



## STATE OF NEVADA

# DEPARTMENT OF WILDLIFE

## Operations Division

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### MEMORANDUM

August 12, 2016

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

**From:** Robert Haughian, Administrator, Operations Division

**Title:** Commission General Regulation 468, LCB File No. R104-16

**Description:** Simplifying the Transfer of Bonus Points Resulting From a Change of Residency

**Presenter:** Maureen Hullinger, Management Analyst III, Operations Division

**Agenda No:** 12 C

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#### Summary:

Existing regulations regarding the big game tag application process provide for the accumulation of bonus points by a person, related to species categories, when the person applies for certain tags in those species categories and is unsuccessful in obtaining such tags. Accumulation of bonus points from year to year enhances a tag applicant's chances of drawing a tag. Once a tag is drawn the number of accumulated bonus points reverts back to zero. Additionally, if a client does not apply for a tag for a specific species for two consecutive years, or does not make written request to transfer their points because of a change in their state residency, the accumulated bonus points revert back to zero.

Under existing regulations, a person who changes residency would request a transfer of their accumulated bonus points to their new residency status. Such a request must be made in writing to the Department. This process is confusing to many clients, which has sometimes resulted in the inadvertent loss of bonus points. This regulation eliminates the residency association with bonus points, thereby nullifying the need to make written request to the Department. This change simplifies and eliminates an otherwise confusing administrative step required of the client and the Department.

#### Background:

There have been several regulatory changes since the 1992 inception of the bonus point program. Originally, bonus points were awarded by hunt number, and the hunts had residency associations. Bonus points at that time could not be transferred. In 1998 regulation was changed allowing the Commission to approve the transfer of bonus points when the residency of the client changed. In 2000 regulation was changed to allow clients to apply for more than one weapon type hunt, resulting in the creation of bonus point species categories. Prior to this the applicant had to select their hunter choices from one weapon type only (rifle or archery or muzzleloader; not a mix of weapon types). Additionally, in 2000 the regulation was amended to provide the Department the authority regarding requests for bonus point transfers when residency changed. In 2004 mixed residency party

hunts for antlered mule deer were approved. An unintended but positive consequence of the mixed-residency party hunt change, with the assignment of new hunt numbers (1331, 1341, 1371), was that bonus point transfers became unnecessary for antlered deer applicants. However, residency is still associated with all other hunts, as is the existing requirement to make written request to the Department to transfer bonus points when the client's residency changes.

With this information in mind, as currently stipulated in regulation, a person must request in writing to transfer the residency status of their accumulated bonus points when they change their state of residency. The request is received by the Department and then forwarded to our contractor (Systems Consultants (SCI)) for processing and updating in the client's record. The Department and SCI processed an average of 75 requests per year over the last 3 years.

As stated, bonus points can be awarded by species category as follows. These categories currently include both resident and nonresident hunts, as you can see below:

- Antlered mule deer; (Guided 1235, combined residency hunts 1331, 1341, 1371)
- Antlerless mule deer; (Hunt 1881; Nonresident not available at this time)
- Mule deer, either antlered or antlerless; (not available at this time)
- Antlered Rocky Mountain elk; (Resident 4151, 4156, 4161; Nonresident 4251, 4256, 4261)
- Antlerless Rocky Mountain elk; (Resident 4111, 4176, 4181; Nonresident 4211, 4276, 4281)
- Rocky Mountain elk, either antlered or antlerless; (not available at this time)
- Spike Rocky Mountain elk; (Resident 4641, 4651; Nonresident not available at this time)
- Pronghorn antelope horns are longer than their ears; (Resident 2151, 2161, 2171; Nonresident 2251, 2261, 2271)
- Pronghorn antelope horns are shorter than their ears; (Resident 2181; Nonresident not available at this time)
- Rams, from one of the following subspecies:
  - Nelson bighorn sheep; (Resident 3151, Nonresident 3251)
  - California bighorn sheep; (Resident 8151; Nonresident 8251)
  - Rocky Mountain bighorn sheep; (Resident 9151; Nonresident 9251)
- Ewes, from one of the following subspecies:
  - Nelson bighorn sheep; (Resident 3181; Nonresident 3281)
  - California bighorn sheep; (Resident 8181; Nonresident not available at this time)
  - Rocky Mountain bighorn sheep; (Not available at this time)
- Mountain goats; (Resident 7151; Nonresident 7251)
- Black bears. (Resident 6151; Nonresident 6251)
- Wild turkey hunts must be awarded by hunt number. (Resident 0131; Nonresident 0132)

