

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

LCB File No. R025-03

July 23, 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.