Certification Page
Regular and Emergency Rules

Revised May 2014

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

1. General Information

a. Agency/Board Name Retirement System/Volunteer Emergency Medical Technician Pension Board		
b. Agency/Board Address 6101 Yellowstone Road, Suite 500	c. City Cheyenne	d. Zip Code 82002
e. Name of Contact Person Benjamin L. Brandes	f. Contact Telephone Number 307-777-6108	
g. Contact Email Address ben.brandes@wyo.gov	h. Adoption Date 1/7/2016	
i. Program Volunteer Emergency Medical Technician Pension Plan		

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 Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed.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

c. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed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:	Chapter Name:			
1	Volunteer Emergency Medical Technician Pension Plan - General Provisions	☐ New	☐ Amended	☑ Repealed
2	Member Account Records	☐ New	☐ Amended	☑ Repealed
3	Rules of Practice and Procedures for Contested Cases	☐ New	☐ Amended	☑ Repealed
		☐ New	☐ Amended	☐ Repealed
		☐ New	☐ Amended	☐ Repealed
		☐ New	☐ Amended	☐ Repealed
		☐ New	☐ Amended	☐ Repealed
		☐ New	☐ Amended	☐ Repealed
		☐ New	☐ Amended	☐ Repealed
		☐ New	☐ Amended	☐ Repealed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:

N/A

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**:	10/19/2015
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**:	10/19/2015
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**:	10/19/2015

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**:	1/11/2016
b. Date on which final rules were sent to the **Legislative Service Office:**	1/11/2016
c. Date on which a PDF of the final rules was electronically sent to the **Secretary of State**:	1/11/2016

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)*	Gene R. Diedtrich
Printed Name of Signatory	Gene R. Diedtrich
Signatory Title	Chairman Volunteer Firefighter & EMT Board
Date of Signature	1-7-16

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 (PDFs) emailed to Criss.Carlson@wyoleg.gov: 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.

Rules Governing the Volunteer Firefighter and EMT Pension Account Board
Intent to Adopt New Administrative Rules and Repeal Superseded Chapters

AMENDED STATEMENT OF PRINCIPAL REASONS

Pursuant to the authority granted by W.S. 35-9-624(b)(ii), the Volunteer Firefighter and EMT Pension Account Board (Board) has decided to adopt new administrative rules to govern the pension account it administers. The Board is also proposing to repeal Chapter 1 of the Volunteer Firemen's Pension Fund's current rules and regulations and Chapters 1 through 3 of the Volunteer Emergency Medical Technician Pension Plan's current rules and regulations. Emergency rules are currently in effect until regular rules can be promulgated.

The Wyoming State Legislature created the new pension account during the 2015 legislative session and the new plan went into effect July 1, 2015. The new plan replaced the Volunteer Firemen's Pension Fund (Wyo. Stat. §§ 35-9-601 through 35-9-615; repealed) and the Volunteer EMT Pension Fund (Wyo. Stat. §§ 35-29-101 through 35-29-112; repealed). A new board of trustees was created to replace the two boards associated with the old plans. Because the old plans and the administrative rules chapters associated with each have now been superseded by the new plan, new administrative rules are required to enable WRS and the Board to administer the new plan appropriately. Further, the current rules and regulations associated with those repealed plans are no longer applicable.

These are new administrative rules. Because the Board did not have administrative rules in place to administer the pension account, the Board adopted emergency rules, which became effective Oct. 1, 2015.

While WRS did not receive any substantive comment from the public during the public comment period, the Legislative Services Office proposed several formatting changes to be made to Chapter 1 prior to finalizing the rule. Additionally, WRS staff suggested an amendment to the rule language that would better clarify how service purchases are to be treated in the plan.

