

Senate Fish and Game Committee
HB 702 - March 15, 2005
Jean Johnson
Montana Outfitters and Guides Association

HB 702 is a "house keeping" bill that will clarify one issue and correct two others. It's the corrections that can have a significant impact on the outfitter's business.

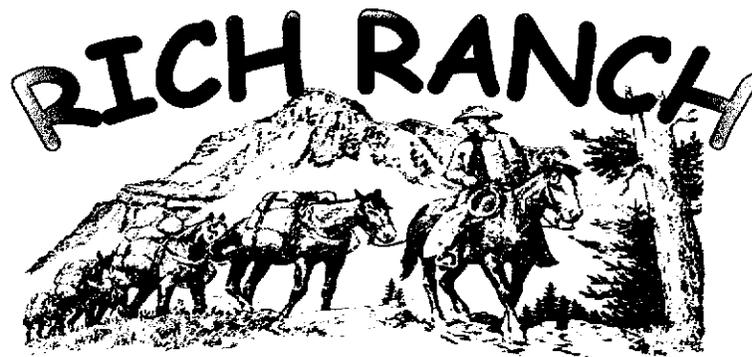
Page 1. Section 1, line 13 simply says - clearly - what is already true: an outfitter's license to outfit lives and dies with him or her. Just like a driver's license, it cannot be transferred to the buyer of a business or "passed on" to a survivor if a licensee dies.

Section 1, line 17 makes an important change in current law. Now, when an outfitter dies, only an immediate member of the family can step in and run the business. Sometimes, there are no immediate members of the family that are qualified to run the business or even want to. This amendment allows the family of a deceased outfitter to designate who shall continue to operate the business until the rest of the provisions of law are satisfied.

Of course, the designation is subject to approval of the Montana Board of Outfitters.

Page 1. Section 2, lines 29 - page 2, lines 1 - 3 amends current law so the conditions of an outfitter's business can better reflect the way some businesses are structured today. Jack Rich's written testimony speaks to this change very well.

This amendment allows a corporation to have an operation's plan and more than one outfitter working for it, as noted on both the corporation's operation plan, and the individual outfitter's operation plan. For example, a year-around business may utilize the services of a fishing/floating outfitter [who is not licensed to provide hunting services] and a hunting outfitter [who is not licensed to provide fishing/floating services]. The corporation may "fire" its outfitter and still retain an operations plan as a platform for conducting business with another outfitter providing the services. This amendment provides a more durable and sturdy "platform" for an entity in the business of providing year around outdoor recreation services.



OUTFITTING AND GUEST RANCH

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Date: February 17,2005

To: Chairman and Members of Fish and Game Committee

From: Jack Rich, rancher, outfitter,

Subject: HB 702

I would like to voice my support for HB 702

I am part of a family-owned and operated outfitting and guest ranch that employs over 20 people, including 7 full time positions. Three generations of our family derive their livelihood from the outfitting/guest ranch, which we have operated since 1958.

The problem is that under current law only one person on the ranch can hold an outfitters license. If something happens to that person then the entire family enterprise is placed in jeopardy. Most of the other service industries in Montana allow for more than one license per business entity. We believe that the same rules should apply to outfitting. HB 702 will amend the language in Section 2 of 37-47-311 MCA, allowing 2 of us to hold an outfitters license for the business, and help to resolve this problem.

Thank you for your consideration of this important issue.

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