



Certification Page Regular and Emergency Rules

Revised June 2013

☒ **Emergency Rules** (After completing all of Sections 1 and 2, proceed to Section 5 below)

☐ **Regular Rules**

1. General Information

a. Agency/Board Name Wyoming Game and Fish Department		
b. Agency/Board Address 3030 Energy Lane	c. City Casper	d. Zip Code 82604
e. Name of Contact Person Mike Choma	f. Contact Telephone Number 307-473-3400	
g. Contact Email Address mike.choma@wyo.gov	h. Adoption Date March 27, 2014	
i. Program Game and Fish Commission - Hunting		

2. Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed.

If "New," provide the Enrolled Act numbers and years enacted: HEA 36, 2014 Legislature

c. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed

(Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification)

Chapter Number: 36	Short Title: Regulation Governing Taxidermists	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
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Chapter Number:	Short Title:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed

d. ☒ The Statement of Reasons is attached to this certification.

e. If applicable, describe the **emergency** which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

See attached justification.

3. State Government Notice of Intended Rulemaking

- a. Date on which the Notice of Intent containing all of the information required by W.S. 16-3-103(a) was filed with the **Secretary of State**: N/A
- b. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the **Legislative Service Office**: N/A
- c. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the **Attorney General**: N/A

4. Public Notice of Intended Rulemaking

- a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. ☐ Yes ☐ No ☒ N/A
- b. A public hearing was held on the proposed rules. ☐ Yes ☒ No

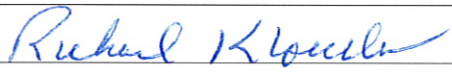
If "Yes:"	Date:	Time:	City:	Location:

5. Final Filing of Rules

- a. Date on which the Certification Page with original signatures and final rules were sent to the **Attorney General's Office for the Governor's signature**: April 1, 2014
- b. Date on which final rules were sent to the **Legislative Service Office**: April 1, 2014
- c. Date on which a PDF of the final rules was electronically sent to the **Secretary of State**: April 1, 2014

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual (Blue ink as per Rules on Rules, Section 7)	
Printed Name of Signatory	Richard Klouda
Signatory Title	President, Wyoming Game and Fish Commission
Date of Signature	March 27, 2014

7. Governor's Certification

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	

Attorney General: 1. Statement of Reasons; 2. Original Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; and 5. Memo to Governor documenting emergency (for emergency rules only).

LSO: 1. Statement of Reasons; 2. Copy of Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; 5. Electronic copy of rules: clean and strike/underscore; and 6. Memo to Governor documenting emergency (for emergency rules only).

SOS: 1. PDF of clean copy of rules; and 2. Hard copy of Certification Page as delivered by the AG.

STATEMENT OF REASONS FOR AN EMERGENCY RULE

WYOMING GAME AND FISH COMMISSION

CHAPTER 36

REGULATION GOVERNING TAXIDERMISTS

W.S. §23-2-302 provides for the licensing of taxidermists and record keeping by taxidermists as required by the Commission.

W.S. §23-3-106 provides that no person shall ship, transport or receive for shipment or transportation any game animal, game bird, or any part thereof unless tagged with an interstate game tag, and provides for exceptions.

Section 3. Definitions for “Completed the work within a reasonable time”, “Game specimen”, “Game tag” and “Specimen” have been deleted. They are no longer referred to in statute. The definitions of “Taxidermist, Taxidermist record form and Wildlife” have been amended to reflect current statutory language.

Section 4. Language has been modified to reflect new statutory language.

Old Section 5, Bonds, has been deleted. All reference to taxidermist bonds has been repealed in W.S. §23-2-302.

Old Section 6. Language has been modified to reflect new statutory language.

Old Section 7. All reference to a taxidermist requirement to game tag specimens received has been deleted.

Old Section 9. Edits have been made to allow a taxidermist to incorporate taxidermist record information into the taxidermist’s invoice forms.

Old Section 10. The term “wildlife specimen” has been added to reflect new statutory language. Any reference to statutory language which has been repealed is being deleted.

Minor grammatical and formatting edits have been incorporated but do not change the intent of the regulation.

DRAFT 3-17-14.1

WYOMING GAME AND FISH COMMISSION

CHAPTER 36

REGULATION GOVERNING TAXIDERMISTS

EMERGENCY RULE

(Emergency rules are no longer in effect 120 days after filing with the Secretary of State.)