LSO made the following editing recommendations which have been incorporated into the rule:

- Page 1-3, Section 3(g)(i) & (ii): were indented properly to delineate between the sections.
- Page 1-3, Section 3(h)(i) & (ii): were indented properly to delineate between the sections.
- Page 1-4, Section 6(b): added a dash between the 9 and 6 on Wyoming Statute 35-9-617(f).
- Page 1-5, Section 9(a)(ii): website reference was added for Chapter 2 – Direct Rollovers, adopted by the Wyoming Retirement Board.
- Page 1-5, Section 9(b): the unnecessary "a" was removed prior to the word "codes." The text was amended to read: "No later amendments **to codes**, standards, rules or regulations listed in subsection (a) are incorporated by reference."

WRS staff made the following clarifications:

- Page 1-4, Section 4(h)(ii): text was amended to read: "A service purchase made pursuant to **Section 6(a)** of these rules shall not qualify as years of active participation in the pension account required for a member to continue contributions to the pension account after withdrawing from active service as a volunteer." This change is a reflection of the changes made to Section 6(b) & (c).
- Page 1-4, Section 6(b): the text was amended to read: "Pursuant to W.S. § 35-9-617(f), any member who was enrolled in the Volunteer Firemen's Pension Fund on or before June 30, 2015, and had not refunded his contributions to that plan, and not made a service purchase under the terms of that plan, may elect to make a one-time purchase of either up to five (5) years of service credit pursuant to **subsection (a) of this section** or an amount equal to the time of actual service as a volunteer fireman in Wyoming prior to enrollment in that plan, whichever is greater."
- Page 1-4, Section 6(c): the text was amended to read: "A service purchase under **subsection (a) of this section** shall not qualify as years of active participation in the pension account required for a member to continue contributions to the pension account after withdrawing from active service as a volunteer."

Explanation of staff recommendation: The limitation articulated in Section 6(c) that precludes service purchases from counting towards the 10 year requirement in Section 4(h) should only apply to service purchases made in accordance with the provisions articulated in Section 6(a), not to service purchases made of actual service time articulated in Section 6(b). The changes made to the language in Sections 4(h)(ii), 6(b) and 6(c) are a logical outgrowth of the originally proposed rule language. The changes clarify that members who participated in the old Volunteer Fire Plan and had actual demonstrable service as a volunteer prior to joining the plan and purchase service up to an amount equal to that actual service, can apply that purchased service to the 10 year provision articulated in Section 4(h). Members purchasing up to five years of "air time" are not entitled to apply that purchased time to the 10 year provision. These changes do not negatively impact any member of the plan or public, are in character with the original scheme, and are in keeping with the statutory requirements of the new Volunteer Plan.

Proposed new rules:

Chapter 1 – Rules Governing the Volunteer Firefighter and EMT Pension Account Board.

- **Section 1** – **Authority.** These rules are promulgated under the authority of Wyo. Stat. 35-9-624(b)(ii).

- **Section 2** – **Benefits for Members and Retirees of Pre-existing Plans.** These provisions are proposed to address the various situations and benefits that apply to members of the two pre-existing plans that have been replaced by the new plan.

- **Section 3** – **Military Service Credit.** These provisions are proposed to address the rights and benefits of members of the plan that leave for qualified military service.

- **Section 4** – **Contributions.** These provisions are proposed to address how contributions are to be received by WRS, when members must withdraw funds upon termination, when members can leave accounts on deposit after termination and when members can continue making contributions after termination.

- **Section 5** – **Termination of Active Service Due to Disability.** This provision is proposed to address circumstances related to a member who leaves service as a volunteer due to disability.

- **Section 6** – **Purchase of Service Credit.** These provisions are proposed to address the circumstances related to a member who elects to make a service purchase.

- **Section 7** – **Board Governance.** These provisions are proposed to establish that a board chair and vice chair should be elected annually by the Board and that the Board is responsible for reviewing member qualification information from the various participating employers of the plan.

- **Section 8 – Contested Case Practice and Procedure.** This section is proposed to address the circumstances in which a member is entitled to appeal a decision of the Board.

