

**WYOMING STATE BOARD OF OUTFITTERS
AND PROFESSIONAL GUIDES**

RULES AND REGULATIONS

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WYOMING STATE BOARD OF OUTFITTERS & PROFESSIONAL GUIDES

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RULES AND REGULATIONS

CHAPTER 1

GENERAL PROVISIONS

Section 1. Authority. These rules and regulations are adopted pursuant to W.S. 23-2-401, W.S. 23-2-406 et. seq., W.S. 33-1-201, and the Wyoming Administrative Procedure Act, W.S. 16-3-101 et. seq.

Section 2. Definitions. For the purpose of these rules, definitions will be as set forth in the Act and the following:

(a) "Act" means the Wyoming Outfitters and Professional Guides Act, W.S. 23-2-406 et seq.

(b) "Outfitter" means a person including a hunting club, who advertises or holds himself out to the public for hire or remuneration to provide guide or packing services for the purpose of taking any big or trophy game animal, excluding any person who furnishes pack or riding animals and other equipment only to a hunter for his personal temporary use and any landowner providing outfitter services on private lands owned or leased by him. As used in this paragraph:

(i) "Hunting Club" means any person requiring dues or remuneration for providing personal services in the field for the taking of any big or trophy game animal;

(ii) "Landowner" means any person, firm or corporation holding title to, or occupying under a contract of purchase, agricultural land or any person whose family owns at least a majority of the stock in a Wyoming corporation and who provides services specified in this paragraph on lands owned by the corporation and used primarily for agricultural purposes.

(iii) "Packing services" means transporting for hire or remuneration, hunters, game animals or equipment in the field for the purpose of taking any big or trophy game animal.

(iv) "Client" means a person who engages the professional services of a licensed outfitter.

(v) "Guide Services" means for hire or remuneration, accompanying and providing assistance of any kind to a hunter in the field relating to the taking of any big or trophy game animal.

(vi) "Compensation" and "Remuneration" mean payment of any kind, without regard to value or agreement, including tips, presents, exchange of property or services, or bartering for guide services.

(vii) "Advertises" means attempting by any means, including the Internet, the worldwide web or a similar proprietary or common carrier electronic system, to induce persons to enter into an agreement with an outfitter to receive guide or packing services for the purpose of taking any big or trophy game animal. No person shall advertise outfitter or guide services in Wyoming without listing the license number of the outfitter(s) who will provide the services advertised.

(viii) "Take" means to hunt, pursue, catch, capture, shoot, trap, kill or possess, or attempt to hunt, pursue, catch, capture, shoot, trap, kill or possess any big or trophy game animal.

(c) "Professional guide" means any person employed by or operating under an independent contract with a licensed outfitter to furnish personal services for the conduct of outdoor recreational activities for the purpose of hunting animals except any person employed by a licensed outfitter solely to care for, groom or saddle livestock, cook, cut wood or to transport people, equipment and personal property.

(d) "Area" means a hunt area as described in current big or trophy game hunting regulations as determined by the Wyoming Game & Fish Department.

(e) "Conviction" means a finding of guilt, forfeiture of bail bond or collateral deposited to secure a defendants appearance, or entry of a nolo contendere plea.

(f) "Booking Agent" means any individual, firm, business, partnership, or corporation that makes arrangements for the use of the services of a licensed outfitter and receives compensation therefore. A booking agent does not supply personnel or facilities and services to outfitter clientele.

(g) "Outfitter of Record" means the licensed outfitter designated by any unlicensed owner of an outfitting business who is specifically authorized to represent the business and is responsible and accountable for the operations of the business.

(h) "State" means the State of Wyoming.

Section 3. Savings Clause. If any provision of these rules or their application to any person or circumstances are invalid or in conflict with any other provision of these rules, the invalidity shall not affect other provisions or application of these rules which can be given effect without the invalid provision or applications and to this end the provisions of these rules are severable.

CHAPTER 2

LICENSING PROVISIONS

Section 1. Application for and Issuance of New Outfitter Licenses and Area Authorization.

