

HOUSE BILL NO. HB0097

Fishing outfitters.

Sponsored by: Representative(s) Cohee

A BILL

for

1 AN ACT relating to game and fish outfitting; providing for
 2 licensure of fishing outfitters and guides; modifying
 3 membership of the state board of outfitters and
 4 professional guides; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 23-2-401(c) and by creating a new
 9 subsection (e), 23-2-406(a)(ii)(intro) and (iii),
 10 23-2-408(a)(intro), (iii), (b) and (e) and 23-2-410(c)(v)
 11 are amended to read:

12

13 **23-2-401. Guides required; exceptions; issuance of**
 14 **resident guide license.**

15

16 (c) A resident landowner may guide hunters or anglers
 17 on land owned by or deeded land leased to him without a

1 guide license, or he may authorize nonresidents hunting or
2 fishing without a guide on those lands. The license must
3 bear the signature of the landowner, lessee, or agent of
4 the owner on whose private property he is hunting or
5 fishing as evidence that permission to hunt or fish has
6 been granted.

7
8 (e) Any resident possessing a valid resident fishing
9 license may apply for and receive a resident fishing guide
10 license. The resident fishing guide license shall be issued
11 without charge or bond by the commission, any district
12 supervisor or resident game warden upon receipt of an
13 affidavit from the resident stating the names and addresses
14 of the nonresident anglers to be guided, the area to be
15 fished, and that the resident has not received nor will
16 accept directly or indirectly any compensation for his
17 services as a guide. A resident guide shall not accept any
18 compensation or gratuity for his services. The name and
19 license number of the nonresident angler shall be placed on
20 the back of the resident guide license and stamped or
21 signed by the issuer.

22

23 **23-2-406. Definitions.**

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1 (a) As used in this act:

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3 (ii) "Outfitter" means a person including a
4 hunting club, who advertises or holds himself out to the
5 public for hire or remuneration to provide guide or packing
6 services for the purpose of taking any big or trophy game
7 animal, excluding any person who furnishes pack or riding
8 animals and other equipment only to a hunter for his
9 personal temporary use and any landowner providing
10 outfitter services on private lands owned or leased by him,
11 or a person who furnishes the use of watercraft, equipment
12 or personal service for the purpose of catching fish. As
13 used in this paragraph:

14

15 (iii) "Professional guide" means any person
16 employed by or operating under an independent contract with
17 a licensed outfitter to furnish personal services for the
18 conduct of outdoor recreational activities for the purpose
19 of hunting animals or catching fish except any person
20 employed by a licensed outfitter solely to care for, groom
21 or saddle livestock, cook, cut wood or to transport people,
22 equipment and personal property;

23

1 **23-2-408. Wyoming state board of outfitters and**
2 **professional guides; membership; meetings; per diem and**
3 **travel expenses.**

4
5 (a) The Wyoming state board of outfitters and
6 professional guides is established within the department of
7 administration and information and shall consist of ~~seven~~
8 ~~(7)~~nine (9) members as follows:

9
10 (iii) ~~Four (4)~~Six (6) members representing a
11 variety of types and sizes of outfitters, two (2) of which
12 shall be representing fishing outfitters or guides, and
13 shall be appointed by the governor from a list of
14 nominations submitted by licensed outfitters in Wyoming.
15 Nominees shall be licensed outfitters or professional
16 guides with not less than five (5) years experience in
17 outfitting or professional guiding in this state. Two (2)
18 nominees shall be submitted for each board vacancy and
19 appointments shall rotate among game and fish commission
20 appointment districts within the state.

21
22 (b) Appointed members shall be appointed by the
23 governor with the advice and consent of the senate in
24 accordance with W.S. 28-12-101 through 28-12-103 and may be

1 removed by the governor as provided by W.S. 9-1-202. Not
2 more than ~~four (4)~~ six (6) members of the board shall be of
3 the same political party. Except as otherwise provided for
4 initial appointees, the term of an appointed member shall
5 be three (3) years.

6
7 (e) The board shall meet upon the call of the
8 chairman, at the call of a majority of board members or
9 upon request of the governor. ~~Four (4)~~ Six (6) members
10 constitute a quorum.

11

12 **23-2-410. Powers and duties of board; generally;**
13 **employees; licensing and regulation.**

14

15 (c) The board shall license and regulate outfitters
16 and professional guides in this state and shall:

17

18 (v) Designate areas within the state as
19 recommended by the commission for game management purposes
20 in which a licensee may conduct big game or trophy game
21 outfitting or professional guiding under the license;

22

1 **Section 2.** This act is effective July 1, 2005.

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3

(END)