

Chapter 502 of NAC

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

LCB File No. T004-15

COMMISSION GENERAL REGULATION 456

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, 502.142, 502.160

A REGULATION relating to wildlife; allowing the Nevada Board of Wildlife Commission to facilitate decisions concerning arbitration of elk incentive tags; will serve as the arbitration panel or appoint a panel and define the procedures in which the arbitration process proceeds; and other matters relating thereto.

NAC 502.42283 Arbitration panel. (NRS 501.105, 501.181, 502.142, 502.160)

1. The Commission ~~may~~ *will serve as the arbitration panel or appoint a panel to: {select an arbitration panel from the residents of the county in which an owner applicant resides to:}*

(a) Decide a dispute between a landowner applicant and the Department concerning the number of special incentive elk tags that the Department should award; or

(b) Determine whether a party who possesses a special incentive elk tag has adhered to the terms of the agreement entered into to obtain the tag.

~~2. An arbitration panel must consist of three members to be selected as follows:~~

~~—(a) One member representing the local business community.~~

~~—(b) One member representing persons actively engaged in the production of agriculture. Persons engaged in the production of agriculture shall, upon request, provide the Board of Wildlife Commissioners with a list of prospective members.~~

~~—(c) One member representing either a local hunting or sportsmen's organization, or the county advisory board to manage wildlife. The county advisory board to manage wildlife shall, upon request, provide a list of prospective members.~~

~~—3.— A member of an arbitration panel must be a resident of the county he or she serves.~~

~~—4.— The term of office of each member of the panel is 2 years.~~

~~—5.— Each arbitration panel shall select a chair from among its members.~~

~~—6.— An arbitration panel will be called to serve at the request of the Director or his or her designee.~~

~~—7.— Each member of the arbitration panel serves without salary, but may receive the per diem allowance and travel expenses provided for state officers and employees generally while performing official duties of the arbitration panel.~~

~~8.— The arbitration panel shall:} 2. *The Commission or appointed panel shall:*~~

(a) Review the evidence submitted by a claimant and the Department before making a determination; and

~~(b) Render a decision in an expeditious manner, *but not later than July 1st.* ~~but not later than 20 days after receiving notification to serve on a claim.~~~~

~~9} 3.~~ The decision of the ~~{arbitration panel}~~ *Commission or appointed panel* is final and binding on the parties if it complies with the provisions of NAC 502.42253 to 502.42283, inclusive, and applicable laws of this State.

4. The Commission shall have the authority to define the procedure in which the arbitration process proceeds.

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATION

The Nevada Department of Wildlife is proposing the adoption of regulations pertaining to Chapters 502 of the Nevada Administrative Code. A workshop has been set at 8:30 a.m., on Friday, March 20, 2015 at the Truckee Meadows Community College, 7000 Dandini Blvd., Sierra Building, Room 108, Reno, Nevada. The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulations:

Commission General Regulation 456 – LCB File No. T004-15 –Elk Arbitration Panel - The Commission will consider a temporary regulation relating to wildlife; allowing the Nevada Board of Wildlife Commissioners to facilitate decisions concerning arbitration of elk incentive tags; will serve as the arbitration panel or appoint a panel and define the procedures in which the arbitration process proceeds; and other matters relating thereto.

Commission General Regulation 457 – LCB File No. T003-15 - Awards, Issuance, and Use of Tags – The Commission will consider a temporary regulation relating to wildlife; clarifying issuance of elk incentive tags; excluding “spike” elk, “spike” elk hunts and “spike” elk tags from the equation of determining issuance of elk incentive tags; and other matters relating thereto.

This Notice of Workshop has been sent to all persons on the agency’s mailing list for administrative regulations and posted at the following locations and websites:

<http://www.leg.state.nv.us/register/>, http://www.ndow.org/Public_Meetings/Commission/Agenda/; <https://www.leg.state.nv.us/App/Notice/A/>; and <https://notice.nv.gov/>

Nevada Department of Wildlife – Law Enforcement
1100 Valley Road
Reno, NV 89512
(775) 688-1549

Western Region Office
380 W. B Street
Fallon, NV 89406
(775) 423-3171

Eastern Region Office
60 Youth Center Road
Elko, NV 89801
(775) 777-2300

Southern Region Office
4747 Vegas Drive
Las Vegas, NV 89108
(702) 486-5127

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting Joanne Trendler at the Nevada Department of Wildlife, Division of Law Enforcement, 1100 Valley Road, Reno, Nevada 89512, (775) 688-1549. A reasonable fee for copying may be charged.

February 23, 2015