

**PROPOSED REGULATION OF THE BOARD OF
WILDLIFE COMMISSIONERS
LCB File No. R107-99**

September 6, 1999

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

AUTHORITY: § 1, NRS 501.181.

Section 1. NAC 501.150 is hereby amended to read as follows:

501.150 1. A person must request a hearing before the commission within 30 days after he receives a notice from the division pursuant to subsection 3 of NRS 233B.127 that his license or permit will be denied, revoked or suspended. Otherwise, his right to the hearing shall be deemed waived. The date of receipt of the notice from the division that the license or permit will be denied, revoked or suspended shall be deemed to be:

- (a) The date that is indicated on the signed certified mail receipt; or
 - (b) If the person refuses to accept delivery of the notice, 3 days after the date the certified mail has been refused by the person.
2. The hearing must be requested on a form provided by the division.
3. *The hearing will commence no later than 60 days after the division receives the request for a hearing unless the petitioner and division otherwise stipulate in writing.*
4. The division shall mail a notice of hearing that complies with the provisions of NRS 233B.121 not less than 20 days before the date of the hearing. There is a rebuttable presumption that the notice of hearing has been received by a petitioner 10 days after the date the notice was deposited in the United States mail.

~~[4.]~~ 5. Any contention that improper notice was given by the division shall be deemed waived unless the contention is raised at the hearing.

~~[5.]~~ 6. The division may grant a stay of its decision to deny, revoke or suspend the license or permit pending the hearing before the commission if the division determines that:

- (a) There is good cause to stay its decision; and
- (b) A stay will not have a detrimental impact on wildlife.