

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

LCB File No. R106-02

Effective January 21, 2003

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

AUTHORITY: §1, NRS 501.105 and 501.181; §2, NRS 501.105, 501.181, 502.130 and 502.160; §3, NRS 501.105, 501.119, 501.181 and 502.160; §§4-6, NRS 501.105, 501.181 and 502.160.

Section 1. NAC 502.063 is hereby amended to read as follows:

502.063 “Junior hunt” means a hunt authorized by a regulation of the commission which is limited to an applicant who:

1. ~~Complies with the requirement set forth in subparagraph (2) of paragraph (a) of subsection 1 of NRS 502.245; and~~
~~—2.] Possesses a hunting license or a combined hunting and fishing license issued pursuant to paragraph (a) of subsection 1 of NRS 502.245 or NRS 502.280.] ;~~

2. Will attain his 12th birthday before the first day of each hunting season to which his application relates; and

3. Will not attain his 17th birthday until after the last day of each hunting season to which his application relates.

Sec. 2. NAC 502.370 is hereby amended to read as follows:

502.370 1. Unless otherwise specified by regulation of the commission or Title 45 of NRS, any resident of Nevada or nonresident is eligible to ~~apply once for a~~ *obtain not more than two* mountain lion ~~tag~~ *tags* in any year. *A mountain lion tag:*

(a) May be purchased from the division or a license agent;

(b) May be used in any management unit or group of management units in Nevada during any open season established for the management unit or group of management units pursuant to subsection 2; and

(c) Expires upon the termination of all the open seasons established pursuant to subsection 2 for the year for which the tag is issued.

2. The commission will annually specify the number of mountain lions it determines to be appropriate for harvesting in a management unit or group of management units. The open season for mountain lions in each such management unit or group of management units begins on March 1 and ends on:

(a) The last day of the next succeeding February; or

(b) The day the division determines that the number of mountain lions harvested in that management unit or group of management units is equal to or greater than the number specified by the commission pursuant to this subsection,

whichever occurs earlier. The division shall maintain and annually publish a toll-free telephone number for ascertaining whether the division has determined that the number of mountain lions harvested in a management unit or group of management units is equal to or greater than the number specified by the commission pursuant to this subsection. The division is not required to provide any other notice of the termination of an open season for mountain lions in a management unit or group of management units.

3. A person who harvests a mountain lion shall, within 72 hours after harvesting it, personally present the skull and hide to a representative of the division for inspection. The representative shall affix the seal of the division permanently to the hide.

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~~[3.]~~ 4. It is unlawful for any person to:

(a) Transport the hide of a mountain lion from this state without a seal permanently affixed to the hide.

(b) Except as otherwise provided in subsection ~~[2.]~~ 3, possess the hide of a mountain lion without a seal permanently attached to it.

(c) Kill a female mountain lion which is accompanied by a spotted kitten.

(d) Kill or possess a spotted mountain lion kitten.

~~[4.]~~ 5. If a mountain lion is accidentally trapped or killed, the person trapping or killing it shall report the trapping or killing within 48 hours to a representative of the division. The animal must be disposed of in accordance with the instructions of the representative.

Sec. 3. NAC 502.405 is hereby amended to read as follows:

502.405 1. Unless otherwise provided by an annual regulation of the commission, the questionnaire issued as part of a tag must be properly completed and received by ~~[the headquarters of]~~ *an independent contractor designated by* the division not later than 5 p.m. on the last weekday of January following the close of the season to which the tag applies. *The division shall annually designate and publish the name and address of an independent contractor for the purpose of this subsection.*

2. ~~[Any]~~ A person who fails to return the questionnaire within the period specified or who submits incomplete or false information on the questionnaire will be denied all big game tags for 1 year.

