

LCB File No. R137-03

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

**NOTICE OF INTENT TO ACT UPON A REGULATION
Notice of Hearing for The (Adoption/Amendment/Repeal) of Regulations of The
Board Of Wildlife Commissioners**

The Board of Wildlife Commissioners will hold a public hearing December 5, 2003 at the 1100 Valley Road, Reno, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR 314 (LCB File No.) pertaining to Chapter 502 of the Nevada Administrative Code.

1. The need for and purpose of the proposed regulation: (Description of regulation)

To make various changes to Chapter NAC 502 as a result of legislative changes and Board of Wildlife Commission direction for program changes and enhancements.

2. Text of the proposed regulation:

Please see attached.

- 3A. The estimated economic effect of the regulation on the business which it is to regulate:

- (a) Adverse effect - 2003 Legislative session approved a nonrefundable application fee to apply to become a license agent.
- (b) Beneficial effect – The proposed regulation would allow the application fee to be used to defray the cost of agent equipment if the agent is approved.
- (c) Immediate effect – Prospective license agents will have to pay a nonrefundable application fee.
- (d) Long-term effect – The fee will cover the cost of the processing the application and agent investigation.

- 3B. The estimated economic effect of the regulation on the public which it is to regulate:

- (a) Adverse effect – None.
- (b) Beneficial effect – Enhances the application hunt options.
- (c) Immediate effect – Enhances the application hunt options.
- (d) Long-term effect – Enhances the application hunt options.

4. Estimated cost to the Department of Wildlife for enforcement of the proposed regulation:

Unknown.
5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates, None. The duplication or overlapping is necessary because N/A. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency: N/A.
6. If the regulation is required pursuant to federal law, a citation and description of the federal law

N/A.
7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions:

N/A.
8. The proposed regulation establishes a new fee or increases an existing fee: No X Yes

Persons wishing to comment upon the proposed action of the Board of Wildlife Commissioners may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Secretary, Board of Wildlife Commissioners, 1100 Valley Road, Reno, Nevada 89512. Written submissions must be received by the Secretary, Board of Wildlife Commissioners, at least five days before the scheduled public hearing. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Wildlife Commissioners may proceed immediately to act upon any written submissions.

A copy of this notice and the proposed regulation will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the regulations to be adopted will be available for inspection and may be copied at the following locations:

Nevada Division of Wildlife
1100 Valley Road
Reno, Nevada
(775) 688-1500

Western Region
380 W. "B" Street
Fallon, NV 89406
(775) 423-3171

Eastern Region
1375 Mt. City Highway
Elko, NV 89801
(775) 738-5332

Southern Region
4747 Vegas Drive
Las Vegas, NV 89108
(702) 486-5127

The regulations will be available for inspection at all county main public libraries. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations are prepared and published monthly by the Legislative Council Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the above locations.

Terry R. Crawford, Secretary
Board of Wildlife Commissioners

LCB File No. R137-03

PROPOSED REGULATION OF THE BOARD OF
WILDLIFE COMMISSIONERS

COMMISSION GENERAL REGULATION 314

Authority: NRS 353.1465, 501.030, 501.105, 501.181, 501.3575, 502.040, 502.045,
502.077, 502.147, 502.160, 502.175, 502.250, 502.290, 502.300, 502.390,
503.290, and SB 420 (2003 Legislature)

Notice of Intent:

Workshop Date: December 5, 2003

Adoption Date:

Explanation: Makes various changes to Chapter 502: Adds language to allow a person to request his name and records be removed from lists which are sold, the requirements for the upland game bird stamp, and duplicate licenses; revises criteria for prospective license agents by requiring an application fee; revises fishing license requirements for the reciprocal waters of the Colorado River system; adds language to allow individuals to apply for the sole purpose of obtaining a bonus point without the opportunity of drawing a tag; increases the swan tag fee; revises language to allow residents to apply for hunting licenses with the tag application and allows residents and nonresidents to apply together for deer hunts; allows a first-come-first-served process instead of a manual draw following the main and second draws; provides housekeeping for certain terminology and provisions as a result of the 2003 legislative session.

Note: Matter in *italics* is new' matter within **brackets** **[]** is to be omitted.

Section 1. Chapter 502 is hereby amended by adding thereto the provisions set forth as sections 1 through 3 inclusive of this regulation:

Any person who has obtained licenses, permits, tags, or any other privileges through the authority of chapters 502, 503, 504, or 505 may, by written request, ask that their name and personal information be removed from lists that are sold.

Sec. 2. *Any person who hunts for upland game bird, except turkey and crow, must carry on his person a physical stamp signed across the face of the stamp in ink or provide other such documentation as the department may provide as proof that he has paid to the department the fee for the upland game bird stamp.*

Sec. 3. 1. *An application for a duplicate license must be made on an affidavit form provided by the department.*

(a) If the affidavit to replace a lost, stolen, or destroyed license is made to a license agent, the annual fee; or

(b) If the affidavit to replace a lost, stolen, or destroyed license is made to the department, a fee of \$10 is required.