### **The Regulation:**

As presented above, the necessity of a written request from the client has been overcome by events. The implementation of the bonus point categories eliminates the need for such a request, as the resident and nonresident hunts are included under the category. If a new resident or nonresident hunt is approved by the commission the Department would accommodate such a hunt under one of these categories for it to be included in the bonus point program.

### **Implementation of the Requirements:**

Programming will be accomplished to remove the hunt residency restriction associated with transferring bonus points.

### **Brief Explanation of the Sections:**

Section 2 - There is no change, but it is important to note that the regulation already ensures that the bonus points stay within the species category, as does the last sentence of Section 3.

Section 3 of the regulation is where the language amendment occurs. It addresses the automation of bonus point transfer and removes language associated with requiring a written request to the Department.

**Recommendation:** This regulation will simplify this portion of the bonus point program, eliminating the need for clients to make a written request to the department when the client changes state residency. This change will also simplify the Department's and SCI's administrative processes.

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

**LCB File No. R104-16**

July 1, 2016

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

AUTHORITY: §1, NRS 501.105, 501.181, 502.160 and 502.175.

A REGULATION relating to hunting; revising provisions governing the transfer of certain bonus points accumulated by a person; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing regulations provide for the accumulation of bonus points by a person who applies for certain drawings for tags required for hunting certain species. (NAC 502.027, 502.4187) Such bonus points accumulate and give the person a mathematical advantage in subsequent drawings for a tag. Under existing regulations, a person who changes his or her state of residence may request a transfer of any accumulated bonus points to himself or herself as a resident or nonresident of this State, as appropriate. (NAC 502.4189) This regulation makes such a transfer automatic upon the person’s change of residence.

**Section 1.** NAC 502.4189 is hereby amended to read as follows:

502.4189 1. Each applicant in a drawing for a tag for a season receives a number of additional draw numbers that is equal to the number of bonus points that he or she has accumulated squared, as expressed in the following equation:

$$n=b^2$$

where “n” is the number of additional draw numbers and “b” is the number of bonus points. The number of additional draw numbers determines the number of draw numbers for the species or

category of the species for which the application was submitted. The applicant's lowest randomly assigned draw number is the number used for the drawing.

2. Except as otherwise provided in subsection 5, bonus points accumulated by a person for a species or category of species cannot be transferred to any other person or any other species or category of species.

3. ~~{An}~~ *Any bonus points accumulated by an* applicant ~~{may transfer bonus points to himself or herself as a resident or nonresident of this State, as appropriate, if:~~

~~—(a) The}~~ *automatically transfer with the applicant if the* applicant changes his or her state of residence . ~~†~~

~~—(b) The applicant requests in writing that the Department transfer those bonus points; and~~

~~—(c) The Department approves the request for the transfer.~~

~~→†~~ Bonus points transferred pursuant to this subsection apply to the same species or category of species to which they applied before the transfer.

4. The number of bonus points applicable to applications submitted by a group pursuant to NAC 502.4185 for tags is the quotient of the total number of points held by the members of the group divided by the number of members in the group, rounded to the nearest whole number.

5. If a person has applied for a junior hunt for deer for 5 years or becomes ineligible to participate in a junior hunt for deer because of his or her age, each unused bonus point accumulated by that person for a junior hunt for deer automatically transfers to the category for antlered mule deer. The provisions of this subsection do not apply to a bonus point accumulated by the person for a junior hunt for deer in a year in which the person also accumulated a bonus point in the category for antlered mule deer.