

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

**LCB File No. R025-03**

Effective October 30, 2003

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

AUTHORITY: §1, NRS 501.105, 501.181, 502.160 and 502.250; §2, NRS 501.105, 501.119, 501.181 and 502.160.

**Section 1.** NAC 502.4235 is hereby amended to read as follows:

502.4235 1. The ~~{Division}~~ *Department* shall reject an application for a restricted nonresident deer tag if:

(a) The applicant fails to specify his name, date of birth, city or state on the application, unless that information exists in the computer file of the ~~{Division,}~~ *Department*, 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 he incorrectly specifies on the application the number of his hunting license and the year the license was issued ~~{,}~~ *, unless that information exists in the computer file of the Department, in which case the application must not be rejected for that reason.*

(c) An 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}~~ *his* application for a hunting license .  
~~{for the applicant.}~~

(d) The applicant fails to specify a valid hunter choice number on the application. If the applicant specifies valid and invalid numbers, the ~~{Division}~~ *Department* shall accept the application for the valid numbers only.

- (e) The applicant fails to complete the application in a legible manner.
- (f) The applicant or the master guide fails to sign the application.
- (g) The applicant fails to submit the fees required pursuant to NAC 502.4231 or his bank fails to honor his check or draft for those fees.
- (h) The applicant fails to complete and return ~~any questionnaires required for the previous year~~ *the questionnaire required* pursuant to NAC 502.4239, unless he pays the applicable administrative fine not later than the third Friday in March of the year in which the application is submitted.
- (i) 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 to hunt is not authorized, all applications to hunt for the same species that are submitted by the applicant will be rejected.
- (j) The applicant fails to comply with the provisions of NRS 502.330.
- (k) The master guide named in the application:
  - (1) Is not licensed for each management area or unit named in the application; or
  - (2) Fails to specify or incorrectly specifies on his application the number of his current master guide license.
- (l) The applicant or master guide provides any false information on the application.
- (m) The applicant and the master guide named in the application are the same person.
- (n) The applicant holds a license as a subguide issued by the ~~Division~~ *Department* which authorizes the applicant to guide for deer in the management area or unit for which he is applying for a restricted nonresident deer tag.
- (o) The applicant is otherwise ineligible to apply for the tag.

2. Except as otherwise provided in NAC 502.42375 and 502.42377, if an application is rejected by the ~~[Division]~~ *Department* pursuant to this section, the application must not be included in the procedure for awarding tags.

3. If the ~~[Division]~~ *Department* rejects an application pursuant to paragraph (g) 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]~~ *Department* 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]~~ *Department* shall, until the fee is paid, indicate that the applicant owes the fee in the file of the applicant maintained by the ~~[Division.]~~ *Department*.

**Sec. 2.** NAC 502.4239 is hereby amended to read as follows:

502.4239 1. ~~[The]~~ *Unless otherwise provided by an annual regulation of the Commission, the* questionnaire issued as part of a restricted nonresident deer tag must be properly completed and received by the ~~[Division no later than January 31]~~ *independent contractor designated by the Department not later than 5 p.m. on the 15th weekday* following the close of the season for which the tag was issued.

2. ~~[Any]~~ *The Department shall annually designate and publish the name and address of an independent contractor who will receive the questionnaire pursuant to subsection 1.*

3. A person who fails to return the questionnaire ~~[by the date]~~ *within the time* specified or who submits incomplete or false information on the questionnaire will be denied all big game tags for 1 year.

~~[3.—Any]~~ A person who has been denied a tag ~~[because of failure to meet the deadline established for the receipt of the questionnaire or for providing incomplete information]~~ *pursuant to this subsection* may have those privileges reinstated if he pays to the ~~[Division]~~ *Department* an administrative fine of \$50.

**NOTICE OF ADOPTION OF PROPOSED REGULATION  
LCB File No. R025-03**

The Board of Wildlife Commissioners adopted regulations assigned LCB File No. R025-03 which pertain to chapter 502 of the Nevada Administrative Code on September 27, 2003.

**Notice date:** 8/15/2003  
**Hearing date:** 9/26/2003

**Date of adoption by agency:** 9/27/2003  
**Filing date:** 10/30/2003

**INFORMATIONAL STATEMENT**

- 1. Description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.**  
Public comment was solicited at the Nevada Board of Wildlife Commissioners Workshop on regulations held Friday, September 26, 2003 at the Bristlecone Convention Center, Ely, Nevada. The regulation was dutifully agendized and the agenda posted pursuant to Nevada Open Meeting Law, NRS Chapter 241. Copies of the summary of public response are available in minute form from the secretary of the Commission.
- 2. The Number of Persons Who:**
  - (a) Attended each hearing:** Approximately 20
  - (b) Testified at each hearing:** 0
  - (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 parties may obtain a copy of the summary.** N/A
- 4. If the regulation was adopted with or without change to any part of the proposed regulation, a summary of the reasons for adopting.** Regulation was adopted without change based upon Board of Wildlife Commissioners' desire to reduce the time requirement for return tag questionnaires in order to facilitate more timely receipt of harvest data and delivery of same to Nevada Department of Wildlife biologists, and County Advisory Boards to Manage Wildlife.
- 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 federal 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