

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

LCB File No. R013-16

March 1, 2016

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

AUTHORITY: §§1 and 2, NRS 501.105 and 501.181, as amended by sections 1 and 1.2, respectively, of Assembly Bill No. 78, chapter 202, Statutes of Nevada 2015, at page 956.

A REGULATION relating to elk; revising certain definitions relating to spike elk; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Board of Wildlife Commissioners: (1) to establish policies and adopt regulations necessary to preserve, protect, manage and restore wildlife and its habitat; and (2) in establishing such policies and adopting such regulations, to consider first the recommendations of the Department of Wildlife, the county advisory boards to manage wildlife and other persons who present their views at an open meeting of the Commission. (NRS 501.105, as amended by section 1 of Assembly Bill No. 78, chapter 202, Statutes of Nevada 2015, at page 956) Existing law also requires the Commission to adopt regulations necessary to carry out the provisions of title 45 of NRS governing wildlife, including, without limitation, the manner and means of taking wildlife. (NRS 501.181, as amended by section 1.2 of Assembly Bill No. 78, chapter 202, Statutes of Nevada 2015, at page 956)

Existing regulations set forth certain definitions relating to spike elk. (NAC 502.104, 502.1045) **Section 1** of this regulation revises the term “spike elk” to mean “any elk having at least one antler without branching above the ears.” **Section 2** of this regulation revises the term “spike elk only” to mean “in a designation of elk that may be taken during an open season, only elk having at least one antler without branching above the ears.”

Section 1. NAC 502.104 is hereby amended to read as follows:

502.104 “Spike elk” means any elk *having at least one antler* without branching ~~[on either antler.]~~ *above the ears.*

Sec. 2. NAC 502.1045 is hereby amended to read as follows:

502.1045 “Spike elk only” means, in a designation of elk that may be taken during an open season, only elk *having at least one antler* without branching ~~on either antler.~~ *above the ears.*