

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

LCB File No. R111-14

Effective December 22, 2014

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

AUTHORITY: §1, NRS 502.370.

A REGULATION relating to taxidermy; authorizing a taxidermist who receives a taxidermic item from another taxidermist to maintain certain records in lieu of maintaining a record of the number of the tag, seal or permit for the taxidermic item; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Board of Wildlife Commissioners to adopt regulations governing the licensing of taxidermists and the practice of taxidermy, including the maintenance and submission of written records. (NRS 502.370) Pursuant to that authority, the Commission has adopted regulations requiring a person who is licensed as a taxidermist in Nevada to maintain accurate written or computerized records for each licensing year which set forth: (1) the name, telephone number and address of each person from whom certain wildlife or parts, nests or eggs of wildlife were received; (2) the name, telephone number and address of each person to whom certain wildlife or parts, nests or eggs of wildlife were delivered; (3) an accurate description of the taxidermic item, including the species and parts thereof received; (4) the number of the tag, seal or permit of the taxidermic item; and (5) the date upon which the taxidermist received the taxidermic item and the date upon which the taxidermic item was returned to its owner. (NAC 502.455) Existing regulations define the term “taxidermic item” to mean any part of wildlife upon which taxidermic services can be, are being or have been performed. (NAC 502.430) In lieu of maintaining a record of a tag, seal or permit of a taxidermic item, this regulation authorizes a taxidermist who receives a taxidermic item from another taxidermist to maintain a record setting forth the name and address of the taxidermist from whom the taxidermic item was received and the punch number or other identification number assigned to that taxidermist by the taxidermist who received the taxidermic item. This regulation also requires the punch number or other identification number to be attached to the taxidermic item during the entire period in which the taxidermist who received the taxidermic item remains in possession of the taxidermic item.

Section 1. NAC 502.455 is hereby amended to read as follows:

502.455 1. A person licensed as a taxidermist in Nevada shall maintain accurate written or computerized records, on a form provided by the Department or in a format which is substantially similar to that form, for each licensing year which show:

(a) The name, telephone number and address of each person from whom wildlife or parts, nests or eggs of wildlife, upon which taxidermic services were performed, were received.

(b) The name, telephone number and address of each person to whom wildlife or parts, nests or eggs of wildlife, upon which taxidermic services were performed, were delivered.

(c) An accurate description of the taxidermic item, including the species and parts thereof received.

(d) ~~HH~~ *Except as otherwise provided in subsection 3 and if* required for the species of wildlife received, the number of the tag, seal or permit.

(e) The date on which the taxidermist receives the taxidermic item and the date on which that item is returned to its owner.

↪ The taxidermist shall record the required information immediately upon receipt and delivery of a taxidermic item, as appropriate.

2. A taxidermist shall:

(a) Immediately upon receipt, label each taxidermic item with a tag that clearly identifies the owner of the item. The tag may be removed from the item only during the actual performance of taxidermic services on the item. The tag must be reattached to the item when the taxidermic service is not being performed. Once the taxidermic services are completed on the taxidermic item, the tag must be reattached and remain attached to the item until the item is delivered to or claimed by the owner of the item.

(b) If required by the Department, submit a copy of the taxidermist's records for the previous licensing year to the Department at the end of each licensing year. If the records are computerized, the taxidermist shall submit a hard copy of the computerized records to the Department.

(c) Retain the taxidermist's records for a licensing year for at least 2 years after the end of the licensing year to which those records pertain.

(d) During any reasonable hour, upon the request of any agent of the Department authorized to enforce the provisions of title 45 of NRS, present the taxidermist's records kept in accordance with this section and any taxidermic item which the taxidermist is keeping at his or her place of business.

