

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

LCB File No. R053-13

COMMISSION GENERAL REGULATION NUMBER 430

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

AUTHORITY: §§1-3, NRS 501.181, 504.390

A REGULATION relating to hunting and fishing guides.

NAC 504.600 General requirements; application for issuance or renewal of license. (NRS 501.105, 501.181, 504.390)

1. An applicant for a license as a master guide must:

(a) Be a competent person of good moral character.

(b) Be 21 years of age or older.

(c) Demonstrate knowledge of the wildlife laws and regulations of the State relevant to the license for which the applicant is applying by passing the examination required pursuant to NAC 504.608.

(d) Submit proof with his application of current certification in:

(1) An American Red Cross course in standard first aid;

(2) An American Heart Association course in standard first aid; or

(3) An equivalent course in standard first aid. The applicant must submit proof with his application that this course meets or exceeds the requirements of the American Red Cross or the American Heart Association.

(e) Provide proof of his United States Coast Guard license, if applicable. If a boat will be used to provide a service to a client and a United States Coast Guard license is not required, the applicant must provide proof that he has obtained a minimum score of 80 percent on the boating safety examination in *Boat Nevada*, a booklet which may be obtained free of charge from the Department of Wildlife, 1100 Valley Road, Reno, Nevada 89512.

(f) If applying for a license for hunting services, provide proof that the applicant successfully completed a course in the responsibilities of hunters approved by the Department.

~~{2. Except as otherwise provided in subsection 7, in addition to the requirements of subsection 1, an applicant for a license as a master guide for hunting services or hunting and fishing services:~~

~~—(a) Must submit:~~

~~——(1) Proof that he:~~

~~——(I) Possessed a valid subguide license, or held an equivalent position, in another state, Canadian province or foreign country for at least 2 of the 5 years immediately preceding the date of the application; and~~

~~——(II) Successfully completed a licensed training program for hunting guides within the 5 years immediately preceding the date of the application;~~

~~——(2) Four letters of recommendation written by clients whom the applicant personally guided during the period described in sub-subparagraph (I) of subparagraph (1); and~~

~~——(3) Either:~~

~~——(I) A letter of recommendation written by the master guide, registered guide, professional guide or outfitter who employed the applicant as a subguide, or an equivalent position, during the period described in sub-subparagraph (I) of subparagraph (1); or~~

~~——(II) Except as otherwise provided in subsection 3, proof that he spent a minimum of 15 days guiding clients in the field during the period described in sub-subparagraph (I) of subparagraph (1);}~~

2. Must submit:

(a) Proof that he possessed a valid *Nevada* subguide license, or held an equivalent position, in another state, Canadian province or foreign country for at least 3 of the 5 years immediately preceding the date of the application;

(b) Four letters of recommendation written by clients whom the applicant personally guided during the period described in subparagraph (1); and

(3) Either:

(I) A letter of recommendation written by the master guide, registered guide, professional guide or outfitter who employed the applicant as a subguide, or an equivalent position, during the period described in subparagraph (1); or

(II) Except as otherwise provided in subsection 3, proof that he spent a minimum of 15 days guiding clients in the field during the period described in subparagraph (1); or

(c) Must submit proof that he held the position of, or was licensed in another state, Canadian province or foreign country as a master guide, registered guide, professional guide or outfitter and has at least 20 days of guiding experience for at least 2 of the 5 years immediately preceding the date of the application.

~~{3. An applicant for a license as a master guide who:~~

~~—(a) Applies on or before December 1, 2004;~~

~~—(b) Possessed a valid subguide license issued by the Department between July 1, 2001, and November 30, 2004, and who is in good standing; and~~

~~—(c) Otherwise meets the other requirements of subsection 2;~~

~~□ will receive 5 days of credit toward the requirements of sub-subparagraph (II) of subparagraph (3) of paragraph (a) of subsection 2 or sub-subparagraph (II) of subparagraph (3) of paragraph (b) of subsection 2 for each fiscal year that he was licensed.}~~

4. An application for ~~{the issuance or}~~ renewal of a master guide license received by the Department after ~~{August}~~ **May** 31 of the current calendar year will not be processed, and all fees will be returned, *except*

(a) When the application for renewal of a license is received between June 1 and June 30. Application received during this period will be processed and a warning letter will be issued for the first occurrence. The second occurrence within a three year period a suspension of license for one year shall occur.

