunter choice numbers allowed when applying for a tag to hunt mountain goat; and providing other matters properly relating thereto.

Section 1. NAC 502.4175 is hereby amended to read as follows:

502.4175 1. A person desiring to obtain a tag or a bonus point without the opportunity to obtain a tag must apply to the Department on a form provided by the Department that includes spaces for the applicant to:

- (a) Specify his name, address and date of birth;
- (b) Specify the species or category of species for which the applicant is applying;
- (c) If the applicant is applying for a tag to hunt deer, elk, antelope, bighorn sheep, *mountain goat* or wild turkey, select not more than five hunter choice numbers; *and*
- (d) ~~If the applicant is applying for a tag to hunt mountain goat, select one hunter choice number; and~~
- ~~—(e)~~ Sign the application or, if the application is submitted electronically, acknowledge the affidavit that is included in the application provided by the Department.

2. If an applicant desiring to obtain a bonus point without the opportunity to obtain a tag specifies a hunter choice number on his application, the Department shall ignore the specification of the hunter choice number by the applicant and process the application for the bonus point.

3. An application must include the applicant's social security number, or a unique number will be assigned by the Department. The Commission will establish the seasons and quotas for a hunt, and the method for submission and deadline for receipt of applications.

4. Except as otherwise provided in this subsection, an application may be withdrawn after it is received by the Department only if the applicant submits to the Department before the draw and with sufficient time for processing a written request that includes, without limitation, his client number. An application may not be withdrawn after the Department has rejected the application. The Department shall not consider a withdrawn application in the procedure for awarding tags or bonus points.

5. An applicant must obtain a valid hunting license before submitting his application for a tag or bonus point, except that an applicant may apply for a hunting license when he submits his application for a tag or bonus point if the applicant is:

- (a) A resident who submits his applications electronically pursuant to subsection 7; or
- (b) A nonresident who submits his applications pursuant to subsection 6 or 7.

6. Except as otherwise provided in subsection 7, an application for a tag or bonus point must be accompanied by:

- (a) The appropriate fee for the tag, as provided in NRS 502.250, if the application is for a tag;
- (b) The fee for a hunting license, as provided in NRS 502.240, if the applicant is a nonresident who submits his application for a tag or bonus point and has not obtained a hunting license;

(c) The habitat conservation fee, as provided in NRS 502.242, if the applicant is a nonresident who submits his application for a tag or bonus point and has not obtained a hunting license;

(d) The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat; and

(e) The applicable fee required pursuant to NAC 502.331 for the Department to act upon the application. The Department shall apply the proceeds of the fee to the cost of processing applications, conducting drawings for tags, awarding bonus points and performing such related activities as the Commission may direct.

7. If a resident or nonresident applicant submits his application for a tag or bonus point electronically, the application must be accompanied by:

(a) The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat;

(b) Any donation the applicant wishes to make to a program specified in paragraph (a) or any other program conducted by the Department;

(c) The fee for a hunting license, as provided in NRS 502.240, if the application is for:

(1) A tag and the applicant:

(I) Has not obtained a hunting license; and

(II) Indicates on his application that he wishes to purchase the hunting license regardless of whether his application is successfully drawn; or

(2) A bonus point and the applicant has not obtained a hunting license;

(d) The habitat conservation fee, as provided in NRS 502.242, if the application is for:

(1) A tag and the applicant:

(I) Has not obtained a hunting license; and

(II) Indicates on his application that he wishes to purchase the hunting license regardless of whether his application is successfully drawn; or

(2) A bonus point and the applicant has not obtained a hunting license; and

(e) The applicable fee required pursuant to NAC 502.331 for the Department to act upon the application. The Department shall apply the proceeds of the fee to the cost of processing applications, conducting drawings for tags, awarding bonus points and performing such related activities as the Commission may direct.

8. If an application for a tag specified in subsection 7 is:

(a) Successfully drawn, the Department shall collect from the applicant:

(1) The appropriate fee for the tag as provided in NRS 502.250;

(2) The fee for a hunting license, as provided in NRS 502.240, if the applicant:

(I) Has not obtained a hunting license; and

(II) Indicates on his application that he wishes to purchase the hunting license only if his application is successfully drawn; and

(3) The habitat conservation fee, as provided in NRS 502.242, if the applicant:

(I) Has not obtained a hunting license; and

(II) Indicates on his application that he wishes to purchase the hunting license only if his application is successfully drawn; or

(b) Not successfully drawn, the Department shall collect from the applicant the fee for participating in the Partnership in Wildlife Drawing, as provided in NAC 502.427, if the applicant has indicated on the application that he wishes to participate in that drawing.

9. An application to obtain a tag that is issued by random selection may be submitted by a person who is under 12 years of age if he will attain the age of 12 years before the commencement of each season to which the application relates. An application to obtain a tag that is issued on a first-come, first-served basis may not be submitted by a person who has not yet attained the age of 12 years.

10. The Department and its agents and employees shall not:

(a) Amend or otherwise alter an application to obtain a tag or bonus point.

(b) Issue a tag or award a bonus point to an applicant who fails to submit the fees required pursuant to this section.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R067-08

The Board of Wildlife Commissioners adopted regulations assigned as LCB File No. R067-08 which pertains to chapter 503 of the Nevada Administrative Code.

INFORMATIONAL STATEMENT

1. Description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary. The proposed regulation was noticed and posted on an agenda according to the Open Meeting Law; distributed to the Board of Wildlife Commissioners, 17 county advisory boards to manage wildlife, and other interested persons; presented at a public workshop and at the board of Wildlife Commissioners' public meeting. A summary is available by contacting the Department of Wildlife.

- 2. The number of persons who:**
(a) **Attended each hearing:** 40
(b) **Testified at each hearing:** 0
(c) **Submitted to the agency written statements:** 0

3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary: This regulation does not affect businesses. The proposed regulation was noticed and posted on an agenda according to the Open Meeting Law; distributed to the Board of Wildlife Commissioners, 17 county advisory boards to manage wildlife, and other interested persons; presented at a public workshop and at the board of Wildlife Commissioners' public meeting. A summary is available by contacting the Department of Wildlife.

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change: It was agreeable to all parties.

5. The estimated economic effect of the regulations on the businesses they are to regulate and on the public. N/A

- (a) **Estimated economic effect on the businesses which they are to regulate.**
(1) Adverse – N/A
(2) Beneficial – N/A
(3) Immediate – N/A
(4) Long term – N/A
(b) **Estimated economic effect on the public which they are to regulate.**
(1) Adverse – N/A
(2) Beneficial – N/A
(3) Immediate – N/A
(4) Long term – N/A

6. The estimated cost to the agency for enforcement of the proposed regulation: N/A

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary: N/A

If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions: N/A

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used: N/A