



# STATE OF NEVADA

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## DEPARTMENT OF WILDLIFE

### Operations Division

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#### MEMORANDUM

Date: November 18, 2016

**To:** Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife Members, and Interested Publics

**From:** Division Administrator Bob Haughian

**Description:** Partnership in Wildlife (PIW) Drawing and Draw Application Eligibility for Restricted Nonresident Guided Deer Draw Applicants

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The Partnership in Wildlife Drawing (PIW) is an optional second chance drawing opportunity for unsuccessful applicants in the main draw. The PIW draw occurs after both the Silver State tag draw and the main drawing. With the proposed regulation change, the PIW drawing will be moved before the main drawing, giving all applicants eligible a chance to participate in the PIW drawing.

Also, under current regulations those individuals who participate in the Restricted Nonresident Guided Deer Hunt (NRGH) drawing are not eligible for the main drawing and in turn are not eligible to participate in the PIW or Silver State Tag drawings. The proposed regulation change would possibly make the NRGH applicants eligible.

The Nevada Outfitter and Guides Association (NOGA) is requesting that Commission review and reconsider the application eligibility for the NRGH participants in relation to the PIW drawing and main drawing. By prohibiting application eligibility for the main drawing it also prohibited NRGH applicants from applying for the PIW drawing. NOGA is requesting the regulation be amended to allow those applicants who apply in the NRGH drawing, but do not draw a tag, to have the opportunity to also apply for deer tags in the PIW drawing, the Silver State drawing and the main drawing.

#### Fees - Current Process:

Those fees charged at the time of application (nonrefundable application, predator, elk damage, online fees)

- Silver State tag application fees
- Main drawing application fees
- License fee (if the client purchases during the process)

Those fees charged *after the draws occur* –

- Silver State successful tag fees
- Main draw successful tag fees
- PIW successful tag fees
- PIW fee (\$10 of a manual application tag fee refund or \$10 credit charge)
- License fee for applicants who opted to purchase only if successful in drawing a tag

### **Eligibility - Current Process:**

A person applying for PIW must be eligible for the same species in the main draw. If the applicant is in a waiting period for a species, they are ineligible for the main draw and are also ineligible for PIW for that species.

Those applicants who apply for deer in the NRGH draw are ineligible for deer in the Silver State drawing, main drawing, and the PIW drawing.

### **Clarification Needed**

With the implementation of the electronic application process, if the client participates in the PIW drawing the \$10 fee is collected after the draw occurs. Those still applying on paper had it deducted from their refund. However, when the regulation was changed for electronic applications both the Department and the Legislative Council Bureau (LCB) overlooked the housekeeping of terminology in the PIW section of NAC 502.427. It still reads:

*“Deposit with the State Treasurer for credit to the Wildlife Heritage Account \$10 of the tag fee received from each unsuccessful applicant”*

This does not align with NAC 502.4275.9.b:

*“If an application for a tag specified in subsection 8, (regarding electronic applications) is:*

*(b) Not successfully drawn, the Department shall collect from the applicant the fee for participating in the Partnership in Wildlife Drawing as provided in NAC 502.427, if the applicant has indicated on the application that he or she wishes to participate in that drawing.”*

This language needs to be cleaned up regardless of whether the Department is directed to go forward with changing the sequence of the drawings.

### **Implementing Changes to the PIW Drawing**

**Method 1** – There will be no change to the method of application, but the PIW drawing will move programmatically.

- Applicant will check the PIW box on the species they want to apply for.
- Applicant must be eligible (not in a waiting period) for the species in the main drawing to apply for PIW.
- Programmatically the PIW draw would occur before the main drawing.
- The \$10 fee would be collected after the main drawing from all PIW applicants.
- PIW applications are not invoiced by the contractor.

**Method 2** – Change the method of application and move the PIW drawing programmatically.

- Change the method of application by implementing a totally separate application process for PIW.
- Application eligibility:
  - Option 1 – Those in waiting periods are still ineligible for the PIW drawing.
  - Option 2 – Those in waiting periods are eligible for the PIW drawing but remain ineligible for the main drawing.
- This method would require all of the associated nonrefundable fees to be paid at time of application. (i.e. application, predator, elk damage, and online).
- PIW applications would be invoiced by the contractor.

The Department is requesting that the Commission provide direction regarding which method to implement in the regulation for consideration. While considering the methods mentioned above the following questions should also be answered:

### **Question #1**

What is the PIW fee?

- Is it a *participation fee* because the applicant participated in the PIW drawing or;
- Is it an *application fee*? Programmatically, there is an application created, application number assigned, and the drawing number for the participant is associated with the PIW record. If the decision is to call it an application fee, does this require the Department to collect other associated fees? (i.e. application fee, predator fee, elk damage fee, online fees associate with tag applications)

### **Question #2**

Should the Department reinstate eligibility for NRGH applicants for deer in the main drawing and allow application eligibility for PIW and Silver State deer tags?

### **Associated Authorities:**

NRS 502.250 and NRS 502.253; NAC 502.427and NAC 502.4275.

**Action Report**  
**Partnership in Wildlife (PIW) Drawing and Draw Application Eligibility for Restricted**  
**Nonresident Guided Deer Draw Applicants**

CABMW recommendations for the Nevada Board of Wildlife Commissioners November 2016 Meeting

\_\_\_\_\_ **County Advisory Board to Manage Wildlife**

**Submitted by Chairman:** \_\_\_\_\_

To the Nevada Board of Wildlife Commissioners, c/o Executive Assistant Suzanne Scourby, [sscourby@ndow.org](mailto:sscourby@ndow.org)  
and Administrative Assistant Ashley Sanford, [aesanford@ndow.org](mailto:aesanford@ndow.org).

**Which method is preferred?**

Method 1 – No change to method of application but move the PIW drawing programmatically.

Method 2 – Change the method of application and move the PIW drawing programmatically.

Select Method 1 or Method 2: \_\_\_\_\_

Other comments, including a dissenting viewpoint (different than the majority) or issue brought up during discussion: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Question #1- What is the PIW fee terminology to be considered?**

Participation fee?

Application fee? (with all other associated fees)

Select One: \_\_\_\_\_

Other comments, including a dissenting viewpoint (different than the majority) or issue brought up during discussion: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Question #2**

Should the Department reinstate NRGH eligibility for the main drawing, PIW drawing and Silver State drawing?

Yes or No?

Select One: \_\_\_\_\_

Other comments, including a dissenting viewpoint (different than the majority) or issue brought up during discussion: \_\_\_\_\_  
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\_\_\_\_\_