(b) When the application for the master guide has been received after June 30 the Department will not process the application for that year.

5. An applicant for a license as a subguide must:

(a) Satisfy the requirements outlined in paragraphs (a), (c), (d), (e) and (f) of subsection 1; and

(b) Be 18 years of age or older.

6. An application for the renewal of a license as a master guide or subguide must include proof of current certification in standard first aid, as described in paragraph (d) of subsection 1.)
or

7. An applicant for a license as a master guide is not required to comply with the provisions of ~~{sub}~~section 2 if he:

(a) Is applying only to provide fishing services; ~~{or}~~

~~—(b) Submitted his application on or before December 1, 2004, and he:~~

~~— (1) Possessed a valid subguide license for hunting services issued by the Department during the previous 3 years; and~~

(1) Did not have his subguide license suspended or revoked.

8. As used in ~~sub~~section 2, “proof” means:

(a) Copies of records maintained by a state agency or board that issues a license to act as a guide or outfitter.

~~{(b) Reports:~~

~~— (1) Required by a federal land management agency that issues special use permits; and~~

~~— (2) Signed by the master guide, registered guide, professional guide or outfitter who employed the applicant during the period described in sub-subparagraph (I) of subparagraph (1) of paragraph (a) of subsection 2 or subparagraph (1) of paragraph (b) of subsection 2; or~~

~~— (c) An affidavit verifying the applicant’s guiding experience submitted by the master guide, registered guide, professional guide or outfitter who employed the applicant.}~~

NAC 504.608 Examinations. (NRS 501.105, 501.181, 504.390)

1. Before submitting an application for a license as a master guide or subguide for:

(a) Any hunting service, a person must pass an examination related to hunting established by the Department with a minimum score of 80 percent.

(b) Any fishing service, a person must pass an examination related to fishing established by the Department with a minimum score of 80 percent.

(c) Hunting and fishing services, a person must pass the examinations described in paragraphs (a) and (b) with minimum scores of 80 percent.

2. A master guide licensed by the Department who desires to add a fishing or hunting service to his license must pass an examination established by the Department with a minimum score of 80 percent.

~~{3. A person who fails to renew his master guide or subguide license for 3 consecutive years must pass the applicable examination required pursuant to subsection 1 before the Department will reissue his license.}~~

4. The Department shall administer the examinations required pursuant to this section by appointment at its regional offices located in Las Vegas, Reno and Elko from:

(a) January 1 to ~~August~~ **May** 31 of each year for:

- (1) Applicants for the issuance ~~{or reissuance}~~ of *their first* master guide license; or
 - (2) A master guide who wishes to add a fishing or hunting service to his license; and
- (b) January 1 to December 31 of each year for applicants for the issuance ~~{or reissuance}~~ of a subguide license.

5. A person may only take the examinations required pursuant to this section twice in a calendar year.

~~{NAC 504.620 Master guides: Submission of financial references and credit report; confidentiality of information. (NRS 501.105, 501.181, 504.390)}~~

~~—1. An applicant for a license as a master guide must provide to the Department:~~

~~—(a) Financial references; and~~

~~—(b) Authorization for the Department to obtain the applicant's credit report from a credit reporting agency.~~

~~—2. Information obtained by the Department pursuant to subsection 1 is confidential.}~~

~~{NAC 504.641 Area of operation: Description in application; authority of Department. (NRS 501.105, 501.181, 504.390)}~~

~~—1. An applicant for a license as a guide must describe in his application the geographic area, as prescribed by the Department, within which the applicant intends to operate.~~