Section 1. Authority. This regulation is promulgated by authority of W.S. §23-1-302, §23-1-701, §23-2-301, §23-2-302, §23-3-106, §23-3-401, §23-6-111 and §23-6-207.

Section 2. Regulation. The Wyoming Game and Fish Commission hereby adopts the following regulation governing taxidermists. This regulation shall remain in effect until modified or repealed by the Commission.

Section 3. Definitions. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes and the Commission also adopts the following definitions:

~~(a) "Complete the work within a reasonable time" means the taxidermist having completed services agreed upon by the taxidermist and the customer in a workmanlike manner within twelve (12) months after receipt of the game specimen(s) or specimen(s) by the taxidermist, or the taxidermist completes the item(s) in a workmanlike manner within the time period as provided by a written agreement or contract signed by both the customer and the taxidermist.~~

~~_____ (b) "Game specimen(s)" means big game animals, trophy game animals, small game animals, game birds and game fish or parts thereof.~~

~~_____ (c) "Game tag" means Wyoming interstate game tag.~~

~~_____ (d) "Specimen(s)" means all wildlife or parts thereof not defined as game specimen(s).~~

(~~ea~~) "Taxidermist" means an individual licensed by the Department who conducts a commercial operation or business that engages in the art or operation of preparing, **preserving**, ~~stuffing~~ and mounting the skins or parts of wildlife for exhibition in a lifelike state or uses wildlife to cast or mold a lifelike resemblance of wildlife. Taxidermist shall not mean an individual engaged in the business of mass reproducing artificial parts of wildlife, ~~or cleaning wildlife skulls for European mounts or antler plaques.~~

(~~fb~~) "Taxidermist record form" means a form provided by the Department to a licensed taxidermist to record ~~game specimen(s) or specimen(s)~~ **wildlife specimens** received by the taxidermist.

(~~gc~~) "Wildlife **specimen**" means every wild mammal, bird, fish, amphibian, reptile, mollusk, crustacean, or any hybrid including hybrids between wildlife and wildlife and hybrids between wildlife and domestic or domesticated animals.

(~~hd~~) "Wyoming bobcat tag" means a tag issued and affixed by the Department to a bobcat.

Section 4. Taxidermist License Required.

~~(a) Any qualified individual~~**person** shall apply for and receive a valid taxidermist license prior to receiving any ~~game specimen(s) or specimen(s)~~**wildlife specimens** for taxidermy purposes.

Section 5. Bonds. ~~A Power of Attorney and a surety or cash bond in the amount of \$5,000.00 shall be posted by a person upon application for a taxidermist license to the effect the taxidermist shall complete the work within a reasonable time and promptly upon completion and payment of fee return the game specimen(s) or specimen(s) to the customer.~~

~~———— (a) The surety or cash bond shall be effective for two (2) calendar years. The surety or bonding company is liable on the surety or cash bond for any game specimen(s) or specimen(s) received during the calendar year in which the taxidermist was licensed and for the subsequent calendar year in which taxidermy work is performed on the game specimen(s) or specimen(s) received in the prior year. The surety or cash bond shall not be effective beyond the two (2) year period.~~

~~———— (b) Should the customer who provides a game specimen(s) or specimen(s) have reason to believe that the taxidermist has failed to complete the work within a reasonable time, the customer after obtaining a judgment, may present the judgment to the proper surety company. To obtain the name, address and telephone number of the proper surety company, the customer shall contact the Wyoming Game and Fish Department, License Section, 5400 Bishop Boulevard, Cheyenne, Wyoming 82006.~~

Section 65. Taxidermists Records.

(a) Immediately upon receipt, the taxidermist ~~is required to~~**shall** record the ~~game specimen(s) or specimen(s)~~**wildlife specimens**, regardless of the place of origin, on taxidermist record forms provided by the Department or on taxidermist record forms approved by the Department. Taxidermist records shall be true and correct and shall include names and addresses of persons from whom ~~game specimen(s) or specimen(s)~~**wildlife specimens** were received, date of receipt, location where taken, date killed, description and any identifying number, including, but not limited to licenses, tags, shipping permits or export permits which document the origin of the ~~game specimen(s) or specimen(s)~~**wildlife specimens**.