- **Section 9 – Incorporation by Reference.** This section is proposed to identify that the Board intends to incorporate by reference the Uniform Rules for Contested Case Practice and Procedure adopted by the Wyoming Office of Administrative Hearings and the direct rollover rules adopted by the Wyoming Retirement Board.

Proposed rules to be repealed:

Chapter 1 – Volunteer Firemen's Pension Fund - General Provisions: This chapter of the rules is proposed to be repealed because the Volunteer Firemen's Pension Fund has been legislatively repealed. The fund and the board that administered the fund have been superseded by the Volunteer Firefighter and EMT Pension Account Fund and board.

Chapters 1 through 3 – Volunteer Emergency Medical Technician Pension Plan – General Provisions; Member Account Records; Rules of Practice and Procedures for Contested Cases: This chapter of the rules is proposed to be repealed because the Volunteer Firemen's Pension Fund has been legislatively repealed. The fund and the board that administered the fund have been superseded by the Volunteer Firefighter and EMT Pension Account Fund and board.

RULES OF
THE VOLUNTEER EMERGENCY MEDICAL TECHNICIAN PENSION BOARD

CHAPTER 1

GENERAL PROVISIONS

REPEALED

RULES OF
THE VOLUNTEER EMERGENCY MEDICAL TECHNICIAN PENSION BOARD

CHAPTER 1

GENERAL PROVISIONS

REPEALED

~~Section 1. **Authority.** The Volunteer Emergency Medical Technician Pension Board, pursuant to W.S. 35-29-109(c)(ii) is authorized to make rules and regulations governing its operation.~~

~~Section 2. **Definitions.** The following definitions shall prevail in these rules:~~

~~(a) **"Volunteer Emergency Medical Technician."** "Emergency medical technician" or "EMT" means as defined by W.S. 33-36-102(a)(x), and who performs EMT services as an attendant with a state licensed ambulance service and who devotes less than his entire time of employment to, but is carried on the rolls of, a regularly constituted Wyoming ambulance service, excluding industrial ambulance services as defined in W.S. 33-36-102(a)(vi), the members of which may be partly paid and partly volunteer. Payment of compensation for services actually rendered by enrolled volunteers does not take them out of this classification. Any individual who volunteers assistance but is not regularly enrolled as an EMT is not a volunteer within the meaning of this chapter;~~

~~(b) **"Entry Age."** "Entry Age" means the earliest date from which contributions have been received by the fund for the participating member.~~

~~(c) **"Participating Member."** "Participating Member" means any volunteer EMT for whom payments are received by the volunteer emergency medical technician pension fund as preseribed in W.S. 35-29-107(e).~~

~~Section 3. **Notices in Service.**~~

~~Section 3.1. **Determining Total Service Application.** Service prior to July 1, 2008 may be included in determining the total service even though no contribution was made as provided for in Section 3.2 of these Rules. In the event a member is called for active duty in the armed forces of the United States or in the Wyoming National Guard, he will be permitted to continue making payments for the period of time the member is engaged in active duty regardless of the number of years of service.~~

~~Section 3.2. **Actuarially Determined Contribution Made by an EMT.** An EMT eligible for membership in the plan as of July 1, 2008, or one who later becomes~~

eligible by becoming a member of a regularly constituted Wyoming ambulance service, who has been a participating member for at least five (5) years may elect to make a one (1) time purchase of up to five (5) years of service credit to the fund in an amount actuarially determined. A member may only receive credit under the Volunteer EMT Pension Plan for actual service as a volunteer EMT in Wyoming performed prior to enrollment in the pension plan. Provided however, the service shall be multiples of one year and shall not exceed the total service as a bonafide volunteer EMT. The entry age of the EMT who exercises this option shall be his age at his last birthday as of the first day of the month of the earliest month for which such actuarially determined contribution is received.

Section 3.3. **Continuance of Monthly Pension Payments after Retiring from Active Service.** A participating member may be permitted to continue making payments for up to five (5) years to the plan after terminating membership as a volunteer EMT if he has at least ten (10) years of active service to the pension plan for services as a volunteer EMT in Wyoming.