Sec. 4. NAC 502.027 is hereby amended to read as follows:

502.027. “Bonus point program” means a method of awarding tags whereby an unsuccessful applicant for a tag in 1 or more ~~[special]~~ seasons *or an applicant that applies for the sole purpose of obtaining bonus points without the opportunity to obtain tags* is accorded an increased opportunity in a subsequent drawing.

Sec. 5. NAC 502.035 is hereby amended to read as follows:

502.035. “Controlled hunt” means any period within a ~~[special]~~ season designated by the commission for the taking of a ~~[big]~~ game ~~[mammal]~~ *species* where eligibility and the number of hunters are restricted to a management area or units within a management area.

Sec. 6. NAC 502.050 is hereby amended to read as follows:

502.050. “General hunt” means any period within a ~~[regular or special]~~ season designated by the commission for the taking of a ~~[big]~~ game mammal with any weapon declared legal.

Sec. 7. NAC 502.117 is hereby amended to read as follows:

502.117. As used in NRS 502.280, the commission will interpret ~~[“resident Indian”]~~ *“Native American”* to mean ~~[an Indian]~~ *a Native American* who is an enrolled member or eligible to become an enrolled member of a Nevada ~~[Indian]~~ *Native American* reservation or colony and who has been physically present in this state, with the intention of making this state his

permanent home, for at least 6 months immediately preceding his application for a free hunting and fishing license.

Sec. 8. NAC 502.118 is hereby amended to read as follows:

502.118 1. A payment for any license, permit, tag, certificate of ownership, certificate of number or any other service provided by the ~~[division]~~ *department* must be:

(a) Made payable to the ~~[division]~~ *department*;

(b) The same method of payment for each transaction;

(c) In the form of:

(1) Cash;

(2) A personal check that is drawn by a drawer who is a resident of this state and that includes on the face of the check the address of the drawer in this state; or

(3) If required by the ~~[division]~~ *department*, a cashier's check, certified check or money order; ~~and~~ *or*

(4) If the application for privileges in subsection 1 of this section is submitted electronically, an electronic method of payment that is specified by the department; and

(d) Paid in United States currency.

2. The ~~[division]~~ *department* shall not accept the following forms of payment:

(a) A check or draft that does not comply with subparagraph (2) of paragraph (c) of subsection 1;

(b) A check or draft that is endorsed to a third party; or

(c) A check for a refund that is issued by the ~~[division]~~ *department*, if the check is endorsed for payment to the ~~[division]~~ *department*.

3. The ~~[division]~~ *department* may, in accordance with NRS 353.1465, charge and collect a fee of \$2 for an application that is submitted to the ~~[division]~~ *department* electronically.

Sec. 9. NAC 502.145 is hereby amended to read as follows:

502.145. 1. Any person may apply for appointment as a license agent by submitting a completed application on forms provided by the [division] department and accompanied by a fee of \$100 for processing the application. *If the application for appointment as a license agent is approved, the application fee will be applied to reduce the installation and set up fees according to NAC 502.140.*

2. The [division] department may require an applicant to provide:

(a) Evidence of the financial ability of the applicant to perform the duties of a license agent;

(b) An original copy of the current credit rating of the applicant as issued by a credit rating agency recognized by the [division] department; and

(c) Any banking information and evidence of binding authority necessary for the electronic transfer of any money the applicant may receive from the sale of any licenses, permits, tags, stamps and other documents authorized by the [division] department to a bank account designated by the [division] department.

3. The applicant must show that the major portion of his business will be conducted in a permanent building. The building must have within it a secure place for keeping the [division's] department's licenses, permits, tags, stamps and sales records. Documents authorized by the [division] department may only be issued from this permanent building unless prior approval is given by the [division] department for the issuance of such documents at another location.

4. The [division] department will conduct an investigation of each applicant's qualifications and suitability to serve the public as a license agent. If the [division] department finds that any of the information on the application is false or misleading, the application will be denied.

5. The ~~[division]~~ *department* will require an approved applicant to enter into a contract with the ~~[division]~~ *department*. A person may not become a license agent until the contract is signed by both him and the ~~[division]~~ *department*.

Sec. 10. NAC 502.280 is hereby amended to read as follows:

502.280. 1. A license, tag or permit which is issued without a validated class code, and for which the issuing license agent cannot provide his copy within 60 days after notice by the ~~[division]~~ *department*, must be assessed to the license agent at the following rates:

(a) For the following licenses, the face value, as indicated by the date of birth and residence of the licensee:

- (1) Junior resident's hunting license;
- (2) Junior resident's trapping license;
- (3) Junior resident's fishing license;
- (4) Junior nonresident's fishing license;
- (5) Senior resident's hunting license; and
- (6) Senior resident's fishing license.

(b) For a short-term permit, the face value of a permit for 1 day and for 9 consecutive days.

(c) If the license is not a junior or senior hunting or fishing license:

(1) At the same rate as the license which precedes or follows it in the license book if the two licenses are of the same type or class.

(2) If the rate cannot be determined pursuant to subparagraph (1), at the applicable rate set forth in subsection 3 of NAC 502.185.

(d) For a tag, the applicable rate set forth in subsection 3 of NAC 502.185.

2. A license, tag or permit which is issued with more than one class code validated ~~[must]~~ :

(a) Must be assessed to the license agent at a rate which equals the total of the fees for every class which was validated if the classes validated are for different types of privileges.