(a) Outfitter licenses will be issued as Type A - Big and Trophy Game and Type B - Deer/Antelope. Any qualified person desiring to operate as an outfitter may make application for an outfitter license for the type desired on forms provided by the Board (Application and Operation Plan). The application shall be completed by the applicant and returned to the Board, together with the new applicant fee. The study material for the exam will then be mailed to the applicant. This fee is non-refundable. The application and new applicant fee shall be valid for one year from date of receipt.

(b) Applicants shall indicate the hunt area(s) in which they intend to operate and shall provide all information as required on the Operation Plan. Outfitters may operate only in those areas approved on the Operation Plan, except as provided in paragraph (f) of this section.

(c) Applicants shall submit a letter of intent from an insurance company indicating they will insure the applicant if a license is approved. Insurance must be effective during the entire licensing period. If insurance is not in effect, the license is void.

(d) Prior to final approval of an outfitter license, the applicant shall secure written endorsement from the public land agency or lessor for the areas shown on the Operation Plan. A "Surface Management Status Map" shall be submitted showing all intended areas of operation for any private lands requested on the private land form. All written records of applicants involving landowner or lease permission shall remain confidential.

(e) All applicants shall appear in person before the Board, unless waived by the Board. The Board may also request an applicant to pass a camp and equipment inspection.

(f) Licensed outfitters may apply for additional area authorizations by submitting the proper Supplemental Area Request form to the Board or a letter of intent from the controlling land agency that indicates the species and areas where the licensee may operate.

(g) The Board shall retain final authority regarding license issuance and hunt area authorization. The Board may restrict the species and the hunt management unit where an applicant may operate or outfit hunting clients based upon sound game and land use management principles and purposes based upon recommendations by the commission.

(h) All area authorization permits shall be issued in the name of the outfitter.

(i) The new application fee as set by the Board shall be submitted with the original application and operation plan.

(j) An applicant for a new outfitters license shall have experience as a licensed professional guide for not less than one (1) year or have other training, experience or education acceptable to the Board. The applicant may submit a letter of reference from a licensed outfitter and shall demonstrate knowledge of the area(s) for which application is made.

(i) Seventy (70) days in the field while guiding hunters as a licensed professional guide equals (1) year experience.

(k) Beginning July 1, 2011 all applicants for a new outfitters license shall:

(i) Be certified in first aid and submit a copy of his current and valid first aid certification card with the original application;

(ii) If born on or after January 1, 1966 possess a certificate of competence and safety in the use and handling of firearms (hunter safety card) and submit a copy of his hunter safety card with the original application; and

(iii) Attend the outfitter training course provided by the Board.

(l) The Board may deny granting a license to an applicant who is not qualified or based upon a violation of a significant state or federal law or regulation pertaining to wildlife, game or fish.

(m) No license approved by the Board will be issued unless the proper license fee and proof of insurance are received in the Board office within 60 days of the date of approval.

(n) No license will be considered for approval by the Board until all licensing requirements have been met.

Section 2. Examination for Outfitters.

(a) New applicants for outfitter licenses shall be given an examination to test the applicant's knowledge of the Act, Board rules, Game & Fish laws, Forest Service and BLM outfitting policies, and first aid. It shall also include habits of game sought, hunting techniques, care of meat and trophies and applicable firearm laws.

(b) An examination for a new outfitter license for a current year shall be given as needed January through June. The examination shall be given as needed during July through December for the following year. Applicants shall make an appointment to test no less than fourteen (14) days in advance. The examination shall be a closed book test. Passing the examination will constitute receiving a score of at least seventy-five percent (75%). Any person failing to pass an examination may be given another examination after thirty (30) days. An applicant who fails the examination twice in a calendar year shall not be eligible to retake the examination until the following calendar year. Upon receiving a passing score, the exam shall be valid for one year from the date taken.

Section 3. Outfitters to Submit Required Report. Each licensed outfitter shall submit an Outfitter's Annual Report on the form provided by the Board covering the calendar year for which the license was held. The reported information shall be legible, accurate, completed and verified by a notary public. Reports shall be received by the Board by January 31 of each year. A license shall not be renewed until this Report has been received.

