

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

LCB File No. R111- 14

COMMISSION GENERAL REGULATION 449

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

AUTHORITY: §§1, NRS 501.105, 501.181, 502.370.

A REGULATION relating to wildlife; setting forth parameters for tannery's working in conjunction with a taxidermy; record keeping; and providing other matters properly relating thereto.

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

NAC 502.455 Taxidermic records; identification tags for taxidermic items.

1. *Except as otherwise provided in this section* ~~A~~*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) 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.

(f) A taxidermist receiving wildlife or parts, nests or eggs of wildlife from another taxidermist is exempt from section “d”. The receiving taxidermist needs to maintain client records including name, address and punch or ID number of the client taxidermist. Punch or ID numbers need to be attached to the item or items for the duration of possession of the receiving taxidermist.

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. As used in this section, “licensing year” means a period beginning on July 1 and ending on June 30 of the following calendar year.

[Bd. of Fish & Game Comm’rs, No. 16 § 17.01-9, eff. 5-6-78]—(NAC A by Bd. of Wildlife Comm’rs, 7-1-97)

**NEVADA DEPARTMENT OF WILDLIFE
BOARD OF WILDLIFE COMMISSIONERS**

NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Hearing for the (Adoption/Amendment/Repeal) of Regulations
of the Nevada Board of Wildlife Commissioners**

The Board of Wildlife Commissioners will hold a public hearing on TBA. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation Commission General Regulation 449 (LCB File No. R111-14) pertaining to Chapter 502 of the Nevada Administrative Code.

- 1) The need for and purpose of the proposed regulation: (Description of regulation)

The need and purpose for this regulation is to clarify the licensing requirements for tanneries by including this activity under activities licensed as a taxidermist and to reduce redundant record keeping for taxidermists receiving products from another taxidermist. 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 should reduce the amount of time spent on maintaining records.

- 2) Text of the proposed regulation:

See attached regulation.

- 3) Will this regulation likely impose a direct and significant economic burden upon small business?

This regulation will not have any significant economic burden on small businesses associated with taxidermy. The survey was sent to each of the 181 licensed Nevada taxidermists. Fifty-seven of the 181 taxidermists (28%) responded to the survey. Of that 28%, the majority do not feel as though this regulation will adversely impact their business. The majority feel as though there will be no impact or a positive impact.

- 4) Will this regulation directly restrict formation, operation or expansion of small business?

It is believed that this regulation will not directly restrict the formation, operation or expansion of taxidermists. The majority of the respondents (94%) felt this regulation would not restrict formation, operation or expansion of their small business.

- 5) Describe how the concerted effort was made to determine the business impact:

The business impact was determined by surveying Nevada's taxidermists. The survey method used was "Survey Monkey". This online survey as well as the proposed regulation was mailed to all of Nevada's taxidermists and tanneries.

- 6A. Describe the estimated economic effect of the regulation on the business which it is to regulate:
- (i) Adverse effect – The regulation will not have any significant adverse effect on taxidermy businesses.
 - (ii) Beneficial effect – The regulation will reduce time spent on record keeping.
- 6B. Describe the estimated economic effect of the regulation on the public which it is to regulate:
- (i) Adverse effect – This regulation does not have an anticipated adverse economic effect on the public.
 - (ii) Beneficial effect – This regulation does not have an anticipated beneficial effect on the public.
- 7) Describe the method used to calculate the financial impact (positive, negative, or none) on small businesses:

The Nevada Department of Wildlife sent out a survey to the entire group of registered taxidermist and tanneries in Nevada via Survey Monkey. We received 57 responses; approximately 28% of all taxidermists. Results were tabulated by Survey Monkey and calculations were based on the number of respondents to the survey.

- 8) The name of the person(s) conducting the analysis of the likely impact of the proposed regulation:

Kristy Knight, Captain Game Warden for NDOW.

- 9) Estimated cost to the Department of Wildlife for enforcement of the proposed regulation:

There should not be any increase in costs to enforce this regulation. This regulation is only reducing the amount of paperwork a taxidermist must do when receiving items from another taxidermist.

A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates This regulation does not overlap or duplicate any other state or local government regulation, the duplication or overlapping is necessary because This does not apply in the case of this regulation.

If the proposed regulation overlaps or duplicates a federal regulation what is the name of the regulatory federal agency?

This regulation does not overlap or duplicate any federal regulation.

- 10) If the regulation is required pursuant to federal law provide, a citation and description of the federal law.

The regulation is not required by federal law.

- 11) If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions:

There is not a federal regulation that regulates this activity.

- 12) The proposed regulation establishes a new fee or increases an existing fee: X No
 Yes

This statement shall be made available to the public at least 15 days before the public workshop.

Persons wishing to comment upon the proposed action of the 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, at least five days before the scheduled public hearing. 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 proposed regulation will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the regulations to be adopted will be available for inspection and may be copied at the following locations:

Nevada Division of Wildlife – Law Enforcement
1100 Valley Road
Reno, Nevada
(775) 688-1549

Western Region
380 W. "B" Street
Fallon, NV 89406
(775) 423-3171

Eastern Region
60 Youth Center Road
Elko, NV 89801
(775) 777-2300

Southern Region
4747 Vegas Drive
Las Vegas, NV 89108
(702) 486-5127

The regulations will be available for inspection at all county main public libraries. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations are 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 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, shall 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.

It is our belief that a concerted effort has been made by NDOW to determine the impact of the proposed regulation on small businesses and the information contained in this statement is accurate.

This notice of hearing has been posted at the above locations.

Tony Wasley, Secretary
Board of Wildlife Commissioners

TW:jt