

**LCB File No. R163-03**

**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  
Nevada Board of Wildlife Commissioners**

The Board of Wildlife Commissioners will hold a public hearing at 8:30 a.m. on December 6, 2003, at the Nevada Department of Wildlife, 1100 Valley Road, Reno, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR318 pertaining to chapter 502 of the Nevada Administrative Code.

1. The need for and purpose of the proposed regulation: At the direction of the Board of Wildlife Commissioners proposed it is to change the amount to participate in the Partnership in Wildlife drawing to \$10 if unsuccessful. The remainder of the tag fee will be refunded. There will be no distinction between big game species.
2. Text of the proposed regulation: (Attached)
- 3A. The estimated economic effect of the regulation on the business which it is to regulate:
  - (a) Adverse effect- N/A
  - (b) Beneficial effect- NA
  - (c) Immediate effect- NA
  - (d) Long-term effect- NA
- 3B. The estimated economic effect of the regulation on the public which it is to regulate:
  - (a) Adverse effect- NA
  - (b) Beneficial effect- Reduces the cost to the sportsman to participate in a special drawing for statewide tags.
  - (c) Immediate effect- NA
  - (d) Long-term effect- NA
4. Estimated cost to the Department of Wildlife for enforcement of the proposed regulation: NA
5. Description of, and citation to, any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency. NA
6. If the regulation is required pursuant to federal law, a citation and description of the federal law: NA

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions: NA
8. The proposed regulation establishes a new fee or increases an existing fee: \_\_\_No. XYes.

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, 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, 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 at the:

Nevada Department of Wildlife  
1100 Valley Road  
Reno, NV 89512  
(775) 688-1500

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

Eastern Region  
60 Youth Center Road  
Elko, NV 89801  
(775) 777-2300

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

and in all county main public libraries, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations which is 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 or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urges against its adoption.

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

**NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Suzanne Scourby, in writing, at the Nevada Department of Wildlife, 1100 Valley Road, Reno, Nevada 89512, or call Suzanne at 688-1599, as soon as possible.**

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PROPOSED REGULATION OF THE BOARD  
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COMMISSION GENERAL REGULATION 318

**Authority:** NRS 501.181, 501.3175, 502.160, 502.250.  
**Notice of Intent:** November , 2003.  
**Workshop Date:** December 5, 2003.  
**Commission Approval:**

**EXPLANATION:** Proposes to revise the amount of money from the tag fee received from each unsuccessful applicant for a tag in the partnership in wildlife drawing that is to be deposited with the state treasurer for credit to the wildlife account and the amount which is to be refunded to unsuccessful applicants regardless of big game species applied for.

NOTE: Matter in *italics* is new; matter within brackets ~~{}~~  is to be omitted.

**Section 1.** 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 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 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 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.}~~ *\$10 of the tag fee received from each unsuccessful applicant; and*

(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.