



Certification Page Regular and Emergency Rules

Revised August 2023

☐ **Emergency Rules** (Complete Sections 1-3 and 5-6)

☐ **Regular Rules**

1. General Information

a. Agency/Board Name*		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address	h. Adoption Date	
i. Program		
Amended Program Name (if applicable):		

* ☐ By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

2. Legislative Enactment For purposes of this Section 2, "new" only applies to regular (non-emergency) rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these non-emergency or regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

<input type="checkbox"/> No. <input type="checkbox"/> Yes. If the rules are new, please provide the Legislative Chapter Number and Year Enacted:	Chapter:	Year:
--	----------	-------

3. Rule Type and Information For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title* and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		

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. ☐ No. ☐ Yes. ☐ N/A

b. A public hearing was held on the proposed rules. ☐ No. ☐ Yes. Please complete the boxes below.

Date:	Time:	City:	Location:

5. Checklist

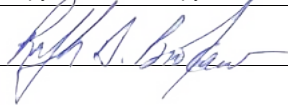
a. ☐ For regular rules, the Statement of Principal Reasons is attached to this Certification and, in compliance with Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule

b. ☐ For emergency rules, the Memorandum to the Governor documenting the emergency, which requires promulgation of these rules without providing notice or an opportunity for a public hearing, is attached to this Certification.

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct. By electronically submitting the emergency or regular rules into the Wyoming Administrative Rules System, the undersigned acknowledges that the Registrar of Rules will review the rules as to form and, if approved, the electronic filing system will electronically notify the Governor's Office, Attorney General's Office, and Legislative Service Office of the approval and electronically provide them with a copy of the complete rule packet on the date approved by the Registrar of Rules. The complete rules packet includes this signed certification page; the Statement of Principal Reasons or, if emergency rules, the Memorandum to the Governor documenting the emergency; and a strike and underscore copy and clean copy of each chapter of rules.

Signature of Authorized Individual



Printed Name of Signatory

Signatory Title

Date of Signature

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

Public Meeting Information

Casper Region			
Date	Time	City	Location
November 6, 2023	5:00 PM	Casper	Casper Game & Fish Regional Office
Sheridan Region			
Date	Time	City	Location
November 7, 2023	5:00 PM	Sheridan	Sheridan Game & Fish Regional Office
Green River Region			
Date	Time	City	Location
November 8, 2023	6:00 PM	Green River	Green River Game & Fish Regional Office
Pinedale Region			
Date	Time	City	Location
November 8, 2023	6:00 PM	Pinedale	Pinedale Game & Fish Regional Office
Lander Region			
Date	Time	City	Location
November 14, 2023	6:00 PM	Lander	Lander Game & Fish Regional Office
Laramie Region			
Date	Time	City	Location
November 15, 2023	6:00 PM	Laramie	Laramie Game & Fish Regional Office
Jackson Region			
Date	Time	City	Location
November 16, 2023	6:00 PM	Jackson	Jackson Game & Fish Regional Office
Cody Region			
Date	Time	City	Location
November 20, 2023	6:00 PM	Cody	Cody Game & Fish Regional Office

STATEMENT OF REASONS

CHAPTER 30

REGULATION GOVERNING FUR DEALERS

W. S. § 23-1-302(a)(xv) directs and empowers the Commission to require record keeping and the submission of reports from any commercial operation or business, and to require proper licensing under this act.

W.S. § 23-6-207 empowers the Commission to revoke the license of any commercial operation or business for any violation of this act or an order of the Commission pertaining to the operation or business.

Section 1 is amended to include W.S. § 23-2-304 and § 23-3-401 which address fur dealers and a commercial operation or business operating without a license.

Old Section 2 is deleted for consistency with other Commission Regulations and because this is self-evident.

New Section 2 is edited for consistency with other Commission Regulations.