(b) A licensed resident taxidermist shall mail or deliver their taxidermist records to the Regional Game and Fish Office in accordance with the address listed in this section in the geographic region where the taxidermist business is located.~~, on or before January 10 of the year following for which the taxidermist license was valid.~~

Casper Regional Office	3030 Energy Lane, Casper, WY 82604
Cody Regional Office	2820 State Hwy 120, Cody, WY 82414
Green River Regional Office	351 Astle, Green River, WY 82935
Jackson Regional Office	Box 67, 420 North Cache, Jackson, WY 83001
Lander Regional Office	260 Buena Vista, Lander, WY 82520
Laramie Regional Office	528 South Adams, Laramie, WY 82070
Pinedale Regional Office	Box 850, Pinedale, WY 82941
Sheridan Regional Office	700 Valley View Drive, Sheridan, WY 82801

(c) A licensed nonresident taxidermist shall mail or deliver their taxidermist records to the Wyoming Game and Fish Department, Wildlife Division Law Enforcement, 5400 Bishop Boulevard, Cheyenne, Wyoming 82006.~~on or before January 10 of the year following for which the taxidermist license was valid.~~

Section 76. Game TagsTaxidermist Possession of Wildlife Specimens.

(a) A resident person who is licensed as a taxidermist for the first time, a person who acquires another resident taxidermist business or a resident person who has not been licensed as a taxidermist in

Wyoming during the previous calendar year shall have a complete inventory conducted by the taxidermist and a Department law enforcement officer of all ~~game specimen(s) and specimen(s)~~ **wildlife specimens** which the person has in possession. The inventory items shall be photographed, the inventory sheet signed and dated by the taxidermist and the Department law enforcement officer conducting the inventory and the taxidermist and the Department law enforcement officer shall each receive a copy of the inventory. ~~The taxidermist is not required to game tag game specimen(s) on the inventory unless the game specimen(s) is transferred to another person. The taxidermist shall record the game specimen(s) or specimen(s) inventoried on Department approved taxidermist record forms.~~

~~_____ (b) The taxidermist shall complete game tag affidavits and follow other requirements in accordance with Commission Regulation Chapter 29, Issuance and Sale of Wyoming Interstate Game Tags.~~

~~_____ (c) The taxidermist shall immediately game tag each game specimen received by the taxidermist regardless of the place of origin with a game tag except as otherwise provided by this regulation.~~

~~_____ (d) The taxidermist shall game tag skulls and hides of trophy game animals. One (1) game tag shall be required for the skull and one (1) game tag shall be required for the hide.~~

~~_____ (e) The taxidermist shall game tag skull plates of game specimens. The taxidermist is not required to game tag disassociated single horns or single antlers with a game tag if the disassociated single horns and antlers are recorded on taxidermist record forms provided or approved by the Department.~~

~~_____ (f) The game specimen shall be accompanied by the game tag and the original game tag affidavit when the game specimen is returned to the customer. The taxidermist may temporarily remove the game tag or any tag from a game specimen or specimen to accommodate the taxidermist's processing of the game specimen or specimen. If the taxidermist is not able to attach the game tag or tag to the game specimen or specimen due to lack of a place to permanently attach the game tag or tag, such as but not limited to game fish or game birds, the taxidermist shall lock the game tag or tag and shall insure the game tag or tag accompanies the work invoice if the game specimen or specimen can be identified by a marking system of the taxidermist. When the game specimen or specimen is returned to the customer, the locked game tag or tag shall accompany the game specimen or specimen.~~

~~_____ (g) The taxidermist is not required to game tag game specimen(s) harvested outside the State of Wyoming that were tagged with a self locking type tag in the state, province or country of origin.~~

~~_____ (h) The taxidermist is not required to game tag game specimen(s) from within Wyoming that have a game tag affixed.~~

~~_____ (i) The taxidermist is not required to game tag hides and capes of cloven hooved big game animals which are recorded in accordance with this regulation on taxidermist record forms provided or on taxidermist record forms approved by the Department.~~

~~_____ (j) The taxidermist is required to game tag antlers or horns that are placed on a plaque or as a part of a game specimen(s). The taxidermist is not required to game tag Jackalope mounts.~~

~~(k)~~ **(b)** The taxidermist shall not accept the pelt of a bobcat that does not possess a Wyoming bobcat tag affixed to the pelt or an export tag issued by another state.

Section 87. Endangered Species, Wild Sheep, Mountain Goat.

