

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

**LCB File No. R133-01**

November 21, 2001

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

AUTHORITY: §§1, 4, 6, 8-11 and 14, NRS 501.105, 501.181 and 502.160; §2, NRS 501.105, 501.181 and 502.160 and section 15 of chapter 389, Statutes of Nevada 2001; §3, NRS 353.1465, 501.105, 501.181 and 502.160; §5, NRS 501.105, 501.181 and 502.215; §7, NRS 501.105, 501.181, 502.160 and 502.260; §12, NRS 501.105, 501.181, 502.160 and 502.250; §13, NRS 502.250.

**Section 1.** Chapter 502 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

**Sec. 2. 1.** *If a person submits a check or draft to the division and the check or draft is dishonored by the bank upon which the check or draft is drawn, the division shall charge and collect a fee of \$25 from the person.*

*2. An application for a license, permit, tag, certificate of ownership, certificate of number or any other service provided by the division shall be deemed invalid if any payment that is required to be included with the application is not received by the division or if a check or draft for that payment is dishonored by the bank upon which the check or draft is drawn.*

*3. Any person who submits an application that is deemed invalid pursuant to subsection 2 is ineligible to receive or exercise any privilege conferred upon him pursuant to Title 45 of NRS until:*

*(a) The division receives the payment specified in subsection 2; and*

*(b) The person pays any costs incurred by the division in collecting the payment.*

*4. The division may require a person specified in subsection 3 to submit a payment in the form of a cashier's check, certified check or money order for:*

*(a) Any license, permit, tag, certificate of ownership, certificate of number or any other service provided by the division; and*

*(b) Any delinquent fees associated with the original transaction for the license, permit, tag, certificate of ownership, certificate of number or service.*

**Sec. 3. 1.** *A payment for any license, permit, tag, certificate of ownership, certificate of number or any other service provided by the division must be:*

*(a) Made payable to the division;*

*(b) The same method of payment for each transaction;*

*(c) In the form of:*

*(1) Cash;*

*(2) A personal check that is drawn by a drawer who is a resident of this state and that includes on the face of the check the address of the drawer in this state; or*

*(3) If required by the division, a cashier's check, certified check or money order; and*

*(d) Paid in United States currency.*

*2. The division shall not accept the following forms of payment:*

*(a) A check or draft that does not comply with subparagraph (2) of paragraph (c) of subsection 1;*

*(b) A check or draft that is endorsed to a third-party; or*

*(c) A check for a refund that is issued by the division, if the check is endorsed for payment to the division.*

*3. The division may, in accordance with NRS 353.1465, charge and collect a fee of \$2 for an application that is submitted to the division electronically.*

**Sec. 4.** NAC 502.314 is hereby amended to read as follows:

502.314 1. An application for a duplicate tag must be made as provided in NRS 502.210 on a form provided by the division.

2. Upon submission of a completed application for a duplicate tag, a duplicate tag may be purchased at ~~an~~ *any* office of the division that ~~is located in Reno, Fallon, Elko or Las Vegas.~~ *issues duplicate tags.*

**Sec. 5.** NAC 502.321 is hereby amended to read as follows:

502.321 1. The division shall issue a replacement tag at no charge to the holder of a big game tag who has tagged an animal which is diseased and unfit for human consumption if:

(a) A biologist or game warden of the division or a veterinarian who is licensed to practice in this state avers on the affidavit of diseased big game that the animal is diseased; and

(b) The holder of the tag completes the portion of the affidavit of diseased big game required to apply for a replacement tag, including the selection of a season for which the replacement tag will be issued.

2. Upon receipt of a completed affidavit of diseased big game, the division shall, during normal business hours, issue a replacement tag for the appropriate season pursuant to NRS 502.215 at ~~its office in Reno, Fallon, Elko or Las Vegas.~~ *any office of the division that issues replacement tags for that purpose.*

3. If the holder of the big game tag requests a replacement tag for the next similar season, he must possess a valid hunting license and provide the number of the hunting license to the division in order to obtain the replacement tag.

4. The division may determine if a replacement tag will be issued from the tags remaining in the quota for that hunt or from tags issued in excess of the quota as an oversubscription for that hunt.

5. As used in this section, “affidavit of diseased big game” means a form provided by the division which must be used by a person who has tagged an animal which is diseased and unfit for human consumption to apply for a replacement tag.

**Sec. 6.** 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:

(a) Specify his name, address and date of birth;

(b) Select:

(1) Not more than five hunter choice numbers if the applicant applies for a tag to hunt deer, elk, antelope, bighorn sheep or wild turkey; or

(2) One hunter choice number if the applicant applies for a tag to hunt mountain goat; and

(c) Sign the application ~~and~~ *or, if the application is submitted electronically, acknowledge the affidavit that is included in the application provided by the division.*

2. 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.