In new Section 5, the date for fur dealer reports to be delivered to the Department is being changed from January 15 to January 31 for consistency with other commercial operations or businesses.

New Section 6(a) includes specific reasons under which the Commission may revoke a commercial fur dealer's license. Section 6(b) deleted a policy enactment date to accommodate any future revision dates to this policy.

Old Section 9 is deleted to conform to standard formatting practices for Commission Regulations.

Minor grammatical and formatting edits have also been incorporated in the above regulation that do not change the intent of the regulations.



WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

Phone: (307) 777-4600 Fax: (307) 777-4699

wgfd.wyo.gov

GOVERNOR

Mark Gordon

DIRECTOR

Brian R. Nesvik

COMMISSIONERS

Ralph Brokaw-President

Richard Ladwig-Vice President

Mark Jolovich

Ashlee Lundvall

Kenneth D. Roberts

John Masterson

Rusty Bell

December 7, 2023

MEMORANDUM

TO: Wyoming Game and Fish Commission

FROM: Mike Choma, Law Enforcement Supervisor

COPY TO: Rick King, Doug Brimeyer, Craig Smith, Ben Peterson and File

SUBJECT: Chapter 30, Regulation Governing Fur Dealers, Public Comment Summary and Department Response

The Wyoming Game and Fish Department (Department) held eight (8) in-person public meetings to discuss draft regulations going before the Wyoming Game and Fish Commission (Commission) in January, 2024. A public comment online forum was also available on the Department website to capture public comments on this draft regulation. As a result of these efforts, the Department received three (3) written comments for the draft Chapter 30 Regulation.

Two of the public comments received showed support for the draft regulation as proposed. The third comment suggested development of a signage process to let others know that trapping activity is taking place, in order to avoid conflict with other public land users. This comment is more related to Chapter 4, Furbearing Animal Hunting or Trapping Seasons, which is not currently being considered for changes. However, the Commission lacks authority to require signage on private or public land where trapping occurs. Placing signs on private lands may only occur with landowner permission and posting signs on public lands would be governed under the appropriate land management agency. The Department provides trapping “best management practices” through hunting and trapping publications which encourage placement of traps away from hiking trails and places frequented by recreationalists.

The Department made no additional edits to this draft regulation as a result of these public comments.

CHAPTER 30

FUR DEALERS

Section 1. Authority. This regulation is promulgated under authority of W.S. § 23-1-102, W.S. § 23-1-302, § 23-1-304, § 23-2-304, § 23-3-401 and W.S. § 23-6-207.

Section 2. Definitions. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes and Commission regulations.

Section 3. Application for License. Persons desiring to operate as a fur dealer shall make application on a form provided by the Department and submit the application and proper fee to a game warden in the area where the fur dealer's principal office shall be located. In the case of a nonresident fur dealer, the application and fee shall be submitted to the Department's Headquarters Office, License Sales and Accounting Section.

Section 4. General Operation. A licensed fur dealer may employ persons who buy and sell hides and furs for the fur dealer provided said persons can immediately exhibit proof when requested by a Department law enforcement officer that they are employees of a licensed fur dealer and they also can exhibit a copy of the fur dealer's license.

Section 5. Records and Reports.

(a) Fur dealers shall maintain current, complete, legible and accurate written records on forms provided by the Department of all hides and furs purchased, sold or transferred from within or without the State. The records shall include names and addresses of persons from whom hides and furs were purchased, sold or transferred, including the date of the transaction, tag numbers attached to furs, the furbearing animal trapping license number of the person who trapped the furs of furbearing animals and the fur dealer's license number for furs and hides which are purchased from another fur dealer. The records shall include all transactions under the authority of the fur dealer by employees. The records shall be kept at the fur dealer's place of business. One copy of the records shall be submitted to the game warden in the area where the principal office of the fur dealer is located by January 31 following the calendar year for which the license had been issued. Nonresident fur dealers shall submit a copy of their records to the Department's Headquarters Office, License Sales and Accounting Section by January 31 following the calendar year for which the license had been issued.

