

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

LCB File No. R185-05

Effective February 23, 2006

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

AUTHORITY: §1, NRS 501.105, 501.181 and 503.150; §2, NRS 501.105 and 501.181; §3, NRS 501.105, 501.181 and 504.143.

A REGULATION relating to wildlife; authorizing a person who hunts deer or mountain lion to use a shotgun that is equipped with a smoothbore barrel or a barrel that is partially or fully rifled under certain circumstances; prohibiting the use or possession of certain shotgun rounds; and providing other matters properly relating thereto.

Section 1. NAC 503.142 is hereby amended to read as follows:

503.142 The Board of Wildlife Commissioners hereby establishes the following exceptions to paragraph (b) of subsection 1 of NRS 503.150:

1. During a type of hunt that is restricted to muzzle-loading firearms, a person may hunt a big game mammal only with a muzzle-loading rifle or muzzle-loading musket, and may use only a lead ball, a lead bullet, a semijacketed bullet or a metal alloy bullet that expands. The use of smokeless powder is prohibited. Only black powder or a black powder substitute such as Pyrodex or Triple 7 may be used as a propellant. A sabot round may be used. The muzzle-loading rifle or muzzle-loading musket must have the following characteristics:

(a) A wheel lock, matchlock or flintlock ignition system, or a percussion ignition system that uses a primer or percussion cap;

(b) A single barrel of caliber .45 or larger; and

(c) Open sights or peep sights. The use of a sight that is operated or powered by a battery, electronics or a radioactive isotope such as tritium is prohibited.

↪ The muzzle-loading rifle or the muzzle-loading musket is deemed to be not loaded if the priming compound or element, such as the priming powder or the unfired primer or percussion cap, is removed.

2. During a type of hunt that is restricted to muzzle-loading firearms, it is unlawful for a person hunting under the authority of a tag for such a hunt to carry in the field a firearm or longbow and arrow except for:

(a) A muzzle-loading rifle or a muzzle-loading musket with the characteristics set forth in subsection 1; or

(b) A flintlock or percussion handgun. However, it is unlawful to use such a handgun to hunt a big game mammal.

3. During a type of hunt in which the use of any legal weapon is authorized by a regulation of the Commission, a person may hunt a big game mammal with a muzzle-loading rifle or muzzle-loading musket only if:

(a) The muzzle-loading rifle or muzzle-loading musket has:

(1) A single barrel of caliber .45 or larger; and

(2) Open sights, peep sights or a rifle scope.

(b) The person uses a lead ball, a lead bullet, a semijacketed bullet or a metal alloy bullet that expands. A sabot round may be used.

↪ The muzzle-loading rifle or muzzle-loading musket is deemed to be not loaded if the priming compound or element, such as the priming powder or the unfired primer or percussion cap, is removed.

4. A person may hunt big game mammals with a rifle if the rifle uses a centerfire cartridge of caliber .22 or larger.

5. A person may hunt big game mammals with a handgun if the handgun uses a centerfire cartridge, has a barrel length of 4 inches or more and:

(a) Uses a cartridge of caliber .22 or larger with an overall loaded length of 2 inches or more; or

(b) Uses a cartridge of caliber .24 or larger with a case of length no less than the length of the case of a cartridge for a Remington magnum of caliber .44.

6. A person may hunt deer and mountain lion with a shotgun no larger than 10 gauge and no smaller than 20 gauge. ~~[Rifled slugs must]~~ *Only rifled slugs or shotgun rounds with sabots that contain a single expanding projectile may* be used when hunting deer. *A shotgun that is used to hunt deer or mountain lion pursuant to this subsection may be equipped with a smoothbore barrel or a barrel that is partially or fully rifled.*

Sec. 2. NAC 503.170 is hereby amended to read as follows:

503.170 1. In the fenced or cultivated lands of the Smith and Mason Valleys, in the Mason Valley Wildlife Management Area and in the zones within the Fort Churchill State Historic Park and the Lahontan State Recreation Area that are designated for hunting by the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources:

(a) Deer may be hunted only with:

(1) A shotgun no larger than 10 gauge and no smaller than 20 gauge, using:

(I) Rifled slugs; or

(II) Shotgun rounds with sabots that contain rifled slugs ~~[of conventional design;]~~ *or a single expanding projectile;* or

(2) A longbow and arrow.

