

## LCB File No. R055-01

### NOTICE OF INTENT TO ACT UPON A REGULATION Notice Of Hearing For The (adoption/amendment/repeal) Of Regulations Of Nevada Board of Wildlife Commissioners

The Board of Wildlife Commissioners will hold a public hearing at 8:30 a.m. on December 2, 2000, at the Community College of Southern Nevada, 700 College Drive, Lecture Hall, Henderson, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR295 pertaining to chapter 502 of the Nevada Administrative Code.

**1. The need for and purpose of the proposed regulation:** At the direction of the Board of Wildlife Commission proposes to change the amount to participate in the Partnership in Wildlife drawing to a \$10 fee is unsuccessful. The remainder of the tag fee will be refunded.

2. Text of the proposed regulation: (Attached) .

3A. The estimated economic effect of the regulation on the business which it is to regulate:

(a) Adverse effect- The decrease in the amount to participate in the Partnership in Wildlife drawing, may reduce the revenue for the Wildlife Heritage Trust Account.

(b) Beneficial effect- NA

(c) Immediate effect- NA

(d) Long-term effect- NA

3B. The estimated economic effect of the regulation on the public which it is to regulate:

(a) Adverse effect- NA

(b) Beneficial effect- Reduces the cost to the sportsman to participate in a special drawing for statewide tags.

(c) Immediate effect- NA

(d) Long-term effect- NA

4. Estimated cost to the Division of Wildlife for enforcement of the proposed regulation:  
NA

5. Description of, and citation to, any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates and a statement explaining why

the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency. NA

6. If the regulation is required pursuant to federal law, a citation and description of the federal law: NA

7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions: NA

8. The proposed regulation establishes a new fee or increases an existing fee: No. X Yes.

Persons wishing to comment upon the proposed action of the Board of Wildlife Commissioners may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Secretary, Board of Wildlife Commissioners, Post Office Box 10678, Reno, Nevada 89520-0022. Written submissions must be received by the Secretary, Board of Wildlife Commissioners, at least five days before the scheduled public hearing. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board of Wildlife Commissioners may proceed immediately to act upon any written submissions.

A copy of this notice and the proposed regulation will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the regulations to be Adopted will be available at the:

Nevada Division of Wildlife  
1100 Valley Road  
Reno, NV 89512  
(775) 688-1500

Western Region  
380 W. "B" Street  
Fallon, NV 89406  
(775) 4233171

Eastern Region  
1375 Mt. City Highway  
Elko, NV 89801  
(775) 738-5332

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

and in all county main public libraries, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Council Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urges against its adoption.

This notice of hearing has been posted at the above locations.

**NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Suzanne Scourby, in writing, at the Nevada Division of Wildlife, 1100 Valley Road, Reno, Nevada 89512, or call Suzanne at 688-1599, as soon as possible.**

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Terry R. Crawford, Secretary  
Board of Wildlife Commissioners

Publish: November 1, 2000

Reno Gazette-Journal, Elko Daily Free Press, Las Vegas Review Journal

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

(This proposed regulation was previously adopted as LCB File No. T027-01)

**STATE OF NEVADA  
PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS  
COMMISSION GENERAL REGULATION 295**

Authority: NRS 501.105, 501.181, 502.160, 501.356, 501.3575, 502.250

EXPLANATION: Amends NAC to change the amount to participate in the Partnership in Wildlife drawing to a \$10 fee if unsuccessful. The remainder of the tag fee will be refunded.

NOTE: Matter in *italics* is new; matter within brackets ~~[-]~~ is to be omitted.

**Section 1. NAC 502.427 is hereby amended to read as follows:**

NAC 502.427 1. An applicant who was unsuccessful in obtaining a tag at the initial 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 he indicated his desire to participate on his application for the initial drawing.

2. The division shall retain the tag fee paid for the initial drawing by a person who indicated his 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 division shall:

(a) Deposit with the state treasurer for credit to the wildlife account the entire tag fee received from each successful applicant.

(b) Deposit with the state treasurer for credit to the wildlife heritage trust account ~~[-]~~

~~The entire tag fee received from each unsuccessful applicant for a deer tag; and~~

~~Fifty percent of the tag fee received from each unsuccessful applicant for a big game tag other~~

~~than a deer tag] \$10 of the tag fee received from each unsuccessful partnership in wildlife big game tag applicant.~~

(c) Refund the ~~[-remaining 50 percent] remainder~~ of the tag fee received from an unsuccessful applicant for a big game tag ~~[-other than a deer tag]~~ to the unsuccessful applicant.