

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

LCB File No. R140-16

COMMISSION GENERAL REGULATION 471

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

AUTHORITY: §§1 and 2, NRS 501.105, 501.181, 502.130, 502.140, 502.160, 502.250

A REGULATION relating to wildlife to amend the authority to hold the Partnership in Wildlife draw period before the initial draw for big game and associated eligibility for applicants to apply for the Partnership in Wildlife drawing.

Section 1. “Initial draw” means the big game tag drawing that awards the majority of the big game tags in a year.

Section 2. An eligible applicant may participate in the following big game tag drawings in the same year, the Silver State Tag drawing, Partnership in Wildlife Drawing and the initial big game tag drawing in the following manner;

- a) Pursuant to NAC 502.4293, an eligible applicant may apply for a tag for the Silver State Tag drawing for a species or subspecies and if unsuccessful in obtaining a tag in the Silver State Tag Drawing for a species or subspecies an eligible applicant may;*
- b) Apply for a tag in the Partnership in Wildlife drawing and if unsuccessful in the Partnership in Wildlife Drawing for a species or subspecies an eligible applicant may;*
- c) Apply for a tag in the initial drawing for big game.*

Section 3. The Department shall reject an application to obtain a tag for the Partnership in Wildlife drawing if any of the following occurs:

- (a) The applicant fails to specify his or her name, date of birth, city or state on the application, unless that information exists in the computer file of the Department, in which case the application must not be rejected if the applicant has specified his or her name and client number.*

(b) The applicant fails to specify or incorrectly specifies on the application the number of his or her hunting license and the year the license was issued, unless that information exists in the computer file of the Department, in which case the application must not be rejected for that reason.

(c) The applicant fails to specify his or her social security number on the application for a hunting license if:

(1) The application for a hunting license is included with the application for a tag and

(2) The Social Security Administration has issued a social security number to the applicant.

(d) An applicant who is at least 12 years of age but not more than 17 years of age fails to obtain the signature of his or her parent or legal guardian on the application for a hunting license.

(e) The applicant fails to specify on the application the species or subspecies for which the application was submitted and a valid hunter choice number for that type of hunt.

(f) The applicant fails to sign the application.

(g) The applicant fails to submit the fees required pursuant to NAC 502.427 or his or her bank fails to honor the check or draft for those fees.

(h) The applicant fails to comply with the provisions of NAC 502.405, unless, on or before the deadline set forth in that section for the year in which the application is submitted, he or she pays the applicable administrative fine and submits the properly completed questionnaire issued as part of the tag or the information required by the questionnaire.

(i) Except as otherwise provided in NAC 502.4183, the applicant submits more than one application to hunt for the same species or subspecies of wildlife during the same year, unless such an application is specifically authorized by the Commission. If such an application is not specifically authorized by the Commission, all applications submitted by the applicant to hunt for the same species must be rejected.

(j) The application is received after the deadline set by the Commission.

(k) The applicant fails to comply with the provisions of NRS 502.330.

(l) The applicant provides false information on the application.

(m) The applicant is otherwise ineligible to apply for the Partnership in Wildlife tag.

2. If an application is rejected by the Department pursuant to this section:

(a) The application must not be included in the procedure for awarding tags; and

(b) The nonrefundable application fees pursuant to NAC 502.331 for acting upon each application for a tag, the fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat must be retained by the Department.

3. If the Department rejects an application pursuant to paragraph (g) of this section of the regulation because the applicant failed to submit the fees required pursuant to NAC 502.427 the applicant is ineligible to receive or exercise any privilege conferred upon him or her pursuant to title 45 of NRS until the Department receives:

(a) The nonrefundable application fee for acting upon the application;

(b) The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat.

4. The Department shall indicate that the applicant owes a fee in the file of the applicant maintained by the Department until the applicant pays all fees owed to the Department.

Section 4 NAC 502.427 is hereby amended to read as follows:

NAC 502.427 1. A person desiring to obtain a Partnership in Wildlife tag must apply to the Department on an electronic form provided by the Department that includes spaces for the applicant to:

(a) Specify his or her name, address and date of birth;

(b) Specify the species or category of species for which the applicant is applying;

(c) Specify whether or not the applicant desires to be placed on an alternate list pursuant to subsection 2 of NAC 502.4275; and

(d) Acknowledge the affidavit that is included in the application provided by the Department.

