

HOUSE BILL NO. HB0232

Outfitters and guides-amendments.

Sponsored by: Representative(s) Sommers and Byron

A BILL

for

1 AN ACT relating to game and fish; authorizing the Wyoming
2 game and fish commission to regulate commercially guided
3 fishing boats; providing definitions; amending requirements
4 for outfitter and professional guide licenses as specified;
5 amending membership requirements for the Wyoming state
6 board of outfitters and professional guides; requiring a
7 license for commercially guided fishing boats as specified;
8 providing rulemaking authority; and providing for effective
9 dates.

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

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13 **Section 1.** W.S. 23-3-206 is created to read:

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15 **23-3-206. Commercially guided fishing boats;**
16 **regulatory authority; definitions.**

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2 (a) To protect the quality of the fishery and aquatic
3 resources and species in this state, the commission may set
4 daily limits on the number of commercially guided fishing
5 boats allowed to launch into any section of river. In
6 promulgating any rule under this subsection, the commission
7 shall hold a public hearing to gather public comments in at
8 least one (1) community in the major drainage area in which
9 the rule will apply.

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11 (b) In the event that the commission sets daily
12 limits on the number of commercially guided fishing boats
13 allowed to launch into any section of river, the commission
14 shall promulgate rules governing the licensing or other
15 means of tracking the number of commercially guided fishing
16 boats launching into any section of river.

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18 (c) As used in this section:

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20 (i) "Commercially guided fishing boat" means a
21 fishing boat that is operated by an outfitter;

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1 (ii) "Major drainage area" means the Snake River
2 and Salt River drainage, the Wind River and Big Horn River
3 drainage, the Powder River and Belle Fourche River
4 drainage, the Bear River drainage, the Green River drainage
5 or the North Platte River drainage;

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7 (iii) "Outfitter" means a person who advertises
8 or holds himself out to the public for hire for the purpose
9 of financial gain to provide fishing guide services,
10 excluding any person who furnishes fishing equipment only
11 to a person for the person's personal temporary use.
12 "Outfitter" includes any person requiring dues or
13 remuneration for providing personal services on the river
14 for the purposes of fishing.

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16 **Section 2.** W.S. 23-2-406(a)(iv), 23-2-407(a) and by
17 creating new subsections (d) and (e), 23-2-408(a)(iii) and
18 23-2-414 by creating a new subsection (e) are amended to
19 read:

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21 **23-2-406. Definitions.**

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23 (a) As used in this act:

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(iv) "Outfitter" means a person ~~including a hunting club,~~ who advertises or holds himself out to the public for hire, ~~for the purpose of financial gain in order to provide guide or packing services for the purpose of taking any big or trophy game animal, excluding~~ provides facilities and services for consideration or maintains, leases or otherwise uses equipment or accommodations for compensation for the conduct of outdoor recreational activities limited to hunting animals or birds, float or power boating on Wyoming rivers and streams, fishing on Wyoming lakes, reservoirs, rivers and streams and hazardous desert or mountain excursions. "Outfitter" does not include any person who furnishes pack or riding animals and other equipment only to a hunter for his personal, temporary use and any landowner providing outfitter services on private lands owned or leased ~~by him. As used in this paragraph:~~ for agricultural purposes by the landowner. For purposes of this paragraph "landowner" means any person, firm or corporation holding title to, or occupying under a contract of purchase, agricultural land or any person whose family owns at least a majority of the stock in a Wyoming corporation and who provides services specified in this

1 paragraph on lands owned by the corporation and used
2 primarily for agricultural purposes.

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4 **23-2-407. License required for outfitters and**
5 **professional guides.**

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7 (a) No person shall hold himself out as, engage in
8 the business of or act in the capacity of an outfitter ~~or~~
9 ~~shall provide guide services or packing services for the~~
10 ~~purpose of taking any big or trophy game animal~~ unless he
11 is licensed as an outfitter or professional guide pursuant
12 to this act. Not more than one (1) person may operate as an
13 outfitter or guide under one (1) license.

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15 (d) For reasons of game harvest, where territorial
16 conflict exists or for the safety of persons utilizing the
17 services of outfitters and for each outfitter license, the
18 board shall establish and may adjust the territorial scope
19 of operations.

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21 (e) Subject to subsection (d) of this section, the
22 operating area established on the outfitter's license shall
23 be the limit of operations for each licensee.

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2 **23-2-408. Wyoming state board of outfitters and**
3 **professional guides; membership; meetings; compensation.**

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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) members as follows:

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

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22 **23-2-414. License issuance; fees; term of license;**
23 **renewal; disposition of collected fees.**

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2 (e) A separate license and fee shall be required for
3 each commercially guided fishing boat that is owned and
4 operated by a licensed outfitter. A registration sticker
5 shall be displayed on each commercially guided fishing boat
6 registered under this subsection.

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8 **Section 3.** W.S. 23-2-406(a)(iv)(A) and (B) are
9 repealed.

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11 **Section 4.** The Wyoming game and fish commission and
12 the Wyoming state board of outfitters and professional
13 guides shall promulgate any rules necessary to implement
14 this act.

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1 **Section 5.**

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3 (a) Except as provided in subsection (b) of this
4 section, this act is effective July 1, 2023.

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6 (b) Sections 4 and 5 of this act are effective
7 immediately upon completion of all acts necessary for a
8 bill to become law as provided by Article 4, Section 8 of
9 the Wyoming Constitution.

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(END)