~~—2. The Department may authorize a master guide to provide services for big game mammals, fur-bearing mammals, unprotected mammals and all species of game fish, unprotected fish and game birds on a statewide basis.}~~

~~{NAC 504.651 License for big game guiding: Territorial limits; restrictions on use. (NRS 501.105, 501.181, 504.390)}~~

~~—1. If a license is issued for big game guiding, it must specify in terms of a wildlife management area or unit, or other geographic area as prescribed by the Department, the exact territorial limits of the guide's big game operations.~~

~~—2. Only one person may act as a master guide under one license.~~

~~—3. Except as otherwise provided in subsection 4, a licensee may operate only in the big game hunting area indicated on his license.~~

~~—4. The Department may adjust the territorial limits within which a master guide may operate for reasons of game harvest, to resolve territorial conflicts between master guides or for the safety of persons who utilize the services of the guide.~~

NAC 504.661 Master guides: Action by Department on applications; timely submission of application for renewal of license. (NRS 501.105, 501.181, 504.390)

1. The Department will make such additional investigation of an applicant for a license as a master guide and his qualifications as it deems necessary. A preliminary decision of the Department:

(a) Upon an application for renewal of an existing license, will be made not later than 60 days after the date of receipt of the complete application; and

(b) Upon an initial application for a license, will be made not later than 90 days after the date of receipt of the complete application.

□ A licensee who is in good standing and whose application for renewal is received on or before ~~August~~ *May* 31 is entitled to a new license for the ensuing license year upon complying with the provisions of NAC 504.590 to 504.711, inclusive. If a licensee submits his application for renewal on or before ~~August~~ *May* 31, the current license issued by the Department will remain in effect until the Department issues a new license or notifies the licensee in writing that it has denied the application for renewal.

2. If an applicant fails to include proof of certification in first aid or proof of the successful completion of a course in the responsibilities of hunters with his application as required in NAC 504.600 or has failed to submit timely client reports pursuant to NAC 504.688, the Department will notify the applicant, in writing or electronically, of the deficiency. The applicant must submit the required documents to the Department within 30 days after he receives the notification.

3. When the applicant submits the appropriate documents to the Department within 30-60 days of notification.

(a) The Department will give a warning by certified letter for the first and second occurrence.

(b) The 3rd occurrence within a 5-year period will be a one-year suspension of license.

~~{If the Department does not receive the requisite documentation within the 30-day period, the Department will consider the application to be incomplete, will return the application to the applicant and will take no further action on the application.}~~

4. If an application is denied for a reason listed in NAC 504.671, the Department will notify the applicant, in writing or electronically, of the reasons for denial. The applicant may appeal such a denial to the Commission.

~~{4. The Department will only accept applications for licenses as a master guide beginning on July April 1 and ending on August May 31 of each year, except:~~

~~(a) When the application for the issuance of a license is received between June 1 through June 30.~~

~~(1) 1st violation is a warning by certified letter.~~

~~—— (2) The 2nd violation within a 3-year period will be a 1-year suspension of license.}~~

NAC 504.663 Master guides: Requirements for liability insurance or self-insurance bond.
(NRS 501.105, 501.181, 504.390)

1. If the Department approves an application for a license to be a master guide pursuant to NAC 504.661, the applicant must provide proof to the Department within 30 days after the notification that he carries liability insurance for a Nevada guiding business or a self-insurance bond in the following amounts:

(a) At least \$100,000 for each person with a claim.

(b) At least \$300,000 for each occurrence.

(c) At least \$25,000 for damage to property.

2. The Department shall issue a master guide license to the applicant upon receiving proof of liability insurance or proof of the self-insurance bond required pursuant to subsection 1.

3. The policy for liability insurance or the bond must remain in effect during the entire time the master guide is licensed to guide.

4. A master guide must submit proof to the Department that he continues to carry the liability insurance or self-insurance bond required pursuant to subsection 1 when he renews his insurance policy or bond.