(b) Must be assessed to the license agent at the highest rate if the classes validated are for the same or similar types of privileges.

Sec. 11. NAC 502.285 is hereby amended to read as follows:

502.285. 1. ~~[The division will issue a special annual license to nonresidents who are 14 years of age or over to fish in the reciprocal waters of the Colorado River, Lake Mead and Lake Mohave, upon the payment of a fee of \$20.~~

~~2.]~~ When fishing ~~[in those waters]~~ *on the reciprocal waters of the Colorado River, Lake Mead and Lake Mohave*, each person who is 14 years of age or over ~~[must possess]~~ *must affix to his license or permit a physical stamp signed across the face of the stamp in ink or provide other such documentation as the department may provide as proof that he has paid to the department the fee for the stamp:*

(a) ~~[An Arizona]~~ *A Nevada Colorado River* special use stamp, in addition to a Nevada fishing license ~~[or permit or a special annual license issued pursuant to subsection 1;]~~ or

(b) ~~[A Nevada]~~ *An Arizona Colorado River* special use stamp, in addition to an Arizona fishing license,

unless he is fishing from the shore of the state in which he is licensed. The fee for the special use stamp is \$3, and the stamp is effective from ~~[January 1 to December 31, inclusive March through February of the following year.~~

~~In addition to the requirements of paragraph (a), a person who has an annual Nevada fishing license must also have a Nevada trout stamp to take or possess trout.]~~

3. Persons under 14 years of age may fish in the reciprocal waters of the Colorado River, Lake Mead and Lake Mohave without obtaining a license or permit to fish.

Sec. 12. NAC 502.295 is hereby amended to read as follows:

502.295. ~~[1. The administrative head of an institution or organization may submit an application for a maximum of two special fishing permits to the division at the address specified on the application. The application must be accompanied by the statutory fee of \$15 for each permit.]~~

Special fishing permits expire on the last day of February of each year.

Sec. 13. NAC 502.297 is hereby amended to read as follows:

502.297. 1. A person may fish with a second combination of hook, line and rod if he:

(a) Has:

(1) A stamp for a second rod, validated by his signature in ink across the face of the stamp, affixed to his fishing license or permit to fish; or

(2) ~~[A permit for a second rod; and]~~ *Such other documentation as may be provided by the department for a second rod; and*

(b) Complies with the provisions of subsection 1 of NRS 503.290.

2. No person may use more than two combinations of hook, line and rod at any time.

Sec. 14. NAC 502.331 is hereby amended to read as follows:

502.331. 1. It is unlawful for any person to obtain more than one tag for an antelope, any subspecies of bighorn sheep, an elk or a mountain goat for a season.

2. An application for a tag , *a bonus point without the opportunity to obtain a tag, or permit,* must be:

(a) Completed in accordance with the regulations of the commission and the instructions on the application.

(b) Made for one applicant only. *Unless otherwise specified by regulations of the commission*
~~if~~ *if* two or more persons apply on one application, the application must be rejected.

3. The following nonrefundable fees must be charged for acting upon each application for a tag ,
a bonus point, or permit :

- (a) Elk tag.....\$15
- (b) Any other tag, other than a mountain lion tag , *permit, or bonus point*.....\$10

Sec. 15. NAC 502.380 is hereby amended to read as follows:

502.380. 1. A tag is required to hunt swan. The fee for the tag is ~~[\$5]~~ *\$10*. A person may obtain a form to apply for the tag from a license agent or an office of the ~~[division]~~ *department*. The form must be completed in accordance with the instructions thereon. The ~~[division's]~~ *department's* award of the tags will be based on a drawing held after the date specified on the form.

2. Each person while hunting swan shall carry on his person *a swan tag and hunting license issued by the department*, in addition to a state duck stamp *or other such documentation as the department provides as proof that he has paid to the department, for the state duck stamp* and a federal migratory bird hunting stamp *or other such documentation as the federal government provides as proof that he has paid for the federal migratory bird stamp* ~~[, if required, a hunting license and a swan tag issued by the division]~~.

3. When a hunter has killed a swan and taken it into his possession, he shall:

(a) Immediately punch and attach the tag in the manner required by NAC 502.390 and 502.400; and

(b) Except as otherwise provided by an order or regulation of the commission, not later than 5 days after he has killed and taken the swan into his possession, submit the head and neck of the

swan to a representative of the ~~[division]~~ *department* for inspection at a location designated by the ~~[division]~~ *department*. The ~~[division]~~ *department* shall provide a list of the locations upon the issuance of the tag.

4. A person shall not use or possess a tag issued to any other person, or transfer or give a tag issued to him to any other person.

Sec. 16. NAC 502.415 is hereby amended to read as follows:

502.415. The prices for *expired* state duck stamps are ~~[-~~

~~1. For unexpired stamps, \$5.~~

~~2. For expired stamps,]~~ the face value of each stamp.