If a volunteer EMT terminates membership prior to the ten (10) year minimum, he will not be allowed to continue making payments to the plan. His benefit, if he does not take a refund, upon reaching the retirement age specified in W.S. § 35-29-106(d) will be calculated as set forth under W.S. § 35-29-106(j).

Section 3.4. **Continuance of Monthly Pension Payments after Retiring from Active Service due to Disability.** A participating member of the pension plan may be permitted to continue making payments to the plan after terminating membership as a volunteer EMT if his termination of membership as a volunteer EMT in his local department is due to disability which prevents his continuing as an enrolled member of the EMT department.

Section 3.5. **Applications to Continue Monthly Pension Plan Payments.** An application to continue monthly pension payment shall be submitted in a form prepared by the Board. It shall be supported by the certificate of at least one medical doctor attesting to the disability of the applicant to continue to perform an active role as a member of the volunteer EMT department. The board, at its discretion, may require supporting documentation from more than one medical doctor before it approves the application.

Section 4. **Meetings.** The following rules apply to meetings of the Emergency Medical Technician Pension Board.

(a) **Meeting to be Open to the Public; Board Meetings; Requirements; Types and Frequency.** All meetings of the Volunteer Emergency Medical Technician Pension Board are public meetings except when in executive session. No action of the

Board shall be taken except during the public meeting, following notice of the meeting in accordance with the provisions of these regulations.

(b) **Regular meetings of the Board.** The Volunteer Emergency Medical Technician Pension Board shall have a regular annual meeting to coincide with the Wyoming Trauma Conference or any other time as may be determined by the Board.

(c) **Special Meetings of the Board.** Special meetings may be called by the chairman of the Board by giving notice of the meeting to each member of the Board and legal notice. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at a special meeting.

(d) **Emergency Meetings of the Board.** The Volunteer Emergency Medical Technician Pension Board may hold an emergency meeting on matters of serious immediate concern to take temporary action without notice. Reasonable efforts must be made to offer public notice. All action taken at such meeting is of a temporary nature and, in order to become permanent, must be reconsidered and acted upon at an open public meeting within forty-eight hours.

(f) **Robert's Rules of Order**. All meetings of the Volunteer Emergency Medical Technician Pension Board shall be conducted in accordance with Robert's Rules of Order.

RULES OF
THE VOLUNTEER EMERGENCY MEDICAL TECHNICIAN PENSION BOARD

CHAPTER 2

MEMBER ACCOUNT RECORDS

REPEALED

RULES OF
THE VOLUNTEER EMERGENCY MEDICAL TECHNICIAN PENSION BOARD

CHAPTER 2

MEMBER ACCOUNT RECORDS

REPEALED

~~Section 1. **Administration.** The Volunteer Emergency Medical Technician Pension Board is responsible for the administration of the Volunteer Emergency Medical Technician Pension Account created by W.S. 35-29-102.~~

~~Section 2. **Authority.** Pursuant to W.S. 35-29-109(c)(ii), the Volunteer Emergency Medical Technician Pension Board has the authority to make rules and regulations governing its operations.~~

~~Section 3. **Public Inspection.**~~

~~(a) The member account records of any member of the pension account, specified in Section 1 of this Chapter, are held in trust and are not available for public inspection or release unless:~~

~~(i) the individual whose records are being requested authorizes the inspection or release of such records in writing; or~~

~~(ii) a court order directs that the records be made available for inspection or release.~~

~~Section 4. **Location of Public Inspection.** Inspection of records pursuant to Section 3 of this Chapter shall be made only in the offices of the Wyoming Retirement System, during normal business hours, and in the presence of a Wyoming Retirement System staff member.~~

~~Section 5. **Charge for Copies of Records.** If copies of records are authorized pursuant to Section 3 of this Chapter, there shall be a charge of $.25 per copy, with a minimum charge of 1.00, plus any required postage. Fees under this section are payable in advance.~~