Section 4. Renewal of Outfitter Licenses.

(a) Outfitter licenses expire on December 31st of the year issued per W.S. 23-2-414(b). Therefore, outfitter renewal applications must be post-marked no later than December 31st of each year. Any application post-marked after that date shall be treated as a first time applicant except for good cause as determined solely by the Board.

(b) An outfitter license may be renewed and the same license number retained if the applicant is not applying for additional area(s) or services upon submission of the following by December 31st prior to the year for which a license is sought.

- (i) A completed outfitter license renewal application form;
- (ii) An original Certificate of Insurance if one is not on file;
- (iii) The outfitter license as set by the Board under Chapter 5, Section 1.

- (iv) No license will be considered for renewal by the Board until all licensing requirements have been met.

Section 5. Application for and Issuance of Professional Guide Licenses.

(a) Any qualified person desiring to operate as a professional guide may make application for a professional guide license on the form provided by the Board.

(b) The application shall be completed by the applicant and returned to the Board together with the annual license fee as set by the Board under Chapter 5, Section 1.

(c) Beginning July 1, 2011, all applicants for a professional guide license shall:

- (i) Be certified in first aid and submit a copy of his valid first aid certification card with the application; and
- (ii) If born on or after January 1, 1966, a professional guide must possess a certificate of competence and safety in the use and handling of firearms (hunter safety card) and submit a copy of his hunter safety card with the application, if one is not on file.
- (iii) For good cause shown when the applicant applies for a professional guide license during the hunting season, these requirements may be waived. No guide shall receive more than one waiver.

(d) An applicant may receive only one fourteen (14) day permit in any twelve (12) month period.

(e) A professional guide license issued by the Board is valid if:

- (i) The professional guide is employed or contracted by a licensed outfitter;
- (ii) Signed on the back by the employing or contracting outfitter, including the outfitter's license number; and
- (iii) It is the original license or is a facsimile copy, properly signed, which shall be valid proof of licensure until it is reasonably practical to possess the original.

(f) Professional guides covered under liability insurance of a licensed outfitter shall not be required to furnish a separate certificate of insurance.

(g) The Board may deny granting a license to an applicant who is not qualified or based upon a violation of a significant state or federal law, or regulation pertaining to wildlife, game or fish.

Section 6. Examination for Professional Guides. New applicants for professional guide licenses shall be given an open book examination prior to issuance of the license. The examination shall test the applicant's knowledge of the Act, Board rules, game and fish laws, Forest Service and BLM policies and first aid. It shall also include habits of game sought, hunting techniques, care of meat and trophies and applicable firearm laws.

Passing the examination will constitute receiving a score of at least seventy-five percent (75%). Any person failing to pass an examination may be given another examination after thirty (30) days. Upon receiving a passing score, the exam shall be valid for one year from the date taken.

Section 7. Renewal of Professional Guide Licenses. Professional Guide licenses expire on December 31st of the year issued per W.S. 23-2-414(b). A renewal filed after December 31st is not timely filed for purposes of Wyoming Statute 16-3-113(b). However, Professional Guides licensed in either of the prior two calendar years may submit a renewal application and are exempt from taking the exam and paying the new application fee as required for first time applicants. A professional guide license may be renewed upon submission of the following:

- (b) A completed professional guide application;
- (c) The annual professional guide license fee as set by the Board under Chapter 5, Section 1 and pursuant to W.S. 33-1-201.

Section 8. Proof of Licensure Required.

(a) Licensees shall carry their original license, as issued by the Board, at all times when providing outfitting or professional guide services, except as authorized by Section 5 (e) (iii) of this Chapter.

CHAPTER 3

REGULATORY PROVISIONS

Section 1. Rules of Professional Conduct. The following includes, but is not limited to, rules of professional conduct, a violation of which may be considered unethical or dishonorable conduct;

(a) A licensee shall not submit any substantially false statements or fail to disclose any substantial facts requested in connection with an application for licensure.