(b) The use or possession of shotgun rounds with sabots that contain other than rifled slugs ~~[of conventional design]~~ *or a single expanding projectile* is prohibited.

2. *A shotgun that is used to hunt deer pursuant to subsection 1 may be equipped with a smoothbore barrel or a barrel that is partially or fully rifled.*

3. In the Mason Valley Wildlife Management Area:

(a) Deer may be hunted only on the following days during the season set for the hunting of deer:

(1) Saturdays, Sundays and Wednesdays;

(2) Nevada Day, as observed, pursuant to NRS 236.015;

(3) November 11, Veteran's Day;

(4) Thanksgiving Day; and

(5) Family Day, as declared pursuant to NRS 236.015.

(b) Deer may be hunted only with longbow and arrow during the season set for the archery hunt for deer.

Sec. 3. NAC 504.135 is hereby amended to read as follows:

504.135 1. Except as otherwise provided in subsection 6, the discharging of a rifle or pistol is prohibited on the following wildlife management areas:

(a) Overton in Clark County.


(b) Key Pittman in Lincoln County.

(c) Wayne E. Kirch in Nye County.

(d) Scripps in Washoe County.

(e) Mason Valley in Lyon County.

2. Deer may be hunted on the Mason Valley and Wayne E. Kirch Wildlife Management Areas only by persons using:

(a) Shotguns and rifled shotgun slugs  *or shotgun rounds with sabots that contain a single expanding projectile;* or

(b) Longbows and arrows.

↪ A shotgun that is used to hunt deer pursuant to this subsection may be equipped with a smoothbore barrel or a barrel that is partially or fully rifled.

3. The use of shotguns capable of holding more than three shells is prohibited on all wildlife management areas owned or managed by this State unless the shotgun is plugged with a one-piece filler, incapable of removal without disassembling the gun, so that the total capacity of the shotgun does not exceed three shells.

4. The use or possession of shells for a shotgun containing shot that is toxic or larger than standard-size T is prohibited on the following wildlife management areas:

- (a) Overton in Clark County.
- (b) Key Pittman in Lincoln County.
- (c) Wayne E. Kirch in Nye County.
- (d) Scripps in Washoe County.
- (e) Mason Valley in Lyon County.
- (f) Fernley in Lyon County.
- (g) Alkali Lake in Lyon County.
- (h) Humboldt in Churchill and Pershing Counties.
- (i) Steptoe Valley in White Pine County.
- (j) Franklin Lake in Elko County.

5. The use or possession of shotgun rounds with sabots that contain other than rifled slugs ~~[of conventional design]~~ *or a single expanding projectile* is prohibited on all wildlife management areas owned or managed by this State.

6. The provisions of subsection 1 do not apply to persons authorized by the Department to use rifles and pistols for the control of predatory animals and rodents.

7. For the purposes of this section, all shot shall be deemed toxic unless it has been approved as nontoxic by the United States Fish and Wildlife Service pursuant to 50 C.F.R. § 20.134.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R185-05

The Board of Wildlife Commissioners adopted regulations assigned LCB File No. R185-05, which pertain to chapters 503 and 504 of the Nevada Administrative Code, on February 11, 2006.

Notice date: 11/16/2005

Date of adoption by agency: 2/11/2006

Hearing date: 2/10/2006; 2/11/2006

Filing date: February 23, 2006

INFORMATIONAL STATEMENT

1. Description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

The proposed regulation was noticed and posted on an agenda according to the Open Meeting Law; distributed to the Board of Wildlife Commissioners, 17 county advisory boards to manage wildlife, and other interested persons; presented at a public workshop and at the board of Wildlife Commissioners' public meeting. A summary is available by contacting the Department of Wildlife.

2. The number of persons who:

(a) Attended each hearing: 31

(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 persons may obtain a copy of the summary:

The proposed regulation was noticed and posted on an agenda according to the Open Meeting Law; distributed to the Board of Wildlife Commissioners, 17 county advisory boards to manage wildlife, and other interested persons; presented at a public workshop and at the Board of Wildlife Commissioners' public meeting. A summary is available by contacting the Department of Wildlife.

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change:

The regulation was adopted without change, all interested and effected parties were in agreement.

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:
None

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: None

If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency: None

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions: No companion federal regulation.

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

Terry Crawforth, Secretary
Board of Wildlife Commissioners