

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

**LCB File No. R095-00**

Effective October 24, 2000

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

AUTHORITY: §1, NRS 501.181 and 502.030; §§2 and 3, NRS 501.181 and 502.040.

**Section 1.** NAC 502.101 is hereby amended to read as follows:

502.101 “Short-term permit” means a permit to fish or hunt upland game and waterfowl for 1 *calendar* day and any number of additional consecutive *calendar* days if the additional days are purchased at the same time the permit is issued.

**Sec. 2.** NAC 502.145 is hereby amended to read as follows:

502.145 1. Any person may apply for appointment as a license agent by submitting a completed application on forms provided by the division.

2. *The division may require an applicant to provide:*

*(a) Evidence of the financial ability of the applicant to perform the duties of a license agent; and*

*(b) Credit references, references from banks and other financial references requested by the division.*

3. The applicant must show that the major portion of his business will be conducted in a permanent building. The building must have within it a secure place for keeping the division’s licenses, tags, stamps and sales records. Documents authorized by the division may only be

issued from this permanent building unless prior approval is given by the division for the issuance of such documents at another location.

~~[3.]~~ 4. The division will conduct an investigation of each applicant's qualifications and suitability to serve the public as a license agent. If the division finds that any of the information on the application is false or misleading, the application will be denied.

~~[4.]~~ 5. The division will require an approved applicant to enter into a contract with the division. A person may not become a license agent until the contract is signed by both him and the division.

**Sec. 3.** NAC 502.147 is hereby amended to read as follows:

502.147 1. ~~[The division may use the following criteria in determining]~~ *To determine whether to approve or deny an application for appointment as a license agent ~~[:]~~, the division may consider, without limitation, the following criteria:*

(a) Whether the applicant has met the bonding requirements of ~~[NRS 502.040 and]~~ NAC 502.150.

(b) *Whether the applicant is financially responsible.*

(c) *Whether the applicant has been convicted of a violation of a law or regulation relating to wildlife within the 5 years immediately preceding the date on which the applicant submits the application.*

(d) *Whether the applicant is under investigation for a violation of a law or regulation relating to wildlife at the time he submits the application.*

(e) *Whether the applicant has been convicted of a felony or gross misdemeanor.*

(f) *Whether the applicant is the subject of felony criminal proceedings at the time he submits the application.*

(g) *Whether the applicant has been convicted of a crime involving moral turpitude.*

(h) The cooperation of the applicant and his employees.

~~(e)~~ (i) *Characteristics of the business where the applicant desires to issue licenses,*

*including, without limitation:*

(1) Accessibility *of the business* to all segments of the public ~~[-~~

~~-(d)]~~;

(2) The number of ~~[agencies]~~ *license agents* in the geographical area and their proximity to the ~~[applicant-~~

~~-(e)]~~ *business*;

(3) The remoteness of the area in which the ~~[applicant]~~ *business* is located ~~[-~~

~~-(f)]~~;

(4) The hours ~~[an applicant]~~ *the business* will be open to the public ~~[-~~

~~-(g) The volume of license sales the applicant has had in the past or what the previous agent had, in a replacement agency.~~

~~-(h) The performance record for compliance with the requirements for license agencies of the applicant or the prior agent.~~

~~-(i)]~~;

(5) The number of times the ownership of the business ~~[for which the applicant is applying]~~ has been transferred ~~[-~~

~~-(j) The division's]~~ ; *and*

(6) *The* need for a license ~~[agency]~~ *agent, as determined by the division,* in the general area of the ~~[applicant's]~~ business.

(j) *If the applicant previously was a license agent:*

(1) *The total number of licenses sold by the applicant while he was a license agent;*  
(2) *Whether the applicant complied with all laws and regulations relating to a license agent; and*

(3) *Whether the applicant was placed on probation or had his authority as a license agent cancelled pursuant to NAC 502.195.*

(k) *If the applicant will replace an agent at the business where the applicant desires to issue licenses:*

(1) *The total number of licenses sold by the license agent who will be replaced;*  
(2) *Whether the license agent who will be replaced complied with all laws and regulations relating to a license agent; and*

(3) *Whether the license agent who will be replaced was placed on probation or had his authority as a license agent cancelled pursuant to NAC 502.195.*

2. Except as otherwise provided in this subsection, ~~[all applicants for a new license agency]~~ *if an applicant desires to issue licenses at a business where licenses have not been issued previously, the business* must have been established ~~[in business]~~ for at least 1 year. The division may waive this requirement ~~[in the case of a license agency]~~ *for an applicant whose business is* located in a remote area if there is an extreme need for ~~[the agency. Changes in ownership of established agencies]~~ *an agent in that area. All other applications* will be handled on a case-by-case basis ~~[ ]~~ *in accordance with subsection 1.*

## NOTICE OF ADOPTION OF REGULATION

September 12, 2000

Ms. Brenda Erdoes, Legislative Counsel  
Legislative Counsel Bureau - Legal Division  
401 S. Carson Street  
Carson City, NV 89710

RE: LCB File Numbers: **LCB No. R095-00**

Dear Ms. Erdoes:

The Nevada Division of Wildlife, Board of Wildlife Commissioners, adopted the above regulation, assigned the above LCB file number. A copy of the regulation as adopted is attached hereto. The changes are hand-written in the text.

Enclosed please find one blue and two white copies of our Secretary of State Filing form which is to be filed in accordance with 233B of the Nevada Revised Statutes.

If you have any questions, please contact Tom Atkinson at 688-1549.

Thank you.

Sincerely,

Terry R. Crawforth  
Secretary

TRC:jt  
encl.

# INFORMATIONAL STATEMENT

## STATE OF NEVADA BOARD OF WILDLIFE COMMISSIONERS

### MEMORANDUM

**To:** Legislative Counsel Bureau                      Date: September 12, 2000  
**From:** Terry R. Crawforth, Secretary, Board of Wildlife Commissioners  
**Subject:** Informational statement relating to Commission General Regulation No. 290 (LCB File No. R095-00) - as required by Chapter 233B.066.

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.**
  - (a) A notice of hearing for adoption of Commission General Regulation No.288 was published once in each of the three administrative regions in a newspaper of general circulation.
  - (b) Persons wishing to comment upon the proposed action of the Board of Wildlife Commissioners were invited, through the notice of hearing and a mail distribution to interested and affected parties to appear at the public hearing or address their comments, data, views of arguments, in written form, to Secretary, Board of Wildlife Commissioners, 1100 Valley Road, Reno, Nevada 89512. Written submissions were to be received at least five days prior to the scheduled meeting.
  - (c) A copy of the Notice of the proposed regulations was mailed to the following: State Librarian; county main libraries; Reno, Elko and Las Vegas newspapers; LCB and interested parties.
  - (d) A copy of the regulation to be adopted was filed with the Office of the Secretary of State, The Capitol, Carson City, Nevada for inspection by the public during business hours.
  - (e) The public was asked to make comments on this regulation at the public meeting.

2. The number of persons who:
- (a) Attended each hearing: 30
  - (b) Testified at each hearing: 1
  - (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 CGR change was noticed publicly per statute. This change was also sent to all County Wildlife Advisory Boards.
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:  
Adopted without changes.
5. The estimated *economic* effect of the regulations on the businesses they are to regulate and on the public.
- (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 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**

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Terry Crawford, Secretary  
Board of Wildlife Commissioners