

LCB File No. R010-00

STATE OF NEVADA
***PROPOSED* REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS**
COMMISSION GENERAL REGULATION 287

Authority: NRS 501.181

Notice of Intent: February , 2000

Workshop Date: March 17, 2000

Commission Approval: , 2000

EXPLANATION: Proposes to amend NAC 502.4187 and NAC 502.42372 to remove reference to a rejected application being the equivalent to a failure to apply in the calculation of bonus points for big game. Amends NAC 502.189 to allow the Division to approve bonus point transfers to the same type of hunt when the client changes his residency. Amends NAC 502.4246 to eliminate the 12-month valid period for cooperative agreements between the Division and the landowner for damage compensation tags.

NOTE: Matter in *italics* is new; matter within brackets **⌈** is to be omitted.

Section 1. Sec. 20 of LCB File No. R168-99 (NAC 502.4187, amended 11/6/99) is hereby amended to read as follows:

502.4187 1. Except as otherwise provided in NAC 502.417 to 502.4225, inclusive, an applicant to obtain a tag for a special season who is unsuccessful must be awarded a bonus point for:

(a) The hunt number of the species for which he applied if he applied for a tag to hunt swan or wild turkey or for a depredation hunt tag; or

(b) The category of the species for which he applied if he applied for a tag to hunt deer, elk, antelope or bighorn sheep.

Regardless of the number of applications to obtain a tag for a special season submitted by a person, the division shall not award him more than one bonus point per special season for each species or category of a species for which the person applied.

2. Except as otherwise provided in subsection 3, the bonus points awarded to a person accumulate until he is successful in drawing a tag for a special season for that species or category of a species or he fails to apply for a special season for 2 consecutive calendar years during which that type of hunt for a special season is open. If an applicant is successful in drawing a tag for a special season for a species or category of a species or fails to apply for a special season for 2 consecutive calendar years during which that type of hunt for a special season is open, he loses all of his bonus points for that species or category of a species. ~~† Except under the circumstances described in NAC 502.419 or 502.4195, the rejection of an application pursuant to NAC 502.418 is the equivalent of a failure to apply. †~~

3. A person may not use any bonus points awarded to him for being unsuccessful in a junior hunt to apply for a drawing for a tag for any other type of hunt after the person is no longer eligible to participate in a junior hunt.

4. If an applicant requests and receives a refund for the value of his hunting license, the division shall not award him a bonus point for any special season applied for during that calendar year.

Sec. 2. Sec. 21 of LCB File No. R168-99 (NAC 502.4189, amended 11/6/99) is hereby amended to read as follows:

502.4189 1. Each applicant in a drawing for a tag for a special season receives a number of additional draw numbers that is equal to the number of bonus points that he has accumulated squared, as expressed in the following equation:

$$n=b^2$$

where “n” is the number of additional draw numbers and “b” is the number of bonus points. The number of additional draw numbers determines the number of draw numbers for the

species or category of the species for which the application was submitted. The applicant's lowest randomly assigned draw number is the number used for the drawing.

2. Bonus points accumulated by a person for a special season cannot be transferred to any other person or any other special season unless:

(a) The applicant changes his state of residence;

(b) The applicant requests *in writing* that the ~~commission~~ *division* transfer those bonus points; and

(c) The ~~commission~~ *division* approves the request for the transfer.

Bonus points transferred pursuant to this subsection apply to the same type of hunt to which they applied before the transfer.

3. An application to obtain a tag for a special season for more than one person may be submitted only for a deer hunt. The number of bonus points held by the members of the group divided by the number of members in the group, rounded to the nearest whole number.

Sec. 3. Sec. 29 of LCB File No. R168-99 (NAC 502.42372, amended 11/6/99) is hereby amended to read as follows:

502.42372 1. Except as otherwise provided in NAC 502.423 to 502.4239, inclusive, an applicant for a tag for a restricted nonresident deer hunt who is unsuccessful must be awarded a bonus point for the category of the species for which the application was submitted.

2. The bonus points awarded to a person for a restricted nonresident deer hunt accumulate until he draws a restricted nonresident deer tag or any other nonresident deer tag for the same category of a species or fails to apply for such a tag for 2 consecutive calendar years during which a nonresident deer hunt for that category of the species is open. If an applicant is successful in drawing a tag for a restricted nonresident deer hunt or any other nonresident deer

tag for that category of the species or fails to apply for such a tag for 2 consecutive calendar years during which a nonresident deer hunt for that category of the species is open, he loses all the bonus points he accumulated for that category of the species. ~~[Except under the circumstances described in NAC 502.42375 and 502.42377, the rejection of an application pursuant to NAC 502.4235 shall be deemed a failure to apply.]~~

Sec. 4. NAC 502.4246 is hereby amended to read as follows:

502.4246 To be eligible for the issuance of a damage compensation tag an owner applicant must:

1. Have sustained damage to his private property caused by deer or antelope;
2. Notify the division in writing of any damage within 10 days after he discovers it;
3. Submit an application and a proof of damage form;
4. Cooperate with the division in inspecting the damage and formulating a plan to prevent or mitigate the damage;
5. Keep the division advised if the damage is ongoing or if the damage ceases;
6. Mitigate damages where possible and not feed or bait deer or antelope to attract the animals onto his land;
7. Enter into a cooperative agreement with the division ~~[for 12 months, commencing on the date that a representative of the division signs the agreement]~~; and
8. Comply with the requirements of NAC 502.424 to 502.4268, inclusive.