3. Except as otherwise provided in this subsection, an application may 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. An application may not be withdrawn after the division has rejected the application. The division shall not consider a withdrawn application in the procedure for awarding tags.

4. 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]~~ *Except as otherwise provided in subsection 5, 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 *NRS 502.253 for the support of programs to control predators and protect wildlife habitat; and*

*(d) The fee required pursuant to* NAC 502.331 for the division to act upon the application.

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

5. *If an applicant submits his application electronically, the application must be accompanied by:*

*(a) The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat;*

*(b) Any donation the applicant wishes to make to a program specified in paragraph (a) or any other program conducted by the division; 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 the fee to the cost of processing applications,*

*conducting drawings for tags and performing such related activities as the commission may direct.*

*6. If an application specified in subsection 5 is:*

*(a) Successfully drawn, the division shall collect from the applicant:*

*(1) The appropriate fee for the tag as provided in NRS 502.250 and NAC 502.334; and*

*(2) The fee for a hunting license, as provided in NRS 502.240, if the applicant is a nonresident who has not obtained a hunting license; or*

*(b) Not successfully drawn, the division shall collect from the applicant the fee for:*

*(1) A hunting license, as provided in NRS 502.240, if the applicant is a nonresident who:*

*(I) Has not obtained a hunting license; and*

*(II) Has indicated on the application that he wishes to purchase the hunting license;*

*and*

*(2) Participating in the partnership in wildlife drawing, as provided in NAC 502.427, if the applicant has indicated on the application that he wishes to participate in that drawing.*

7. An application to obtain a tag that is issued by random selection may be submitted by a person *who is* under 12 years of age if he will attain the age of 12 years before the commencement of ~~every~~ *each* season to which the application ~~pertains~~ *relates*. An application to obtain a tag that is issued on a first-come, first-served basis may not be submitted by a person who has not yet attained the age of 12 years.

~~6.~~ 8. 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. 7.** 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 or state, unless that 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 incorrectly specifies the number of his hunting license and the year the license was issued unless that information exists in the computer file of the division, in which case the application must not be rejected for that reason.

(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 the species or the category of the species for which the application was submitted and a valid hunter choice number for that type of hunt. If the applicant specifies valid and invalid numbers, the division shall accept the application for the valid numbers only.

(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 *or draft* 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, 502.4195 and 502.4197, 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 the species or the category of the species for which the application was submitted; and

(c) The nonrefundable application fee for acting upon each application for a tag *and the fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat* must be retained by the division.

3. *If the division rejects an application pursuant to paragraph (g) of subsection 1 because the applicant's bank failed to honor his check or draft for the fees specified in that paragraph, the applicant is ineligible to receive or exercise any privilege conferred upon him pursuant to Title 45 of NRS until the division receives:*

*(a) The nonrefundable application fee for acting upon the application;*

*(b) The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat; and*



*(c) The fee for the returned check or draft specified in section 2 of this regulation. The division shall, until the fee is paid, indicate that the applicant owes the fee in the file of the applicant maintained by the division.*

**Sec. 8.** NAC 502.4197 is hereby amended to read as follows:

502.4197 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 on or before the deadline ~~established by the commission for the receipt of applications.~~ *set forth in the correction document.*

2. If the division receives the completed correction document on or before the deadline ~~established by the commission for the receipt of applications.~~ *set forth in the correction document,* 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 on or before the deadline ~~[established by the commission for the receipt of applications.]~~ *set forth in the correction document.*

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 the species or the category of the species for which the application was submitted;
- (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. 9.** NAC 502.421 is hereby amended to read as follows:

502.421 1. The division shall cause the computer to generate an alternate list after the regular drawing for a hunt is completed. Even if the first person selected for an alternate list has the same drawing number as the last person selected to receive a tag in the regular drawing, the division shall accept those selections as final.

2. If the return of tags for a refund, pursuant to subsection 2 of NAC 502.422, reduces the number of tags awarded for an area and *special* season to ~~hunt antelope, bighorn sheep, elk or mountain goat to~~ less than the quota for that area and *special* season, the division shall refill the quota by awarding tags:

(a) First, pursuant to NAC 502.4195, from applications rejected because of an error by the division; and

(b) Then from the alternate list, unless there are fewer than 2 days remaining until the opening day for that ~~hunt.~~

FLUSH ~~If the return of tags for a refund reduces the number of tags awarded for an area and season of a deer hunt to less than the quota for that area and season, the division shall not refill that quota. —3.— In} special season.~~

3. *Except as otherwise provided in subsection 4, in* awarding tags from an alternate list for a hunt, the division shall:

(a) Select the eligible applicant appearing on the list who:

