

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS
NEVADA DEPARTMENT OF WILDLIFE**

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS
233B.066**

**LCB FILE NO. R142-17
Commission General Regulation 476**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 502.118

1. A clear and concise explanation of the need for the adopted regulation:

The need and purpose of the proposed regulation is to reduce and achieve consistency in the existing online convenience fees that are different for residents and non-residents depending on the product purchased, by defining one, consistent fee to all customers for each item purchased.

2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary:

Public comment was available during the Nevada Board of Wildlife Commissioners January and February 2018 meetings. The public did not have any comment at either meeting. Minutes of the meetings are available at http://www.ndow.org/Public_Meetings/Com/Minutes/

3. The number of persons who:

(a) Attended each hearing: (date and number of attended for workshops and hearings)

Workshop attendance: 42

Adoption hearing attendance: 0

(b) Testified at each hearing: (date and number of attended for workshops and hearings)

Workshop testifications: 0

Adoption testifications: 0

(c) Submitted written comments: (date and number of attended for workshops and hearings)

Workshop written comments: 0

Adoption written comments: 0

4. For each person identified in number 3 above, the following information if provided to the agency conducting the hearing:

Not Applicable.

5. 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:

Comment was not solicited from businesses. This regulation does not affect businesses. The changes are associated with individual customers of the Nevada Department of Wildlife.

6. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change:**
The regulation was adopted with the inclusion of the term “non-refundable” to allow the Department to pay credit card processing fees on both sales and refunds.
7. **The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**
 - (a) **Both adverse and beneficial effects on businesses; and**
There will be no adverse or beneficial economic effects from the proposed regulation on businesses because it does not regulate the operation of any businesses.
 - (b) **Both immediate and long-term effects on businesses:**
There will be no immediate and long-term economic effects on businesses from the proposed regulation on businesses because it does not regulate the operation of any businesses.
 - (a) **Both adverse and beneficial effects on the public; and**
The proposed regulation will create adverse and beneficial economic effects to the public. The existing online convenience fees of \$2.00 and \$3.50 will be reduced to a \$1.00 processing fee, which will be beneficial to the public. However, the processing fee will be applied to all sales methods, whereas the current convenience fee is only applied to online purchases. Customers making purchases in person will now be expected to pay the new \$1.00 processing fees, which may create an adverse economic effect. Customers making purchases online will see a significant decrease from the current fees. However, overall the public will pay less.
 - (b) **Both immediate and long-term effects on the public:**
The immediate and long-term economic effects of this regulation to the public are the same. There will be both an immediate and long-term reduction in processing fees for residents and nonresidents making online purchases and a slight increase in processing fees for those conducting purchases in person at service counters.
8. **The estimated cost to the agency for enforcement of the adopted regulation:**
The enforcement of the regulation falls within current operations of the Department; therefore, there will be no additional cost to the agency above the current legislatively approved budget.
9. **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. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:**
The adopted regulation does not overlap or duplicate any other state, local, or federal laws or regulations.
10. **If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions:**
The adopted regulation does not include provisions that are more stringent than federal regulations.

11. 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.

The proposed fee decreases an existing fee from \$2.00 for residents and \$3.50 for non-residents to \$1.00 for all customers. However, the proposed fee would be imposed on all credit card, debit card, or electronic transfers of goods and services purchased through a third party vendor. The Department will use the revenue generated by these fees in the same manner as the existing licensing program. This is intended to be revenue neutral.