

LCB File No. R106-02

**PROPOSED REGULATION OF THE  
BOARD OF WILDLIFE COMMISSIONERS**

**COMMISSION GENERAL REGULATION 303**

**AUTHORITY: NRS 501.105, 501.119, 501.181, 502.148, 502.160**

**NOTICE OF INTENT:**

**WORKSHOP DATE:**

**COMMISSION APPROVAL DATE:**

**EXPLANATION:** Amends NAC to clarify the number of mountain lion tags a hunter can purchase, the sale of mountain lion tags by license agents, and the open seasons and hunters' responsibility to determine if the harvest objective has been reached prior to hunting in a unit group; to clarify the payment of the administrative penalty for each questionnaire not returned; to clarify the ending age requirement for the junior hunt; to allow hunters to apply for a bonus point without the opportunity to draw a tag; to allow the contractor to send correction notices to all applicants who have correctable errors on game applications for the main draw; and repeals an obsolete section on the sale of reserved nonresident mountain lion tags to residents after the season opens.

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

**Section 1.** NAC 502.370 is hereby amended to read as follows:

502.270 1. ~~{Unless otherwise specified by regulation of the commission or Title 45 of NRS,~~

~~any}~~ *Any* resident of Nevada or nonresident is eligible to ~~{apply once for a }~~ *obtain two* mountain lion ~~{tag}~~ *tags* in any year.

*a. The valid period for the tag is March 1 through the last day of February of each year.*

*b. Tags may be sold by the license agents.*

*c. There is no quota on the number of mountain lion tags issued.*

2. *Each mountain lion management unit or unit group shall have a sport harvest objective.*

*3. The hunting season for mountain lion in each unit or unit group shall be open from the first day through the last day of the established season or until the sport harvest objective is reached for a specific unit group, whichever occurs first.*

*4. Holders of tags may hunt in any mountain lion unit or unit group within the established season where the sport harvest objective has not been reached.*

*5. Before hunting, it shall be the holder's of the tags responsibility to determine if the harvest objective has been reached in a specific unit or unit group by calling a toll-free number published annually.*

6. 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.

~~3.1~~ 7. 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, 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.

~~4.1~~ 8. 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. 2.** NAC 502.405 is hereby amended to read as follows:

502.405 1. ~~Unless otherwise provided by an annual regulation of the commission, the~~ *The* questionnaire issued as part of a tag must be properly completed and received by the ~~headquarters~~ *independent contractor* of the division *at an address published annually* not later than 5 p.m. on the last weekday of January following the close of the season to which the tag applies.

2. Any 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 may have those privileges reinstated if he pays to the division an administrative fine of \$50 *for each questionnaire not returned*.

**Sec. 3.** NAC 502.418 is hereby amended to read as follows:

502.418 1. The division shall reject an application to obtain a tag if any of the following occurs:

(a) The applicant fails to specify his name, date of birth, city or state, unless that information exists in the computer file of the division, in which case the application must not be rejected if the applicant has specified his name and client number.

(b) The applicant fails to specify or incorrectly specifies the number of his hunting license and the year the license was issued unless that information exists in the computer file of the division, in which case the application must not be rejected for that reason.

(c) A nonresident applicant who is at least 12 years of age but not more than 17 years of age fails to obtain the signature of his parent or legal guardian on the application for a hunting license for the applicant.

(d) The applicant fails to specify the species or the category of the species for which the application was submitted and a valid hunter choice number for that type of hunt. If the applicant specifies valid and invalid numbers, the division shall accept the application for the valid numbers only.

(e) *The applicant for the junior hunt is older than 16 years of age before the end of each season to which the application relates.*

~~(f)~~ (f) The applicant fails to complete the application in a legible manner.

~~(g)~~ (g) The applicant fails to sign the application.

~~(h)~~ (h) The applicant fails to submit the fees required pursuant to NAC 502.4175 or his bank fails to honor his check for those fees.

~~(i)~~ (i) The applicant fails to complete and return the questionnaire required for the previous year pursuant to NAC 502.405, unless he pays the applicable administrative fine not later than the third Friday in March of the year in which the application is submitted.

~~(j)~~ (j) The applicant submits more than one application to hunt for the same species of wildlife during the same year, unless such an application is specifically authorized by the commission. If such an application is not specifically authorized by the commission, all applications submitted by the applicant to hunt for the same species must be rejected.

~~(k)~~ (k) The application is received after the deadline set by the commission.

~~(l)~~ (l) The applicant fails to comply with the provisions of NRS 502.330.

~~(m)~~ (m) The applicant provides false information on the application.

~~(n)~~ (n) The applicant is otherwise ineligible to apply for the tag.

2. Except as otherwise provided in NAC 502.419, 502.4195 and 502.4197, if an application is rejected by the division pursuant to this section:

- (a) The application must not be included in the procedure for awarding tags;
- (b) The applicant must not be awarded a bonus point for the bonus point program for the species or the category of the species for which the application was submitted; and
- (c) The nonrefundable application fee for acting upon each application for a tag and the fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat must be retained by the division.

3. If the division rejects an application pursuant to paragraph ~~(g)~~ (h) of subsection 1 because the applicant's bank failed to honor his check or draft for the fees specified in that paragraph, the applicant is ineligible to receive or exercise any privilege conferred upon him pursuant to Title 45 of NRS until the division receives:

- (a) The nonrefundable application fee for acting upon the application;
- (b) The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat; and
- (c) The fee for the returned check or draft specified in NAC 502.119. The division shall, until the fee is paid, indicate that the applicant owes the fee in the file of the applicant maintained by the division.

**Sec. 4.** NAC 502.4187 is hereby amended to read as follows:

502.4187 1. Except as otherwise provided in NAC 502.417 to 502.4225, inclusive, an applicant *who applies for a bonus point without the opportunity to draw a tag or* 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.

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. 5.** 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. 6.** NAC 502.42372 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~~ *who applies for a bonus point without the opportunity to draw a tag or who is unsuccessful in obtaining a tag for a restricted nonresident deer hunt 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 of the bonus points he accumulated for that category of the species.

**Sec. 7.** NAC 502.375 is hereby repealed.

502.375 ~~[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.]~~