(1) Has the drawing number with the highest priority; and

(2) ~~Denoted~~ *Indicated* as his first choice the area and season for which the quota is being filled; and

(b) Attempt to ~~contact~~ *notify* that applicant by calling, at least four times over ~~two~~ 2 consecutive days, between the hours of 8 a.m. and ~~5~~ 9 p.m., the ~~current~~ telephone number listed in the records of the division as the number where he can be reached. ~~in the daytime.~~ If the applicant failed to provide the division with such a number, or the division is unable to ~~contact~~ *notify* the applicant and obtain his acceptance of the tag, the division shall bypass his name in favor of the next qualified applicant. The division shall maintain a documentary record

of each attempt to ~~reach~~ *notify* an applicant pursuant to this paragraph. The last attempt must be made by an employee of the division other than an employee who placed ~~one or more~~ *any* of the first three calls.

4. *If the division is unable to collect any fee that is required to be submitted with an application for a hunting license or tag because the method of payment is rejected during the processing of the fee for the license or tag, the division shall, if more than 2 days remain until the opening day for the hunt, select an eligible applicant from the alternate list for the hunt and season who:*

- (a) Has the drawing number with the highest priority; and*
- (b) Has indicated as his first choice the area and season for which the quota is being filled.*

5. As used in this section, “drawing number” means a number assigned by the computer to an application to denote the priority it will receive in a drawing.

**Sec. 10.** 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:

- (a) Specify his name, address and date of birth;
- (b) Select not more than five hunter choice numbers; and
- (c) ~~Sign~~ *Except as otherwise provided in subsection 2, sign* the application.

2. *If an application is submitted electronically by a master guide for the applicant, the application must include a space or line for the master guide to acknowledge the affidavit that:*

- (a) Is included in the application provided by the division; and*

*(b) Indicates that the master guide is authorized to sign the application on behalf of the applicant.*

3. 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.

~~[3.]~~ 4. Except as otherwise provided in this subsection, an application for a restricted nonresident deer tag may 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. An application may not be withdrawn after the division has rejected the application. The division shall not consider a withdrawn application in the procedure for awarding tags.

~~[4.]~~ 5. 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]~~ *Except as otherwise provided in subsection 6, 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) *The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat; and*

(d) 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.

~~[5.]~~ 6. *If an applicant submits his application electronically, the application must be accompanied by:*

*(a) The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat;*

*(b) Any donation the applicant wishes to make to a program specified in paragraph (a) or any other program conducted by the division; 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.*

7. *If an application specified in subsection 6 is:*

*(a) Successfully drawn, the division shall collect from the applicant:*

*(1) The appropriate fee for the tag as provided in NRS 502.250 and NAC 502.334; and*

*(2) The fee for a hunting license, as provided in NRS 502.240, if the applicant is a nonresident who has not obtained a hunting license; or*

*(b) Not successfully drawn, the division shall collect from the applicant the fee for a hunting license, as provided in NRS 502.240, if the applicant is a nonresident who:*

*(1) Has not obtained a hunting license; and*

*(2) Has indicated on the application that he wishes to purchase the hunting license.*

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

~~—6.]~~:

*(a) A cashier's check;*

*(b) A certified check;*

*(c) A money order; or*

*(d) If the application is submitted electronically, an electronic method of payment that is specified by the division.*

**9.** 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. 11.** 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 or state on the application, unless that 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.

(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 ~~or~~ *or his bank fails to honor his check or draft for those fees.*

(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 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 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:

(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, if an application is rejected by the division pursuant to this section, the application must not be included in the procedure for awarding tags.



*3. If the division rejects an application pursuant to paragraph (g) of subsection 1 because the applicant's bank failed to honor his check or draft for the fees specified in that paragraph, the applicant is ineligible to receive or exercise any privilege conferred upon him pursuant to Title 45 of NRS until the division receives:*

*(a) The nonrefundable application fee for acting upon the application;*

*(b) The fee required pursuant to NRS 502.253 for the support of programs to control predators and protect wildlife habitat; and*

*(c) The fee for the returned check or draft specified in section 2 of this regulation. The division shall, until the fee is paid, indicate that the applicant owes the fee in the file of the applicant maintained by the division.*

**Sec. 12.** NAC 502.4238 is hereby amended to read as follows:

502.4238 1. The division may cancel a restricted nonresident deer tag and provide a refund if the division issues the tag in error.

2. The division shall provide a refund if the holder of a restricted nonresident deer tag:

(a) Dies, as verified by a certificate of death;

(b) Incurs a disability, as verified in writing by a physician, which prevents him from hunting during the season for which the tag was issued; or

(c) Is serving in the Armed Forces of the United States and is transferred, as verified by a copy of his orders or other proof satisfactory to the division, to a location which makes it impracticable for him to hunt in the area for which the tag was issued,

and his tag is returned to the division before the opening day of the season for which the tag was issued. If the holder obtained his hunting license with his tag, the hunting license must be

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returned with the tag. The division shall mail the refund within 90 days after the division receives the tag and the hunting license, if any.