(b) Any person issued a license under this regulation shall, during the term of the license and for a period of sixty (60) days after expiration of the fur dealer's license, allow inspection of records, furs and hides during reasonable hours.

Section 6. Revocation of a Fur Dealer's License.

(a) A fur dealer license may be revoked by the Commission for failure to abide by this regulation, including the following reasons:

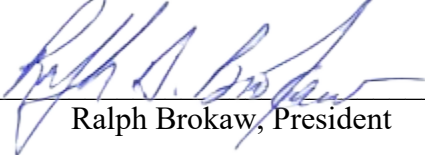
(i) Refusal to allow Department law enforcement officers to inspect their business premises or records in accordance with this regulation;

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

(b) Any revocation of a fur dealer 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.

Section 7. 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.

WYOMING GAME AND FISH COMMISSION

By: _____
Ralph Brokaw, President

Date: January 16, 2024

~~WYOMING GAME AND FISH COMMISSION~~

CHAPTER 30

~~REGULATION GOVERNING FUR DEALERS~~

Section 1. Authority. This regulation is promulgated under authority of W.S. § 23-1-102, W.S. § 23-1-302, § 23-1-304, § 23-2-304, § 23-3-401 and W.S. § 23-6-207.

~~**Section 2. Regulation and Effective Date.** The Wyoming Game and Fish Commission hereby adopts the following regulation governing fur dealers. This regulation shall remain in effect until modified or repealed by the Commission.~~

Section 3 2. Definitions. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes and Commission regulations.

Section 4 3. Application for License. Persons desiring to operate as a fur dealer shall make application on a form provided by the Department and submit the application and proper fee to a game warden in the area where the fur dealer's principal office shall be located. In the case of a nonresident fur dealer, the application and fee shall be submitted to the Department's Headquarters Office, License Sales and Accounting Section.

Section 5 4. General Operation. A licensed fur dealer may employ persons who buy and sell hides and furs for the fur dealer provided said persons can immediately exhibit proof when requested by a Department law enforcement officer that they are employees of a licensed fur dealer and they also can exhibit a copy of the fur dealer's license.

Section 6 5. Records and Reports.

(a) Fur dealers shall maintain current, complete, legible and accurate written records on forms provided by the Department of all hides and furs purchased, sold or transferred from within or without the State. The records shall include names and addresses of persons from whom hides and furs were purchased, sold or transferred, including the date of the transaction, tag numbers attached to furs, the furbearing animal trapping license number of the person who trapped the furs of furbearing animals and the fur dealer's license number for furs and ~~or~~ hides which are purchased from another fur dealer. The records shall include all transactions under the authority of the fur dealer by employees. The records shall be kept at the fur dealer's place of business. One copy of the records shall be submitted to the game warden in the area where the principal office of the fur dealer is located by January ~~15~~ 31 following the calendar year for which the license had been issued. Nonresident fur dealers shall submit a copy of their records to the Department's Headquarters Office, License Sales and Accounting Section by January ~~15~~ 31 following the calendar year for which the license had been issued.

(b) Any person issued a license under this regulation shall, during the term of the license and for a period of sixty (60) days after expiration of the fur dealer's license, allow inspection of records, furs and hides during reasonable hours.

Section 7 6. Revocation of a Fur Dealer's License.

(a) A fur dealer license may be revoked by the Commission for failure to abide by this regulation, including the following reasons:

(i) Refusal to allow Department law enforcement officers to inspect their business premises or records in accordance with this regulation;

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

(b) Any revocation of a fur dealer 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, ~~revised as of January 19, 1982, and which does not include any later amendments or editions of the incorporated matter.~~

Section 8 7. 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 9. 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: _____
Ralph Brokaw ~~Tracy Hunt~~, President

Dated: ~~October 25, 1999~~ January 16, 2024