(b) A licensee shall not engage in fraud in advertising or soliciting professional services to the public. Effective January 31st, 1999 licensees shall include their license number on all correspondence, including advertising brochures, contracts, etc.

(c) A licensee shall not allow an unlicensed individual to perform outfitting or professional guide services. A licensee shall report illegal outfitting and professional guide services to the Board.

(d) A licensee shall not engage in any activity which results in conviction of a felony.

(e) A licensee shall not violate any significant federal or state law or related regulations pertaining to wildlife, game and fish.

(f) A licensee shall cooperate fully with private landowners and public land management agencies and shall respect their rights and privileges.

(g) A licensee shall advise clients of applicable conservation and game laws and shall not condone or willfully allow their violation.

(h) A licensee shall promptly report any violation of federal or state law or regulation governing wildlife, game or fish observed or known to him, to a commissioned game and fish law enforcement officer.

(i) A licensee shall not engage in any activity for which the licensee is not licensed.

(j) A licensee shall not operate in any area when area authorization has not been granted by the Board to that licensee.

(k) A licensee shall not substantially breach a contract with any person using outfitting or professional guide services of the licensee.

(l) A licensee shall not violate the terms and conditions under which the license is issued.

(m) A licensee shall provide any animal used in the conduct of business with proper food, drink and shelter and shall not subject any animal to needless abuse or cruel and inhumane treatment.

(n) A licensee shall maintain neat, orderly and sanitary camps at all times and shall provide clean, fresh drinking water, protect all food from contamination and dispose of all garbage, debris and human waste. Livestock facilities shall be separate from camp facilities. Streams shall be protected from contamination.

(o) A licensee shall not willfully endanger the health and safety of the public.

(p) A licensee shall provide a licensed professional guide for every two (2) hunters in wilderness areas and for up to six (6) hunters in all other areas of the State.

(q) A licensee shall provide clients with a brochure or other written statement which clearly states his refund policy.

(r) A licensee shall provide the Board, on their new or renewal application, a statement which clearly states the refund policy. The policy shall not be changed during the year unless it is approved by the Board prior to the time the change will be effective.

(s) A licensee shall allow the Board or it's agents access at all times to inspect hunting camps, whether or not the licensee is present.

(t) A licensee shall not violate any provision of the Act.

Section 2. Code of Ethics

(a) All outfitters and guides shall:

(1) Operate with respect for the rights of others, on private and public property, endeavor to promote and practice responsible wild land ethics, exercise good stewardship of our natural resources, and provide services on public lands in a manner such that they do not interfere with general public access to public land or access to wildlife on public land;

(2) Provide for the health, safety, and well being of their clients and employees;

(3) Leave clean camps, striving to maintain the environment in as good or better condition than before and dispose of all garbage, debris, and human waste in a proper, approved manner;

(4) Fully cooperate with officials and adhere to the laws, rules and regulations, of the Wyoming State Board of Outfitters and Professional Guides, Wyoming Game and Fish Department, United States Forest Service, National Park Service, Bureau of Land Management, State Land Office, United States Fish & Wildlife Service, and all other government agencies.

(5) Advise clients of applicable conservation standards, fish and game laws, license requirements, statutes and regulations and not condone their violation;

(6) Not excessively use alcohol, prescription or over-the-counter drugs, to the extent that the use impairs the user physically or mentally while engaged by clients;

(7) Not use illegal drugs;

(8) Not engage in fraud, deceit, misrepresentation, or concealment of any material fact in advertising, soliciting, or providing professional services to members of the public;

(9) Provide any animal used in the conduct of business with proper food, water, and shelter and not subject any animal to abuse or cruel and inhumane treatment as provided by Wyoming Law;

(10) Promptly refund deposits paid by clients upon request if such deposits are due to the client in accordance with the outfitter's written deposit refund policy or any other written agreements;

(11) Not conduct any services on private or public land, except legal transportation across such lands, without first having obtained written permission from the landowner or written authorization from the agency administering the public land, unless the agency does not require and does not provide such permission;

(12) Treat clients, employees, and the general public in a fair and professional manner and not harass or abuse clients, employees, outfitters, professional guides, or members of the general public, verbally, physically, or in any other manner;