NAC 504.666 Subguides: Action by Department on applications; timely submission of application for renewal of license. (NRS 501.105, 501.181, 504.390)

1. The Department will make such additional investigation of an applicant for a license as a subguide and his qualifications as the Department deems necessary. The final decision of the Department:

(a) Upon an application for renewal of an existing license, will be made not later than 60 days after the date of receipt of the completed application; and

(b) Upon an initial application for a license, will be made not later than 90 days after the date of receipt of the completed application.

□ A licensee who is in good standing and whose application for renewal is received on or before December 1 is entitled to a new license for the ensuing license year upon complying with the provisions of NAC 504.590 to 504.711, inclusive. If a licensee submits his application for renewal on or before December 1, the current license issued by the Department will remain in effect until the Department issues a new license or notifies the licensee in writing that it has denied the application for renewal.

2. If an applicant fails to include proof of certification in first aid or proof that he completed successfully a course in the responsibilities of hunters with his application as required by NAC 504.600, the Department will notify the applicant, in writing or electronically, of the omission. The applicant must submit the required documentation to the Department within 30 days after he receives the formal notification from the Department of the omission. If the Department does not receive the documentation within the 30-day period, the Department will consider the application to be incomplete and will take no further action on the application.

3. If an application is denied for reasons set forth in NAC 504.671, the Department will notify the applicant, in writing or electronically, of the reasons for denial. The applicant may appeal such a denial to the Commission.

4. The Department will deny the application for a license as a subguide if:

(a) The applicant holds a current restricted nonresident deer tag; or

(b) The master guide who will employ the applicant as a subguide is not authorized by the Department to guide in the area that the applicant lists in his application.

NAC 504.669 Request for amendment of license. (NRS 501.105, 501.181, 504.390) ~~{The Department shall not amend any master guide or subguide license unless the licensee submits his request for an amendment at least 10 working days before the licensee intends for the amendment to become effective.}~~ *In the case of an emergency situation, the Master guide may use the service of a currently licensed master guide or subguide for a single period not to exceed 10 days upon notification to the Department of Wildlife Division of Law Enforcement in Reno, Nevada prior to or within 24 hours of the beginning of use. The master guide will provide in writing or electronically notification to the Department of the single event use within 10 days from the initial use.*

NAC 504.671 Grounds for denial, revocation or suspension of license. (NRS 501.105, 501.181, 504.390) The Department may deny an application for or revoke or suspend a guide's license for any of the following:

1. Fraud or deception in procuring a license.
2. Fraudulent, untruthful or misleading advertising.
3. A conviction of any:
 - (a) Felony; or
 - (b) Crime involving physical violence, theft or fraud.
4. A conviction of having violated a regulation of a federal land management agency.
5. Immoral, unethical or dishonorable conduct. ~~{while providing guide services.}~~
6. A conviction of having violated a provision of:

(a) Chapter 488 or title 45 of NRS, or any regulation adopted pursuant thereto, or for a conviction of having violated an equivalent provision in the law or regulations of any other state or the Federal Government; or

(b) NRS 444.630 or 445A.465, or any regulation adopted pursuant thereto, relating to the conduct of the guide while providing guide services.

□ For the purposes of this subsection, the term “conviction” means a final conviction. A forfeiture of bail or collateral deposited to secure a defendant's appearance or a plea of nolo contendere is equivalent to a conviction.

7. A guide's substantial breach of any contract with any person utilizing his services, as determined by a court of competent jurisdiction.

8. Operation by a guide in an area other than that for which he is licensed or specifically authorized by the Department or the federal land management agency having jurisdiction.

9. The employment or use of an unlicensed subguide by a master guide.

10. Two or more convictions of any provision of chapters 484A to 484E inclusive or chapter 488 of NRS or an equivalent provision of law of any other state or the Federal Government relating to driving a motor vehicle or operating a boat while under the influence of an intoxicating liquor or a controlled substance within the 7 years immediately preceding the application for a license to be a guide.

