

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

LCB File No. R139-98

August 4, 1998

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

AUTHORITY: §§1-6, NRS 501.181 and 502.160.

Section 1. Chapter 502 of NAC is hereby amended by adding thereto a new section to read as follows:

1. The division shall allow an applicant to correct a correctable error in an application for a tag for the main draw if:

(a) The division receives the application and enters the information on the application into the computer on or before the deadline established by the commission for the receipt of applications;

(b) The application contains an error that causes the computer to send to the applicant a letter of rejection and blank correction document; and

(c) The division receives the completed correction document not more than 7 working days after the deadline established by the commission for the receipt of applications.

2. If the division receives the completed correction document within the period specified in paragraph (c) of subsection 1, the division shall:

(a) Use the information contained in the correction document to update the applicant's file on the computer; and

(b) Consider the applicant in the procedure for awarding a tag.

3. The division shall not consider an applicant in the procedure for awarding a tag if:

(a) The applicant submits a correction document that does not contain information sufficient to correct every error in the application; or

(b) The correction document is not received by the division within the period specified in paragraph (c) of subsection 1.

4. As used in this section:

(a) "Correctable error" means:

(1) An incorrect or missing date of birth;

(2) An incorrect, invalid or missing number of a hunting license;

(3) An incorrect, invalid or missing hunter choice number;

(4) Failure to specify a hunt;

(5) Failure to include the proper fee;

(6) Failure of the applicant to sign the application;

(7) If the applicant is less than 18 years of age, failure of his parent or legal guardian to sign the application; or

(8) Failure to complete a course in the responsibilities of hunters as required pursuant to NRS 502.330.

(b) "Main draw" means the draw pursuant to which the greatest number of big game tags are issued to residents and nonresidents.

Sec. 2. NAC 502.4175 is hereby amended to read as follows:

502.4175 1. A person desiring to obtain a tag must apply to the division on a form provided by the division that includes spaces for the applicant to specify his name, address and date of birth, and to sign the application. An application must include the applicant's social security number or a unique number will be assigned by the division. The commission will establish the seasons and quotas for a hunt, and the method for submission and deadline for receipt of applications. An application may [not] be withdrawn after it is received by the division [.] *only if the applicant submits to the division before the draw and with sufficient time for processing a written request that includes, without limitation, his client number. The division shall not consider a withdrawn application in the procedure for awarding tags.*

2. An applicant must obtain a valid hunting license before submitting his application, except that an applicant who is a nonresident may apply for a hunting license when he submits his application. The application must be accompanied by:

- (a) The appropriate fee for the tag, as provided in NRS 502.250 and NAC 502.334;
- (b) The fee for a hunting license, as provided in NRS 502.240, if the applicant is a nonresident who has not already obtained a hunting license; and
- (c) The fee required pursuant to NAC 502.331 for the division to act upon the application.

The division shall apply the proceeds of this fee to the cost of processing applications, conducting drawings for tags and performing such related activities as the commission may direct.

3. An application to obtain a tag that is issued by random selection may be submitted by a person under 12 years of age if he will attain the age of 12 years before the commencement of every season to which the application pertains. An application to obtain a tag that is issued on a

first come, first serve basis may not be submitted by a person who has not yet attained the age of 12 years.

4. The division and its agents and employees shall not:

(a) Amend or otherwise alter an application to obtain a tag.

(b) Issue a tag to an applicant who fails to submit the fees required pursuant to this section.

Sec. 3. NAC 502.418 is hereby amended to read as follows:

502.418 1. The division shall reject an application to obtain a tag if any of the following occurs:

(a) The applicant fails to specify his name, date of birth, city [, state or zip code,] *or state*, unless that information exists in the computer file of the division, in which case the applicant must not be rejected if he has specified his name and client number.

(b) The applicant fails to specify or incorrectly specifies the number of his hunting license and the year the license was issued.

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

(d) The applicant fails to specify a hunt and a valid hunter choice number for that hunt. If the applicant specifies valid and invalid numbers, the division shall accept the application for the valid numbers only. As used in this paragraph, “valid hunter choice number” means a number established by the division to denote a choice of hunting area and season for which a quota of tags remains to be issued.

(e) The applicant fails to complete the application in a legible manner.

(f) The applicant fails to sign the application.

(g) The applicant fails to submit the fees required pursuant to NAC 502.4175 or his bank fails to honor his check for those fees.

(h) The applicant fails to complete and return the questionnaire required for the previous year pursuant to NAC 502.405, unless he pays the applicable administrative fine not later than the third Friday in March of the year in which the application is submitted.

(i) The applicant submits more than one application to hunt for the same species 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 tag.

2. Except as otherwise provided in NAC 502.419 and 502.4195 [.] *and section 1 of this regulation*, if an application is rejected by the division pursuant to this section:

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

(b) The applicant must not be awarded a bonus point for the bonus point program for a special season; and

(c) The nonrefundable application fee for acting upon each application for a tag must be retained by the division.