(13) The outfitter endorsing the professional guide license shall obtain and maintain a reasonable degree of supervision over the professional guide to insure that the services offered are being provided and being provided in accordance with the law and rules, with particular regard to those laws and rules pertaining to the health, safety, and welfare of the participants, the public, and landowners;

(14) Unless done in the name of and on behalf of the endorsing outfitter, a professional guide shall not advertise services, make agreements with clients concerning monetary consideration or services offered, or collect fees from clients;

(15) An outfitter is responsible for the acts of all employees, contracted personnel and authorized booking agents when those individuals are acting within the scope of their employment, contract, agreement, or at the outfitter's direction or supervision;

(16) Outfitters will employ an adequate number of well-trained, courteous personnel to care for their guests. Also, if appropriate, will provide adequate and properly prepared food for their guests and personnel at all times. Outfitters will be required to maintain safe, adequate and serviceable equipment; and

(17) Insure that no outfitter or employee of an outfitter, shoots, kills, or takes any big game animal while providing guiding services for clients; unless an exception is granted with the mutual consent of the client and the outfitter/guide.

Section 3. Denial, Suspension and Revocation. Failure to comply with any provision of these Rules shall be grounds for denial of an outfitter or professional guide license or any other discipline to include, but not limited to, suspension for a period not to exceed three (3) years or revocation of any outfitter or professional guide license issued by the Board. Suspension and revocation proceedings shall be conducted in accordance with the Wyoming Administrative Procedure Act W.S. 16-3-101 et seq. and these rules of the Board.

CHAPTER 4

PRACTICE AND PROCEDURE

Section 1. Overview. It is the intent of the Board through these Rules to recognize the difference between an allegation made against a licensee and the need for a formal proceeding. The Board requests the cooperation of all licensees in responding to letters of inquiry dealing with allegations as opposed to responses to formal proceedings. Responses to letters of inquiry are voluntary whereas responses to formal proceedings are mandatory to retain the rights of licensees.

Section 2. Complaints. All complaints against an outfitter or professional guide shall be filed with the Board in writing and shall provide at least the following information:

- (a) Name and address of licensee;
- (b) Name, address and telephone number of complainant;
- (c) Nature of alleged violations;
- (d) A short and concise statement of facts relating to the alleged violations; and
- (e) Signature of complainant.

Section 3. Review of Complaint.

(a) Upon receiving a complaint or other documenting information the Board shall review the complaint to make one of the following determinations:

(i) That the complaint does not warrant further action by the Board, and so advise both the complainant and the outfitter or professional guide named that the matter has been dismissed;

(ii) That further investigation is warranted.

(b) If the Board deems further investigation is warranted, a committee including one or two Board members, appointed by the Chairman of the Board, shall participate in the investigation and make recommendations to the Board concerning its findings. At this time both parties will be notified of the action taken by the Board.

(c) Following review and investigation of a complaint, the committee may take any appropriate action, including:

(i) File a formal complaint with the Board on its own behalf and setting the matter for formal disciplinary proceedings;

(ii) Recommend to the Board that a letter of warning be issued;

(iii) Recommend to the Board that the complaint be dismissed.

(d) The Board may resolve any complaint at any time by:

(i) Sending a written letter of warning to an outfitter or professional guide;

(ii) Accepting a voluntary surrender of a license;

(iii) Accepting terms for a conditional license;

(iv) Dispensing with it in an informal manner; or

(v) Dismissal.

Section 4. Conduct of Investigation.

(a) The Chairman may select one or two members of the Board to work with the Board investigator in investigating the complaint to comprise a committee.

(b) The committee is empowered to conduct a full and complete investigation of a scope necessary to determine whether or not the allegations in the complaint are sufficient enough to warrant a formal proceeding.

(c) The committee may review documents and interview the complainant and other witnesses. The committee shall interview the licensee only if the licensee voluntarily agrees.

Section 5. Investigator's Report.