3. *In lieu of maintaining a record of a tag, seal or permit pursuant to paragraph (d) of subsection 1, a taxidermist who receives a taxidermic item from another taxidermist may maintain a record setting forth the name and address of the taxidermist from whom the taxidermic item was received and the punch number or other identification number assigned to that taxidermist by the taxidermist who received the taxidermic item. The punch number or other identification number must be attached to the taxidermic item during the entire period in which the taxidermist who received the taxidermic item remains in possession of the taxidermic item.*

4. As used in this section ~~["licensing"]~~ :

(a) *"Licensing year"* means a period beginning on July 1 and ending on June 30 of the following calendar year.

(b) *"Punch number"* means a number which is assigned to a taxidermist for the purpose of identification and which is punched into or otherwise attached to a taxidermic item.

**Informational statement relating to Commission General Regulation No. 449
LCB File No. R111-14 - as required by Chapter 233B.066.**

1. A clear and concise explanation of the need for the adopted regulation.

The need and purpose for this regulation is to clarify the record keeping for tanneries and taxidermists and to reduce redundant record keeping for taxidermists receiving products from other taxidermists. This regulation change was requested by the public. Currently when hides or pelts are transferred from one taxidermist to another for processing, detailed records must be duplicated and maintained by the receiving party. This regulation will reduce the amount of time spent maintaining records.

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

A copy of the proposed regulation was noticed and provided to Nevada's 17 County Advisory Boards to Manage Wildlife (CABs) as part of the Nevada Board of Wildlife Commissioners (NBWC) agenda and support material for their September 13, 2014 workshop and meeting. CABs that held public meetings prior to the September 13-14, 2014 NBWC workshop and meeting provided opportunity for public comment at their individual meetings. Public comment was solicited at the NBWC workshop on September 13, 2014 in Las Vegas. The NBWC approved adoption on November 15, 2014 at their meeting in Reno. A survey was conducted to solicit comments from all licensed taxidermists. Other public response was received at the NBWC meeting pertaining to the provisions of this regulation.

The majority surveyed do not feel this regulation will adversely impact their business. In fact the majority felt this regulation would have a positive impact on their business. Comments that were received were in favor of adopting the proposed regulation.

There was one opposition who did not understand the intent of the regulation.

A summary is available by contacting the Nevada Department of Wildlife, Division of Law Enforcement, 1100 Valley Road, Reno, Nevada 89512, or call (775) 688-1549.

3. The number of persons who:

- (a) **Attended each hearing: 25 Workshop 19 Hearing**
- (b) **Testified at each hearing: 1 Workshop 0 Hearing**
- (c) **Submitted written comments: 0 Public Comment 0**

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:

- (a) Name; Bob Cook
- (b) Telephone number; (775) 588-2361
- (c) Business address; PO Box 1176, Zephyr Cove, NV 89448
- (d) Business telephone number;
- (e) Electronic mail address; sideshowbobcook@msn.com
- (f) Name of entity or organization represented. Douglas CABMW

5. **A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

Comment was solicited from businesses through Survey Monkey. The majority felt it would reduce the amount of time spent on paperwork with the exception of one who did not understand the intent of the regulation.

6. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

No public comment or testimony was received expressing concern or need to modify the regulation as proposed.

7. **The estimated economic effect of the regulation on the business which it is to regulate and on the public.**

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

The Nevada Department of Wildlife and Survey Monkey determined that the proposed regulation does not impose a direct or significant economic burden on small businesses or restrict the formation, operation, or expansion of a small business. Some taxidermists believe there will be a beneficial effect on their business by reducing shipping costs and paperwork by using local tanneries. This regulation will save turnaround time to process by using an in-state tannery.

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

The Nevada Department of Wildlife determined 89% of the taxidermists would not have an economic loss due to this regulation amendment. 14% of the taxidermists surveyed felt there would be a beneficial effect on their business with this regulation change.

8. **The estimated cost to the agency for enforcement of the proposed regulation:**

There will be no additional cost for the agency to enforce this regulation as game wardens are currently enforcing taxidermist/tannery requirements.

9. **A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

There are no other overlapping local, state, or federal government regulations.

10. **If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

There are no federal regulations that regulate this same activity.

11. **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.**

There is no new fee.