

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1914

By: Representative Forgey

For An Act To Be Entitled

"AN ACT TO GOVERN THE PRACTICE OF TAXIDERMY AND ESTABLISH A LICENSING BOARD PURSUANT TO REGULATIONS PROMULGATED BY A STATE AGENCY; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. For the purposes of this act, the term "taxidermy" shall include all citizens of this state who engage in the art or operation of preparing, stuffing or mounting the skins or parts of wildlife and fish for exhibition in a life-like state for profit.

SECTION 2. There is hereby created a Taxidermy Certification and Licensing Board composed of three (3) members of the Arkansas Taxidermy Association whose names shall be submitted to the Arkansas Game and Fish Commission from a list of qualified taxidermists and chosen by that Commission to administer rules and regulations promulgated by the Arkansas Game and Fish Commission for the purpose of full and total compliance with all State and Federal laws concerning fish and wildlife.

SECTION 3. TAXIDERMY LICENSES. (a) Unless further provided by commission regulation, any person now holding a current taxidermy license shall be eligible for a renewal. The commission shall set up a system of examinations to determine the fitness of all future applicants for the license, including the establishment of appropriate fees covering the cost of such examination. Nothing contained in this section shall preclude the requirements of any other State or Federal law.

(b) Licenses issued to persons residing within this state desiring to practice taxidermy shall authorize the holder thereof to:

(1) Unless otherwise restricted, receive from any person any

wildlife or fish that has been legally or accidentally killed, keep the specimen or any part thereof in his possession indefinitely and mount the specimen or any part thereof, either himself or through any legitimate employee;

(2) Sell or dispose of any unclaimed specimen;

(3) Mount and sell any wildlife or fish which is lawfully disposed of under authority of this act and the state or nation where killed or taken.

(c) It is unlawful:

(1) For any taxidermist to knowingly mount any wildlife or fish, or part thereof, protected by this act, which was not lawfully killed or raised under authority of a propagating permit until the owner thereof presents a license obtained from the commission and, in the case of migratory birds, the required Federal permit;

(2) For any person to do taxidermy work for another without a license. Employees of a licensed taxidermist may perform taxidermy work without a license at the licensee's shop under the supervision of the licensee who shall be solely responsible for the quality of the work;

(3) To violate any other provision of this section.

(d) A violation of this section is a misdemeanor and shall be punishable by a fine of not more than two hundred fifty dollars (\$250.00).

SECTION 4. It shall be unlawful for a person licensed as a taxidermist or any of their employees, to hold wildlife protected by the Arkansas Code or this act for more than 72 hours without notifying an officer of the commission. Game birds, game animals and furbearing animals lawfully taken are excepted.

SECTION 5. All persons who practice taxidermy as of the implementation date of this act shall be deemed to be eligible to purchase a license and must register with the Arkansas Game and Fish Commission within ninety (90) days of the effective date of this act. Any persons desiring to be licensed after that date will be subject to rules and regulations promulgated by the Arkansas Game and Fish Commission and administered by the Taxidermy Certification and Licensing Board.

SECTION 6. All fees and monies arising from licensing and examination

fees shall be deposited in the Game Protection Fund and be used for administration of the licensing and certification of taxidermists and enforcement of the promulgated rules.

SECTION 7. Fish and wildlife legally possessed may be shipped or delivered to a licensed taxidermist or tanner and may be mounted or preserved by him if accompanied by a signed statement from the consignor, setting out that said wildlife was taken according to the regulations of the state or country where it was taken. If such wildlife is not accompanied by a statement, the consignor shall be notified by the taxidermist or tanner of the requirement and such fish and wildlife shall be held until a statement is received. If the consignor shall fail to furnish such statement within thirty (30) days from receipt of specimen, the taxidermist or tanner shall notify the director and said wildlife shall be disposed of in accordance with his instructions. All wildlife and fish held by a taxidermist shall be labeled with the owner's name and address. Federal regulations apply to the mounting of migratory birds and endangered species.

SECTION 8. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 9. All laws and parts of laws in conflict with this act are hereby repealed.