2. *An application must include the applicant's social security number, or a unique number will be assigned by the Department.*

3. *An applicant must obtain a valid hunting license before submitting his or her application for a Partnership in Wildlife tag, except that an applicant may apply for a hunting license when submitting his or her application for a Partnership in Wildlife Tag.*

4. *An application for a Partnership in Wildlife Tag must be accompanied by:*

(a) *The appropriate fee for the application pursuant to NAC 502.331 which the Department shall deposit with the State Treasurer for credit to the Wildlife Heritage Trust Account.*

(b) *The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat.*

(c) *If the application is for an elk tag, the fee of \$5 required pursuant to NRS 502.250 for the application.*

(d) *The fee for a hunting license, as provided in NRS 502.240, if the applicant:*

(1) *Has not obtained a hunting license; and*

(2) *Indicates on the application that he or she wishes to purchase the hunting license regardless of whether his or her application is successfully drawn.*

(e) *The habitat conservation fee, as provided in NRS 502.242, if the applicant:*

(1) *Has not obtained a hunting license; and*

(2) *Indicates on the application that he or she wishes to purchase the hunting license regardless of whether his or her application is successfully drawn.*

5. *If an application for a Partnership in Wildlife Tag is successfully drawn, the Department shall collect from the applicant:*

(a) *The appropriate fee for the tag as provided in NRS 502.250;*

(b) *The fee for a hunting license, as provided in NRS 502.240, if the applicant:*

(1) *Has not obtained a hunting license; and*

(2) Indicates on the application that he or she wishes to purchase the hunting license only if his or her application is successfully drawn; and

(c) The habitat conservation fee, as provided in NRS 502.242, if the applicant:

(1) Has not obtained a hunting license; and

(2) Indicates on the application that he or she wishes to purchase the hunting license only if his or her application is successfully drawn.

6. An application to obtain a Partnership in Wildlife tag may be submitted by a person who is under 12 years of age if he or she will attain the age of 12 years before the commencement of the season to which the application relates.

~~[An applicant who was unsuccessful in obtaining a tag at the initial drawing in the Silver State tag 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 the applicant indicated his or her desire to participate on his or her application for the initial drawing.~~

~~— 2. The Department shall retain the tag fee paid for the initial drawing by a person who indicated his or her 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 Department shall:~~

~~— (a) Deposit with the State Treasurer for credit to the Wildlife Fund Account the entire tag fee received from each successful applicant;~~

~~— (b) Deposit with the State Treasurer for credit to the Wildlife Heritage Trust Account \$10 of the tag fee received from each unsuccessful applicant; and~~

~~— (c) Refund the remaining amount of the tag fee received from an unsuccessful applicant to the unsuccessful applicant.]~~

Section 5. NAC 502.4275 is hereby amended to read as follows:

NAC 502.4275 1. The Department shall award tags from the Partnership in Wildlife 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.

2. The Department shall cause the computer to generate an alternate list, categorized by species, after the initial selection of tag recipients in the Partnership in Wildlife Drawing. The alternate list must consist solely of each applicant who indicated a desire to be placed on an alternate list pursuant to subsection 2 of NAC 502.4175.

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 Partnership in Wildlife 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 14 business days 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 select the eligible applicant appearing on the list who:

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

(b) Indicated on his or her application ~~{for the initial drawing}~~ for ~~{big game tags his or her desire to compete for}~~ that species *or subspecies* in the Partnership in Wildlife Drawing.

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 Partnership in Wildlife 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 14 business days 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 the applicant's first choice the area and season for which the quota is being filled.

6. The Department shall maintain a record of each applicant selected from an alternate list pursuant to this section.

Section 6. NAC 502.4285 is hereby amended to read as follows:

NAC 502.4285 The provisions of NAC **502.341**, 502.345, 502.361 and 502.364, regarding a person's eligibility to obtain tags, apply to tags obtained through a Partnership in Wildlife Drawing. ~~Notwithstanding the provisions of NAC 502.341, a person who obtains an antelope tag for any type of hunt from a Partnership in Wildlife Drawing is not eligible to apply for another tag to hunt for antelope for the next five open seasons.~~

Section 7. NAC 502.4291 is hereby amended to read as follows:

NAC 502.4291 1. The Department shall provide an electronic application for the Silver State Tag Drawing to residents and nonresidents.

2. An applicant must indicate the desire to participate in the Silver State Tag Drawing on his or her application, and must participate solely as a single applicant in the Silver State Tag Drawing for a species or subspecies.

3. ~~{If eligible, an applicant who indicates the desire to participate on his or her application for the Silver State Tag Drawing may in the same year:~~

~~—(a) If the applicant was unsuccessful in obtaining a tag in the Silver State Tag Drawing for a species or subspecies, apply for the same species or subspecies in the initial drawing for a tag for that species or subspecies; and~~

~~—(b) If the applicant is unsuccessful in obtaining a tag at the initial drawing for a big game tag, participate as a single applicant for the same species or subspecies in the Partnership in Wildlife Drawing pursuant to NAC 502.427.}~~

Section 8. NAC 502.4237 is hereby amended to read as follows:

NAC 502.4237 1. If the Department conducts a drawing for the issuance of nonresident deer tags pursuant to the provisions of NRS 502.147, the Department shall provide to the master guides specified on the applications submitted notification by mail of the date, time and location of the drawing.

2. Not more than 30 successfully drawn applications for restricted nonresident deer tags upon which the same master guide is named may be granted by the Department. If 30 such applications have been approved by the Department, the Department shall deny all applications submitted which exceed that number.

3. An applicant who submits an application pursuant to this subsection may not apply for a nonresident deer tag in the ~~{main}~~ *initial* draw *for big game* in the same year.