~~(a)~~ The taxidermist shall record all wildlife on the taxidermist's record forms listed as threatened or endangered in Title 50 Part 17 of the Code of Federal Regulations dated October 1, 1997, and which does not include any later amendments or editions of the incorporated matter. A copy of Title 50 Part 17 of

the Code of Federal Regulations can be viewed at Department regional offices. The taxidermist shall enter all capes, hides and skins of any wild sheep or mountain goat into the taxidermist's records. The taxidermist shall mark each cape, hide and skin of any wild sheep or mountain goat with an identifying number, punch mark, tattoo or tag. A Federal taxidermy license shall be required to possess any migratory game birds or federally protected species.

Section 98. Approved Forms for Taxidermist Records.

~~(a)~~ Taxidermist record forms for required record keeping shall be furnished by the Department. If designated as a game tag agent, the taxidermist shall be furnished with interstate game tag affidavit books and game tags by the Department. A taxidermist may, upon the written approval of the Regional Wildlife Supervisor, incorporate the interstate game tag affidavit or taxidermist record information into the taxidermist's invoice forms. The information required and the format of the Department's interstate game tag affidavit or taxidermist record form shall not be altered. ~~The original copy of the affidavit(s) shall accompany the shipment of the game specimen(s).~~

Section 109. Revocation of Taxidermist License.

(a) A taxidermist license may be revoked by the Commission for the following reasons:

~~(i) The taxidermist failed to complete the work within a reasonable time as determined by four (4) certified judgments entered by a court of law within a consecutive twenty-four (24) month period;~~

~~(ii) The taxidermist refused to allow Department law enforcement officers to inspect the premises, game specimen(s), specimen(s) wildlife specimens or records during reasonable business hours;~~

~~(iii) The taxidermist failed to keep or submit properly completed records required by this regulation and Wyoming Game and Fish Commission Regulation Chapter 29, Issuance And Sale Of Wyoming Interstate Game Tags; or, state Statute.~~

~~(iv) The taxidermist failed to return to the Department by January 10 of each year all unsold game tags or to pay in full the fee for all game tags sold the previous year.~~

(b) Any revocation of a taxidermist license shall be subject to contested case proceedings in accordance with Wyoming Game and Fish Commission Regulation Chapter 27, Rules Of Practice Governing Contested Cases Before The Wyoming Game And Fish Commission.

(c) If a taxidermist license is revoked, the taxidermist shall immediately return each ~~game specimen or specimen~~ wildlife specimen to the customer(s) who provided the ~~game specimen(s) or specimen(s)~~ it to the taxidermist. ~~The taxidermist shall immediately return to a Department law enforcement officer all fees collected from the sale of game tags, all unsold game tags and all interstate game tag affidavits and taxidermist records required by this regulation.~~

Section 110. Violation of Commission Regulations. Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming statutes for violation of Commission regulations.

Section 1211. Savings Clause. If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end the provisions of this regulation are severable.

WYOMING GAME AND FISH COMMISSION

By: _____
~~Jerry Gales~~ **Richard Klouda**, President

Date: ~~August 1, 2008~~ **March 27, 2014**

WYOMING GAME AND FISH COMMISSION

CHAPTER 36

REGULATION GOVERNING TAXIDERMISTS

EMERGENCY RULE

(Emergency rules are no longer in effect 120 days after filing with the Secretary of State.)

Section 1. Authority. This regulation is promulgated by authority of W.S. §23-1-302, §23-1-701, §23-2-301, §23-2-302, §23-3-106, §23-3-401, §23-6-111 and §23-6-207.

Section 2. Regulation. The Wyoming Game and Fish Commission hereby adopts the following regulation governing taxidermists. This regulation shall remain in effect until modified or repealed by the Commission.

Section 3. Definitions. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes and the Commission also adopts the following definitions:

(a) "Taxidermist" means an individual licensed by the Department who conducts a commercial operation or business that engages in the art or operation of preparing, preserving, and mounting the skins or parts of wildlife for exhibition in a lifelike state or uses wildlife to cast or mold a lifelike resemblance of wildlife. Taxidermist shall not mean an individual engaged in the business of mass reproducing artificial parts of wildlife.

(b) "Taxidermist record form" means a form provided by the Department to a licensed taxidermist to record wildlife specimens received by the taxidermist.

(c) "Wildlife specimen" means every wild mammal, bird, fish, amphibian, reptile, mollusk, crustacean, or any hybrid including hybrids between wildlife and wildlife and hybrids between wildlife and domestic or domesticated animals.

(d) "Wyoming bobcat tag" means a tag issued and affixed by the Department to a bobcat.

Section 4. Taxidermist License Required.