RULES OF
THE VOLUNTEER EMERGENCY MEDICAL TECHNICIAN PENSION BOARD

CHAPTER 3

RULES OF PRACTICE AND PROCEDURES
FOR CONTESTED CASES

REPEALED

RULES OF
THE VOLUNTEER EMERGENCY MEDICAL TECHNICIAN PENSION BOARD

CHAPTER 3

RULES OF PRACTICE AND PROCEDURES
FOR CONTESTED CASES

REPEALED

Section 1. **Authority**. The Volunteer Emergency Medical Technician Pension Board pursuant to W.S. 35-29-109(c)(ii), is authorized to adopt rules and regulations governing its operations. W.S. 16-3-102(a)(i) also requires each agency to adopt rules of practice setting forth the nature and requirements of all formal and informal procedures available in connection with contested cases.

Section 2. **Purpose**. The purpose of this rule is to meet the requirements of W.S. 16-3-102(a) to establish requirements and procedures available to a participating member to contest an adverse ruling by the System or the Board.

Section 3. **Definitions.**

(a) As used in this chapter:

(i) "Board" means the Volunteer Emergency Medical Technician Pension Board established by W.S. 35-29-101 *et seq.*;

(ii) "Committee" means any committee of the Board appointed by the Board chairman;

(iii) "Day" means a calendar day;

(v) "Participating Member" or "Member" has the meaning defined in W.S. 35-29-101(vi);

(vi) "WRS" or "System" means the Wyoming Retirement System established by W.S. 9-3-403, including the System staff.

Section 4. **Notification of Decision, Request for Hearing and Notice.**

(a) Any member who receives notification from the System of a decision which adversely affects the member shall be entitled to a hearing before the Board or before a hearing officer or committee designated by the Board, if the member requests a hearing

in writing within ten (10) days from the date of receipt of such notice. A hearing shall be scheduled within a reasonable period following receipt of a request at a date and time mutually convenient for the member and the System. If the member and the System are unable to agree on a hearing date and time, the Board shall set the hearing date and time. The System shall give reasonable written notice of the hearing but not less than ten (10) days prior to the hearing. The written notice shall include a statement of the following: 1) The date, time and place of the hearing; 2) A short, plain statement of the matter asserted and the issues to be decided; 3) The legal authority and jurisdiction under which the hearing is to be held; and 4) The particular section of the statutes and rules involved.

Section 5. **Procedure.** For purposes of any hearing to be held, the issues shall be evidenced by the written notice submitted to the member affected. The System shall have the right to produce testimony, witnesses, or evidence bearing upon the issues to be decided. The member affected shall have the right to appear in person with or without counsel, and to present testimony, witnesses, or other evidence bearing upon the issues. No testimony shall be received from a witness except under oath or affirmation which may be administered by any officer presiding over the hearing. All proceedings shall be recorded, including evidence, testimony, and exhibits, and a record thereof shall be retained in the System files.

Section 6. **Order of Procedure at Hearings.**

(a) As nearly as may be, hearings shall be conducted in accordance with the following order of procedure:

(i) The Board or other presiding officer shall announce that the hearing is convened to hear and decide all of the issues relative to the controversy, in accordance with notice given and request for hearing, and summarize the rules that will govern the hearing. The presiding officer shall offer into the record the notice given to the member, together with proof of mailing of service, all of which shall become a permanent part of the hearing record.

(ii) The member may appear in person and by counsel and may make an opening statement.

(iii) The System or the attorney for the System may make an opening statement briefly explaining the issues.

(iv) Following the close of the System's opening statement, the member may, individually or by and through his/her counsel, offer any evidence to be heard and any exhibits. All exhibits offered shall be marked in alphabetical order with letters as Member's exhibits. The System or counsel shall have the right to cross-examine all

witnesses presented on behalf of the member. All objections taken to matters offered into evidence shall be made on the record.