(a) Upon completing the investigation, the Board's investigator shall make a written report to the full committee setting forth the facts discovered. The investigator may make a recommendation to the full committee as to whether there is sufficient evidence to warrant a formal proceeding. The committee is not bound by the investigator's recommendation.

(b) Investigation files of any complaint which is pending are confidential and not public record.

Section 6. Informal Compliance Procedures.

(a) Upon notification of the findings of an investigation, a licensee may attend an informal compliance conference with the committee. The licensee may appear either with or without counsel. Notice of the compliance conference shall be mailed at least fifteen (15) days prior to the date of the conference. The purpose of the compliance conference will be to discuss informal settlement of the investigative matter.

(b) After review of the investigation and informal compliance conference, the committee shall proceed pursuant to Section 3 (c) as set forth in this Chapter.

(c) At any time before or after formal disciplinary proceedings have been instituted against a licensee, the licensee may submit to the Board an offer of settlement whereby, in lieu of formal disciplinary action by the Board, the licensee agrees to accept certain disciplinary actions. If the Board determines that the proposed settlement will adequately protect the public welfare, the Board may accept the offer and enter a decision that is consented to by the licensee and incorporates the proposed settlement.

Section 7. Formal Hearing Procedures. Formal proceedings for Board disciplinary action against a licensee shall be commenced by notice issued by the Board with an attached copy of a formal complaint, served in person or by certified mail, to the address last known to the Board. Notice of a formal disciplinary hearing shall be given at least thirty (30) days prior to the date set for the hearing. The notice and formal complaint shall set forth the following information:

(a) Statement of time, place and nature of hearing;

(b) Statement of legal authority and jurisdiction pursuant to which the hearing is being held;

(c) Statement giving reference to particular sections of the involved law;

(d) A statement, in ordinary and concise language, of the nature of the complaint filed with the Board, and the facts upon which the complaint is based; and

(e) That failure to respond to the complaint within twenty (20) days of its service may result in default.

Section 8. Default. The Board may enter an order based on the allegations of a complaint in any case where the licensee has not responded within twenty (20) days of the date of service of the notice and complaint, or in any case in which the licensee or the licensee's representative has not appeared at a scheduled hearing of which the licensee had notice.

Section 9. Motions. All motions made to the Board shall be made in writing five (5) days prior to the date set for hearing.

(a) The Board may, within its discretion and upon good cause shown, allow a motion to be filed at any time.

(b) For purposes of this rule, any request for settlement of a contested case shall be considered a motion before the Board.

Section 10. Docket.

(a) When formal proceedings are initiated and notice has been afforded, the case shall be assigned a number and entered upon a docket provided for such purpose by the Board.

(b) There shall be established a separate file for each docketed case, in which shall be systematically placed all papers, pleadings, documents, transcripts, evidence and exhibits pertaining thereto, and all such items shall have noted thereon the docket number assigned and the date of filing.

Section 11. Hearing Officer. The Board may appoint or hire a hearing officer to take evidence at the hearing. A Board member may be the hearing officer. If the case is heard before the Board, the Chairman may preside.

Section 12. Discovery.

(a) In all formal proceedings before the Board, discovery shall be afforded in accordance with the Wyoming Administrative Procedure Act and the Wyoming Rules of Civil Procedure as may be applicable and not inconsistent with these rules.

(b) Requests for discovery from the Board shall be made in writing and directed to the hearing officer.

Section 13. Subpoenas.

(a) The Board or its hearing officer may issue subpoenas for the attendance of witnesses and for the production of books, records, documents and other evidence, and shall have the power to administer oaths.

(b) Any party desiring the Board or its hearing officer to issue a subpoena to compel the appearance of a witness at any hearing shall make application.

(c) The affixing of the seal of the Board and the signature of the official custodian of the Board's records shall be sufficient attestation of the same.

(d) Service of a subpoena shall be made at the expense of the party applying for it and shall be made in the manner provided by law for service of subpoenas in civil actions.

Section 14. Witnesses.

(a) All persons testifying at any hearing before the Board shall stand and be administered a standard oath.

(b) The party calling a witness shall bear the costs associated with the witness' appearance.

Section 15. Representation.