11. A conviction of any provision of chapter 453 of NRS or an equivalent provision of law of any other state or the Federal Government relating to controlled substances within the 5 years immediately preceding the application for a license to be a guide.

12. Failing to report to the Division of Law Enforcement of the Department, without undue delay, any violation of the wildlife laws or regulations ~~{of which the guide has knowledge}~~ *pertaining to the unlawful killing, possession or waste of any wildlife of which the guide has personal knowledge.*

13. Shooting, killing or taking a client's wildlife.

14. Failing to comply with any provision of NAC 504.663, 504.685 or 504.688.

15. Providing guide services relating to hunting or fishing on public land or public waters without having the necessary special use permit issued by the federal land management agency having jurisdiction within the wildlife management area or unit.

16. Providing guide services relating to hunting or fishing on private land in violation of NRS 503.240.

17. Intimidating, threatening or intentionally interfering with a person who is lawfully hunting or fishing, or who is attempting to do so.

18. *The current* revocation of a hunting or fishing license of the guide in any state.

19. An outstanding warrant for the arrest of the applicant or guide issued in any state.

NAC 504.676 Termination of employment of subguide. (NRS 501.105, 501.181, 504.390)

1. A master guide shall notify the Department ~~{in writing}~~ within 72 hours after terminating the employment of a subguide. *The master guide will then notify the Department in writing or electronically within 10 days advising them of the termination of their subguide's employment.*

2. Upon receipt of the notification required pursuant to subsection 1, the Department shall:
 - (a) If the subguide is licensed under only one master guide, immediately suspend the license of the subguide; or
 - (b) If the subguide is licensed under more than one master guide, suspend the portion of the subguide license that pertains to the master guide described in subsection 1.

NAC 504.681 Habitual violators. (NRS 501.105, 501.181, 504.390)

1. An application for a license as a master guide or a subguide may be permanently denied if the applicant is a habitual violator.
2. For the purposes of this section, “habitual violator” means a person who has been previously convicted of three or more violations, or combination of violations, of title 45 or chapter 488 of NRS, including regulations adopted pursuant thereto, or the equivalent provisions of the law of any other state or federal law *within the previous 5 years preceding their application.*

Operation

NAC 504.685 Contracts with clients. (NRS 501.105, 501.181, 504.390)

1. Before providing a service to a client, a licensed master guide must furnish the client with a contract:
 - (a) Stating:
 - (1) The type of service to be provided, including, without limitation, food, lodging, transportation, capping, field dressing services and the packing out of harvested wildlife.
 - (2) The dates on which guide services are to be provided.
 - (3) The fee schedule for the guide’s services.
 - (4) The maximum number of clients, which may accompany a guide on any one occasion.
 - (5) The master guide’s policy regarding the cancellation and amendment of a contract for guide services.
 - (6) The master guide’s policy regarding the return of a deposit if the contract is cancelled.
 - (7) Whether the client can expect to be guided by a person other than the master guide.
 - (b) Signed by the master guide and the client.

2. A contract must be provided to every client whether or not the master guide does the actual guiding.
3. A master guide shall provide the client with a contract signed by the master guide within 30 days after receipt of a deposit for future guide services.
4. Only the master guide may enter into a contract with a client.
5. A subguide, with authorization from the master guide, may present a contract to a client for the purpose of obtaining the client's signature. If a subguide presents a contract to a client:
 - (a) The contract must contain the original signature of the master guide;
 - (b) The subguide shall not alter the provisions of the contract unless he receives authorization from the master guide; and
 - (c) If applicable, the subguide shall initial and date any alterations made to the contract.
6. The master guide shall retain all original signed contracts for not less than 3 years.
7. If requested, the master guide shall provide any contracts to an agent of the Department authorized to enforce the provisions of NAC 504.590 to 504.711, inclusive.
8. Whenever guiding in this State, a nonresident master guide shall keep copies of all contracts for clients guided in the State during the current calendar year readily available for inspection by any agent of the Department.