(v) The System's evidence shall be heard and presented either by the System or counsel, and all exhibits offered shall be marked in alphabetical order with letters as State's exhibits. After each witness for the System has testified, the member individually, or by and through his/her counsel, shall be entitled to the right of cross examination. All objections taken to matters offered into evidence shall be made on the record.

(vi) Closing statements may be made by both parties following the offering of all testimony and evidence. The time for oral argument may be limited by the presiding officer, provided that such limitation applies to each of the parties interested.

(vii) After all interested parties have been offered an opportunity to be heard, the presiding officer at the hearing shall excuse all witnesses and shall declare the evidence closed. The evidence of the case may be reopened at a later date for good cause shown by order of the Board, upon motion of the member individually, or by and through his/her attorney, or by the System or the Board.

(viii) The presiding officer at the hearing shall declare that the hearing is closed, that all matters offered therein shall be taken under advisement by the Board and that their decision and order will be announced. Such decision and order must be announced by the Board within thirty (30) days after the Board receives both the transcript of the hearing and the recommended decision of the presiding officer, if any. The recommended decision must be issued by the presiding officer within twenty (20) days of receipt by that officer of the transcript of the hearing.

(ix) Pursuant to W.S. 16-3-109, the member and the System will be served with a copy of the presiding officer's recommended decision. Both parties will be allowed fifteen (15) days from service of the recommended decision to file an exception thereto.

(x) Upon receipt of such exception, the decision of the Board will be stayed pending briefing, and the Board may ask for oral argument to the Board. When briefing and oral argument are completed, the Board must issue its decision within thirty (30) days.

(xi) All persons testifying at any hearing, as provided for by these rules, shall stand and be administered the following oath by the presiding officer: "Do you swear or affirm to tell the truth and nothing but the truth in this hearing, under penalty of perjury?"

(xii) The filing of any pleadings or other appearance by an attorney constitutes his appearance for the party for whom made. The Board must be notified in writing of any attorney's withdrawal from any case. Any person appearing before the Board at a hearing in a representative capacity shall be precluded from examining or cross-examining any witness unless such person shall be the Board or their agent, or the member, or unless such person shall be an attorney licensed to practice in the State of Wyoming or a non-resident attorney associated with a Wyoming attorney. This rule shall not be construed to prohibit any person from representing himself in a hearing before the Board.

(xiii) Where oral testimony of witnesses is taken in a hearing before the Board, the testimony may be reported by a competent reporter or may be recorded by other means. The compensation of such reporter for taking the testimony shall be paid as required by law as ordered by the Board.

(xiv) The Board shall make a written decision and order, including findings of fact and conclusions of law. The decision and order shall be filed with the System. The Board shall mail a copy, postage prepaid, to the member and to his/her attorney of record.

(xv) Unless otherwise provided by law, proceedings before the Board are governed by the contested case provisions of the Wyoming Administrative Procedure Act and, to the extent their application is not inconsistent with the particular administrative contested case proceeding, the Wyoming Rules of Civil Procedure and other court rules may be looked to for guidance. For the application of such rules, the Assistant Director of the System is designated as clerk to the Board as in the relationship of a clerk of court to a court.

(xvi) The Board or presiding officer shall, upon application of any party, issue a subpoena requiring the appearance of witnesses for the purpose of taking evidence or requiring the production of any books, papers, or other documents relevant or material to the inquiry.

(xvii) Any amendments to these rules shall become effective as provided by W.S. 16-3-103 and 16-3-104.

(xviii) Depositions of witnesses taken under the Wyoming Rules of Civil Procedure may be introduced at the hearing. Any discovery allowed under the Wyoming Administrative Procedure Act shall be allowed.

(xix) These rules are to be liberally construed to assure the unbiased, fair, expeditious, and impartial conduct of contested case proceedings before the Board. Any

~~procedural rule may be relaxed or modified by the Board or the presiding officer in the interest of fairness or justice.~~