Sec. 17. NAC 502.417 is hereby amended to read as follows:

502.417. Except as otherwise provided in this chapter, the provisions of NAC 502.416 to 502.4225, inclusive, apply to the processing of applications to obtain tags as provided in NRS 502.130 ~~[]~~ *or to obtain bonus points without the opportunity to obtain tags.*

Sec. 18. NAC 502.4175 is hereby amended to read as follows:

502.4175. 1. A person desiring to obtain a tag *or a bonus point without the opportunity to obtain a tag* must apply to the ~~[division]~~ *department* on a form provided by the ~~[division]~~ *department* that includes spaces for the applicant to:

(a) Specify his name, address and date of birth;

(b) *Specify which species or category of species that the applicant is applying for a bonus point without the opportunity to obtain a tag.*

(c) Select

(1) Not more than five hunter choice numbers if the applicant applies for a tag to hunt deer, elk, antelope, bighorn sheep or wild turkey; or

(2) One hunter choice number if the applicant applies for a tag to hunt mountain goat; and

~~[(e)]~~ (d) Sign the application or, if the application is submitted electronically, acknowledge the affidavit that is included in the application provided by the ~~[division]~~ *department*.

2. An application must include the applicant's social security number or a unique number will be assigned by the ~~[division]~~ *department*. The commission will establish the seasons and quotas for a hunt, and the method for submission and deadline for receipt of applications.

3. Except as otherwise provided in this subsection, an application may be withdrawn after it is received by the ~~[division]~~ *department* only if the applicant submits to the ~~[division]~~ *department* before the draw and with sufficient time for processing a written request that includes, without limitation, his client number. An application may not be withdrawn after the ~~[division]~~ *department* has rejected the application. The ~~[division]~~ *department* shall not consider a withdrawn application in the procedure for awarding tags.

4. An applicant must obtain a valid hunting license before submitting his application *for a tag or bonus point without the opportunity to obtain a tag*, ~~[except that an applicant who is a nonresident may]~~ *or the applicant must* apply for a hunting license when he submits his application. *Any applicant that applies for a hunting license when he submits his application must include the applicant's social security number if a number has been issued by the Social Security Administration.* Except as otherwise provided in subsection 5, the application must be accompanied by:

(a) The appropriate fee for the tag *if the application is for a tag*, as provided in NRS 502.250 ~~[and NAC 502.334]~~;

(b) The fee for a hunting license, as provided in NRS 502.240 *and the habitat conservation fee as provided in SB 420 section 11*, if the applicant *is for a tag or bonus point without the opportunity to obtain a tag* ~~[is a nonresident who]~~ has not obtained a hunting license;

(c) The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat; and

(d) The fee required pursuant to NAC 502.331 for the ~~[division]~~ *department* to act upon the application. The ~~[division]~~ *department* shall apply the proceeds of the fee to the cost of processing applications, conducting drawings for tags and performing such related activities as the commission may direct.

5. If an applicant submits his application *for a tag or bonus point without the opportunity to obtain a tag* electronically, the application must be accompanied by:

(a) The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat;

(b) Any donation the applicant wishes to make to a program specified in paragraph (a) or any other program conducted by the ~~[division]~~ *department*; ~~[and]~~

(c) The fee required pursuant to NAC 502.331 for the ~~[division]~~ *department* to act upon the application. The ~~[division]~~ *department* shall apply the proceeds of the fee to the cost of processing applications, conducting drawings for tags and performing such related activities as the commission may direct ~~[]~~ *and*

(d) The fee for a hunting license, as provided in NRS 502.240 and the habitat conservation fee as provided in SB 420 section 11, if the applicant has not obtained a hunting license and the applicant is applying for the sole purpose of obtaining a bonus point without the opportunity to obtain a tag.

6. If an application specified in subsection 5 is:

(a) Successfully drawn, the ~~[division]~~ *department* shall collect from the applicant:

(1) The appropriate fee for the tag as provided in NRS 502.250 ~~[and NAC 502.334]~~; and

(2) The fee for a hunting license, as provided in NRS 502.240 *and the habitat conservation fee as provided in SB 420 section 11*, if the applicant ~~[is a nonresident who]~~ has not obtained a hunting license; or

(b) Not successfully drawn, the ~~[division]~~ *department* shall collect from the applicant the fee for:

(1) A hunting license, as provided in NRS 502.240, *and the habitat conservation fee as provided in SB 420 section 11* if the applicant ~~[is a nonresident who]~~:

(I) Has not obtained a hunting license; and

(II) Has indicated on the application that he wishes to purchase the hunting license; and

(2) Participating in the partnership in wildlife drawing, as provided in NAC 502.427, if the applicant has indicated on the application that he wishes to participate in that drawing.

7. An application to obtain a tag that is issued by random selection may be submitted by a person who is under 12 years of age if he will attain the age of 12 years before the commencement of each season to which the application relates. An application to obtain a tag that is issued on a first-come, first-served basis may not be submitted by a person who has not yet attained the age of 12 years.

8. The ~~[division]~~ *department* and its agents and employees shall not:

(a) Amend or otherwise alter an application to obtain a tag.

(b) Issue a tag *or bonus point* to an applicant who fails to submit the fees required pursuant to this section.

Sec. 19. NAC 502.418 is hereby amended to read as follows:

502.418. 1. The ~~[division]~~ *department* shall reject an application to obtain a tag *or bonus point without the opportunity 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~~ *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 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~~ *department*, in which case the application must not be rejected for that reason.