3. If the master guide of a holder of a restricted nonresident deer tag dies or is no longer able to provide guide services because he has failed to renew his master guide license or his license has been revoked, the holder of the tag for whom guide service was to be performed by the master guide may apply to the division for a refund or may retain another master guide who is licensed for the area or unit specified on the tag. Before another master guide may render services as a master guide for the holder of the tag, and before the holder may participate in the restricted nonresident deer hunt for which the tag was issued, the holder of the tag must provide written notification to the division that he has retained another master guide. The written notification must include:

- (a) The reasons for retaining the services of another master guide;
- (b) The signatures of the holder of the tag and the new master guide and the date on which the written notification was signed; and
- (c) The number of the master guide license of the newly retained master guide.

4. ~~Except as otherwise provided in NAC 502.421, the division is not required to refill a quota for the issuance of restricted nonresident deer tags if the application of this section reduces the number of tags issued to less than that quota.~~

~~5.]~~ If the division provides a refund pursuant to this section, the division shall return all the fees submitted with the application for the tag except the fee required pursuant to paragraph (c) *or* (d) of subsection ~~4]~~ 5 of NAC 502.4231.

~~6.]~~ 5. If the division provides a refund to a holder of a restricted nonresident deer tag pursuant to paragraph (b) or (c) of subsection 2 or subsection 3, the division shall award a bonus

point to the holder for the category of the species to which the restricted nonresident deer tag applied.

*6. If the division is unable to collect any fee that is required to be submitted with an application for a hunting license or restricted nonresident deer tag because the method of payment is rejected during the processing of the fee for the license or restricted nonresident deer tag, the division shall, if more than 2 days remain until the opening day for the restricted nonresident deer hunt and if the master guide designated on the application for the restricted nonresident deer tag is not named on more than 30 successfully drawn applications pursuant to NAC 502.4237, select an eligible applicant from the alternate list for the restricted nonresident deer hunt who:*

*(a) Has the drawing number with the highest priority; and*

*(b) Indicated as his first choice the area and season for which the quota for the restricted nonresident deer hunt is being filled.*

**Sec. 13.** NAC 502.4275 is hereby amended to read as follows:

502.4275 1. The division shall award tags from the partnership in wildlife drawing through a random order of selection conducted pursuant to a computerized system of drawing. The selection must begin with a number established by the hours, minutes, seconds and hundredths of a second set forth on the computer's clock immediately before commencing the drawing.

2. The division shall cause the computer to generate an alternate list, categorized by species, after the initial selection of tag recipients in the partnership in wildlife drawing.

3. If the return of tags for a refund, pursuant to subsection 2 of NAC 502.422, reduces the number of tags awarded for the partnership in wildlife drawing to less than the quota for the hunt for a species, the division shall refill the quota by awarding tags:

(a) First, pursuant to NAC 502.4195, to applicants who were rejected because of an error by the division; and

(b) Second, to applicants on the alternate list, unless there are fewer than 2 days remaining until the opening day for that hunt.

4. ~~It~~ *Except as otherwise provided in subsection 5, in* awarding tags from an alternate list for a hunt, the division shall:

(a) Select the eligible applicant appearing on the list who:

(1) Has the drawing number with the highest priority for that species; and

(2) Indicated on his application for the initial drawing for big game tags his desire to compete for that species in the partnership in wildlife drawing.

(b) Attempt to ~~contact~~ *notify* that applicant by calling, at least four times over 2 consecutive days, between the hours of 8 a.m. and ~~5~~ *9* p.m., the telephone number recorded on the records of the division as the number where he can be reached. ~~in the daytime.~~ If the applicant failed to list such a number, or the division is unable to ~~contact~~ *notify* the applicant and obtain his acceptance of the tag, the division shall bypass his name in favor of the next qualified applicant. The division shall maintain a documentary record of each attempt to ~~reach~~ *notify* an applicant pursuant to this paragraph. The last attempt must be made by an employee of the division other than the employee or employees who placed ~~one or more~~ *any* of the first three calls.

*5. If the division is unable to collect any fee that is required to be submitted with an application for a hunting license or tag that is awarded from the partnership in wildlife*

*drawing because the method of payment is rejected during the processing of the fee for the license or tag, the division shall, if more than 2 days remain until the opening day for the hunt, select an eligible applicant from the alternate list for the hunt and season who:*

- (a) Has the drawing number with the highest priority; and*
- (b) Indicated as his first choice the area and season for which the quota is being filled.*

**Sec. 14.** This regulation becomes effective on January 1, 2002.