

LCB File No. T027-01

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

(Effective February 23, 2001)

**STATE OF NEVADA
ADOPTED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS
COMMISSION GENERAL REGULATION 295
(LCB File #R)**

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

Notice of Intent: November 1, 2000

Workshop Date: December 1, 2000

Commission Approval: February 10, 2001

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.

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NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Hearing for the of Amendment of
Regulations of the Nevada Board of Wildlife Commissioners
(CGR 295 - TEMPORARY)**

The Board of Wildlife Commissioners will hold a public hearing at 8:30 a.m., on February 10, 2001, at the Nevada Division of Wildlife, 1100 Valley Road, Reno, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to chapter 502 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment.

At the direction of the Board of Wildlife Commissioners, amends 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.

2. The text of the proposed regulation: Attached

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

- (a) Adverse effects: NA
- (b) Beneficial effects: NA
- (c) Immediate effects: NA
- (d) Long-term effects: NA

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

- (a) Adverse effects: Decreases the amount generated for the Wildlife Heritage Trust Account for game projects.
- (b) Beneficial effects: Reduces the cost to the sportsmen to participate in a special drawing.
- (c) Immediate effects: NA
- (d) Long-term effects: NA

4. The estimated cost to the agency for enforcement of the proposed regulation. \$NA

5. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates: NA. The duplication or overlapping is necessary because NA. 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. Yes. No.

Persons wishing to comment upon the proposed action of 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, 1100 Valley Road, Reno, Nevada, 89512. Written submissions must be received by the Secretary, Board of Wildlife Commissioners, on or before February 5, 2001. 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 regulation to be adopted 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 notice and the regulation to be adopted will be available at

Nevada Division of Wildlife, Headquarters 1100 Valley Road Reno, NV 89512	Nevada Division of Wildlife Western Region 380 W. "B" St. Fallon, NV 89406
Nevada Division of Wildlife Eastern Region 1375 Mountain City Highway Elko, NV 89801	Nevada Division of Wildlife Southern Region 4747 Vegas Dr. Las Vegas, NV 89108

and in all counties in which an office of the agency is not maintained, at the main public library, 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 Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation 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 adoption 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 urged 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 Scourby at 688-1599, as soon as possible.

Terry R. Crawforth, Secretary
Board of Wildlife Commissioners

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NOTICE OF ADOPTION OF TEMPORARY REGULATION

February 20, 2001

Ms. Brenda Erdoes, Legislative Counsel
Legislative Counsel Bureau - Legal Division
401 S. Carson Street
Carson City, NV 89710

RE: LCB File Numbers: **LCB No. R116-00 , CGR 294 and 295 (temporary)**

Dear Ms. Erdoes:

The Nevada Division of Wildlife, Board of Wildlife Commissioners, adopted the above regulations, assigned the above LCB file number. A copy of the regulation as adopted is attached hereto. The changes are hand-written in the text. I have also enclosed a courtesy copy of temporary commission general regulations 294 and 295.

Enclosed please find one blue and two white copies of our Secretary of State filing form which is to be filed in accordance with 233B of the Nevada Revised Statutes.

If you have any questions, please contact Tom Atkinson at 688-1549.

Thank you.

Sincerely,

Terry R. Crawforth
Secretary

TRC:jt
encl.

LCB File No. T027-01

INFORMATIONAL STATEMENT

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS**

MEMORANDUM

To: Legislative Counsel Bureau Date: February 20, 2001
From: Terry R. Crawford, Secretary, Board of Wildlife Commissioners
Subject: Informational statement relating to Commission General Regulation No. 295 (LCB File No. TEMPORARY) - as required by Chapter 233B.066.

1. Description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

- (a) A notice of hearing for adoption of Commission General Regulation No. 295 was published once in each of the three administrative regions in a newspaper of general circulation.
- (b) Persons wishing to comment upon the proposed action of the Board of Wildlife Commissioners were invited, through the notice of hearing and a mail distribution to interested and affected parties to appear at the public hearing or address their comments, data, views of arguments, in written form, to Secretary, Board of Wildlife Commissioners, 1100 Valley Road, Reno, Nevada 89512. Written submissions were to be received at least five days prior to the scheduled meeting.
- (c) A copy of the Notice of the proposed regulations was mailed to the following: State Librarian; county main libraries; Reno, Elko and Las Vegas newspapers; LCB and interested parties.
- (d) A copy of the regulation to be adopted was filed with the Office of the Secretary of State, The Capitol, Carson City, Nevada for inspection by the public during business hours.

Additional copies of the regulation could be obtained at the Division of Wildlife, 1100 Valley Road, Reno, Nevada for inspection and copying by the public.

(e) The public was asked to make comments on this regulation at the public meeting.

2. The number of persons who:

(a) Attended each hearing: 2

(b) Testified at each hearing: 6-8

(c) Submitted to the agency written statements: 0

A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary: County Wildlife Advisory Board Meetings and Workshops prior to the Commission meetings and public comment periods during Commission meeting.

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change: Commission approved after workshops and public comment at Commission Meetings without change.

5. The estimated economic effect of the regulations on the businesses they are to regulate and on the public.

(a) **Estimated economic effect on the businesses which they are to regulate.**

(1) Adverse - N/A

(2) Beneficial - N/A

(3) Immediate - N/A

(4) Long term - N/A

(b) **Estimated economic effect on the public which they are to regulate.**

(1) **Adverse** - May decrease the amount generated for the Wildlife Heritage Trust account for game projects.

(2) **Beneficial** - Reduces the cost to the sportsman to participate in a special drawing.

(3) Immediate - N/A

(4) Long term - N/A

6. The estimated cost to the agency for enforcement of the proposed regulation: N/A

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary: N/A

If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions: N/A

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used: N/A

Terry Crawforth, Secretary
Board of Wildlife Commissioners