(c) *The applicant fails to provide his social security number, if the Social Security Administration issued such a number, if he is applying for a hunting license.*

(d) ~~A nonresident~~ *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 application for a hunting license for the applicant.

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

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

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

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

~~(h)~~ *(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 *or bonus point without the opportunity to obtain a tag*.

2. Except as otherwise provided in NAC 502.419, 502.4195 and 502.4197, if an application is rejected by the ~~division~~ *department* 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~~ *department*.

3. If the ~~division~~ *department* rejects an application pursuant to paragraph ~~(g)~~ (h) of subsection 1 because the *applicant failed to submit the fees required pursuant to NAC 502.4175 or 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 *if the bank failed to honor his check or draft for the fees.*

(d) The ~~[division]~~ *department* shall, until ~~[the fee is]~~ *all fees owing are* paid, indicate that the applicant owes the ~~[fee]~~ *fees* in the file of the applicant maintained by the ~~[division]~~ *department*.

Sec. 20. NAC 502.4185 is hereby amended to read as follows:

502.4185. 1. If the ~~[division]~~ *department* is required, pursuant to NAC 502.418, to reject an application submitted by one member of a party, the ~~[division]~~ *department* is not required to reject the applications of the remaining members unless the ground for rejecting the one application also applies to the other applications.

2. Except as otherwise provided in this subsection ~~[]~~:

(a) *Residents and nonresidents may apply as a party if they have indicated their desire to hunt as a party on the application and have marked the corresponding type of hunt and hunter choices for the resident and nonresident units and seasons that are the same. In order for a party to be successful, there must be sufficient quota from the respective quotas, resident and nonresident, for the units and seasons applied for.*

(b) ~~[]~~ *If* any member of a party specifies on his application a type of hunt different from that specified by any other member of that party, the applications of each member of that party will be considered solely with respect to the type of hunt *and residency* for which the ~~[division]~~ *department* will issue the most tags in the drawing for which the application is submitted.

(c) If any member of a party specifies a junior hunt on his application, the applications of each member of that party will be considered solely with respect to the type of hunt, other than a

junior hunt, for which the ~~[division]~~ *department* will issue the most tags in the drawing for which the application is submitted.

3. As used in this section, “party” means two or more persons applying together as a group to obtain tags for a ~~[special]~~ season to hunt deer.

Sec. 21. 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 to obtain a tag for a ~~[special]~~ season who is unsuccessful *or who has applied for the sole purpose to earn a bonus point without the opportunity of drawing a tag* 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 *or a bonus point* for a ~~[special]~~ season submitted by a person, the ~~[division]~~ *department* 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]~~ *department* shall not award him a bonus point for any ~~[special]~~ season *or bonus point* applied for during that calendar year.

Sec. 22. NAC 502.4189 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 ~~[division]~~ *department* transfer those bonus points; and

(c) The ~~[division]~~ *department* 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 applicable to such an application is the quotient of the total number of points held by the members of the group divided by the number of members in the group, rounded to the nearest whole number.

Sec. 23. NAC 502.4195 is hereby amended to read as follows:

502.4195 1. If the **[division]** *department* commits an error which results in the rejection or incorrect processing of an application to obtain a tag that has been submitted in compliance with the regulations of the commission, the **[division]** *department* shall, until the close of the season, issue the remaining tags applied for and then, if there are no further tags available, the **[division]** *department* may exceed its quota for the type of hunt to which the application pertains.

2. The **[division]** *department* shall issue a tag for a **[special]** season to an applicant who, because he was assigned a low draw number, would have been awarded a tag in the drawing to which his application pertains if not for the error of the **[division]** *department* specified in subsection 1.

3. If the **[division]** *department* confirms an error on a rejected or incorrectly processed application after the close of all of the **[special]** seasons, the **[division]** *department* shall award that applicant a bonus point for the species or the category of the species for which the application was submitted. The bonus point is not effective until the next drawing for that hunt, and expires upon the expiration of the period for submission of applications for the same hunt in the next open season.

4. If the application was one of two or more applications submitted by a group of persons applying as a party for deer tags, the **[division]** *department* shall treat the applicant the same as the remaining members of his party.

Sec. 24. NAC 502.4197 is hereby amended to read as follows:

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

(a) The ~~[division]~~ *department* receives the application and enters the information on the application into the computer;

(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]~~ *department* receives the completed correction document on or before the deadline set forth in the correction document.

2. If the ~~[division]~~ *department* receives the completed correction document on or before the deadline set forth in the correction document, the ~~[division]~~ *department* 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]~~ *department* 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]~~ *department* 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 social security number if a number has been issued by the Social Security Administration when applying for a hunting license;*

~~[(5)]~~ (6) Failure to include the proper fee;

~~[(6)]~~ (7) Failure of the applicant to sign the application;

~~[(7)]~~ (8) If the applicant is less than 18 years of age, failure of his parent or legal guardian to sign the application; or

~~[(8)]~~ (9) 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. 25. NAC 502.4205 is hereby amended to read as follows:

502.4205. 1. Except for ~~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~~ *department* shall award a tag for a ~~special~~ season through a random order of selection conducted pursuant to a computerized system of drawing. *The department may award a permit for a season or special use 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] department** fail to confirm that eligibility.

