

SENATE BILL NO. 264

INTRODUCED BY N. SWANDAL

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING RULEMAKING AUTHORITY FOR REPORTING REQUIRED BY THE BOARD OF OUTFITTERS; AMENDING SECTION 37-47-201, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-47-201, MCA, is amended to read:

"37-47-201. (Temporary) Powers and duties of board relating to outfitters and guides. The board shall:

(1) cooperate with the federal government in matters of mutual concern regarding the business of outfitting and guiding in Montana;

(2) enforce the provisions of this chapter and rules adopted pursuant to this chapter;

(3) establish outfitter standards and guide standards;

(4) adopt:

(a) rules to administer and enforce this chapter, including rules prescribing all requisite qualifications for licensure as an outfitter or guide. Qualifications for outfitters may include training, testing, experience, and knowledge of rules of governmental bodies pertaining to outfitting.

(b) any reasonable rules, not in conflict with this chapter, necessary for safeguarding ~~the public health, and safety~~ THE PUBLIC HEALTH, SAFETY, AND WELFARE, ~~and welfare~~; including evidence of qualification and licensure under this chapter for any person practicing or offering to practice as an outfitter or guide;

(c) rules specifying components and standards for review and approval of operations plans; The operations plans must be updated at least annually and report all forms of use of private land acreage where licensed outfitters are authorized by the landowner to operate, except that use of private lands that allow unrestricted public access and are managed under cooperative agreements with adjacent public lands is not required to be reported.

(d) rules establishing other outfitter reporting requirements; ~~The reports, which~~ must be filed annually ~~and report client names, outfitters and guides providing client services and the license numbers of those outfitters~~



1 ~~and guides, dates of client services, and private land acreage where licensed outfitters are authorized by the~~
 2 ~~landowner to operate, including exclusive arrangements and lease agreements. specific and limited to the~~
 3 ~~purpose of professional licensing;~~

4 (e) rules specifying standards for outfitter's assistants and documentation standards for proof of
 5 employment or retention required of outfitter's assistants. The rules may also identify data that may be collected
 6 regarding use of outfitter's assistants.

7 (5) hold hearings and proceedings to suspend or revoke licenses of outfitters and guides for due cause;
 8 and

9 (6) maintain records of net client hunter use. (Terminates December 31, 2017--sec. 1, Ch. 136, L. 2015.)

10 **37-47-201. (Effective January 1, 2018) Powers and duties of board relating to outfitters and**
 11 **guides.** The board shall:

12 (1) cooperate with the federal government in matters of mutual concern regarding the business of
 13 outfitting and guiding in Montana;

14 (2) enforce the provisions of this chapter and rules adopted pursuant to this chapter;

15 (3) establish outfitter standards and guide standards;

16 (4) adopt:

17 (a) rules to administer and enforce this chapter, including rules prescribing all requisite qualifications for
 18 licensure as an outfitter or guide. Qualifications for outfitters may include training, testing, experience, and
 19 knowledge of rules of governmental bodies pertaining to outfitting.

20 (b) any reasonable rules, not in conflict with this chapter, necessary for safeguarding ~~the public health,~~
 21 ~~and safety~~ THE PUBLIC HEALTH, SAFETY, AND WELFARE, and welfare, including evidence of qualification and licensure
 22 under this chapter for any person practicing or offering to practice as an outfitter or guide;

23 (c) rules specifying components and standards for review and approval of operations plans;. The
 24 operations plans must be updated at least annually and report all forms of use of private land acreage where
 25 licensed outfitters are authorized by the landowner to operate, except that use of private lands that allow
 26 unrestricted public access and are managed under cooperative agreements with adjacent public lands is not
 27 required to be reported.

28 (d) rules establishing other outfitter reporting requirements. ~~The reports, which~~ must be filed annually
 29 ~~and report client names, outfitters and guides providing client services and the license numbers of those outfitters~~
 30 ~~and guides, dates of client services, and private land acreage where licensed outfitters are authorized by the~~

1 ~~landowner to operate, including exclusive arrangements and lease agreements.~~ specific and limited to the
2 purpose of professional licensing;

3 (5) hold hearings and proceedings to suspend or revoke licenses of outfitters and guides for due cause;

4 and

5 (6) maintain records of net client hunter use."

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7 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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