~~[3.—Any person who has been denied all big game tags pursuant to the provisions of this section]~~ *The person* may have those privileges reinstated if he pays to the division an administrative fine of \$50 ~~[.]~~ *for each such questionnaire.*

Sec. 4. NAC 502.4197 is hereby amended to read as follows:

502.4197 1. The division shall allow an applicant to correct a correctable error in an application for a tag for the main draw if:

(a) The division receives the application and enters the information on the application into the computer ; ~~[on or before the deadline established by the commission for the receipt of applications;]~~

(b) The application contains an error that causes the computer to send to the applicant a letter of rejection and blank correction document; and

(c) The division receives the completed correction document on or before the deadline set forth in the correction document.

2. If the division receives the completed correction document on or before the deadline set forth in the correction document, the division shall:

(a) Use the information contained in the correction document to update the applicant's file on the computer; and

(b) Consider the applicant in the procedure for awarding a tag.

3. The division shall not consider an applicant in the procedure for awarding a tag if:

(a) The applicant submits a correction document that does not contain information sufficient to correct every error in the application; or

(b) The correction document is not received by the division on or before the deadline set forth in the correction document.

4. As used in this section:

(a) "Correctable error" means:

(1) An incorrect or missing date of birth;

- (2) An incorrect, invalid or missing number of a hunting license;
- (3) An incorrect, invalid or missing hunter choice number;
- (4) Failure to specify the species or the category of the species for which the application was submitted;
- (5) Failure to include the proper fee;
- (6) Failure of the applicant to sign the application;
- (7) If the applicant is less than 18 years of age, failure of his parent or legal guardian to sign the application; or
- (8) Failure to complete a course in the responsibilities of hunters as required pursuant to NRS 502.330.

(b) “Main draw” means the draw pursuant to which the greatest number of big game tags are issued to residents and nonresidents.

Sec. 5. NAC 502.4205 is hereby amended to read as follows:

502.4205 1. Except for ~~tags to hunt mountain lions,~~ tags to hunt wild turkey on private lands, damage compensation tags issued pursuant to NAC 502.424 to 502.4268, inclusive, special incentive elk tags issued pursuant to NAC 502.42253 to 502.42283, inclusive, and emergency depredation hunt tags, the division shall award a tag for a special season through a random order of selection conducted pursuant to a computerized system of drawing. The selection must begin with a number established by the hours, minutes, seconds and hundredths of a second set forth on the clock of the computer immediately before commencing the drawing.

2. Each drawing to award tags for a special season is subject to the bonus point program for eligible applicants. The applicant has the burden of proving his eligibility to participate in the bonus point program if the records of the division fail to confirm that eligibility.

Sec. 6. NAC 502.375 is hereby repealed.

TEXT OF REPEALED SECTION

502.375 Mountain lion tags: Sale of unclaimed tags. Any mountain lion tags which have been reserved for nonresidents and are not sold by the opening day of the mountain lion season may then be sold on a first-come, first-served basis to residents who apply for them.

**NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R106-02**

The Board of Wildlife Commissioners adopted regulations assigned LCB File No. R106-02 which pertain to chapter 502 of the Nevada Administrative Code on December 7, 2002.

Notice date: 11/1/2002
Hearing date: 12/7/2002

Date of adoption by agency: 12/7/2002
Filing date: 1/21/2003

INFORMATIONAL STATEMENT

- 1. A 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.**
The proposed regulation was sent to all 17 county advisory boards to manage wildlife for consideration at public meetings.
- 2. The number of persons who:**
 - (a) Attended the hearing:** 30
 - (b) Testified at the 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:** No businesses were affected.
- 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:** The Board of Wildlife Commissioners approved the regulation with the deletion of the bonus point sections 5 and 8.
- 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 - NA**
 - (2) Beneficial - NA**
 - (3) Immediate - NA**
 - (4) Long term - NA**
 - (b) Estimated economic effect on the public which they are to regulate.**
 - (1) Adverse - NA**
 - (2) Beneficial - NA**
 - (3) Immediate - NA**
 - (4) Long term - NA**
- 6. The estimated cost to the agency for enforcement of the adopted regulation:** None

7. **A description of any regulations of other state or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary.** None

If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency: None

8. **If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions:** None

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:**
None