Sec. 26. NAC 502.421 is hereby amended to read as follows:

502.421. 1. The **[division] department** shall cause the computer to generate an alternate list *for tags* after the regular drawing for a hunt is completed. Even if the first person selected for an alternate list has the same drawing number as the last person selected to receive a tag in the regular drawing, the **[division] department** shall accept those selections as final.

2. If the return of tags for a refund, pursuant to subsection 2 of NAC 502.422, reduces the number of tags awarded for an area and **[special]** season to less than the quota for that area and **[special]** season, the **[division] department** shall refill the quota by awarding tags:

(a) First, pursuant to NAC 502.4195, from applications rejected because of an error by the; and

(b) Then from the alternate list, unless there are fewer than 2 days remaining until the opening day for that **[special]** season.

3. Except as otherwise provided in subsection 4, in awarding tags from an alternate list for a hunt, the **[division] department** shall:

(a) Select the eligible applicant appearing on the list who:

(1) Has the drawing number with the highest priority; and

(2) Indicated as his first choice the area and season for which the quota is being filled; and

(b) Attempt to notify that applicant by calling, at least four times over 2 consecutive days, between the hours of 8 a.m. and 9 p.m., the telephone number listed in the records of the **[division] department** as the number where he can be reached. If the applicant failed to provide

the [division] department with such a number, or the [division] department is unable to notify the applicant and obtain his acceptance of the tag, the [division] department shall bypass his name in favor of the next qualified applicant. The [division] department shall maintain a documentary record of each attempt to notify an applicant pursuant to this paragraph. The last attempt must be made by an employee of the [division] department other than an employee who placed any of the first three calls.

4. If the [division] department is unable to collect any fee that is required to be submitted with an application for a hunting license or tag because the method of payment is rejected during the processing of the fee for the license or tag, the [division] department shall, if more than 2 days remain until the opening day for the hunt, select an eligible applicant from the alternate list for the hunt and season who:

- (a) Has the drawing number with the highest priority; and
- (b) Has indicated as his first choice the area and season for which the quota is being filled.

5. As used in this section, “drawing number” means a number assigned by the computer to an application to denote the priority it will receive in a drawing.

Sec. 27. NAC 502.4215 is hereby amended to read as follows:

502.4215. After tags have been issued for a [special] season by using the computerized system of drawing and alternate list, the [division] department shall provide all eligible hunters with [an equal] a first-come-first-served opportunity to apply for any remaining tags by mail or Internet. [as follows:]

~~[1. The commission shall select an initial date as the first date upon which the division may accept envelopes containing applications for those tags. The division shall reject any applications for those tags received before that date.]~~

~~2. The division shall not act upon applications for those tags until the fourth day following the initial date. At that time it shall mix together and act upon the applications received during the preceding 3 days before acting upon any other applications.~~

~~3. On the fourth and subsequent days following the initial date, the division shall act upon applications for those tags on the date they are received.]~~ *The department shall act upon applications for those tags in the order received.*

An applicant who is unsuccessful in obtaining a tag pursuant to this section must not be awarded a bonus point for use in any subsequent drawing to award tags.

Sec. 28. NAC 502.4231 is hereby amended to read as follows:

502.4231. 1. A person who wishes to obtain a restricted nonresident deer tag must apply to the ~~[division]~~ *department* on a form provided by the ~~[division]~~ *department* which includes spaces or lines for the applicant to:

- (a) Specify his name, address and date of birth;
- (b) Select not more than five hunter choice numbers; and
- (c) Except as otherwise provided in subsection 2, sign the application.

2. If an application is submitted electronically by a master guide for the applicant, the application must include a space or line for the master guide to acknowledge the affidavit that:

- (a) Is included in the application provided by the ~~[division]~~ *department*; and
- (b) Indicates that the master guide is authorized to sign the application on behalf of the

applicant.

3. The commission will establish the seasons and quotas for a restricted nonresident deer hunt, and the method for submission and deadline for receipt of applications.

4. Except as otherwise provided in this subsection, an application for a restricted nonresident deer tag may be withdrawn after it is received by the **[division] department** only if the applicant submits to the **[division] department** before the draw and with sufficient time for processing a written request that includes, without limitation, his client number. An application may not be withdrawn after the **[division] department** has rejected the application. The **[division] department** shall not consider a withdrawn application in the procedure for awarding tags.

5. A valid hunting license issued by the **[division] department** must be obtained by the applicant before submitting his application, except that an applicant may apply for a hunting license at the time he submits his application. *Any applicant that applies for a hunting license when he submits his application must include the applicant's social security number if a number has been issued by the Social Security Administration.* Except as otherwise provided in subsection

6, the application must be accompanied by:

(a) The appropriate fee for the tag, as provided in NRS 502.148;

(b) If the applicant has not obtained a valid hunting license issued by the **[division] department**, the fee for the hunting license, as provided in NRS 502.240 *and the habitat conservation fee as provided in SB 420 section 11*;

(c) The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat; and

(d) A fee of \$10, which must be applied by the **[division] department** to the cost of processing applications, conducting drawings for tags and for performing other related activities as directed by the commission.

