



Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <http://rules.wyo.gov>

Revised November 2016

1. General Information

a. Agency/Board Name* Board of Outfitters and Professional Guides		
b. Agency/Board Address 1950 Bluegrass Cir. Suite 280	c. City Cheyenne	d. Zip Code 82002
e. Name of Agency Liaison Amanda McKee		f. Agency Liaison Telephone Number 307-635-2723
g. Agency Liaison Email Address amanda.mckee@wyo.gov		
h. Date of Public Notice April 7, 2017		i. Comment Period End Date June 2, 2017
j. Public Comment URL or Email Address: amanda.mckee@wyo.gov		
k. Program Board of Outfitters and Professional Guides		

* 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 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 rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No. Yes. Please provide the Enrolled Act Numbers and Years Enacted: **Senate Enrolled Act 47 (2014)**

3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.

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

Chapter Number:	Chapter Name:	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
6	Uniform Procedures, Fees, Costs, and Charges for Inspecting, Copying, and Producing Public Records	
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
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		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
		<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed

4. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. No. Yes. Please complete the boxes below.

Date:	Time:	City:	Location:
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b. What is the manner in which interested persons may present their views on the rulemaking action?

- By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.
- At the following URL: _____

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

- To the Agency at the physical and/or email address listed in Section 1 above.
- At the following URL: _____

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Agency Liaison listed in Section 1 above.

5. Federal Law Requirements

a. These rules are created/amended/repealed to comply with federal law or regulatory requirements. No. Yes. Please complete the boxes below.

Applicable Federal Law or Regulation Citation:

Indicate one (1):

- The proposed rules meet, but do not exceed, minimum federal requirements.
- The proposed rules exceed minimum federal requirements.

Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:

- To the Agency at the physical and/or email address listed in Section 1 above.
- At the following URL: _____

6. State Statutory Requirements

a. Indicate one (1):

- The proposed rule change *MEETS* minimum substantive statutory requirements.
- The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. Indicate one (1):

- The Agency has complied with the requirements of W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:
- By contacting the Agency at the physical and/or email address listed in Section 1 above.
- At the following URL: _____
- Not Applicable.

7. Additional APA Provisions

a. Complete all that apply in regards to uniform rules:

These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):

Chapter 6

(Provide chapter numbers)

These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Principal Reasons).

(Provide chapter numbers)

b. Checklist

The Statement of Principal Reasons is attached to this Notice 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.

If applicable: In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

8. Authorization

a. I certify that the foregoing information is correct.

<i>Printed Name of Authorized Individual</i>	Amanda McKee
<i>Title of Authorized Individual</i>	Administrator
<i>Date of Authorization</i>	04/03/2017

STATEMENT OF PRINCIPAL REASONS

WYOMING BOARD OF OUTFITTERS AND PROFESSIONAL GUIDES

The Wyoming State Board of Outfitters and Professional Guides is proposing to adopt the Department of Administration and Information's uniform rules establishing procedures, fees, costs, and charges for inspections, copies, and production of public records. These uniform rules were recently adopted and became effective on September 6, 2016. The uniform rules are titled Chapter 2 Uniform Procedures, Fees, Costs, and Charges for inspecting, Copying, and Producing Public Records. The Wyoming State Board of Outfitters and Professional Guides is required to adopt the uniform rules per W.S. 16-3-103(j)(ii); also Senate Enrolled Act 47 (2014).

The uniform rules set fees for production and construction costs related to electronic public records. The costs may include, but are not limited to, the time spent retrieving, compiling, sorting, reviewing, redacting, formatting, converting, or copying the electronic public records as well as activities required to create or construct a new electronic public record from existing data sources and all associated programming and computer services. Production and construction costs are: 1) \$15.50/hour for clerical staff time; 2) \$30.00/hour for information technology staff time; and \$40.00/hour for professional staff time.

In addition, these rules create a minimum threshold that must be met prior to any costs being charged for electronic public records requests. If production and/or construction costs for an electronic public records request are less than or equal to \$180.00, the applicant will not be charged any costs for production and/or construction of the electronic public records. These rules also set fees relating to both electronic and non-electronic public records such as copying costs and transmitting fees.

1. Chapter 6 is being created to comply with the above legislation.

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CHAPTER 6

UNIFORM PROCEDURES, FEES, COSTS, AND CHARGES FOR INSPECTING, COPYING, AND PRODUCING PUBLIC RECORDS

Section 1. Authority. The Wyoming State Board of Outfitters and Professional Guides is required under W.S. 16-3-103(j)(ii) to adopt the Department of Administration and Information's uniform rules pertaining to procedures, fees, costs, and charges for inspecting, copying, and producing public records.

Section 2. Adoption of Uniform Rules. The Wyoming State Board of Outfitters and Professional Guides hereby incorporates by reference the following uniform rules:

(a) Chapter 2 – Uniform Procedures, Fees, Costs, and Charges for Inspecting, Copying, and Producing Public Records adopted by the Department of Administration and Information and effective on September 6, 2016, found at: <https://rules.wyo.gov>.

(b) For these rules incorporated by reference:

(i) The Wyoming State Board of Outfitters and Professional Guides has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (a) of this section; and

(iii) The incorporated rules are maintained at the Wyoming State Board of Outfitters and Professional Guides office and are available for public inspection and copying at the same location.

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