(a) Any licensee may represent himself or be represented by an attorney, provided that such counsel is licensed to practice law in this State, or is associated at the hearing with an attorney licensed to practice law in this State.

(b) A request for withdrawal from representation shall be made by the attorney in writing to the Board.

(c) In any case before the Board, an appearance in person or the filing of an answer shall constitute an appearance of record by an attorney.

(d) A representative of the Attorney General's Office shall present to the Board all matters set forth in the notice and complaint.

Section 16. Order of Procedure. As nearly as may be practicable hearings will be conducted in accordance with the following order of procedure:

(a) The presiding officer shall announce that the hearing is convened upon the call of the docket number and title of the matter and case to be heard, and thereupon the presiding officer shall direct the reading into the record of the notice given, and the complaint, together with appearance in the form of answers or other appearance made by the licensee, and shall note for the record all subpoenas issued and all appearances of record, including licensee and counsel. The reading of this information may be waived.

(b) Opening statements may be made by each of the parties. The time allowed for oral argument may be limited by the presiding officer.

(c) The attorney or representative of the State shall then present all evidence in support of the complaint. Witnesses may be cross-examined by the licensee or the attorney. All exhibits offered by the State shall be marked by letters of the alphabet beginning with "A".

(d) The licensee shall be heard in the same manner. Any exhibits presented by the licensee shall be marked numerically beginning with "1".

(e) The Board and presiding officer shall retain the right and opportunity to examine any witness upon the conclusion of all testimony offered by the witness.

(f) At the conclusion of the evidence, closing statements may be made by each of the parties. The time allowed for these statements may be limited by the presiding officer.

(g) After all proceedings have been concluded, the presiding officer shall dismiss and excuse all witnesses and declare the hearing closed. Any party who may desire to tender written briefs to the Board may do so. The Board or presiding officer may require written briefs. The presiding officer shall take the case under advisement and shall declare that the decision of the Board shall be announced within due and proper time following consideration of all of the matters presented at the hearing.

Section 17. Decision and Order. The Board shall, following the hearing, make and enter a written decision and order containing findings of fact, conclusions of law, and order, stated respectfully.

(a) The decision and order shall be sent by certified mail to the licensee and the licensee's attorney of record.

(b) This rule does not preclude the Board from giving preliminary, nonbinding notice to the parties prior to the issuance of the Board's written decision and order.

(c) Unless otherwise ordered by the Board, all decisions of the Board shall be effective as of the date of issuance of the written decision and order.

Section 18. Record of Proceedings.

(a) When the denial, revocation, or suspension of any license is the subject for hearing, it shall be regarded as a contested case and the proceedings, including all testimony, shall be reported verbatim by a court reporter or other competent means. If the transcript is prepared at the request of a party, the cost of the transcript shall be paid by the party making the request, unless the Board for a good cause shown waives assessment of such costs.

(b) The Board records in a contested case shall include the following:

- (i) All pleadings, motions, interlocutory rulings;
- (ii) Evidence received or considered;
- (iii) Statement of matters officially noticed;
- (iv) Objections and offers of proof and rulings thereon;
- (v) Proposed findings and exceptions;

(vi) All staff memoranda, other than privileged communications, of date submitted to the Board.

Section 19. Appeals.

(a) Appeals from decisions of the Board are governed by the Wyoming Administrative Procedures Act and the Wyoming Rules of Appellate Procedure.

(b) Costs of transcripts and any reasonable costs assessed by the Board regarding the record on appeal shall be borne by the party making the appeal.

Section 20. Applicability of the Rules of Civil Procedure. The Wyoming Rules of Civil Procedure, insofar as they may be applicable and not inconsistent with the laws of this State and these Rules, shall apply in cases before the Board.

CHAPTER 5
LICENSE FEES

Section 1. Fees Generally. License fees are:

- | | |
|---|-------|
| (a) Outfitter license fee: | \$600 |
| (b) Full Term Professional Guide license fee: | \$145 |
| (c) Temporary (14-day) Guide license fee: | \$70 |
| (d) All fees are non-refundable. | |