6. If an applicant submits his application electronically, the application must be accompanied by:

(a) The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat;

(b) Any donation the applicant wishes to make to a program specified in paragraph (a) or any other program conducted by the ~~[division]~~ *department*; and

(c) A fee of \$10, which must be applied by the ~~[division]~~ *department* to the cost of processing applications, conducting drawings for tags and for performing other related activities as directed by the commission.

7. If an application specified in subsection 6 is:

(a) Successfully drawn, the ~~[division]~~ *department* shall collect from the applicant:

(1) The appropriate fee for the tag as provided in NRS 502.250 ~~[and NAC 502.334]~~; and

(2) The fee for a hunting license, as provided in NRS 502.240 *and the habitat conservation fee as provided in SB 420 section 11*, if the applicant is a nonresident who has not obtained a hunting license; or

(b) Not successfully drawn, the ~~[division]~~ *department* shall collect from the applicant the fee for a hunting license, as provided in NRS 502.240 *and the habitat conservation fee as provided in SB 420 section 11*, if the applicant is a nonresident who:

(1) Has not obtained a hunting license; and

(2) Has indicated on the application that he wishes to purchase the hunting license.

8. All fees submitted with an application must be paid by:

(a) A cashier's check;

(b) A certified check;

(c) A money order; or

(d) If the application is submitted electronically, an electronic method of payment that is specified by the ~~[division]~~ *department*.

9. The ~~[division]~~ *department* and its agents or employees shall not:

(a) Amend or otherwise alter an application to obtain a restricted nonresident deer tag.

(b) Issue a restricted nonresident deer tag to an applicant who fails to submit the fees required pursuant to this section.

Sec. 29. 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.

(c) *The applicant fails to provide his social security number, if a number has been issued by the Social Security Administration, and if he is applying for the hunting license at the time of application.*

~~[(e)]~~ (d) 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 application for a hunting license for the applicant.

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

~~(f)~~ (g) The applicant or the master guide fails to sign the application.

~~(g)~~ (h) 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)~~ (i) The applicant fails to complete and return any questionnaires required for the previous year 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)~~ (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 to hunt is not authorized, all applications to hunt for the same species that are submitted by the applicant will be rejected.

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

~~(k)~~ (l) 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)~~ (m) The applicant or master guide provides any false information on the application.

~~(m)~~ (n) The applicant and the master guide named in the application are the same person.

~~(n)~~ (o) 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)~~ (p) 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)]~~ *(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]~~ *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. 30. NAC 502.4237 is hereby amended to read as follows:

502.4237. 1. If the ~~[division]~~ *department* conducts a drawing for the issuance of nonresident deer tags pursuant to the provisions of NRS 502.147, the ~~[division]~~ *department* shall provide to the master guides specified on the applications submitted notification by mail of the date, time and location of the drawing.

2. No more than 30 successfully drawn applications for restricted nonresident deer tags upon which the same master guide is named may be granted by the ~~[division]~~ *department*. If 30 such applications have been approved by the ~~[division]~~ *department*, the ~~[division]~~ *department* shall deny all those applications submitted which exceed that number. An applicant who submits an

application which is denied pursuant to this subsection may apply for a nonresident ~~special~~ season deer tag.

Sec. 31. NAC 502.42373 is hereby amended to read as follows:

502.42373. 1. For ~~special~~ seasons for deer, each applicant in a drawing for a restricted nonresident deer tag receives a number of additional draw numbers 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 that ~~special~~ season for deer. The applicant’s lowest randomly assigned draw number is the number used for the drawing.

2. The bonus points accumulated by a person for a restricted nonresident deer hunt may not be transferred to any other person or applied to any other ~~special~~ season.

3. The number of bonus points applicable to an application submitted by a group of persons applying as a party for restricted nonresident deer tags is the quotient of the total number of points held by the members of the group divided by the number of members in the group, rounded to the nearest whole number.

Sec. 32. NAC 502.427 is hereby amended to read as follows:

502.427. 1. An applicant who was unsuccessful in obtaining a tag at the initial drawing for a big game tag may participate as a single applicant for the same species in the partnership in wildlife drawing held in the same year if he indicated his desire to participate on his application for the initial drawing.

2. The ~~[division]~~ *department* shall retain the tag fee paid for the initial drawing by a person who indicated his desire to participate in the partnership in wildlife drawing as the fee for the partnership in wildlife drawing. After completion of the partnership in wildlife drawing, the ~~[division]~~ *department* shall:

(a) Deposit with the state treasurer for credit to the wildlife account the entire tag fee received from each successful applicant.

(b) Deposit with the state treasurer for credit to the wildlife heritage trust account ~~[-~~
~~— (1) The entire] \$10 of the~~ tag fee received from each unsuccessful applicant ~~[for a deer tag]~~; and

~~[(2) Fifty percent of the tag fee received from each unsuccessful applicant for a big game tag other than a deer tag.]~~

(c) Refund the remaining ~~[50 percent]~~ *amount* of the tag fee received from an unsuccessful applicant ~~[for a big game tag other than a deer tag]~~ to the unsuccessful applicant.