Sec. 4. NAC 502.4189 is hereby amended to read as follows:

502.4189 1. [Except as otherwise provided in subsection 2, each] *Each* applicant in a drawing for a tag for a special season receives [one additional draw number for each bonus point he has accumulated for that special season. The applicant's lowest randomly assigned draw number is the number used for the drawing.

2. For special seasons for deer, each applicant in a drawing for a tag receives] a number of additional draw numbers that is equal to the number of bonus points that he has accumulated squared, as expressed in the following equation:

$$n=b^2$$

where “n” is the number of additional draw numbers and “b” is the number of bonus points. The number of additional draw numbers determines the number of draw numbers for that special season . [for deer.] The applicant's lowest randomly assigned draw number is the number used for the drawing.

[3.] 2. Bonus points accumulated by a person for a special season cannot be transferred to any other person or any other special season unless:

- (a) The applicant changes his state of residence;
- (b) The applicant requests that the commission transfer those bonus points; and
- (c) The commission approves the request for the transfer.

Bonus points transferred pursuant to this subsection apply to the same type of hunt to which they applied before the transfer.

[4.] 3. An application to obtain a tag for a special season for more than one person may be submitted only for a deer hunt. The number of bonus points applicable to such an application is

the quotient of the total number of points held by the members of the group divided by the number of members in the group, rounded to the nearest whole number.

Sec. 5. NAC 502.4231 is hereby amended to read as follows:

502.4231 1. A person who wishes to obtain a restricted nonresident deer tag must apply to the division on a form provided by the division which includes spaces or lines for the applicant to specify his name, address and date of birth and to sign the application. The commission will establish the seasons and quotas for a restricted nonresident deer hunt, and the method for submission and deadline for receipt of applications. An application for a restricted nonresident deer tag may **[not]** be withdrawn after it is received by the division *[.] only if the applicant submits to the division before the draw and with sufficient time for processing a written request that includes, without limitation, his client number. The division shall not consider a withdrawn application in the procedure for awarding tags.*

2. A valid hunting license issued by the division must be obtained by the applicant before submitting his application, except that an applicant may apply for a hunting license at the time he submits his application. The application must be accompanied by:

- (a) The appropriate fee for the tag, as provided in NRS 502.148;
- (b) If the applicant has not already obtained a valid hunting license issued by the division, the fee for the hunting license, as provided in NRS 502.240; and
- (c) A fee of \$10, which must be applied by the division to the cost of processing applications, conducting drawings for tags and for performing other related activities as directed by the commission.

3. All fees submitted with an application must be paid by cashier's check, certified check or money order.

4. The division and its agents or employees shall not:

(a) Amend or otherwise alter an application to obtain a restricted nonresident deer tag.

(b) Issue a restricted nonresident deer tag to an applicant who fails to submit the fees required pursuant to this section.

Sec. 6. NAC 502.4235 is hereby amended to read as follows:

502.4235 1. The division shall reject an application for a restricted nonresident deer tag if:

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

(b) The applicant fails to specify or he incorrectly specifies on the application the number of his hunting license and the year the license was issued.

(c) 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 parent or legal guardian on the application for a hunting license for the applicant.

(d) The applicant fails to specify a valid hunter choice number on the application. If the applicant specifies valid and invalid numbers, the division shall accept the application for the valid numbers only. As used in this paragraph, "hunter choice number" means a number established by the division to denote a choice of hunting area.

- (e) The applicant fails to complete the application in a legible manner.
- (f) The applicant or the master guide fails to sign the application.
- (g) The applicant fails to submit the fees required pursuant to NAC 502.4231.
- (h) The applicant fails to complete and return any questionnaires required for the previous year pursuant to NAC 502.4239, unless he pays the applicable administrative fine no later than the third Friday in March of the year in which the application is submitted.
- (i) The applicant submits more than one application to hunt for the same species of wildlife during the same year, unless such an application is specifically authorized by the commission. If such an application to hunt is not authorized, all applications to hunt for the same species that are submitted by the applicant will be rejected.
- (j) The applicant fails to comply with the provisions of NRS 502.330.
- (k) The master guide named in the application **[is]** :
 - (1) Is not licensed for each management area or unit named in the application [.] ; or*
 - (2) Fails to specify or incorrectly specifies on his application the number of his current master guide license.*
- (l) The applicant or master guide provides any false information on the application.
- (m) The applicant and the master guide named in the application are the same person.
- (n) The applicant holds a license as a subguide issued by the division which authorizes the applicant to guide for deer in the management area or unit for which he is applying for a restricted nonresident deer tag.
- (o) The applicant is otherwise ineligible to apply for the tag.

2. Except as otherwise provided in NAC 502.42375 and 502.42377 [.] *and section 1 of this regulation*, if an application is rejected by the division pursuant to this section, the application must not be included in the procedure for awarding tags.