

MINUTES

**UTAH
Hunting Guides and Outfitters
MEETING**

March 23, 2009

**Room 474 – 4th Floor – 1:00 p.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 1:01 p.m.

ADJOURNED: Approximately 3:15 p.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Jacky Adams

Guests Present:

Troy Brock
Adam Bronson
Andy Parker, TGO
Jed Wayment, J & J Outfitters
Tyler Watson, J & J Outfitters
Rick Woodard, Wildlife Board
Doyle Moss, MossBack Guides
Bruce Hubbard, Tripe H Hunting
Troy Justensen, X-Treme Outfitters
David Virostko, North Rim Outfitters
Alan Clark, Utah Division of Wildlife
Ryan Foutz, Woodruff Creek CWMU
Mike Fowlks, Utah Division of Wildlife

DOPL Staff Present:

F. David Stanley - Division Director
Wayne Holman - Chief Licensing/Investigations Manager

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Welcome and Introduction of all Attendees

All attendees were introduced.

Division Mission Statement

Mr. Ormond reviewed the Mission Statement of the Division, and explained that one of DOPL's (Division of Occupational and Professional Licensing) primary duties is to protect the public.

Establishment of a Board

Mr. Ormond explained the duties and responsibilities of the Board and Board Members.

DISCUSSION ITEMS:

Licensure Criteria

Mr. Ormond questioned the attendees regarding how to determined if a Hunting Guide or Outfitter are of good moral character:

It was determined that if a licensee is in violation of any Federal, State of Utah, or Division of Wildlife statutes, or has had a Outfitter or Hunting Guide license revoked from another State, they may not obtain licensure within this State.

Mr. Fowlks explained that all violations of a misdemeanor A or higher are reported to BCI (Bureau of Criminal Identification). It was determined to require all licensees to submit a current UCCH (Utah Computerized Criminal History) background check, prior to issuance of license. Mr. Fowlks also agreed to report any inappropriate activity, within this profession, to DOPL for licensure disciplinary actions.

Mr. Ormond questioned the attendees regarding how to determined if a Hunting Guide or Outfitter possess a high degree of skill and ability:

Mr. Ormond proposed requiring the passing of a written examination, prior to licensure. Mr. Moss was concerned with this proposal, based on the types of examinations other States are currently requiring. After a brief discussion it was explained that the proposed examination would be written and approved by this profession. The exam will test the Licensees understanding of Federal, DOPL, and Division of Wildlife Statutes, as well as Occupational issues.

It was then explained that other States and the BLM (Bureau of Land Management) also require for all licenses to hold certification in Basic First Aid. The attendees agreed all licensees should hold this certification.

Mr. Ormond questioned if there should be a separate examination for Outfitters and Hunting Guides.

Mr. Ormond explained that he felt that all Outfitter's should be registered with the Division of Corporations and Commercial Code, prior to obtaining licensure:

The attendees agreed with Mr. Ormond's suggestion. Mr. Moss then explained that licensure as an Outfitter should allow all corporate officers to act as a Hunting Guide, without needing to hold separate licensure.

Mr. Ormond stated that he would obtain a legal opinion to determine if the Statute would allow this.

Mr. Ormond explained that he would like to better define Unprofessional and Unlawful Conduct, he then outlined the areas he felt may need to be added to this area:

- Engaging in fraud in advertising or soliciting of professional services.
- Attempting to or intentionally obstructing or hindering a lawful hunt, of a competitor.
- Failing to promptly report a violation of any State or Federal wildlife laws, committed by a client or employee.
- Failing to appropriately care for animals used while conducting business.
- Failing to allow DOPL employees access, to hunting camps, at all times.
- Failing to provide adequate hunting guides.
- Failing to maintain camp in a neat, orderly, and sanitary manor.
- Failing to provide clean fresh drinking water, or protect all foods from contamination.
- Failing to dispose of all garbage, debris, and human waste appropriately.
- Failing to separate livestock and camp facilities, and failing protect streams from contamination.
- Failing to conform to the generally accepted and recognized standards and ethics of the profession.

It was later recommended to add:

- Hunting on private land without appropriate approval.

The attendees then recommended adding the following licensure requirements:

General Liability insurance, adding that the BLM requires minimum coverage of \$600,000.

Mr. Clark explained that the DNR (Division of Natural Resources) hoped that once all Licensure, and Statute issues have been resolved, that DOPL would regulate the profession, and the BLM, DNR could waive duplicate requirements. It was further explained that the DNR would police the profession and report to DOPL for licensure disciplinary actions.

Mr. Moss agreed to submit resumes of current Association members who are interested on serving on the Hunting Guides and Outfitters Licensing Board. Mr. Ormond then invited all attendees to submit a resume, if they are interested on serving on this Board.

Mr. Clark then agreed to submit BLM contact information. Mr. Fowlks added that there is currently a databank which other States report to, which reflects disciplinary actions taken with this profession, he will determine if or how

DOPL could access this information.

It was explained that other States are charging about triple the licensure fee for, individuals from other States. A detailed discussion ensued; Mr. Ormond will obtain a legal opinion to determine if DOPL can do the same. It was further added that the licensure fee for this profession has not be determined, however, the fee will be comparable to other states.

Mr. Ormond explained that he anticipates all Hunting Guides to be licensed prior to January 1, 2010, and the first renewal to be in June 2012, adding that DOPL anticipates, all licensure applications to be reviewed by the Board (Hunting Guides and Outfitters Licensing Board), until DOPL staff is in full understanding of all licensure requirements. He further added that after all licensure and statutory issues have been resolved, DOPL will meet two times a year with the Board.

Next meeting, of this group, will be the week of April 20, 2009.

We need requirements from BLM and forest service.

ADJOURN:

Approximately 3:15 p.m.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

Needs to be Discussed at next Meeting:

Age limit 4 hunting guides?
Bonding
Renewal requirements.

Terms:

CO (conservation officer)
CWMU (cooperative wildlife management unit)
BLM (Bureau of Land Management)