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STATE OF NEVADA

## BOARD OF WILDLIFE COMMISSIONERS

1100 Valley Road, Reno, Nevada 89512  
Telephone (775) 688-1500 • Fax (775) 688-1207



Governor Gibbons

June 20, 2008

Mr. Mark Carlton  
1611 Cedar Dr.  
Boulder City, NV 89005

Dear Mr. Carlton:

I have received your petition signed and dated June 16, 2008, to change regulations for largemouth bass to include a slot size limit of over 14" and under 14". Your petition will be scheduled for Commission action at the August 15 and 16, 2008, meeting in Eureka; however, if for your convenience in attending the meeting, the petition could be placed on the Commission's November 14 and 15, 2008, meeting which will be held in Las Vegas. I have also included several attachments to this letter delineating the Commission's petition process.

Please advise my Executive Assistant Suzanne Scourby at (775) 688-1599 at your earliest convenience of your meeting preference.

Sincerely,

Handwritten signature of Kenneth E. Mayer in black ink.  
Kenneth E. Mayer  
Secretary

cc: Board of Wildlife Commissioners  
Chief of Fisheries Richard Haskins

**NEVADA BOARD OF WILDLIFE COMMISSIONERS**  
**PETITION FOR ADOPTION, AMENDMENT, FILING OR REPEAL OF REGULATION**  
(Submit to: Secretary, Board of Wildlife Commissioners, 1100 Valley Road, Reno, NV 89512)

Petitioner's Full Name: \_\_\_\_\_ (Please Print)

Type of Petitioner: (Individual, Partnership, Corporation, Government Agency, Other): \_\_\_\_\_

Petitioner's Mailing Address: \_\_\_\_\_

Petitioner, please complete the following (attach additional sheets if necessary):

1. State the need for and purpose of the proposed regulation:
  
2. Provide (or attach) the wording for the change you are proposing:
  
3. What is the estimated "economic" effect of the regulation on the business which it is to regulate?
  - (a) Include both adverse and beneficial effects:
  - (b) Include both immediate and long-term effects:
4. What is the estimated "economic" effect of the regulation on the public which it is to regulate?
  - (a) Include both adverse and beneficial effects:
  - (b) Include both immediate and long-term effects:
5. What is the estimated cost to the Department of Wildlife for enforcement of the proposed regulation?
6. Does the proposed change overlap or duplicate any regulations of other state or local government agencies? \_\_\_\_\_ No. \_\_\_\_\_ Yes. If "Yes," list the agency and explain why the duplication or overlapping is necessary:
7. Does the requested change overlap or duplicate a federal regulation? \_\_\_\_\_ No. \_\_\_\_\_ Yes. If "Yes," list the name of the regulating federal agency?
8. Is the requested change required by federal law? \_\_\_\_\_ No. \_\_\_\_\_ Yes. If "Yes," please cite or describe the federal law as best you can:
9. Does the requested change include provisions which are more stringent than a federal regulation that regulates the same activity? \_\_\_\_\_ No. \_\_\_\_\_ Yes.
10. Does the requested change establish a new fee or increase an existing fee? \_\_\_\_\_ No. \_\_\_\_\_ Yes.

\_\_\_\_\_  
Petitioner's Signature

Date \_\_\_\_\_

# Petition Process Flowchart

(Refer to attached NAC for detailed process)

*Note: Petition process is used to request a change to existing regulation or create a new regulation. Current regulations remain in effect until any proposed changes are fully adopted. Petition for changes to adopt, file, amend or repeal a permanent regulation do not affect the present, only the future. Process takes at least 9 months.*

Fill out petition form explaining the need, purpose, impacts and include proposed language change to a pertinent NAC. Must be based on authority in NRS.

Staff and/or AG reviews petition to ensure accurate chapter and that there is regulatory authority to amend this way in NAC.

Executive Assistant to the Secretary of the Commission schedules it on an agenda of the next possible Commission meeting (works with petitioner on mutual dates). It is recommended that the petitioner appear at the meeting to support their petition, and answer any questions.

Within 30 days after a petition is submitted, the Secretary of the Commission will notify the petitioner in writing of the Commission's decision to deny or support the petition, including the reasons for the denial; or approval. If approved by Commission, NDOW initiates the regulation-making procedures with Legislative Counsel Bureau.

LCB drafts the petition into legal language and sends back to NDOW, as a proposed regulation.

Regulation is placed on Wildlife Commission agenda as a CGR for a workshop and hearing approval. If Commission approves, Day after the Commission meeting, we will note any changes made by Commission in the Post Statement and Regulation form, then submit to LCB.

Legislative Commission hears regulation. (The Legislative Commission is a group of legislators that hold a formal meeting at the legislative building to review all regulations before they can be officially adopted hears regulation.)

