

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

LCB FILE NO. R045-22I

**The following document is the initial draft regulation proposed
by the agency submitted on 04/07/2022**

**DRAFT REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS
LCB FILE NO. XX-XX**

501.195 1. A person who wishes to request that the Commission adopt, file, amend or repeal a permanent regulation, other than a permanent regulation relating to the classification of wildlife or the designation of seasons for hunting, fishing or trapping by the Commission pursuant to the provisions of title 45 of NRS, must submit a written petition to the Commission on a form provided by the Department. The petition may be submitted by mail, facsimile machine or electronic mail and must include:

(a) The name, telephone number, electronic mail address, if any, and mailing address of the petitioner.

(b) A statement of the reason and the legal authority for the adoption, filing, amendment or repeal of the permanent regulation.

(c) The language of the permanent regulation to be adopted, filed, amended or repealed or a description of the subjects and issues involved in the permanent regulation.

2. Upon receipt of a petition requesting the adoption, filing, amendment or repeal of a permanent regulation pursuant to subsection 1, the Commission will refer the petition to the Department to obtain from the Department a recommendation whether to deny the petition or initiate regulation-making procedures.

3. As soon as practicable after receiving a petition, but not later than 20 days after the date on which the petition was received by the Commission, the Department shall:

(a) Review the petition to determine whether there is legal authority for the proposed adoption, filing, amendment or repeal of the permanent regulation; and

(b) Forward to the Commission the petition and the recommendation of the Department whether to deny the petition or initiate regulation-making procedures *considering the statutory authority of the Commission*.

4. Within 30 days after a petition is submitted, *or as soon as the petition can be scheduled on an upcoming agenda*, the Commission will:

(a) Notify the petitioner in writing of its decision to deny the petition, including the reasons for the denial; or

(b) Initiate the regulation-making procedures set forth in chapter 233B of NRS.

5. A decision of the Commission to deny a petition is a final decision for the purposes of judicial review.