NAC 504.688 Records regarding clients. (NRS 501.105, 501.181, 504.390)

1. Licensed master guides and subguides shall keep and have available complete, current and accurate records regarding their clients.
2. Records regarding clients must be written on forms furnished by the Department to all licensed master guides. These forms will include spaces for:
 - (a) The client's name.
 - (b) The client's hunting or fishing license number, whichever is applicable.
 - (c) The client's tag or permit number, if a tag or permit is required by the Department.
 - (d) The dates, specifying the days, months and years, on which the client was guided.
 - (e) The date, specifying the day, month and year, on which each species of wildlife was harvested, the species harvested and the number of the species harvested.
 - (f) The point class of the animal harvested if the animal is a deer or elk.
 - (g) The management unit where each animal was harvested.

(h) The name of each of the guides who guided the client.

3. A guide shall;

(a) Make the initial entry in the records that are required pursuant to subsection 2 on the first day that he provides guide services to the client; and

(b) Make the final entry in the records required pursuant to subsection 2 on the final day guide services are provided to the client.

4. The master guide shall submit to the Department all original record forms for his clients, including the record forms of any subguides employed by the master guide, no later than ~~December~~ **May** 31 of the year for which the guide is currently licensed.

(a) If no clients are obtained during the licensing year, the master guide must submit one page from his client record book and each of his sub guide client record books stating “no clients” by May 31.

(b) If a master guide fails to turn in their complete client records forms that were issued to them and each of their sub guides by May 31 of each year, the master guide and each of his sub guides who fail to submit records.

(1) Shall be given a electronic or written warning and will be required to submit their client records by June 30.

(2) A second occurrence within a three year period shall result in the suspension of the master guide and subguide licenses for one year.

(c) It is the master guides responsibility to show proof of the Departments receipt of client records by a certified signed receipt of delivery by the USPS, UPS or Fed Ex.

5. The master guide and subguide shall present his clients’ records for inspection at any reasonable hour or place to any agent of the Department authorized to enforce the provisions of NAC 504.590 to 504.711, inclusive.

NAC 504.693 Possession or availability of license and special use permit while with client. (NRS 501.105, 501.181, 504.390) At all times while transporting, providing a service to or otherwise in the company of a client, a master guide or subguide shall carry on his person or otherwise have readily available:

1. His valid master guide or subguide license issued by the Department or a legible, unaltered copy of the license; and

2. If applicable, the valid original or a legible, unaltered copy of the portion of the special use permit, *and annual letter of authorization if applicable* issued to the master guide by the federal land management agency having jurisdiction within the wildlife management area or unit that contains the:

- (a) Name of the master guide or the name of his guiding business; and
- (b) Description of the wildlife management area or unit, or other geographic area where the master guide is authorized to guide pursuant to the special use permit.

NAC 504.696 Maintenance of certification in first aid. (NRS 501.105, 501.181, 504.390) While licensed by the Department as a master guide or subguide, a person must maintain current certification in the administration of standard first aid.

NAC 504.701 Guiding hunt for mountain lion, *black bear and bobcat*. (NRS 501.105, 501.181, 504.390) A master guide who is hired to guide a hunt for a mountain lion, *black bear, or bobcat* shall ensure that his client physically accompanies him or his subguide *in the field within close proximity during the entire pursuit and taking of the Mountain Lion, Black Bear, or Bobcat.* ~~[in the pursuit and killing of the mountain lion]~~

NAC 504.706 Transportation of big game mammals. (NRS 501.105, 501.181, 504.390)

1. A licensed master guide or subguide may transport a big game mammal taken by his client from the location where the mammal was harvested without first obtaining a transportation permit in accordance with NRS 503.040 if:

(a) The big game mammal has been tagged in accordance with NAC 502.400 and the tag has been properly validated in accordance with NAC 502.390; and

(b) The master guide or subguide transports the big game mammal in accordance with the conditions established on his master guide license only to a commercial or private facility within the State, including any cold storage locker, trailer or walk-in facility offered as a service to its customers, for the purpose of preserving the meat or carcass of the big game mammal.

