OFFICE OF THE GOVERNOR
STATE OF MONTANA

STEVE BULLOCK
GOVERNOR

JOHN WALSH
LT. GOVERNOR

April 19, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 274 (HB 274), "AN ACT REVISING LAWS RELATED TO THE LICENSING OF OUTFITTERS AND GUIDES; ELIMINATING THE PROFESSIONAL GUIDE LICENSE; REVISING POWERS AND DUTIES OF THE BOARD OF OUTFITTERS; REVISING REPORTING REQUIREMENTS; REVISING QUALIFICATIONS AND APPLICATION AND EXAM REQUIREMENTS; CLARIFYING THE LIMIT ON ONE LICENSE PER INDIVIDUAL; REVISING PENALTIES; REVISING RULEMAKING AUTHORITY; AMENDING SECTIONS 37-47-101, 37-47-201, 37-47-301, 37-47-302, 37-47-303, 37-47-304, 37-47-305, 37-47-306, 37-47-307, 37-47-310, 37-47-311, 37-47-341, 37-47-343, 37-47-401, 37-47-402, 37-47-403, 37-47-404, AND 87-6-702, MCA; AND REPEALING SECTIONS 37-47-103, 37-47-316, AND 37-47-318, MCA."

HB 274 makes extensive changes to Title 47, Chapter 37, regulating the activities of outfitters and guides. The bill reduces several burdensome reporting requirements for outfitters, but it remains problematic.

HB 274 removes the statutory language in section 37-47-201, MCA, that requires the annual reporting of leased acreage for outfitting, and instead makes such reporting discretionary (section 6). This is unacceptable.

The annual reporting of acreages where licensed outfitters operate is important information to the people of Montana. Licensed outfitters provide valuable services to hunters. Their commercial activities depend upon the use of public wildlife resources as regulated by the Montana Fish, Wildlife & Parks (FWP). Accurate, credible data indicating where licensed outfitters operate is essential to helping the public, FWP, and the Montana Board of Outfitters (MBO) in various respects:

First, it allows MBO and FWP to provide high quality data, rather than anecdotal assumptions, when public policy issues arise regarding how both outfitted and non-outfitted hunting may interact to

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affect game management, season setting, access to public land, public hunting opportunities, and other resources.

Second, it assists FWP in identifying private land that may be enrolled in both the operations plan of a licensed outfitter and the Block Management program, which is typically a violation of a Block Management contract.

Third, this data is critical for the activities of the Private Land/Public Wildlife Council, mandated in section 87-1-269, MCA, in meeting their charge to evaluate the effectiveness of Block Management and other FWP hunting access programs, and to develop recommendations for the Governor and the Legislature regarding issues related to sportspersons, landowners, and outfitters. As you know, on March 12, I announced my intent to revitalize this council in order to bring renewed attention to these important issues.

The collection of current, relevant, and credible data regarding acreages where licensed outfitters are authorized to serve clients and conduct business is in the public interest. This public interest outweighs the relatively small burden presented by the annual reporting requirement, and I therefore propose an amendment to retain it.

I respectfully ask for your support of this amendment.

Sincerely,

STEVE BULLOCK
Governor

cc: Legislative Services Division
Secretary of State

Amendments to House Bill No. 274
Reference Copy

Requested by the Governor

For the House Committee of the Whole

Prepared by Susan Byorth Fox
April 17, 2013 (9:29am)

1. Page 3, line 23.
Following: "GUIDES,"
Strike: "AND"

2. Page 3, line 24.
Following: "~~RULE~~"
Insert: ", and private land acreage where licensed outfitters are authorized by the landowner to operate, including exclusive arrangements and lease agreements"

- END -