

LCB File No. R036-08

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

COMMISSION GENERAL REGULATION 354

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

AUTHORITY: NRS 501.105, 501.119, 501.181, 502.140, 502.160, & 502.250

A REGULATION relating to wildlife to establish guidelines for a Silver State Partnership in Wildlife tag drawing, application process, fee and eligibility requirements for Silver State Partnership in Wildlife tags.

Section 1. *Chapter 502 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 thru 6, inclusive, of this regulation.*

Sec. 2. *The Department shall award tags for the Silver State Partnership in Wildlife tag drawing 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 computer's clock immediately before commencing the drawing. The Silver State Partnership in Wildlife Tag drawing will occur before the initial drawing.*

2. The Department shall cause the computer to generate an alternate list, categorized by species, after the initial selection of tag recipients in the Silver State Partnership in Wildlife Tag Drawing.

3. If the return of tags for a refund, pursuant to subsection 2 of NAC 502.422, reduces the number of tags awarded for the Silver State Partnership in Wildlife Tag Drawing to less than the quota for the hunt for a species, the Department shall refill the quota by awarding tags:

(a) First, pursuant to NAC 502.4195, to applicants who were rejected because of an error by the Department; and

(b) Second, to applicants on the alternate list, unless there are fewer than 7 weekdays remaining until the opening day for that hunt.

4. Except as otherwise provided in subsection 5, in awarding tags from an alternate list for a hunt, the Department shall:

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

(1) Has not received a tag in the in the initial drawing or Partnership in Wildlife Drawing for that category of species that year;

(2) Has the drawing number with the highest priority for that species; and

(3) Indicated on his application for the initial drawing for big game tags his desire to compete for that species in the Silver State Partnership in Wildlife Tag Drawing

(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 recorded on the records of the Department as the number where he can be reached. If the applicant failed to list such a number, or the Department is unable to notify the applicant and obtain his acceptance of the tag, the Department shall bypass his name in favor of the next qualified applicant. The 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 Department other than the employee or employees who placed any of the first three calls.

5. If the Department is unable to collect any fee that is required to be submitted with an application for a hunting license or tag that is awarded from the Silver State Partnership in Wildlife Tag Drawing because the method of payment is rejected during the processing of the

fee for the license or tag, the Department shall, if more than 7 weekdays 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) Indicated as his first choice the area and season for which the quota is being filled; and has not received a tag in the in the initial drawing or Partnership in Wildlife Drawing for that category of species.

Sec. 3. *1. To participate in the Silver State Partnership in Wildlife Tag Drawing an applicant must indicate his desire to participate on his application and may only participate as a single applicant for the Silver State Partnership in Wildlife Tag drawing for that species.*

2. To participate in the Silver State Partnership in Wildlife Tag Drawing the Department shall charge a fee of \$25 to be paid by a person who indicated his desire to participate in the Silver State Partnership in Wildlife Tag Drawing for each species category. After completion of the Silver State Partnership in Wildlife Tag Drawing, the Department shall deposit with the State Treasurer for credit to the Wildlife Heritage Trust Account the \$25 fee received from each application.

Sec. 4. *1. The Commission will adopt annual regulations pursuant to NAC 502.310 to establish the quotas per species and subspecies, units and other conditions for the type of hunt in which recipients of big game tags from a Silver State Partnership in Wildlife Tag Drawing may participate. Seasons for the Silver State Partnership in Wildlife Tags are to be equivalent to the Heritage Tag seasons as established by the Commission.*

2. Tags issued through the Silver State Partnership in Wildlife Tag Drawing will be in addition to the quotas set for the initial drawing for big game tags and the Partnership in

Wildlife tags. The Commission will set the quota of tags to be issued per species and subspecies for the Silver State Partnership in Wildlife Tag Drawing after considering the recommendations of the 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 Silver State Partnership in Wildlife Tag 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 Silver State Partnership in Wildlife tags will not exceed the following:

- (a) Deer tags:..... 2*
- (b) Antelope tags 2*
- (c) Elk tags..... 2*
- (d) Mountain goat tags..... 1*
- (e) Bighorn sheep tags 3*

4. If the 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 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 Department had not committed the error. If the 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. 5. 1. *The provisions in NAC 502.341, 502.345, 502.361 and 502.364, regarding a person's eligibility to obtain tags, do not pertain to applicants applying for Silver State Partnership in Wildlife tag.*

2. *Any applicant who receives a Silver State Partnership in Wildlife Tag for one of the following species will not be eligible to apply for subsequent Silver State Partnership Wildlife tags for that species for the number of years following receipt of the tag:*

- (a) Mule deer..... 5 years*
- (b) Antelope 5 years*
- (c) Rocky Mtn elk..... 10 years*
- (d) Desert bighorn sheep..... once in a lifetime*
- (e) Rocky mtn bighorn sheep..... once in a lifetime*
- (f) California bighorn sheep..... once in a lifetime*
- (g) Rocky mountain goat..... once in a lifetime*

Sec. 6. *The Department shall not consider bonus points as giving an applicant an increased opportunity to receive a tag in a Silver State Partnership in Wildlife Partnership Tag Drawing. If an applicant is successful in a Silver State Partnership in Wildlife Tag Draw, his bonus point total will not revert to zero for the category of species for which he obtained the tag. The Department shall not award bonus points to unsuccessful applicants in a Silver State Tag Drawing.*