2. During any reasonable hour, upon the request of an agent of the Department authorized to enforce the provisions of title 45 of NRS, a master guide or subguide shall present any big game mammal which he is transporting or has transported pursuant to this section.

NAC 504.711 Prohibited acts. (NRS 501.105, 501.181, 504.390)

1. A master guide licensed by the Department shall not:

(a) Enter into a contract to provide a service ~~{for a species of wildlife or in a wildlife management area or unit}~~ for which the guide does not possess a valid

~~{(1) License issued by the Department; and~~

~~————(2) If applicable}~~, special use permit, *if applicable* issued by the federal land management agency having jurisdiction within the wildlife management area or unit.

(b) Sign or submit an application for a restricted nonresident deer tag pursuant to [NAC 502.4231](#) related to a wildlife management area or unit, or for a hunter choice number representing a wildlife management area or unit, for which the master guide does not possess a valid special use permit required by the federal land management agency having jurisdiction within the wildlife management area or unit.

~~{(c) Apply for a license as a subguide to operate in a wildlife management area or unit that requires a special use permit from a federal land management agency if he:~~

~~————(1) Does not possess the special use permit from a federal land management agency; and~~

~~————(2) Is applying for the purpose of circumventing the requirement that a master guide possess a special use permit from a federal land management agency having jurisdiction within the wildlife management area or unit for which he is applying.~~

~~—2. A person shall not advertise that he provides guide services in the State unless he possesses a valid master guide license issued by the Department, }~~

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

The Board of Wildlife Commissioners will hold a public hearing on _____ at _____ a.m., 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 CGR 430 (LCB File No. R053-13) pertaining to Chapter 504 of the Nevada Administrative Code.

1. The need for and purpose of the proposed regulation: The proposed changes will simplify and clarify existing application processes, be user friendly to private enterprise and remove some government oversight. The Nevada Outfitters and Guides Association has proposed these changes through the petition process with the State board of Wildlife Commissioners.
2. Text of the proposed regulation: See attached.
.
- 3A. The estimated economic effect of the regulation on the business which it is to regulate:
 - (a) Adverse effect – There are no adverse economic effects.
 - (b) Beneficial effect – The application process is streamline and the reporting process is simplified. Violation warnings were added as opposed to hard deadlines that may result in the loss of guides’ licenses.
 - (c) Immediate effect – The adoption will move the application process to the beginning of the calendar year which may impact the timing of application payment for the guide business in 2014.
 - (d) Long-term effect –There are no additional long term economic effects.
- 3B. The estimated economic effect of the regulation on the public which it is to regulate:
 - (a) Adverse effect – There are no adverse economic effects.
 - (b) Beneficial effect – There are no adverse economic effects.
 - (c) Immediate effect – There are no adverse economic effects.
 - (d) Long-term effect – There are no adverse economic effects.
4. Estimated cost to the Department of Wildlife for enforcement of the proposed regulation: The costs to the Department may increase slightly if certified mailings are to be used to send notification of warning violations.

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates, _____ the duplication or overlapping is necessary because _____. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency: _____. This regulation does not duplicate any other federal regulation.
6. If the regulation is required pursuant to federal law, a citation and description of the federal law: The regulation is not required by federal law, however a Nevada guide's license is required if the private entity applies for a permit to guide on federal lands in Nevada.
7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions: Both State of Nevada and federal agencies require a guide application with associated fees as well as guide's records reporting.
8. The proposed regulation establishes a new fee or increases an existing fee: X No
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
60 Youth Center Road
Elko, NV 89801
(775) 777-2300

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.

/s/

Tony Wasley, Secretary
Board of Wildlife Commissioners