If approved by Legislative Commission, CGR becomes effective upon filing with Secretary of State.

Miscellaneous Petitions

**NAC 501.195 Petition to adopt, file, amend or repeal permanent regulation. (NRS 233B.100, 501.181)**

1. A person who wishes to request that the Commission adopt, file, amend or repeal a permanent regulation must submit a written petition to the Commission on a form provided by the Department. The petition must include:

(a) The name and mailing address of the petitioner.  
(b) A statement of the reason for the adoption, filing, amendment or repeal of the permanent regulation.

(c) The language of the permanent regulation to be adopted, filed, amended or repealed or a description of the subjects and issues involved in the permanent regulation.

(d) An estimate made by the petitioner of the economic effect that the permanent regulation to be adopted, filed, amended or repealed will have on the general public and on any business which the permanent regulation regulates or will regulate. Those effects must be stated separately and in each case must include:

- (1) The adverse and beneficial effects; and
- (2) The immediate and long-term effects.

(e) If the adoption, filing or amendment of a permanent regulation is requested, an estimate made by the petitioner of the estimated cost to the Department for enforcement of the permanent regulation.

(f) A statement indicating whether the petitioner is aware of any federal regulations or regulations of other state or local governmental agencies that overlap or duplicate the permanent regulation to be adopted, filed, amended or repealed.

(g) If the adoption, filing or amendment of a permanent regulation is requested, a statement indicating whether the permanent regulation establishes a new fee or increases an existing fee.

(h) The signature of the petitioner and the date the petition was signed.

2. A petition requesting the adoption, filing, amendment or repeal of a permanent regulation shall be deemed to be submitted to the Commission on the date of the next regularly scheduled meeting of the Commission that occurs after the petition is received by the Commission.

3. Within 30 days after a petition is submitted, the Commission will:

(a) Notify the petitioner in writing of its decision to deny the petition, including the reasons for the denial; or

(b) Initiate the regulation-making procedures set forth in chapter 233B of NRS, if the petition requests the adoption, filing, amendment or repeal of a permanent regulation, except a permanent regulation relating to the classification of wildlife or the designation of seasons for hunting, fishing or trapping by the Commission pursuant to the provisions of title 45 of NRS.

(Added to NAC by Bd. of Wildlife Comm'rs by R029-00, eff. 6-20-2000; A by R198-05, 2-23-2006)

NEVADA BOARD OF WILDLIFE COMMISSIONERS  
PETITION FOR ADOPTION, AMENDMENT, FILING OR REPEAL OF REGULATION  
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Petitioner's Full Name: MARK CARLTON  
(Please Print)  
Type of Petitioner: (Individual, Partnership, Corporation, Government Agency, Other): CARING FISHER MEN  
Petitioner's Mailing Address: 1611 CEDAR DR - BOULDER CITY - NV 89005

Petitioner, please complete the following (attach additional sheets if necessary):

1. State the need for and purpose of the proposed regulation: - FOR BETTOR QUATKEY OF LARGE MOUNTH BASS

2. Provide (or attach) the wording for the change you are proposing: - HAVE A SLOTSIZE UNDER 14" + OVER 14.

3. What is the estimated "economic" effect of the regulation on the business which it is to regulate?  
I BELIVE IT WOULD MAKE IT BETTER BECAUSE OF THE QUATKEY  
(a) Include both adverse and beneficial effects:

(b) Include both immediate and long-term effects:

4. What is the estimated "economic" effect of the regulation on the public which it is to regulate?  
TO ME THIS WOULD BE GOOD IT WOULD THE SAME AS NOW - 7+6 ✓ LICENSE + BANN ✓ FOR SIZE

(a) Include both adverse and beneficial effects:

TO ME ONLY BENEFICIAL  
(b) Include both immediate and long-term effects:  
SAME AS - A

5. What is the estimated cost to the Department of Wildlife for enforcement of the proposed regulation? I DONT SEE WHY IT WOULD COST MORE

6. Does the proposed change overlap or duplicate any regulations of other state or local government agencies? (No) Yes. If "Yes," list the agency and explain why the duplication or overlapping is necessary:

7. Does the requested change overlap or duplicate a federal regulation? (No) Yes. If "Yes," list the name of the regulating federal agency?

8. Is the requested change required by federal law? (No) Yes. If "Yes," please cite or describe the federal law as best you can: WE ONLY HAVE STATE

REGS - HERE  
9. Does the requested change include provisions which are more stringent than a federal regulation that regulates the same activity? (No) Yes.

SAME AS #8  
10. Does the requested change establish a new fee or increase an existing fee? (No) Yes.

MARK CARLTON  
Petitioner's Signature

Date 6-16-08

almost every state has a slot size on large mouth bass. TP - in some lakes

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SAME AS #8

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MARK CARLTON  
Petitioner's Signature

Date 6-16-08

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