

MINUTES

UTAH Hunting Guides and Outfitters MEETING

April 20, 2009

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

CONVENED: 1:05 p.m.

ADJOURNED: 2:09 p.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Jacky Adams

Guests Present:

Paul Niemeyer – Division of Wildlife Resources Board
Rick Woodard – Division of Wildlife Resources Board
Doyle Moss – MossBack Guides & Outfitters
Troy Justensen – X-Treme Outfitter's
Shawn Labrum – Wild Mt Outfitter's
Rusty Hall – Western Lands Hunting
Jed Wayment – J & J Outfitters

DOPL Staff Present:

F. David Stanley - Division Director
Tony Patterson – Attorney General Representative

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Welcome and Introduction of all Attendees

Future Meeting Date and Time

Mr. Ormond explained that this committee will not meet again until the Board has been established in late May or early June, 2009.

DISCUSSION ITEMS:

Licensure Fees

Mr. Ormond explained that the Hunting Guide application processing fee will be \$75.00 with a \$50.00 renewal fee. And the Outfitter application processing fee will be \$150.00 with a \$50.00 renewal fee. He then added that there will be a Rules Hearing on May 13, 2009, any concerns should be submitted in writing to Mr. Ormond, prior to the hearing, for submittal at the hearing.

At the March 23, 2009 meeting the individuals present had suggested charging a higher application fee for all out of

state applicants. Mr. Ormond explained that due to Department policy, we could not discriminate between in-state and out-of state applicants.

It was then explained that the Division intends to set the renewal date for this profession on May 31st of each even year. It was further explained that the first licensure period will be from January 1, 2010 through May 31, 2012.

Board Nominations

Mr. Ormond explained that the Division has received six (6) nominations for Board Members. All of them have been forwarded to Ms. Francine Giani, Division Director, for review and approval. Upon Ms. Giani's approval, nominations will be sent to the Governor for his final approval.

It was further explained what the duties and responsibilities of a Board Member are, and each Board member will serve a staggered term, to ensure continuity of the Board. The Division also anticipates current/future appointees to be a representation of the profession through out the State.

Dual Licensure

At the March 23, 2009 meeting, a question regarding dual licensure was presented to the Division. Mr. Ormond explained that 58-79-501, states that it is "Unlawful Conduct" to represent your self as a Hunting Guide or Outfitter, unless appropriately licensed. It was further explained that licensure as an Outfitter does not allow an individual to represent himself as a Hunting Guide.

Examination – Who takes exam for Outfitters

This issue was not discussed.

Rules Development

Another issue questioned at the March 23, 2009 meeting was regarding requiring General Liability Insurance, similar to the requirements of the BLM (Bureau of Land Management) and the Division of Wildlife Resources.

Mr. Ormond explained that currently this Division does not have Statutory authority to require insurance. Mr. Moss then explained that, based on the BLM continuing to require insurance, licensees should not need to resubmit this document to this Division.

Mr. Ormond then added that the Division could stipulate that it be "Unprofessional Conduct" to fail to meet all regulatory requirements of the BLM and Division of Wildlife.

Procedures – Regarding Outfitting

It was explained that 58-79-102 defines an Outfitter as an individual, meaning that the entity will not be licensed; only one designated person. It was further explained that more than one person, who holds ownership in an entity

Examination Development

may be licensed as an Outfitter, however all individuals representing themselves as a Hunting Guide, whether part of an entity or not, must be appropriately license.

It was explained that 58-79-302 (1) and (2) requires that Hunting Guides and Outfitter must “possess a high degree of skill and ability and have successfully complete basic education and training requirements.

Mr. Ormond is proposing to meet these requirements by requiring an open book exam on:

- Division Statute and Rules
- Wildlife Services Statue and Rules
- Federal Land Policies (BLM and Forest Service)
- And other related professional topics

Submittal of evidence of completion of a Basic Training course or meet an experience requirement as proof of having the appropriate training.

It was further discussed that some Basic Training courses are sub-standard; it was suggested to require practical experience or an Apprentice program. Mr. Ormond stated this issue would require further review.

Mr. Moss was adamant that all individuals should be able to pass the exam.

It was then explained that once the Board has been established, and they have determined all areas an individual should be tested in, a group of subject matter experts will convene to write the exam.

Mr. Woodard explained that the Division of Wildlife Resources and the BLM, hope that licensure of this profession will not only protect legitimate Hunting Guides, Outfitters, and the Public, but also reduce the number of permits issued by the BLM, and give authority to Wildlife Officers to cite individuals who are unlicensed. Mr. Moss added that representatives of the BLM have indicated that licensure by this Division will expedite their approval process.

It was then determined to invite Ms. Suzanne Garcia of the BLM and a representative of the Forest Service to insure all agencies requirements are being met.

Good Moral Character

Mr. Ormond explained that due to the nature of this profession, licensure requirements will be:

1. Proof of clear criminal history from the Bureau of Criminal Identification and the Division of Wildlife Resources; and

2. Verification of license, indicating that there have been no disciplinary actions taken by any other jurisdiction.

The Division will also amend our “Qualifying Questionnaire” to better apply to this profession.

This issue will be further discussed at the next meeting.

ADJOURN:

2:09 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.

Open and public power point
Swear in all members