Sec. 33. NAC 502.428 is hereby amended to read as follows:

502.428. 1. The commission will adopt annual regulations pursuant to NAC 502.310 to establish the seasons, quotas per species and subspecies, units and other conditions for the type of hunt in which recipients of big game tags from a partnership in wildlife drawing may participate.

2. Tags issued through the partnership in wildlife drawing will be in addition to the quotas set for the initial drawing for big game tags. The commission will set the quota of tags to be issued per species and subspecies for the partnership in wildlife drawing after considering the recommendations of the ~~[division]~~ *department*, the county advisory boards to manage wildlife and members of the public who wish to present their views at an open meeting. Tags issued

through the partnership in wildlife drawing will be issued for male animals only, except for tags to hunt mountain goats which will be issued for males and females.

3. Except as otherwise provided in subsection 4, the annual quotas for partnership in wildlife tags will not exceed the following:

- (a) Deer tags:
 - (1) Resident..... ~~[\$]~~22
 - (2) Nonresident..... 3
- (b) Antelope tags (resident)..... ~~[\$]~~ 5
- (c) Elk tags (resident)..... 3
- (d) Mountain goat tags (resident)..... 1
- (e) Bighorn sheep tags (resident)..... 4

4. If the ~~division~~ department commits an error which results in the rejection or incorrect processing of an application for a tag that has been submitted in compliance with the regulations of the commission and the error is confirmed before the close of the seasons, the ~~division~~ department may exceed its quota for the species to which the application pertains and issue a tag to the applicant if his draw number was low enough that he would have been awarded a tag in the drawing to which that application pertains if the ~~division~~ department had not committed the error. If the ~~division~~ department confirms an error on a rejected or incorrectly processed application after the close of the seasons, it shall not take any action to correct the error.

Sec. 34. NAC 502.435 is hereby amended to read as follows:

502.435. 1. A person must obtain:

(a) A Nevada taxidermist license as either a commercial taxidermist or noncommercial taxidermist, as appropriate; and

(b) If the taxidermic services are to be performed on a species of migratory bird protected by the Migratory Bird Treaty Act, as amended, 16 U.S.C. §§ 703 et seq., a taxidermist permit issued

by the United States Fish and Wildlife Service pursuant to 50 C.F.R. § 21.24, before performing taxidermic services in Nevada for any other person.

2. The commission hereby adopts by reference the regulations of the United States Fish and Wildlife Service which are published in 50 C.F.R. § 21.24, as those regulations existed on October 1, 1995. ~~[Title 50 of C.F.R. may be purchased for \$39 from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402-9328.]~~

Sec. 35. NAC 502.475 is hereby amended to read as follows:

502.475. 1. The ~~[division]~~ *department* will provide a standard form for a permit required by NRS 502.390.

2. The fee for the permit is ~~[\$100]~~ *\$125* per year and must be paid to the ~~[division]~~ *department* before the permit will be issued. If the ~~[division]~~ *department* issues a temporary permit or a permit for less than 1 year, the fee is ~~[\$50]~~ *\$68*.

THE FOLLOWING SECTIONS ARE TO BE REPEALED:

Sec. 36. NAC 502.102 is hereby repealed:

502.102. "Special season" has the meaning ascribed to it in NRS 501.085.

Sec. 37. NAC 502.290 is hereby repealed.

502.290 The administrator of the division or his designee may approve the issuance of a special fishing permit to any public or charitable institution or organization which provides care on a permanent or temporary basis to patients or children.

Sec. 38. NAC 502.351 is hereby repealed.

502.351. As used in NAC 502.353 and 502.355, unless the context otherwise requires:

1. “Deer habitat” means land used by mule deer seasonally or throughout the year. The land must have a suitable physical conformation and features and adequate and properly distributed food and water for mule deer.

2. “Landowner” means a person who holds title in fee to any land in this state or who is an owner in an association, partnership or corporation which holds title in fee to any land in this state. A tenant or lessee is not a landowner.

3. “Immediate members of a nonresident landowner’s family” means the spouse and children of a nonresident landowner.

Sec. 39. NAC 502.353 is hereby repealed.

502.353. 1. A nonresident landowner deer tag for the regular season may be issued to any nonresident landowner or to the immediate members of the nonresident landowner’s family as provided in NRS 502.230.

2. The lands on which the landowner may hunt deer include only those of which he is the owner and do not include those for which he has a lease, option, rental agreement, grazing permit or other special permit.

3. Before obtaining a nonresident landowner deer tag, the nonresident must obtain a nonresident hunting license. The license may be used to hunt other game mammals or game birds during the open season for nonresidents.

Sec. 40. NAC 502.355 is hereby repealed.

502.355. Application for a nonresident landowner deer tag must be made on the form provided by the division and must contain the following information:

1. The name, address and date of birth of the applicant;

2. The legal description of the land proposed for hunting and proof of the applicant's ownership of such land; and
3. The following statement to be signed by the applicant: "I, the applicant for a nonresident landowner regular deer season tag, hereby state that I will maintain not less than 75 percent of all lands belonging to me in the State of Nevada and upon which I propose to hunt open to the public for hunting."