Any person shall apply for and receive a valid taxidermist license prior to receiving any wildlife specimens for taxidermy purposes.

Section 5. Taxidermists Records.

(a) Immediately upon receipt, the taxidermist shall record the wildlife specimens, regardless of the place of origin, on taxidermist record forms provided by the Department or on taxidermist record forms approved by the Department. Taxidermist records shall be true and correct and shall include names and addresses of persons from whom wildlife specimens were received, date of receipt, location where taken, date killed, description and any identifying number, including, but not limited to licenses, tags, shipping permits or export permits which document the origin of the wildlife specimens.

(b) A licensed resident taxidermist shall mail or deliver their taxidermist records to the Regional Game and Fish Office in accordance with the address listed in this section in the geographic region where the taxidermist business is located.

Casper Regional Office	3030 Energy Lane, Casper, WY 82604
Cody Regional Office	2820 State Hwy 120, Cody, WY 82414
Green River Regional Office	351 Astle, Green River, WY 82935
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Pinedale Regional Office	Box 850, Pinedale, WY 82941
Sheridan Regional Office	700 Valley View Drive, Sheridan, WY 82801

(c) A licensed nonresident taxidermist shall mail or deliver their taxidermist records to the Wyoming Game and Fish Department, Wildlife Division Law Enforcement, 5400 Bishop Boulevard, Cheyenne, Wyoming 82006.

Section 6. Taxidermist Possession of Wildlife Specimens.

(a) A resident person who is licensed as a taxidermist for the first time, a person who acquires another resident taxidermist business or a resident person who has not been licensed as a taxidermist in Wyoming during the previous calendar year shall have a complete inventory conducted by the taxidermist and a Department law enforcement officer of all wildlife specimens which the person has in possession. The inventory items shall be photographed, the inventory sheet signed and dated by the taxidermist and the Department law enforcement officer conducting the inventory and the taxidermist and the Department law enforcement officer shall each receive a copy of the inventory.

(b) The taxidermist shall not accept the pelt of a bobcat that does not possess a Wyoming bobcat tag affixed to the pelt or an export tag issued by another state.

Section 7. Endangered Species, Wild Sheep, Mountain Goat.

The taxidermist shall record all wildlife on the taxidermist's record forms listed as threatened or endangered in Title 50 Part 17 of the Code of Federal Regulations dated October 1, 1997, and which does not include any later amendments or editions of the incorporated matter. A copy of Title 50 Part 17 of the Code of Federal Regulations can be viewed at Department regional offices. The taxidermist shall enter all capes, hides and skins of any wild sheep or mountain goat into the taxidermist's records. The taxidermist shall mark each cape, hide and skin of any wild sheep or mountain goat with an identifying number, punch mark, tattoo or tag. A Federal taxidermy license shall be required to possess any migratory game birds or federally protected species.

Section 8. Approved Forms for Taxidermist Records.

Taxidermist record forms for required record keeping shall be furnished by the Department. If designated as a game tag agent, the taxidermist shall be furnished with interstate game tag affidavit books and game tags by the Department. A taxidermist may, upon the written approval of the Regional Wildlife Supervisor, incorporate the interstate game tag affidavit or taxidermist record information into the taxidermist's invoice forms. The information required and the format of the Department's interstate game tag affidavit or taxidermist record form shall not be altered.

Section 9. Revocation of Taxidermist License.

(a) A taxidermist license may be revoked by the Commission for the following reasons:

(i) The taxidermist refused to allow Department law enforcement officers to inspect the premises, wildlife specimens or records during reasonable business hours;

(ii) The taxidermist failed to keep or submit properly completed records required by this regulation and state Statute.

(b) Any revocation of a taxidermist license shall be subject to contested case proceedings in accordance with Wyoming Game and Fish Commission Regulation Chapter 27, Rules Of Practice Governing Contested Cases Before The Wyoming Game And Fish Commission.

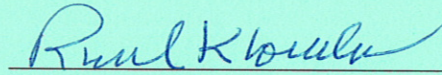
(c) If a taxidermist license is revoked, the taxidermist shall immediately return each wildlife specimen to the customer(s) who provided it to the taxidermist.

Section 10. Violation of Commission Regulations. Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming statutes for violation of Commission regulations.

Section 11. Savings Clause. If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end the provisions of this regulation are severable.

WYOMING GAME AND FISH COMMISSION

By:



Richard Klouda, President

Date: March 27, 2014